

Board of Dental Examiners of Alabama

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www.dentalboard.org

MINUTES BOARD MEETING August 18, 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 V. Pischek, Secretary/Treasurer; Dr. Melodie A. Jones; Dr. Mark R. McIlwain; 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: Dr. William (Bill) Harrell; Ragan Ingram, Windom, Galliher & Associates; Executive Director Michelle Huebner, ALDA.

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 board minutes from July 6-7, 2023, July 12, 2023, and July 27, 2023. Dr. Jones moved to approve the minutes as presented. Ms. Alexander seconded the motion. The minutes were approved by unanimous consent.

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

Dr. William (Bill) Harrell spoke to the Board regarding recent information provided by the American Academy of Dental Sleep Medicine. Dr. Harrell provided a presentation and handouts for the Board's review. He advised that the UAB-School of Dentistry may add information regarding dental sleep medicine to the curriculum in the future.

Mr. Ingram provided an update on current events happening within the state legislature, to include recent changes in how legislation will be introduced. Dr. Jones spoke about recent news regarding interstate dental compacts and asked that Mr. Ingram watch for any introduction of these types of compacts within Alabama.

Director Strickland advised the Board that staff members were conducting reviews of current statutes and board rules. Once such review is regarding the board rule for Oral Conscious Sedation. Due to the board rule requiring certain emergency cardiac medications, Director Strickland requested the Board consider requiring ACLS as part of the Oral Conscious Sedation permit. Dr. McIlwain and Dr. Pischek discussed clarifying what types of patient monitoring should occur during sedation.

Mr. Lane discussed his ongoing work regarding State Representative A.J. McCampbell's request for the Board to create a volunteer/pro-bono license to allow out-of-state dentists/dental hygienists to work charity events in

Alabama. He solicited guidance and suggestions from board members to allow him to proceed.

Dr. Williams called for a break at 9:45 a.m. The meeting resumed at 9:58 a.m.

Director Strickland provided an update to the work on the initial wellness contract and potential changes to the voluntary suspension form used during the course of board investigations. He advised a possible change would be the creation of a pre-deferral agreement that would be utilized at the beginning of any wellness-related investigation, whether a deferral (non-public) or a formal complaint. Director Strickland, staff, and board members discussed creating a clearer definition of what constitutes a “deferral” and how a licensee would qualify for this designation. Dr. Pischek asked Director Strickland to explain the current protocols followed regarding deferrals. Upon explaining the process with Dr. Dixon’s and Mr. Lane’s input, the board members agreed that the current process was clear. Dr. McIlwain suggested publishing the protocols to licensees to ensure everyone has access to the information. Director Strickland was encouraged to complete the pre-deferral agreement and protocol update and present them to the Board at the September board meeting to help address current confusion by several licensees.

Director Strickland presented a request from Dr. Clint Evans to be removed from probation. After a brief discussion, Dr. McIlwain made a motion to release Dr. Evans from probation. Dr. Cunningham seconded the motion. Dr. McIlwain and Dr. Cunningham voted in favor of the motion. Dr. Williams, Dr. Pischek, and Dr. Jones voted against the motion. The motion failed.

Director Strickland presented a request from Dr. Doug Grant to be removed from probation. After a brief discussion, Dr. Cunningham made a motion to release Dr. Grant from probation. Dr. McIlwain seconded the motion. Dr. McIlwain and Dr. Cunningham voted in favor of the motion. Dr. Williams, Dr. Pischek, and Dr. Jones voted against the motion. The motion failed.

Director Strickland presented a request from Dr. Nick Pieroni asking that continuing education requirements be removed as part of the new retired/disabled licensing status goes into effect in November 2023. The request was discussed, but no action was taken.

Director Strickland presented a request from Dr. Ted Melton to modify continuing education requirements due to current medical issues. Dr. Pischek made a motion to fully online continuing education requirements for the 2022-2023 cycle. Dr. McIlwain seconded the motion. The motion was approved by unanimous consent.

Director Strickland presented a request from Dr. Sunitha Madasu to modify continuing education requirements due to current medical issues. Dr. Pischek made a motion to allow fully online continuing education for the 2022-2023 cycle. Dr. Jones seconded the motion. The motion was approved by unanimous consent.

