



Board of Dental Examiners of Alabama

2229 Rocky Ridge Road, Birmingham, AL 35216

205.985.7267

www.dentalboard.org

MINUTES BOARD MEETING December 2, 2022

The Board of Dental Examiners of Alabama met Friday, December 2, 2022, at the Board office to conduct business.

The President called the 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; 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; Aaron Dettling, Esq., General Counsel; Kevin Lane, Compliance Director; Gina Latham, ADHP Coordinator; Dr. Mary Beth Finn, Financial Services Manager; and Brooke Schwartz, Licensing Clerk.

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 review of the minutes from the November 4, 2022, minutes. Dr. Cunningham moved to approve the minutes as presented. Dr. Jones seconded the motion. It was approved by unanimous consent.

Dr. Pischek presented the Financial Report for October 2022. Dr. Williams made a motion to accept the report as presented. Dr. Jones seconded the motion. The motion was approved by unanimous consent.

Director Strickland requested the Board to require facility inspections for new Oral Conscious Sedation permits beginning January 2023. Dr. Jones made a motion to accept the request. Dr. Sims seconded the motion. It was approved by unanimous consent.

Dr. Jones discussed whether administering HPV vaccines is within the scope of dental practice. After discussion, the Board took no action, which left the current Board's decision in place, from the February 2018 meeting minutes.

Dr. Jones presented her report from the State Committee on Public Health.

Dr. Jones presented her report from the "Count the Kicks" Proclamation.

Dr. Jones made a motion to approve the "Count the Kicks" continuing education course. Dr. Cunningham seconded the motion. It was approved by unanimous consent.

Mr. Lane requested the Board clarify how disciplinary actions should be published (website vs. newsletter). Dr. Cunningham made a motion to approve publishing new consent orders and final orders starting from the

date of January 1, 2023, to include licensee name, license number, and synopsis of disciplinary action(s) only on the Board's website. Dr. Jones seconded the motion. It was approved by unanimous consent.

Director Strickland requested the Board to re-examine if PRP, PRF, and micro-needling are within scope of practice for dentistry. After discussion, the Board took no action, which left the current Board's decision in place, from the June 2022 meeting minutes.

Ms. Latham presented requests from two students, who recently missed part of the ADHP course, asking for approval to remain in the course. Ms. Alexander made a motion to accept the requests. Dr. McIlwain seconded the motion. The motion was approved by unanimous consent.

Ms. Latham presented a former graduate's request to retake the dental hygiene licensure exam. Dr. Cunningham made a motion to deny the request. Dr. Jones seconded the motion. The motion was approved by unanimous consent.

Dr. Jones recommended approval of Dental License by Regional Exam, based on successful completion of the jurisprudence exam for the below applicant. Dr. McIlwain made a motion to approve the applications. Dr. Sims seconded the motion. It was approved by unanimous consent.

- Kwame Otuo-Achampong, D.D.S.; CDCA 2021; Howard University College of Dentistry, 2021

Dr. Jones recommended approval of Dental License by Credential, based on successful completion of the jurisprudence exam for the following applicants. Dr. McIlwain made a motion to approve the applications. Dr. Sims seconded the motion. It was approved by unanimous consent.

- Alex Afshar, D.D.S., M.D.; Herman Astrow School of Dentistry of USC, 2015
- Kerwin Donaldson D.D.S.; LSU School of Dentistry, 1980

Director Strickland presented the Wellness Report submitted by Dr. Garver.

Dr. McIlwain made a motion that case #2022-100 has no evidence to sustain. Dr. Sims 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 #2022-105 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. Sims made a motion that case #2022-107 be administratively closed. 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 #2022-119 has no evidence to sustain. Dr. Sims seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Sims made a motion that case # #2022-120 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. McIlwain made a motion that case #2022-98 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. Jones made a motion that case #2022-108 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. Jones made a motion that case #2022-109 be noticed for a hearing. 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 #2022-110 has no evidence to sustain. Dr. Jones seconded the motion. It was approved by unanimous consent with the case team leader abstaining from the vote.

Dr. Cunningham made a motion that case #2022-112 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 #2022-123 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.

Ms. Gina Latham presented the ADHP Report.

