

2229 Rocky Ridge Road, Birmingham, AL 35216 205.985.7267 www.dentalboard.org

Minutes

LEGISLATIVE MEETING/WORK SESSION

July 11, 2024

The Board of Dental Examiners of Alabama met Thursday, July 11, 2024, at the Board office to conduct board business.

The President called the Legislative Meeting/Work Session to order at 5:00 p.m. with the following members in attendance: Dr. Roberto V. Pischek, President; Dr. Melodie A. Jones, Vice-President; Dr. Marshall A. Williams, Secretary/Treasurer; Dr. Kevin Sims; Dr. Mark R. McIlwain; Dr. Holt Gray; and Ms. Kay Alexander, RDH. Also in attendance were W. Blake Strickland, Executive Director; Aaron Dettling, Esq., General Counsel; Dr. Mary Beth Finn, Financial Services Manager, and Gina Latham, Senior ADHP Coordinator.

Guests in attendance: Executive Director Michele Huebner, Alabama Dental Association; Blaine Galliher, Windom Galliher; Ragan Ingram, Windom Galliher.

The President determined that a quorum was present. The Executive Director confirmed.

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

Director Strickland reviewed the list of administrative codes (board rules) that the Board directed the staff to review, revise, and/or draft from the January 12, 2024 board meeting. He reviewed the status of each and advised the Board that the majority of the list has been completed. Director Strickland and Mr. Dettling reviewed the process of submitting new or revised administrative codes through the Legislative Services Agency (LSA). Director Strickland noted that several of the proposed rule changes would require some statutory updates, as well (e.g., Adverse Occurrences, others).

The Board discussed the current draft of Alabama Administrative Code, r. 270-X-2-.25 "Administration of Botulinum Toxin and Similar Treatments by Dentists" (Botox Rule) as submitted by Mr. Dettling. The public comments submitted regarding the proposed rule have been reviewed and incorporated into the language of the rule to the extent possible. Several board members agreed that the current draft is the most functional version to incorporate the use of Botox and dermal fillers into the scope of practice of dentistry in Alabama.

Director Huebner (ALDA) discussed whether the current version addressed medical spas, delegating to auxiliaries, and looking at the restrictions that physicians may/may not have in using Botox. She encouraged greater communication with the joint legislative committee between ALDA and the Board. Director Huebner noted that, though licensees appear more pleased with the current draft, they felt the draft was not shared in a timely manner.

After additional discussion, Dr. McIlwain stated re-publishing the latest draft of the Botox rule would be in the best interest of the Board and licensees as this rule has been one of the most



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contentious in recent memory. Dr. Sims concurred and advised not rushing the process would be the best approach. Mr. Dettling advised that the current draft submitted to LSA would not move forward, and he and Director Strickland would submit the current version as a new submission. This would allow for additional public comments time.

The Board reviewed a proposed draft of Alabama Administrative Code, r. 270-X-2-.26 "Patient Records Management". Director Strickland and Mr. Dettling briefly discussed the draft but asked the Board to review and "mark-up" the draft before it was formally discussed and voted on by the Board for submission to LSA.

Director Strickland discussed the interstate dental/dental hygiene compact topic and the perceived issue of military/spouse license portability being discussed within the state legislature. The Board made huge strides in creating Alabama Administrative Code, r. 270-X-4-.11 "Licenses for Qualified Military Servicemembers and their Spouses", which incorporated the federal "Military Spouse Licensing Relief Act" passed by Congress in 2023. Mr. Dettling commented that it was believed that the Board passed the first such board rule in the country adopting this federal mandate. Director Strickland asked the Board to continue to work on this issue as our board has been asked by the Lieutenant Governor's office to submit legislation in 2025 to address the interstate compact topic. Should the Board decide to endorse an interstate compact, he advised that the work that Dr. Jones has completed with the American Association of Dental Boards (AADB) and their proposed interstate compact would be the best course to follow.

Director Strickland advised that based upon ongoing communication with board members, staff, legislative consultants, licensees, and other stake holders, the top priorities for the upcoming legislative session should include addressing the interstate compact issue, addressing teledentistry, and addressing direct and general supervision of allied personnel. Other priorities that are still outstanding with the Board include licensing of dental assistants and revising the reporting of adverse occurrences.

Dr. McIlwain discussed the need to revise Alabama Administrative Code, r. 270-X-2-.22 "Patient Records" and the information that should be captured in patient records. Mr. Dettling advised that he was drafting a revision to this board rule that would work in conjunction with the proposed board rule on records management/retention previously discussed.

Dr. Jones made a motion to recess the meeting until Friday, July 12, 2024 at 8:00 a.m. Dr. Sims seconded the motion. The motion passed with unanimous consent.

Dr. Pischek recessed the meeting at 5:45 p.m.



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Minutes

PUBLIC COMMENTS MEETING

July 12, 2024

The Board of Dental Examiners of Alabama met Friday, July 12, 2024, at the Board office to conduct board business.

