

Board of Dental Examiners of Alabama

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www.dentalboard.org

MINUTES BOARD MEETING May 12, 2023

The President called the board meeting to order at 8:30 a.m. with the following members in attendance: Dr. Marshall A. Williams, President; Dr. Bruce E. Cunningham, Vice President; Dr. Roberto Pischek, Secretary/Treasurer; Dr. Melodie A. Jones; Dr. Mark R. McIlwain; Dr. Kevin M. Sims; and Sandra Kay Alexander, RDH. Also in attendance were W. Blake Strickland, Executive Director; Dr. Donna L. Dixon, Esq., Prosecuting Counsel/Red Tape Reduction Coordinator; Aaron Dettling, Esq., General Counsel; Kevin Lane, Compliance Director; Gina Latham, ADHP Coordinator; Dr. Mary Beth Finn, Financial Services Manager; and Steve Hancock, Licensing Specialist/Public Records Coordinator.

Guests included: Blaine Galliher, Windom, Galliher & Associates; Dr. Mike Garver, Chair, Alabama Dental Professionals Wellness Program; Nancy Bishop, RPh, State Pharmacy Director, ADPH; Vicki Walker, ADPH-PDMP Administrator; Rachel Kiefer, ADPH; Alabama State Representative A. J. McCampbell; Dr. Chung How Kau, Faculty, UAB-School of Dentistry; and Michele Huebner, Executive Director, Alabama Dental Association.

The President determined a quorum was present, and the Executive Director confirmed.

The meeting was advertised on the Board's website, www.dentalboard.org, and on the Secretary of State's website, www.sos.alabama.gov, in compliance with the Alabama Open Meetings Act.

The President asked for a review of the April 7, 2023, minutes. Ms. Alexander moved to approve the minutes as presented. Dr. McIlwain seconded the motion. The minutes were approved by unanimous consent.

Dr. Pischek presented the Financial Report for April 2023. Dr. Jones made a motion to accept the report as presented. Dr. Sims seconded the motion. The motion was approved by unanimous consent.

Dr. Garver presented his committee's monthly report. Additionally, he presented a request from a licensee who is currently being monitored by the wellness committee, asking to be released from monitoring.

Mr. Galliher introduced State Representative McCampbell (District 71-Marengo, Tuscaloosa, Sumpter and Pickens counties). Representative McCampbell requested the Board consider creating a "volunteer" license to allow dentists and dental hygienists to come into Alabama from another state to provide services during charitable/volunteer events in rural areas lacking dental services. He pledged his support to the Board for any legislative actions needed to accomplish this request. In anticipation of Representative McCampbell's request, Director Strickland and board staff began drafting a legislative framework for the creation of this new license classification prior to the board meeting. One frame of reference was a similar volunteer licensure in the state of Mississippi. This framework was discussed, at length, with the Board and Representative McCampbell. Dr. Williams made a motion to complete the drafted legislation for review prior to the 2024 legislative session. Dr. Jones seconded the motion. The motion was approved by unanimous consent.

Ms. Bishop presented information concerning the current state of the opioid crisis in Alabama. The presentation included updates to the current Prescription Drug Monitoring Program (PDMP). One initiative being undertaken by Ms. Bishop and her staff is the creation of an “Overdose Dashboard” like the COVID dashboard during the pandemic. The goal is to help identify those areas in need of resources to combat opioid deaths. Lastly, Ms. Bishop advised that the new AlaHOPE website is active and offers continuing education for health care providers.

Dr. Williams called a break at 9:30 a.m. The Board meeting resumed at 9:40 a.m.

Dr. Michael Silverman and David Palmer, Esq., representing DOCS Education presented information regarding their company’s Oral Conscious Sedation (OCS) Course. As part of the presentation, several topics of interest were discussed to include the national standard of care for the use of oral conscious sedation, as well as the recommendation that all licensees providing this level of sedation should have training in Advanced Cardiac Life Support (ACLS).