- A midterm review will be given in December with the midterm exams given in the January session. Dr. Basma and Ms. Latham have discussed restarting the pinning ceremony which had been cancelled during the last several years due to COVID. The tentative date for the pinning ceremony is scheduled for April 23, 2023.

Director Strickland presented the Inspection Report.

- Wallace State Community College has requested site evaluations for several area dental clinics to allow dental hygiene students to start clinical rotations. Those evaluations are scheduled to be completed before January 1, 2023.

Mr. Aaron Dettling, Esq. presented the Attorney Report.

Director Strickland presented the Executive Report.

- There are approximately 1,100 licensees that have yet to renew their licenses.
- Dr. Finn continues to work with CE Brokers to finalize the database for licensees. CE Brokers will launch the new program soon.
- Several general contractors attended the pre-bid meeting for the HVAC replacement project. No formal bids were accepted, so informal bids were requested. One company agreed to proceed with the project.
- The HVAC maintenance vendor for the building has gotten the heating system operational. The new HVAC unit has been ordered and will be installed as quickly as possible.
- Several general contractors attended the pre-bid meeting for the boardroom renovations. Due to circumstances outside our control, the renovations will not meet the December 31, 2022 deadline. A new deadline of January 31, 2023, was established.
- The replacement furniture for the boardroom is scheduled to be arriving soon and should be in place prior to the January 2023 board meeting.
- The staff are completing a review and revision of the current policies and procedures handbook, which was last updated in 2016. A draft should be available for the Board's review by the January 2023 board meeting.

Ms. Alexander made a motion to adjourn the Board meeting, Dr. Pischek seconded the motion. Meeting was adjourned at 10:53 a.m.

MINUTES
LEGISLATIVE MEETING
December 2, 2022

The Board of Dental Examiners of Alabama met Friday, December 2, 2022, at the Board office to conduct business.

The President called the meeting to order at 11:30 a.m. with the following members in attendance: Dr. Marshall A. Williams, President; Dr. Bruce Cunningham, Vice President; Dr. Roberto V. 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; Aaron Dettling, Esq., General Counsel; Kevin Lane, Compliance Director; Dr. Mary Beth Finn, Financial Services Manager, and Gina Latham, ADHP Coordinator.

The group discussed suggested changes to the Alabama Dental Practice Act and administrative code.

The meeting concluded at 2:15 p.m.

Respectfully Submitted,

Dr. Roberto V. Pischek, Secretary/Treasurer

Approved: *Roberto V. Pischek, SMO*

Submitted by: Brooke Schwartz

BOARD OF DENTAL EXAMINERS OF ALABAMA
Profit & Loss Budget Performance
 October 2022

Ordinary Income/Expense	<u>Oct 22</u>	<u>YTD Budget</u>	<u>Annual Budget</u>	<u>Variance</u>
Income				
4501 - Annual Dental Renewal Registrat	133,000.00	264,716.66	794,150.00	
4502 - Annual Hygiene Renewal Reg	53,620.00	111,210.00	333,630.00	
4503 - Controlled Sub Initial Fee	1,350.00	1,500.00	18,000.00	
4503.1 - Controlled Sub Renewal Fee	44,515.00	103,200.00	309,600.00	
4503.2 - Contr Sub STATE Ini/Renew	3,010.00	1,786.67	21,440.00	
4504.1 - Teaching Permit Initial	500.00	291.67	3,500.00	
4504.2 - Teaching Permit Renewal	250.00			
4504.3 - Special Teaching Per Initial	0.00	525.00	6,300.00	
4504.4 - Spec Teaching Perm Renewal	300.00			
4505 - ADHP Dentist/Inst Cert Fee	1,275.00	0.00	15,675.00	
4508 - ADHP (All Rev exc ed fee)	0.00		231,125.00	
4508.1 - ADHP Education Fee	0.00		107,500.00	
4509 - Dental-Reg Initial App Fee	200.00	866.63	10,400.00	
4510 - Dental-Reg Initial Cert Fee	50.00	216.63	2,600.00	
4510.1 - Dental Hygiene-Reg Ini Cert Fee	25.00	350.00	4,200.00	
4511 - All Licenses Reprint Fee	0.00	41.63	500.00	
4512 - Dental Hygiene Reg Ini Ap Fee	325.00	833.37	10,000.00	
4515.1 - Reinstatement for Dental	500.00	416.63	5,000.00	
4515.2 - Reinstatement for Hygienist	0.00	666.63	8,000.00	
4516 - State Privilege License Money	0.00		15,000.00	
4517 - Interest income - Checking	6.66	12.50	150.00	
4518 - Parenteral Sed P Fee Renewal	1,500.00	4,666.67	14,000.00	
4519 - General Anesthesia P Renewal	9,600.00	20,900.00	62,700.00	
4521 - Other Income Account	0.00	41.63	500.00	
4525 - Dental Hygiene Board App	0.00		10,500.00	
4527 - Disciplinary Fines (2022)	2,900.00	14,583.33	175,000.00	
4527.1 - Administrative Costs (2022)	21,000.00	625.00	7,500.00	
4527.2 - ADPWC Monitoring Fee (2022)	4,000.00	1,291.63	15,500.00	
4527.3 - Non-Disciplinary Fines (2022)	0.00	1,000.00	12,000.00	
4528 - Initial GA Evaluation Fee	12,150.00	1,350.00	16,200.00	