The President called the Public Comment Meeting to order at 8:00 a.m. with the following members in attendance: Dr. Roberto V. Pischek, President; Dr. Melodie A. Jones, Vice-President; Dr. Marshall A. Williams, Secretary/Treasurer; Dr. Kevin Sims; Dr. Mark R. McIlwain; Dr. Holt Gray; and Ms. 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; Dr. Mary Beth Finn, Financial Services Manager; Gina Latham, ADHP-Senior Coordinator; and Steve Hancock, Licensing Specialist/ Public Records Coordinator.

Guests included: Executive Director Michele Huebner, ALDA; Dr. Baker Chambliss; Dr. G. Robin Pruitt, Jr.; Jessica Robertson, RDH; Blaine Galliher, Windom Galliher; Dr. Amanda Thompson; Dr. John York; Bria Chatman, WBRC; Dr. Paul Diaz; Dr. Sarah Withrow; Dr. John Gray; Milicent Yeager, Driskell CPA Firm; Dr. Ross Isbell; Dr. Mollie Helf; Dr. Morgan Gibson; Dr. René Talbot; Dr. Sonya White-Porter; Dr. Shivani Pandit; Dr. Jordan Gray; Dr. John Poczatek; Dr. John Lane; Jim Ward, Esq.; and Dr. H. Grady Swicord.

The President determined a quorum was present. The Executive Director confirmed.

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

Director Strickland confirmed that there were no public comments on the following:

- Alabama Administrative Code, r. 270-X-1-.10 "Consulting Fees"
- Alabama Administrative Code, r. 270-X-5-.14 "Board Member Ethics"

Director Strickland advised that there were several licensees scheduled to provide public comments regarding the following:

- Alabama Administrative Code, r. 270-X-2-.25 "Botox and Dermal Fillers"
 - o Dr. Robin Pruitt
 - o Dr. Sarah Withrow
 - o Dr. Ross Isbell
 - o Dr. René Talbot
 - Dr. Baker Chambliss



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The speakers' comments included concerns/suggestions regarding the proposed board rule, as well as personal concerns regarding their perception of the performance of several board staff members, to include the Executive Director.

Dr. Jones made a motion to adjourn the Public Comments Meeting. Dr. Sims seconded the motion. The motion was approved by unanimous consent.

Dr. Pischek adjourned the Public Comments Meeting at 8:45 a.m.

Minutes BOARD MEETING July 12, 2024

The Board of Dental Examiners of Alabama met Friday, July 12, 2024, at the Board office to conduct board business.

The President called the Board Meeting to order at 9:00 a.m. with the following members in attendance: Dr. Roberto V. Pischek, President; Dr. Melodie A. Jones, Vice-President; Dr. Marshall A. Williams, Secretary/Treasurer; Dr. Kevin Sims; Dr. Mark R. McIlwain; Dr. Holt Gray; and Ms. 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; Dr. Mary Beth Finn, Financial Services Manager; Gina Latham, ADHP-Senior Coordinator; and Steve Hancock, Licensing Specialist/Public Records Coordinator.

Guests included: Executive Director Michele Huebner, ALDA; Dr. Baker Chambliss; Dr. G. Robin Pruitt, Jr.; Jessica Robertson, RDH; Blaine Galliher, Windom Galliher; Dr. Amanda Thompson; Dr. John York; Bria Chatman, WBRC; Dr. Paul Diaz; Dr. Sarah Withrow; Dr. John Gray; Milicent Yeager, Driskell CPA Firm; Dr. Ross Isbell; Dr. Mollie Helf; Dr. Morgan Gibson; Dr. René Talbot; Dr. Sonya White-Porter; Dr. Shivani Pandit; Dr. Jordan Gray; Dr. John Poczatek; Dr. John Lane; Jim Ward, Esq.; and Dr. H. Grady Swicord.

The President determined a quorum was present. The Executive Director confirmed.

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

The President asked for a review of the Board Minutes from June 8, 2024. Ms. Alexander made a motion to approve the minutes. The motion was seconded by Dr. Jones. The minutes were approved by unanimous consent.

Dr. Williams presented the Financial Report for May 2024. Dr. Jones made a motion to accept the report as presented. Dr. McIlwain seconded the motion. The motion was approved by unanimous consent.



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Director Strickland asked the Board if there was any old/pending business from the Legislative Meeting/Work Session from July 11, 2024. None was noted.

Director Strickland asked the Board if they were prepared to review and vote on the proposed administrative code (board rules) discussed earlier.

Dr. Sims made a motion to approve Alabama Administrative Code, r. 270-X-1-.10 "Consulting Fees" for final approval and publication. Dr. McIlwain seconded the motion. The motion was approved by unanimous consent.