Dr. Chung How Kau, a faculty member/orthodontist at the UAB-School of Dentistry, presented a request to the Board asking for a pathway for faculty members holding a Special Teaching Permit to apply for full licensure in Alabama. Dr. Kau provided suggested legislative language as part of his handout packet. Dr. Kau advised that faculty members with only a Special Teaching Permit are not allowed to be credentialed or to bill to Alabama’s Medicaid program when providing services at locations such as Children’s Hospital. The Board thanked Dr. Kau for his presentation.

Director Strickland presented a request from Dr. Kevin Dean asking the Board to review hospital call by oral surgeons in south Alabama. He feels as though oral surgeons are not taking unattached patient call at hospitals in the area, which are causing patients to travel to Florida for emergency dental treatment. Dr. McIlwain advised that oral surgeons are not required to take unattached patient call at area hospitals, though he believes it is a good practice and something that he, personally, does. He said the trend in the state of Alabama is only Level I and/or Level II trauma centers pay for OMFS services on unattached patient call.

Director Strickland and Mr. Galliher presented a Legislative Update regarding the Board’s current bill and other bills of interest. One addition was attached to the Board’s bill by Senator April Weaver (14th Senate District-Bibb, Shelby, and Chilton counties) increasing the criminal penalty for practicing dentistry without a license from a misdemeanor to a Class C felony. The addition was supported by the Board and the state dental association.

Dr. Williams discussed the mediation that took place in Montgomery involving board members and representatives from the state dental association concerning the new legislation involving “General Supervision” of dental hygienists. Though the meeting seemed to have concluded with an agreement, that agreement did not make it successfully back to the Senate Health Committee. Due to that, the decision was made to remove the legislation involving general supervision. Dr. Williams encouraged the Board to work to reintroduce general supervision in the 2024 legislative session and encouraged the Board’s sub-committee members to continue working with representatives of the state dental association to gain a consensus on this and other legislative initiatives. Board members suggested scheduling some outreach events to educate licensees on general supervision, such as town hall meetings, and possibly holding a board meeting at the upcoming Gulf Coast Dental Conference. Director Huebner said that she would reach out to her association leadership and see if space would be available at the conference venue to host the Board. She agreed with the sub-committee continuing to work and suggested a meeting in June, if possible. Additional suggestions were made, to include the drafting of a white paper by the Board and the state dental association as a joint statement and intent.

Director Strickland concluded the Legislative Update by submitting to the Board a proposed board rule that would comply with the new federal mandate involving the portability of professional licensure by active-duty military personnel and spouses. The proposed rule would only apply to a dental or dental hygiene license. Permits would have to be handled by application. Dr. McIlwain made a motion to accept the new board rule and submit it for publishing. Dr. Jones seconded the motion. The motion was approved by unanimous consent.

Director Strickland requested the Board's clarification on 1) How many attempts an applicant has to pass the jurisprudence exam before having to re-apply and, 2) What a passing score should be (it's currently 75%). After discussion, Dr. McIlwain made a motion that an applicant has 3 attempts to pass the jurisprudence exam before having to re-apply and to set the passing score at 75%. Dr. Jones seconded the motion. The motion was approved by unanimous consent.

Dr. Jones presented her report on the SCPH Meeting. Topics included: COVID public health emergency ended effective May 11, 2023; all COVID-related test kits, vaccines and therapeutics will go to private pay and insurance reimbursement with no government funding available; Alabama's COVID dashboard will be phased out and will be combined with other dashboards.

Dr. Jones presented her report on the AADB mid-year meeting. Director Strickland and Dr. Pischek both attended the meeting along with Dr. Jones.

Dr. Jones presented her report on the AADB-Southern Regional Caucus meeting. Topics discussed included dental compacts, wellness programs, workplace shortages, social media and the consequences of dental professionals using this mode of sharing information.