Director Strickland presented a request from Dr. Luke Griffin to modify continuing education requirements due to current medical condition. Dr. Pischek made a motion to allow Dr. Griffin to obtain all of his required continuing education online until such time as he is released to return to work by his physician. Dr. Cunningham seconded the motion. The motion was approved by unanimous consent.

Director Strickland presented a request from Dr. Stacey Wolanek to modify continuing education requirements due to current medical issues. Dr. Pischek made a motion to extend Dr. Wolanek’s time to complete her continuing education requirements for the 2022-2023 cycle until 12/31/2023 with the understanding that any hours obtained after 10/01/2023 would not count towards her 2023-2024 cycle. Dr. McIlwain seconded the motion. The motion was approved by unanimous consent.

Director Strickland presented a request from Dr. Janniece Brown to modify continuing education requirements due to current medical issues. Dr. Pischek made a motion to allow fully online continuing education for the 2022-2023 cycle. Dr. Jones seconded the motion. The motion was approved by unanimous consent.

Director Strickland presented a request from Ms. Sherri Ballard, RDH, to modify continuing education requirements due to current medical issues. Ms. Alexander made a motion to allow fully online continuing education requirements for the 2022-2023 cycle. Dr. Williams seconded the motion. The motion was approved by unanimous consent.

Director Strickland presented a request from an ADHP student to remain in the program after missing a class. Ms. Latham reported that the absence was due to a death in the student's family with the funeral being outside Alabama. Ms. Alexander made a motion to approve the student's request. Dr. Williams seconded the motion. The motion was approved by unanimous consent.

Director Strickland advised the Board that the PDMP system had begun running a monthly verification looking for expired controlled substance permits and/or expired DEA registrations. The most recent audit resulted in six (6) formal investigations being opened due to dentists writing prescriptions on an expired permit or registration. These monthly audits will continue for the foreseeable future. Director Strickland has established a protocol that includes: 1) verifying the PDMP information; 2) moving the controlled substance permit to an "inactive" status in the case of an expired DEA registration; 3) checking the licensee's prescribing history for the time frame in which the expired status covers; 4) notifying the licensee by email of the issue; 5) documenting these steps in our database; 6) reactivating the controlled substance permit upon receipt of a new DEA registration.

Director Strickland reminded the Board of the upcoming ADHP-Instructor Course on October 6, 2023 at the Montgomery Marriott Prattville Hotel & Conference Center. The course is scheduled from 9 a.m.- 11 a.m.

Director Strickland also reminded the Board that a Town Hall meeting will be held at the same Marriott Hotel immediately following the ADHP-Instructor Course on October 6, 2023. The subject of the Town Hall meeting will be centered around legislative initiatives. The meeting is scheduled from 11 a.m.-1 p.m.

Director Strickland advised the Board that a 2-hour training session is scheduled for board members on October 13, 2023 immediately following the scheduled board meeting. The topics will include ethics and case management. Dr. Dixon, Mr. Dettling, and Mr. Lane will lead the training.

Dr. Jones presented her report regarding the AADB-Dental Compact Information Sheet

Dr. Jones presented her report regarding the ADEX Meeting

Dr. Jones presented her report regarding the CWC Dental Hygiene Exam (Fortis)

Dr. Jones presented her report regarding the ALDA/GCDC.

Dr. Jones presented her report regarding the CDCA-WREB-CITA Steering Committee.

Dr. Jones presented her report regarding the SCPH.

Dr. Jones presented her report regarding the SRTA.

Dr. Cunningham presented his report regarding the ALDA/GCDC.

Ms. Alexander presented her report on the SRTA.

Dr. Williams called for a break at 11:19 am. The meeting resumed at 11:30 a.m.

Director Strickland requested the Board's approval for the submitted salary adjustments for board staff. Dr. Cunningham made a motion to approve the staff salary adjustments, as submitted, to take effect September 1, 2023. Dr. Jones seconded the motion. The motion was approved by unanimous consent.

Mr. Lane, who was asked by the Board to coordinate documents for the performance evaluation of Director Strickland, collected the board members' forms and presented them to Dr. Williams. After a brief discussion among the board members regarding the results, Dr. Cunningham made a motion to approve a 6% pay increase for Director Strickland to take effect September 1, 2023. Dr. McIlwain seconded the motion. The motion was approved by unanimous consent.

Director Strickland and Dr. Finn presented the 2023-2024 budget to the Board for review and discussion. Director Strickland advised that the final budget would be presented to the Board at the September 2023 board meeting for final approval.