Dr. McIlwain made a motion to submit the current revision of Alabama Administrative Code, r. 270-X-2-.25 "Administration of Botulinum Toxin and Similar Treatments by Dentists" as a new submission and allow the original submission to close with no further action. Dr. Sims seconded the motion. The motion was approved by unanimous consent. Mr. Dettling advised the Board that the final vote for approval would occur at the September 2024 board meeting. Dr. Pischek commented that he has concerns regarding dentists providing Botox and similar treatments overlooking skin cancer. He advised that 1 in 5 people are diagnosed with skin cancer.

Dr. Jones made a motion to approve Alabama Administrative Code, r. 270-X-5-.14 "Rules of Ethics for Board Members, Licensees for final approval and publication. Dr. Pischek seconded the motion. The motion was approved by unanimous consent.

Dr. John Lane requested the Board consider allowing dental hygienists that hold Hygiene Infiltration Permits to be allowed to perform anesthetic blocks as part of their permit. He advised that 45 states allow properly trained/qualified dental hygienists to perform the anesthetic blocks. After a discussion, Dr. McIlwain suggested the Board request information from the UAB-School of Dentistry regarding their Hygiene Infiltration Course regarding anesthetic blocks and whether the technique is currently being taught as part of their curriculum. Dr. Sims commented that it may require having two (2) separate permits. Board members advised Dr. Lane that his request would be reviewed, and a decision would be made by the Fall 2024.

Dr. John Poczatek shared his concerns that the Board were not performing their duties appropriately and suggested that the Executive Director has dictated their actions. He advised that he planned to speak at the upcoming Legislative Sunset Committee Meeting during the Board's audit review to address his perceived issues.

Dr. Grady Swicord shared his concerns about several issues. He noted several previous speakers' concerns regarding "bureaucratic actions" of board staff. Dr. Swicord spoke of the lack of guidance when he previously entered into a Consent Order with the Board and suggested that the Board provide more guidance to dentists. He suggested the Board utilize social media more to communicate with licensees. Dr. Swicord advised that his main concern was the Alabama Dental Hygiene Program (ADHP), and, in his opinion, the program was "broken". He spoke of one of his staff that he sponsored failing the program last year and complained that the ADHP staff would not scale grades to allow his employee to pass and sit for the licensing exam.



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Director Strickland presented a request from Dr. Clint Evans to amend his Consent Order to remove his dental license from probation. The Consent Order placed Dr. Evans's dental license on probation for a period of five (5) years, to which he has completed two (2) years. After a lengthy discussion by the Board, Dr. McIlwain made a motion to release Dr. Evans from probation while keeping the rest of the Consent Order in place. Dr. Gray seconded the motion. The motion was approved by unanimous consent with the dental hygiene member abstaining.

Director Strickland presented a request from Dr. Chris Baker regarding continuing education credit. Dr. Baker obtained continuing education credit in September 2023 and asked that he be allowed to apply it to his current continuing education requirements. Mr. Dettling confirmed that the board rule identifies the annual continuing education cycle to occur between October 1st and September 30th. The board rule prohibits licensees from "rolling over" additional continuing education credit from one cycle to the next. After a brief discussion, the Board took no action.

Dr. Gray requested to address the Board regarding the ADHP course pass rate. In reviewing the statistical data provided to the board members, Dr. Gray disagreed with looking at the number of students that applied, attended the full course, and sat for all of the exams in determining the pass rate. He suggested that the data should be determined on all students who paid to attend the ADHP. Director Strickland pointed out that a number of students drop out of the course for various reasons such as their sponsoring dentists leaving employment, the student leaving employment, missing class, or becoming academically unable to meet the passing grade of 75%. This would potentially skew the data downward. Dr. Gray suggested some ideas for improvement: 1) The sponsoring dentists having a better relationship with the sponsored students; 2) Having a board member involved with the ADHP staff and board staff.

Board members, staff, and guests of the board meeting had an open discussion regarding various aspects of the ADHP. Suggestions ranged from a review of the sponsoring dentists that had students that did not successfully complete the program, to the possibility of requiring applicants to work for their sponsoring dentists for a minimum of one (1) year prior to applying for the program, to moving back to Board-issued licensing exams in lieu of regional testing. Mr. Dettling advised the Board that he would review potential revisions to the board rule relating to the ADHP.

Dr. Pischek requested to address the Board regarding live-streaming board meetings on a regular basis. During discussion, several of the board members provided suggestions. Dr. Jones suggested that discussions of investigative recommendations by team leaders should be excluded. Dr. Sims noted that executive sessions would be excluded. Dr. McIlwain commented that he did not feel that investigative discussions of the Board should be broadcast. Mr. Dettling stated that he would research Dr. Pischek's suggestion and would report back to the Board at a future board meeting.

Dr. Pischek called for a break at 10:40 a.m.

Dr. Pischek called the meeting to order at 10:50 a.m.

Dr. Jones requested to address the Board regarding the American Association of Dental Board's (AADB) Dental/Dental Hygiene Interstate Compact. She suggested a letter be sent to the Governor's Office in support of the AADB's proposed compact and opposing the Council of State Government's (CSG) Dental/Dental Hygiene Interstate Compact. Mr. Dettling advised that the



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CSG Compact has been adopted in nine (9) states, so far. The Board agreed to continue to work towards an appropriate solution.