Dr. Jones presented her report regarding her recent CODA Site visit to Calhoun Community College. The CODA Site Visit Team spent two full days visiting the school. Meetings were held with the dental hygiene program director, school administration, faculty, and students. The findings of the team were presented to the Calhoun Community College staff and faculty. These findings were then processed and sent to CODA for finalizing the accreditation evaluation.

Dr. Sims presented his report on his recent CODA site visit to UAB-School of Dentistry. He stated he was part of a team that reviewed head and neck cancer identification and treatments. Dr. Sims felt oral surgeons have more expertise identifying and referring to the appropriate oncology teams. The site visit was deemed successful.

Director Strickland discussed Dr. Trey Fellers's request for approval of a CE Course on Pediatric Dentistry. Dr. McIlwain made a motion to approve this CE. Dr. Jones seconded the motion. The motion was approved by unanimous consent.

Director Strickland discussed Dr. Scott Sprayberry's request for approval of a CE Course on clear aligners and braces. Dr. Cunningham made a motion to approve this CE. Dr. Sims seconded the motion. The motion was approved by unanimous consent.

Director Strickland requested the Board's final approval for the number of continuing education hours to award for Ms. Mewbourne's dental hygiene-related course submitted during the April 2023 board meeting. Ms. Alexander said the course should be given two (2) hours of CE credit. Dr. McIlwain made a motion to approve this course for two (2) hours of CE credit. Dr. Jones seconded the motion. The motion was approved by unanimous consent.

Director Strickland requested the Board's permission for staff to begin approving submitted continuing education courses, as the number of submissions are increasing through CE Broker. This would allow courses a more expedient approval process in lieu of waiting for the next available board meeting. Alabama Administrative Code, r. 270-X-4-.04(5)(e) allows the Board to designate approval authority and outlines specific criteria for course approval. Dr. Cunningham made a motion to designate appropriate staff members to review/approve continuing education courses submitted to the Board. Dr. Pischek seconded the motion. The motion was approved by unanimous consent.

Director Strickland discussed board members' request to attend the GCDC/ALDA Conference July 12-16, 2023. He clarified board members are required to be on official board business in order to be reimbursed for their time/travel. It was determined that the proposed board meeting along with attendance at committee meetings, both for the state association and AGD by all board members qualified as official board business. Dr. Cunningham made a motion to

approve travel for conference attendance. Dr. Pischek seconded the motion. The motion was approved by unanimous consent.

Director Huebner recognized Dr. Kevin Sims for his distinguished service to the dental profession. This presentation was initially intended for last fall, but scheduling conflicts caused delays.

Dental License Applications

- **By Regional Exam**

Rachel Cross, DMD; Dental College of Georgia, Augusta (2020)
Alexandria Dixon, DDS; University of Tennessee (2022)
Robert Harvey III, DDS; University of Michigan (2022)
Andrea Grey Jones, DMD; UAB (2022)
Desiree Marquez, DMD; University of Louisville (2022)
Treyvan Merritt, DMD; Dental College of Georgia, Augusta (2020)
Priscilla Sosa, DMD; LECOM (2020)

Dr. Jones recommended approval of Dental Licensure by Regional Exam, based on successful completion of the jurisprudence exam for the above applicants. Dr. Pischek made a motion to approve the applications. Dr. Sims seconded the motion. The motion was approved by unanimous consent.

The following UAB graduates will be completing Dental Licenses by Regional Exam. Their licenses are dependent upon successful completion of the jurisprudence examination and receipt of final transcripts:

Noor Al Saeed	Jackson Algiers	Megha Amin
Maryam Azam	Steven Beard	Melanie Brown
Dawson Buettner	Terpsithea Christou	Darya Clayton
William Clingan	Andrew Douthit	John C. Freeman, Jr.
Carolyn Griffin	Crystal Hanson	Jessica Hardin
Austin Harper	Walters Leigh Haynes	Jonathan Holloway
Sara Kahi Mianji	Lillian Kilgore	Vlad Kokorin
Madison Liljeberg	Faith Linden	Mallory Mathias
Kevin Nguyen	Kylan Oden	Akshar Hasit Patel
Hetvi Patel	Pinal Patel	Chance Pruitt
Rashmi Radhakrishnan	Jennifer Reaves	Elizabeth B. Reece
Alana Robinson	Aissar Sahori	Jeremy Strong
Sebastian Torres	Linh Tran	Viet Vo
Dalton Wright		

Dr. Jones recommended approval of Dental Licensure by Regional Exam, based on receipt of final transcript and successful completion of the jurisprudence exam for the above applicants. Dr. Pischek made a motion to approve the applications. Dr. Sims seconded the motion. The motion was approved by unanimous consent.