Dental License Applications

- **By Regional Exam**

- Shruti Chandna, DDS; Meharry (2018)
- Kyle Cross, DMD; Lecom (2023)
- Kelcie Downer, DDS; Meharry (2023)
- Shraddha Joshi, DDS; NYI (2023)
- Gabriela Marchegiani, DMD; Tufts University (2023)
- Zachary Gardner, DDS; Meharry (2021)

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

- **By Credentials**

- Eva Bloda, DDS; Loyola (1990)
- Rui Fernandes, DMD; Boston University (1997)
- John Johnson, DDS; UCLA (2015)
- Monte Kranz, DDS; Meharry (2013)
- Jay Patel, DMD; Boston University (2014)
- Jay Ponto, DDS; UCLA (2014)
- Suman Sethi, DDS; Virginia Commonwealth (2015)

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

Dental Hygiene License Applications

- **By Regional Exams**

- Cameron Bailey, RDH; ADHP (2023)
- Katherine Bice, RDH; ADHP (2023)

- Sara Bingham, RDH; ADHP (2023)
- Tiffany Bladorn, RDH; ADHP (2023)
- Mallory Caldwell, RDH; ADHP (2023)
- Samiya Christy, RDH; ADHP (2023)
- Alyssa Clauson, RDH; Pensacola St. College (2023)
- Brittany Cochran, RDH; ADHP (2023)
- Ashlee Deloney, RDH; Allegany College of Maryland (2021)
- Savana Gaither, RDH; ADHP (2023)
- Liliana Garcia, RDH; ADHP (2023)
- Karisa Graham, RDH; ADHP (2023)
- Taylor Green, RDH; ADHP (2023)
- Shaima Hidar, RDH; Univ. of TN (2018)
- Julie Irby, RDH; ADHP (2023)
- Lauren Jean, RDH; ADHP (2023)
- Taylor Jempson, RDH; ADHP (2023)
- Shelby Knight, RDH; ADHP (2023)
- Caylan Lee, RDH; ADHP (2023)
- Whitney Lewis, RDH; Fortis (2023)
- Sky Lindley, RDH; ADHP (2023)
- Marika Marinakis, RDH; ADHP (2023)
- Taylor May, RDH; ADHP (2023)
- Peyton McClure, RDH; ADHP (2023)
- Tracy McClurg, RDH; Fortis (2020)
- Ashley McGeehan, RDH; ADHP (2023)
- Ashton McGowan, RDH; ADHP (2023)
- Abigail McLean, RDH; ADHP (2023)
- Alexandra Mitchell, RDH; ADHP (2023)
- Cassidy Peacock, RDH; ADHP (2023)
- Paleigh Perkins, RDH; Pensacola St. College (2023)
- Mary Pevey, RDH; ADHP (2023)
- Graci Pollard, RDH; Wallace St. CC (2023)
- Nicole Ristau, RDH; Calhoun CC (2023)
- Ambria Simmons, RDH; ADHP (2023)
- Carmen Simpson, RDH; ADHP (2023)
- Alecia Sloan, RDH; ADHP (2023)

- Megan Smith, RDH; ADHP (2023)
- Amber Tarpley, RDH; ADHP (2023)
- Juanita Cortes-Torres, RDH; Tallahassee Community College (2023)
- Olivia Turner, RDH; ADHP (2023)
- Sarah Walker, RDH; ADHP (2023)
- Kennedy West, RDH; ADHP (2023)
- Natalie Westrick, RDH; ADHP (2023)
- Baylee Whitlock, RDH; ADHP (2023)
- Breyonne Williams, RDH; ADHP (2023)
- Deja Wilson, RDH; ADHP (2023)

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

- **By Credentials**

- Marilu Metzler, RDH; Rhodes St. College (2006)
- Betsie Romans, RDH; Carrington College (2015)

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

- **Special Purpose License**

- Thomas Vahdani, DDS; Univ. of Southern California (2002)

Dr. Cunningham recommended approval of Special Purpose Licensure, based on successful completion of the jurisprudence exam for the above applicant. Dr. Jones seconded the motion. The motion was approved by unanimous consent.