Dr. McIlwain previously asked the board staff to determine if board members could be compensated for time spent researching specific topics and resources used to assist in their decisions on various topics presented to the Board. Mr. Dettling and Director Strickland agreed that the current statute regarding board member compensation allows for this type of compensation. Mr. Dettling advised that he would review the current administrative code (board rules) and work to re-word and simplify the language to more clearly cover background research.

Director Strickland presented a request for approval of Ms. Alexander's travel/attendance at the CRDTS Conference (Kansas City, MO) on August 22, 2024. Dr. Jones made a motion to approve the travel. Dr. Sims seconded the motion. The motion was approved by unanimous consent.

Director Strickland formally announced that Dr. John York and Dr. Baker Chambliss have submitted the required paperwork to become candidates in the upcoming board election to fill Dr. Pischek's seat when his term ends in October 2024. He reminded the Board that the election period occurs between September 1st and October 1st. The winner of the election will be sworn in at the October 11, 2024 board meeting.

Director Strickland formally announced that Dr. Sonya White has been appointed by the Alabama Dental Society to replace Dr. Williams at the conclusion of his term in October 2024. Dr. White will be sworn in at the October 11, 2024 board meeting.

Dr. Pischek presented his report on Gulf Coast Dental Conference-Ethics Course provided by current board members.

Dr. Jones presented her report on the Gulf Coast Dental Conference-Ethics Course provided by current board members, as well as other training.

Dr. Jones presented her report from the State Committee of Public Health (SCPH). As part of her report, she noted the committee's approval of the Woodpecker Ai Ray Lite Handheld X-Ray System for dental offices and/or dental radiography.

Dr. Williams presented his report regarding the Alabama Dental Association (ALDA)-House of Delegates meeting that occurred at the Gulf Coast Dental Conference. He stressed the need to continue to work collaboratively with ALDA.

Ms. Alexander presented her report on the Gulf Coast Dental Conference-Ethics Course provided by current board members.

Dr. Gray commented on the ALDA-House of Delegates meeting, as well as ethics training.

Dr. Sims suggested the Board offer more training in the future. He commented that the ethics course was well received and complimented Dr. Jones on her leading the Board's training effort.



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Dr. McIlwain discussed the recent revision to Alabama Administrative Code, r. 270-X-2-.21 "Oral Conscious Sedation". He suggested the Board continue to review this rule to ensure that it does not inadvertently hinder dentists treating pediatric patients. The two (2) points of contention appear to be 1) Allowing PALS (Pediatric Advanced Life Support) for patients up to 18 years of age, 2) the use of EKGs for children as part of the required monitoring.

Dr. Pischek called for a break at 11:15 a.m.

Dr. Pischek called the meeting to order at 11:25 a.m.

- Dental License Applications
 - o By Regional Exam
 - Alexandria Brown, DMD; UAB (2023)
 - Jauhn Koo, DMD; Univ. of Colorado (2024)
 - Ross McDonald, DMD; Lake Erie (2024)
 - Sarah Nielsen, DMD; Creighton (2024)
 - Mira Patel, DDS; Univ. of Michigan (2024)
 - Kayla Schell, DMD; Med. School of South Carolina (2024)
 - Andrew Spearman, DMD; Univ. of MS (2024)
 - Luke Taylor, DDS; Loma Linda (2020)
 - Ji Hyeon Yoo, DMD; LECOM (2024)
 - Seung Han Yoo, DMD; LECOM (2024)
 - Everett Yore, DDS; Virginia Commonwealth (2024)
 - Jadyn Ziegler, DMD; LECOM (2024)

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

- o By Credentials
 - Nahal Azizkhani, DMD; LECOM (2017)
 - Kevin Croft, DDS; SUNY (2010)
 - Marawan El Naboulsy, DDS; UCLA (2019)

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

- o Retirement and/or Disability
 - Dr. Gerald Cimis, DMD (D.0005715-C1) Retired
 - Dr. Larry Cox, DMD (D.0003158) Retired



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Dr. Gray recommended approval of the above applicants for Retirement and/or Disability. Dr. Jones made a motion to approve the applications. Dr. Williams seconded the motion. The motion was approved by unanimous consent.