- **By Credentials**

Samuel Moore, DDS; University of Tennessee (1993)
Kanvar Panesar, DDS; New York University College of Dentistry (2017)
Mark Shousha, DDS; Creighton University (1992)

Dr. Jones recommended approval of Dental Licensure by Credentials, based on successful completion of the jurisprudence exam for the above applicants. Dr. Pischek made a motion to approve the applications. Dr.

McIlwain seconded the motion. The motion was approved by unanimous consent.

Dental Hygiene License Applications

- **By Regional Exam**

Chloe Eddins, RDH; Fortis (2022)

Lagan Ann Fuller, RDH; Wallace State Community College (2022)

Jenny Hobbsm RDH; Carrington College Boise (2019)

Patricia Jean Kilgore, RDH; Fortis (2019)

Lynette Miller, RDH; Wallace State Community College (2023)

John Stoltz, RDH; Santa Fe College (2021)

Ms. Alexander recommended approval of Dental Hygiene Licensure by Regional Exam, based on successful completion of the jurisprudence exam for the above applicants. Dr. Jones made a motion to approve the applications. Dr. Pischek seconded the motion. The motion was approved by unanimous consent.

The following Calhoun Community College Dental Hygiene graduates will be completing Dental Hygiene Licenses by Regional Exam. Their licenses are dependent upon successful completion of the jurisprudence examination and receipt of final transcripts:

Stephanie Santamaria Acevedo

Katie Bateman

Destinee Hargrove

Ruth Norman

Amberly Tielking

Manda Claire Barley

Shanna Davis

Caroline Meyer

Zaria Rice

Ms. Alexander recommended approval of Dental Hygiene Licensure by Regional Exam, based on receipt of final transcripts and successful completion of the jurisprudence exam for the above applicants. Dr. Cunningham made a motion to approve the applications. Dr. McIlwain seconded the motion. The motion was approved by unanimous consent.

Ms. Latham presented the ADHP report. The 2022-2023 ADHP program is complete. 214 applications were accepted, and the course began with 209 students, after several applicants withdrew. The program graduated 138 students. An official pinning ceremony for the graduates was held at Rosewood Hall in Homewood, AL on April 23, 2023, with approximately 400 in attendance. As an aside, Rosewood Hall will be the venue hosting the 2023-2024 ADHP. Currently, there are 208 students that have been accepted for the 2023-2024 ADHP. Ms. Latham noted that a 2022-2023 graduate contacted her advising of successfully passing the OSCI exam.

Investigator Youngblood presented his Inspection Report. An OCS Facility Inspection was completed in Daphne, AL. An OCS permit request in Mobile, AL was withdrawn at the licensee's request until all requirements can be met for a facility inspection. One portable unit was inspected and there are two (2) OCS Facility Inspections scheduled in Huntsville and Ft. Payne scheduled for May.

Mr. Dettling presented his Attorney's Report. He reviewed earlier legislative matters and noted that he and the staff are continuing work on reviewing and drafting amendments to current board rules. Mr. Dettling reminded the Board of the current moratorium on submitting changes to board rules, per the Governor's Office, but stated he and the staff will be prepared to submit changes when allowed. Some of these changes cannot be drafted until the Board's legislative bill passes and is signed into law. He added that he and Investigator Youngblood are continuing to work on the current complaint against an individual in Clanton, AL in which the Board secured a permanent injunction regarding his practice of dentistry without a license.