Ms. Latham presented the ADHP Report. Of the ADHP graduates that have tests, they have a 100% pass rate for the ADEX and a 96% pass rate for the OSCE. She discussed the new addition to the ADHP curriculum of the practical day at the UAB-School of Dentistry. The training was well received by the students and is a welcomed and permanent addition to the curriculum. The venue hosting the program is working well. Ms. Latham complimented the City of Homewood for investing in improvements to the Wi-Fi service at the venue. Lastly, Dr. Basma and Ms. Latham continue to work to fill the vacant faculty positions. Dr. Cunningham complimented the program and its staff and faculty.

Investigator Youngblood presented the Inspection Report.

Director Strickland presented the Wellness Report on behalf of Dr. Garver. Dr. McIlwain requested that Dr. Garver attend at least one (1) board meeting per quarter. The Board agreed.

Mr. Dettling presented the Attorney Report.

Mr. Dettling requested the Board enter into executive session on a matter(s) imminently likely to be litigated. He advised that he needed no more than 10 minutes, then the Board would return to its normal session. Dr. Williams made a motion to enter into executive session at 12:30 p.m. and return at 12:45 p.m. Dr. McIlwain seconded the motion. In a roll call vote, Dr. Williams, yes; Dr. Cunningham, yes; Dr. Pischek, yes; Dr. Jones, yes; Dr. McIlwain, yes; Ms. Alexander, yes.

The Board exited executive session at 12:37 p.m.

Case Reviews-Dr. Dixon/Mr. Lane

Dr. Cunningham made a motion that case #2023-56 has no evidence to sustain. Dr. Jones seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. McIlwain made a motion that case #2023-71 has no evidence to sustain. Dr. Cunningham seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Cunningham made a motion that case #2023-81 has no evidence to sustain. Dr. Jones seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Cunningham made a motion that case #2023-91 has no evidence to sustain. Dr. Jones seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Cunningham made a motion that case #2023-57 has no evidence to sustain. Dr. Jones seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Cunningham made a motion that case #2023-69 has no evidence to sustain. Dr. McIlwain seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Cunningham made a motion that case #2023-53 has no evidence to sustain. Dr. Pischek seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Pischek made a motion that case #2023-68 has no evidence to sustain. Dr. Cunningham seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Pischek made a motion that case #2023-70 be noticed for a hearing. Dr. Cunningham seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Pischek made a motion that case #2023-80 has no evidence to sustain. Dr. Cunningham seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Pischek made a motion that case #2023-82 has no evidence to sustain. Dr. McIlwain seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Cunningham made a motion that case #2023-101 is out of jurisdiction. Dr. Pischek seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. McIlwain made a motion that case #2023-48 has no evidence to sustain. Dr. Jones seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Cunningham made a motion that case #2023-72 has no evidence to sustain. Dr. Jones seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Cunningham made a motion that case #2023-73 has no evidence to sustain. Dr. Jones seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Cunningham made a motion that case #2023-64 be noticed for a hearing. Dr. Jones seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Cunningham made a motion that case #2023-52 be noticed for a hearing. Dr. Jones seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. McIlwain made a motion that case #2023-78 has no evidence to sustain. Dr. Jones seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. McIlwain made a motion that case #2023-77 has no evidence to sustain. Dr. Jones seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Pischek made a motion that case #2023-84 be noticed for a hearing. Dr. Jones seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Pischek made a motion that case #2023-85 be noticed for a hearing. Dr. Jones seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Jones made a motion that case #2023-93 has no evidence to sustain. Dr. Pischek seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Pischek made a motion that case #2023-100 has no evidence to sustain. Dr. Jones seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

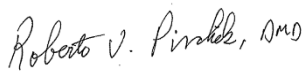
Director Strickland presented the Executive Director's report. He provided an update on the building renovations and furniture delivery, as well as the work completed in the lobby. Additionally, Director Strickland updated the Board on the current status of CE Broker and the number of licensees that have created their free basic accounts. Dr. McIlwain asked if instructions were readily available to licensees. Director Strickland advised that Dr. Finn has published instructions that have been emailed out to all licensees as well as posted on the homepage and continuing education pages of our website.

Dr. Williams presented an award to Dr. Mary Beth Finn for her work in obtaining the ACE Credits for the ADHP.

Meeting adjourned at 1:36pm.

ADJOURNED

Respectfully Submitted,



Dr. Roberto V. Pischek, Secretary/Treasurer

Approved: _____

Submitted by: Steve Hancock