- Dental Hygiene License Applications
 - o By Regional Exam
 - Jada Darr, RDH; Pensacola State College (2024)
 - Kari Morrison, RDH; Pensacola State College (2023)
 - Mary Shipp, RDH; Remington College (2019)
 - Gracie Thornton, RDH; Columbus Technical College (2024)

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

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

Lauren Adams	Alejandra Alatorre-Ramirez	Madison Allison
Jillian Bates	Carolyn Batey	Taylor Becke
Annsley Blakney	Kayla Bone	Emily Braman
Megan Briskey	Alexa Broach	Rachael Browder
Alyssa Brown	Hannah Brown	Jennah Brown
Baylee Buck	Taylor Cabe	Melody Calfee
Alexandra Flores	Cora Carruth	Kaylyn Coan
Mikaela Coleman	Shelby Conner	Elizabeth Cooper
Cindy Cortez	Jacie Cummings	Dara Cunningham
Illa Dampier	Caleigh Edwards	Sydney Faulkner
Tara Fisher	Sharnita Flintroy	Jaddee Flores
Kala Fraser	Amanda Frith	Courtney Gardner
Courtney Gibson	Naureen Gilani	Caitlyn Giles
Alyssa Gilliland	Ramsey Girard	Katie Green
Lindsey Green	Leslie Hague	Leslie Hayden Hall
Payton Hall	Mackenzie Hamby	Maegan Hamm
Angela Harden	Abigail Harris	Ashley Harris
Camryn Harris	Alexis Helton	Kourtney Hines
Taran Hoback	Mackenzie Holmes	Sydney Houser
Cassidy Howard	Chantennile Howard	Anna Howton
Kristen Hucks	Madison Humber	Alexcia Jackson
Phoebe Johnson	Autumn Jones	Sadie Jonio
Jeri Jordan	Katarina Kimberlin	Brooke Kines
Summer Kitchens	Jaylen Knox	Allie Ledbetter
Kelsie Lee	Raylin LeNoir	Hannah Locke
Jaqueline Lopez	Chelsea Maddox	Darline Mancil



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Martin Mata Madison May Summer Mayo Lillian McClellan Anna McDonald Brianna McKenzie Brittany McKenzie Madelyn Miller Molly McQueen Janiya Moore Madison Moore Avaria Newton Meaghan Norton Ji Hun Oh Jordan Pankey Madison Pattie Anna Patuto LaShonda Polk Aubrey Pope Malori Reach Kaitlyn Ramer Nastajja Roberson **Britany Sanders** Jesselyn Skinner Ashley Smith Elizabeth Smith Madison Smitherman Halie Sprinkle Hannah Stork Holli Taylor Lynda Haley Teeter Isabella Thompson Caroline Tipps **Brittany Tubbs** Chelsea Tyson Maria Vega Amanda Vrazel Kaylene Watson Madison Watts Olivia Wells Danyelle Whitehead Grace Witcher Tyrah Woods **Emily Worley** Cindall Wright Brooklyn Young Tiana Zeller Zingarelli Allie

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

Dr. Gray made a motion to enter into Executive Session to discuss the general reputation and character, physical condition, professional competence, or mental health of individuals regarding an applicant for Dental Licensure by Credentials. Dr. Jones seconded the motion. Roll call vote: Dr. Pischek-yes; Dr. Jones-yes; Dr. Williams-yes; Dr. McIlwain-yes; Dr. Sims-yes; Dr. Gray-yes; Ms. Alexander-yes. Mr. Dettling confirmed with Dr. Gray that the executive session would begin at 11:30 a.m. and should conclude by 11:40 a.m. (10 minutes). The Board moved into Executive Session. The members of the public were excused from the boardroom.

Dr. Pischek called the board meeting back into session at 11:35 a.m. and asked that the members of the public still present be notified they could return to the boardroom.

Dr. Gray made the recommendation to deny a Dental Licensure by Credentials application submitted by Leigh McGregor, DMD (Univ. of MS-1998). Dr. McIlwain made a motion to accept Dr. Gray's recommendation. Dr. Jones seconded the motion. The motion was approved by unanimous consent with the dental hygiene member abstaining.

Director Strickland presented the proposed 2024-2025 budget to the Board for their review. He asked that the Board review the proposal prior to the August 16, 2024 board meeting and submit any questions or revisions at the August meeting. Director Strickland gave the Board a brief overview of several items, to include the Board-approved cost of living adjustment (COLA) enacted by Governor Ivey; a proposed 2% salary adjustment for staff members; modifying the line item account names to reflect suggestions by the state examiners; and maintaining the vision insurance plan with the staff's current health insurance plan. He notified the full board that he received permission from the executive committee to delay the replacement of a state vehicle



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owned by the board due to be replaced, by policy/protocol, for having more than 140,000 miles. The vehicle recently had mechanical repairs and is in good working condition. Director Strickland removed the vehicle purchase from the proposed budget and will re-submit next year.

Dr. Pischek called for a break at 11:50 a.m.

Dr. Pischek called the meeting to order at 12:00 p.m.

Director Strickland presented the Wellness Report on behalf of Dr. Garver.

Ms. Latham presented the ADHP Report. She reported 199 students are scheduled to attend the 2024-2025 ADHP orientation scheduled for July17, 2024. Ms. Latham advised that graduates of the 2023-2024 ADHP taking the OSCE have a 97% pass rate on the first attempt. Additionally, a total of 121 graduates of 2023-2024 ADHP took the SCTPE at UAB in June. 97 students passed. A number of the students who did not pass drove to the University of Florida to re-take the exam on June 29th and successfully passed the exam. There will be another re-test opportunity at FORTIS in August.