BOARD OF DENTAL EXAMINERS OF ALABAMA
Profit & Loss Budget Performance
 October 2022

	<u>Oct 22</u>	<u>YTD Budget</u>	<u>Annual Budget</u>	<u>Variance</u>
4528.1 · Initial PA Evaluation Fee	0.00	1,462.50	17,550.00	
4529 · OCS Reg Fee Renewal	5,400.00	11,666.66	35,000.00	
4530 · Dental Lic by Credentials	10,600.00	8,333.37	100,000.00	
4530.1 · Hygiene Lic by Credentials	0.00	2,100.00	25,200.00	
4531 · Returned Check Charges (NSF)	0.00	25.00	300.00	
4532 · OCS Initial App Fee	400.00	233.37	2,800.00	
4533 · Dental Reg Initial App Fee	1,150.00	4,983.37	59,800.00	
4545 · Special Purp Hygiene Lic Fee	0.00	37.50	450.00	
4617 · Mobile Dent Facility P Initial	1,000.00	325.00	3,900.00	
4617.2 · Portable Dental Permits Initial	0.00	325.00	3,900.00	
4620 · Hygiene Infiltration P Initial	250.00	1,141.63	13,700.00	
4620.1 · Hygiene Infiltration P Renewal	5,925.00	7,675.00	23,025.00	
Total Income	314,801.66	569,400.68	2,496,295.00	
Gross Profit	314,801.66	569,400.68	2,496,295.00	
Expense				
6100-0 · Personnel Costs	58,720.36	59,166.45	709,997.43	
6114-0 · Board Member Compensation	8,950.00	8,333.33	100,000.00	
6114.1 · Board Meeting Supplies	0.00	41.63	500.00	
6198-0 · Bonus	0.00	0.00	4,000.00	
6201-0 · Payroll Expenses	5,185.89	7,034.30	84,411.93	
6202-0 · Pension Plan	0.00	0.00	100,000.00	
6203-0 · Medical Insurance	10,323.41	8,333.37	100,000.00	
6204-0 · Workman Comp. Ins.	0.00	0.00	10,000.00	
6205 · Unemployment Fees (2022)	0.00	208.37	2,500.00	
6205.1 · Quickbooks Software	0.00	750.00	9,000.00	
6300-0 · Travel - In-State	2,811.52	2,566.63	30,800.00	
6300.3 · ADHP Instructors/Admin	25.50			
6400-0 · Travel - Out-of-State	0.00	1,666.63	20,000.00	
6500.1 · Building Maintenance & Repairs	412.00	1,250.00	15,000.00	
6500.2 · Building Security	29.90	1,250.00	15,000.00	
6500.3 · Grounds Maintenance	0.00	1,000.00	12,000.00	
6500.4 · Building Supplies	0.00	500.00	6,000.00	

BOARD OF DENTAL EXAMINERS OF ALABAMA
Profit & Loss Budget Performance
 October 2022