Director Strickland presented his Executive Director report. The report covered a number of items, to include: the replacement of the HVAC unit is complete; he met with the architect regarding the next phase of the board office renovation; getting quotes to repair drainage issues in the rear of the building; scheduled furniture delivery of guest chairs for the board room May 15, 2023; state auditors completed our property audit with Dr. Finn and we passed with no negative findings; a review of some of the mandates of Governor Ivey's executive orders and how the staff is working to meet those requirements; staff is working to initiate the ability for the Board to accept payments through our website for applications, fees, fines, etc.; an ADHP update-approximately 270 applications have been received for the 2023-2024 ADHP, possible changes to how ADHP applications and payments are accepted in the future, and possible changes to the student resource kit; American Council on Education (ACE) committee has been confirmed with representatives from Howard University, UAB-School of Dentistry, and one from Maryland. The review will begin May 22, 2023 and conclude May 26, 2023. Their report will be presented at the June 2, 2023 board meeting; staff has started working on the 2023-24 budget and will have drafts out to the executive committee for initial review soon; an update to the board's personnel and rules/regulations manual will be presented to the board for review and approval at the June 2, 2023 board meeting.

Dr. Williams called a break at 1:15 p.m. The Board meeting resumed at 1:40 p.m.

Case Reviews – Dr. Dixon / Mr. Lane

Dr. Cunningham made a motion that the licensee in case D-18 be released from monitoring but adhere to the rest of the wellness agreement. Dr. Pischek seconded the motion. It was approved by unanimous consent with the team leader and hygiene member abstaining from the vote.

Dr. Cunningham made a motion that case #2023-19 has no evidence to sustain. Dr. Jones seconded the motion. It was approved by unanimous consent with the team leader and hygiene member abstaining from the vote.

Dr. Pischek made a motion that case #2023-39 has no evidence to sustain. Dr. Cunningham seconded the motion. It was approved by unanimous consent with the team leader and hygiene member abstaining from the vote.

Dr. Sims made a motion that case #2023-59 receive a non-disciplinary fine. Dr. Pischek seconded the motion. It was approved by unanimous consent with the team leader and hygiene member abstaining from the vote.

Dr. Pischek made a motion that case #2023-62 receive a non-disciplinary fine. Dr. McIlwain seconded the motion. It was approved by unanimous consent with the team leader and hygiene member abstaining from the vote.

Dr. Cunningham made a motion that case #2023-46 be noticed for a hearing. Dr. McIlwain seconded the motion. It was approved by unanimous consent with the team leader and hygiene member abstaining from the vote.

Dr. Jones made a motion that case #2022-102 be administratively closed. Dr. McIlwain seconded the motion. It was approved by unanimous consent with the team leader and hygiene member abstaining from the vote.

Dr. Sims made a motion that case #2023-54 has no evidence to sustain. Dr. Jones seconded the motion. It was approved by unanimous consent with the team leader and hygiene member abstaining from the vote.

Dr. Jones made a motion that case #2023-18 has no evidence to sustain. Dr. Sims seconded the motion. It was approved by unanimous consent with the team leader and hygiene member abstaining from the vote.

Dr. Jones made a motion that case #2023-40 be noticed for a hearing. Dr. Sims seconded the motion. It was approved by unanimous consent with the team leader and hygiene member abstaining from the vote.

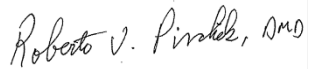
Dr. McIlwain made a motion for case #2023-47 be noticed for a hearing. Dr. Jones seconded the motion. It was approved by unanimous consent with the team leader and hygiene member abstaining from the vote.

Dr. McIlwain made a motion to adjourn. Ms. Alexander seconded the motion. It was approved by unanimous consent.

Meeting adjourned at 2:33pm.

ADJOURNED

Respectfully Submitted,



Dr. Roberto V. Pischek, Secretary/Treasurer

Approved: _____

Submitted by: Steve Hancock