Director Strickland presented the Inspections Report on behalf of Investigator Youngblood.

Mr. Dettling presented his Attorney's Report.

Case Reviews

Dr. Jones made a motion that rescind the Notice of Hearing for case #2024-98 and keep the non-disciplinary fine. Dr. Williams 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 #2024-101 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. Sims made a motion that case #2024-104 be noticed for a hearing. Dr. Williams seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Williams made a motion that case #2024-122 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. Jones made a motion that case #2024-133 be administratively closed. Dr. Williams 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 #2024-148 be noticed for a hearing. Dr. Williams seconded the motion. It was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.





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Dr. Jones made a motion that case #2024-150 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 #2024-168 has no evidence to sustain. Dr. Williams 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 #2024-169 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. Jones made a motion that case #2024-170 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. Jones made a motion that case #2024-171 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. Jones made a motion that case #2024-172 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. Jones made a motion that case #2024-173 has no evidence to sustain. Dr. Williams 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 to issue a non-disciplinary fine of \$250 to case #2024-174. Dr. Pischek seconded the motion. The motion was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Sims made a motion to issue a non-disciplinary fine of \$500 to case #2024-175. Dr. Jones seconded the motion. The motion was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Pischek made a motion to issue a non-disciplinary fine of \$500 to case #2024-182. Dr. McIlwain seconded the motion. The motion was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote. Additionally, Dr. Jones made a motion to notice for hearing. Dr. Pischek seconded the motion. The motion was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Jones made a motion to issue a non-disciplinary fine of \$500 to case #2024-183. Dr. Pischek seconded the motion. The motion was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote. Additionally, Dr. Jones made a motion to notice



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for a hearing. Dr. Pischek seconded the motion. The motion was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Williams made a motion that case #2024-184 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. Jones made a motion to issue a non-disciplinary fine of \$500 to case #2024-188. Dr. Sims seconded the motion. The motion was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Williams made a motion to issue a non-disciplinary fine of \$500 to case #2024-189. Dr. Pischek seconded the motion. The motion was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Sims made a motion to issue a non-disciplinary fine of \$500 to case #2024-190. Dr. Jones seconded the motion. The motion was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Sims made a motion to issue a notice for a hearing to case #2024-191. Dr. Williams seconded the motion. The motion was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Jones made a motion to issue a non-disciplinary fine of \$500 to case #2024-193. Dr. Williams seconded the motion. The motion was approved by unanimous consent with the case team leader and hygiene member abstaining from the vote.

Dr. Sims asked if noticing licensees for prescribing Halcion (Triazolam) was due to the licensee not having an Oral Conscious Sedation Permit or if it was due to the drug being outside the scope of practice. Dr. Dixon advised that the guidance provided by the Board and the anesthesia committee in the past was that a dentist must have an OCS permit in order to prescribe Halcion due to it being a sedative/hypnotic drug. After a brief discussion, the Board asked Dr. Dixon to contact the chair of the anesthesia committee, Dr. Mike Koslin. Dr. Dixon phoned Dr. Koslin and placed him on speaker phone to allow the board members to ask questions. Dr. Koslin advised that Halcion was prescribed for sleep, not anxiolysis, so a dentist would be required to have at a minimum an OCS permit to ensure proper monitoring; however, he felt that Halcion would fall outside the scope of practice of a dentist.

During the conversation, Dr. Koslin asked the Board to consider assigning a member of the anesthesia committee to assist in the review of complaints/investigations involving sedation/anesthesia due to the increase of these types of cases in the last several years. Dr. Sims agreed. Director Strickland advised that he would revise the current investigative/complaint protocols and present to the Board at the August 2024 for approval.

After ending the call with Dr. Koslin and the Board, Dr. Dixon asked to go on record that she opposed charging licensees with "prescribing outside the scope of practice" for Halcion based on



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the well-established Board precedent of charging "practicing oral conscious sedation without a permit".

Based on Dr. Dixon's statements, Dr. Jones made a motion to rescind the notices for hearing on case #2024-182 and case #2024-183. Dr. Pischek seconded the motion. The motion was passed with unanimous consent.

Director Strickland advised that Mr. Dettling and the staff would research the most appropriate path forward concerning the prescribing of Halcion. Once a decision is made, the Board will be provided the information to assist in future case reviews to allow a more informed decision.

Director Strickland invited Director Michelle Huebner forward to make a presentation from ALDA. She presented a plaque to Dr. Marshall Williams for his service as board president, board secretary-treasurer, and board member.

Director Strickland presented his Executive Director's Report.

- The building renovations are getting close to completion.
- Legislative Meetings/work sessions will be schedule as needed moving forward. There will be 2-3 more prior to the 2025 Legislative Session beginning.
- Mr. Dettling and Director Strickland are drafting the Board's response to the proposed Legislative Sunset Review Report provided by the state examiners.
- Director Strickland addressed the accusations made against him by speakers earlier in the board meeting. He advised that he was available to meet with any board member or licensee to discuss the accusations and defend himself from attacks against his integrity and professionalism.