	<u>Oct 22</u>	<u>YTD Budget</u>	<u>Annual Budget</u>	<u>Variance</u>
6500.5 · Renovations and Replacement	3,902.70	20,833.37	250,000.00	
6503.1 · Controlled Sub State Fee	0.00	83.37	1,000.00	
6600.1 · Rentals & Leases/Offsite Mtg	3,300.00	3,110.60	37,327.50	
6600.2 · New Office Space (2022)	3,093.42	541.63	6,500.00	
6600.3 · Equipment Rental/Lease	1,852.94	1,250.00	15,000.00	
6700 · Bad Debt Expense	258.69			
6700.1 · Utilities - Telephone	0.00	600.00	7,200.00	
6700.3 · Utilities - Power	597.63	1,083.37	13,000.00	
6700.4 · Utilities - Internet	399.00	400.00	4,800.00	
6700.5 · Utilities - Water/Sewer	0.00	175.00	2,100.00	
6700.6 · Communications	0.00	500.00	6,000.00	
6800 · Professional Services General	0.00	416.63	5,000.00	
6800.1 · Membership Dues/Subscriptions	460.00	2,500.00	30,000.00	
6800.2 · ADHP Instruc Costs	5,750.00	9,000.00	108,000.00	
6800.3 · ADHP Extra Assistance	60.00	666.63	8,000.00	
6800.4 · Anesthesia Committee Chairman	2,000.00	2,000.00	24,000.00	
6800.5 · Wellness Committee Chairman	7,031.33	7,083.37	85,000.00	
6800.6 · External Auditors	0.00		12,500.00	
6801 · Board Attorney Fees (GC)	9,233.25	11,458.37	137,500.00	
6801.1 · Attorney General's Office	0.00	416.63	5,000.00	
6801.2 · Board Attorney Fees - Other	0.00	1,000.00	12,000.00	
6840 · Consultants (2022)	7,000.00	6,000.00	72,000.00	
6899.1 · Evaluator Fees (for all evals)	0.00	1,000.00	12,000.00	
6899.5 · Website Charges	0.00	500.00	6,000.00	
6899.6 · ADHP Materials and Supplies	0.00	250.00	3,000.00	
6899.7 · ALDA Charges	0.00	416.63	5,000.00	
6900 · Office Expense (2022)	385.20	1,666.63	20,000.00	
6900.1 · Recycle/Paper Disposal	0.00	66.63	800.00	
6900.2 · Legal Fees & Record Acq	0.00	250.00	3,000.00	
6902 · NPDB HIPDB Lic Bkgrd	0.00	20.87	250.00	
6903 · SAVE	0.00	33.37	400.00	
6906 · Printing & Supplies (2022)	291.44	208.37	2,500.00	

BOARD OF DENTAL EXAMINERS OF ALABAMA
Profit & Loss Budget Performance
 October 2022

	<u>Oct 22</u>	<u>YTD Budget</u>	<u>Annual Budget</u>	<u>Variance</u>
6910 - Postage Fees	0.00	416.63	5,000.00	
6924 - Insurance Other	11,148.00	15,000.00	15,000.00	
6944 - Computer Updates	0.00	916.63	11,000.00	
6944.1 - Computer Support	0.00	6,618.16	79,418.14	
6944.2 - ADHP Conf & Storage	0.00	150.00	1,800.00	
6944.3 - Computer Expenses - Other	0.00	666.63	8,000.00	
6944.4 - i-Gov Charges	5,000.00	5,000.00	60,000.00	
6950 - Bank & CC Service Fees	194.93	333.37	4,000.00	
6951.1 - Refunds (2022)	0.00	208.37	2,500.00	
6999 - Misc. Payroll Entries	0.00	666.63	8,000.00	
7100.1 - Vehicle Repairs & Maintenance	1,615.81	666.63	8,000.00	
7100.2 - Vehicle Fuel (2022)	0.00	1,166.63	14,000.00	
7100.3 - Vehicle Purchase	37,064.70	3,341.63	40,100.00	
7400 - Equipment (2022)	537.00	1,458.37	17,500.00	
Total Expense	195,314.25	202,241.86	2,388,405.00	
Net Ordinary Income	119,487.41	367,158.82	107,890.00	
Other Income/Expense				
Other Income				
524 - NSF Checks	0.00	0.00	0.00	
527-2 - ADPWC - Monitoring Fee	0.00	0.00	0.00	
Total Other Income	0.00	0.00	0.00	
Net Other Income	0.00	0.00	0.00	
Net Income	119,487.41	367,158.82	107,890.00	