Dr. Jones made a motion to adjourn the meeting. Ms. Alexander seconded the motion. The motion was approved by unanimous consent.

Dr. Pischek adjourned the meeting at 1:25 p.m.

Submitted by: Steve Hancock

Respectfully Submitted,

Dr. Marshall Williams, Secretary/Treasurer

Mankel a. William DDS

Approved:____

Statement of Financial Position As of May 31, 2024

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
1000 Hoover First Com Money Market	691,854.85
1100 HOOVER FIRST COMMERCIAL	3,272,932.51
Total Bank Accounts	\$3,964,787.36
Accounts Receivable	
1200 Accounts Receivable	257,358.32
Total Accounts Receivable	\$257,358.32
Other Current Assets	,, ,
1250 Allowance for Doubtful Accts	-33,428.00
Total Other Current Assets	\$ -33,428.00
Total Current Assets	\$4,188,717.68
Fixed Assets	Ţ 1,100,11100
1601 Fixed Asset - LAND	190,995.00
1602 Building	879,005.00
1604 Office Furniture & Equip.	155,485.33
1605 Vehicles	71,404.65
1606 Software	225,966.60
1650 Accumulated Depr.	-395,541.36
1700 Right-to-use Leased Assets	4,320.00
1750 Accum Amortization Leased Asset	-2,349.90
Total Fixed Assets	\$1,129,285.32
TOTAL ASSETS	\$5,318,003.00
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
2000 Accounts Payable	3,003.75
Total Accounts Payable	\$3,003.75
Credit Cards	40,000.10
2001 Synovus VIsa	2,877.34

Statement of Financial Position

As of May 31, 2024

	TOTAL
Total Credit Cards	\$2,877.34
Other Current Liabilities	
2100 Lease Payable	1,440.00
2110 Current Por of Lease Financing	2,160.00
2329 FICA Withholding	290.73
2331 State Withholding	2,868,81
2500 Accrued SEP Contributions	75,548.52
2600 Accrued Compensated Absences	170,755.63
2700 ADHP Student Materials & Supplies	307,340.00
Total Other Current Liabilities	\$560,403.69
Total Current Liabilities	THE COURSE IN THE PARTY WAS ARRESTED TO SERVICE THE PARTY OF THE PARTY
Total Liabilities	\$566,284.78
	\$566,284.78
Equity	
3000 Opening Bal Equity	720.63
4000 Revenue Over (Under) Expenses	1,349,011.08
4680 Beginning Reserve Fund Balance	2,386,274.64
4800.1 Beginning Op Fund Balance	-3,152.92
Net Revenue	1,018,864.79
Total Equity	\$4,751,718.22
OTAL LIABILITIES AND EQUITY	\$5,318,003.00

Total	
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B	Actual	Budget	Remaining	% of Budget
Revenue				200000000000000000000000000000000000000
4501 Annual Dental Renewal Registration	867,525.00	912,550.00	45,025.00	95.07%
4502 Annual Hygiene Renewal Reg	303,985.00	323,960.00	19,975.00	93.83%
4503 Controlled Sub Initial Fee	9,825.00	18,000.00	8,175.00	54.58%
4503.1 Controlled Sub Renewal Fee	296,520.00	315,150.00	18,630.00	94.09%
4503.2 Contr Sub STATE Ini/Renew	(13,130.00)	21,750.00	34,880.00	-60.37%
4504.1 Teaching Permit Initial	1,250.00	1,000.00	(250.00)	125.00%
4504.2 Teaching Permit Renewal	7,050.00	5,000.00	(2,050.00)	141.00%
4504.3 Special Teaching Per Initial	300.00	1,200.00	900.00	25.00%
4504.4 Spec Teaching Perm Renewal	1,200.00	5,700.00	4,500.00	21.05%
4505 ADHP Dentist/Inst Cert Fee	5,400.00	15,000.00	9,600.00	36.00%
4508 ADHP (All Rev exc ed fee)	172,375.00	210,000.00	37,625.00	82.08%
4508.1 ADHP Education Fee	98,500.00	120,000.00	21,500.00	82.08%
4508.2 ADHP Application Fee	70,500.00	72,000.00	1,500.00	97.92%
4509 Dental-Reg Initial App Fee	6,000.00	7,000.00	1,000.00	85.71%
4510 Dental-Reg Initial Cert Fee	1,475.00	1,750.00	275.00	84.29%
4510.1 Dental Hygiene-Reg Ini Cert Fee	1,075.00	1,750.00	675.00	61.43%
4511 All Licenses Reprint Fee	350.00	1,250.00	900.00	28.00%
4512 Dental Hygiene Reg Ini Ap Fee	13,650.00	65,000.00	51,350.00	21.00%
4515.1 Reinstatement for Dental	18,750.00	15,000.00	(3,750.00)	125.00%
4515.2 Reinstatement for Hyglenist	7,275.00	6,000.00	(1,275.00)	121.25%
4516 State Privilege License Money	0.00	14,000.00	14,000.00	0.00%
4517 Interest income - Checking	80.49	120.00	39.51	67.08%
4518 Parenteral Sed P Fee Renewal	14,700.00	15,900.00	1,200.00	92.45%
4519 General Anesthesia P Renewal	59,400.00	62,400.00	3,000.00	95.19%
4521 Other Income Account	7,023.37	1,000.00	(6,023.37)	702.34%
4527 Disciplinary Fines	127,912.50	185,000.00	57,087.50	69.14%
4527.1 Administrative Costs	30,150.00	55,000.00	24,850.00	54.82%
4527.2 ADPWC Monitoring Fee	9,425.00	25,000.00	15,575.00	37.70%
4527.3 Non-Disciplinary Fines	68,071.50	18,000.00	(50,071.50)	378.18%
4528 Initial GA Evaluation Fee	21,600.00	54,000.00	32,400.00	40.00%
4528.1 Initial PA Evaluation Fee	9,450.00	13,500.00	4,050.00	70.00%
4529 OCS Reg Fee Renewal	32,895.00	53,550.00	20,655.00	61.43%
4530 Dental Lic by Credentials	55,865.00	100,000.00	44,135.00	55.87%
4530.1 Hygiene Lic by Credentials	5,600.00	22,400.00	16,800.00	25.00%
4531 Returned Check Charges (NSF)	6,877.00	3,000.00	(3,877.00)	229.23%
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	Actual	Budget	Remaining	% of Budget
4532 OCS Initial App Fee	2,645.00	3,375.00	730.00	78.37%
4533 Dental Reg Initial App Fee	42,425.00	57,500.00	15,075.00	73.78%
4540 Special Purp Dental Lic Fee	1,350.00	0.00	(1,350.00)	0.00%
4617 Mobile Dent Facility P Initial	0.00	1,500.00	1,500.00	0.00%
4617.1 Mobile Dent Facility P Renewal	1,000.00	1,000.00	0.00	100.00%
4617.2 Portable Dental Permits Initial	1,750.00	1,500.00	(250.00)	116.67%
4617.3 Portable Dental P Renewal	4,200.00	1,500.00	(2,700.00)	280.00%
4620 Hygiene Infiltration P Initial	10,000.00	13,700.00	3,700.00	72.99%
4620.1 Hygiene Infiltation P Renewal	35,925.00	18,750.00	(17,175.00)	191.60%
4800 Overpayments	(3,830.00)	0.00	3,830.00	0.00%
Total Revenue	2,414,389.86	2,840,755.00	426,365.14	84.99%
Gross Profit	2,414,389.86	2,840,755.00	426,365.14	84.99%
Expenditures				
6100.4 ADHP Education Director	16,000.00	24,000.00	8,000.00	66.67%
6114-0 Board Member Compensation	53,304.01	100,000.00	46,695.99	53.30%
6114.1 Board Meeting Supplies	1,039.70	500.00	(539.70)	207.94%
6198-0 Bonus	2,600.00	4,000.00	1,400.00	65.00%
6201-0 Payroll Expenses	0.00	0.00	0.00	0.00%
6201.1 Payroll Taxes	43,081.83	70,000.00	26,918.17	61.55%
6201.2 Wages - Staff	506,891.07	716,574.86	209,683.79	70.74%
6201.3 Payroll Tax Penalty	1,540.24	0.00	(1,540.24)	0.00%
Total 6201-0 Payroll Expenses	551,513.14	786,574.86	235,061.72	70.12%
6202-0 Pension Plan	97,105.31	96,000.00	(1,105.31)	101.15%
6203-0 Medical Insurance	85,183.12	140,000.00	54,816.88	60.85%
6204-0 Workman Comp. Ins.	8,976.00	8,600.00	(376.00)	104.37%
6205.1 Quickbooks Software	2,858.44	9,000.00	6,141.56	31.76%
6300-0 Travel - In-State	16,956.53	45,800.00	28,843.47	37.02%
6400-0 Travel - Out-of-State	18,008.28	50,000.00	31,991.72	36.02%
6500.1 Building Maintenance & Repairs	4,996.24	10,000.00	5,003.76	49.96%
6500.2 Building Security	239.20	500.00	260.80	47.84%
6500.3 Grounds Maintenance	5,850.00	9,000.00	3,150.00	65.00%
6500.4 Building Supplies	1,075.17	4,000.00	2,924.83	
6500.5 Renovations and Replacement	42,102.06	345,000.00	302,897.94	26.88% 12.20%
6503.1 Controlled Sub State Fee	0.00	400.00	400.00	
6600.1 Rentals & Leases/Offsite Mtg	43,312.50	100,000.00	56,687.50	0.00%
6600.2 New Office Space	3,339.78	6,000.00	2,660.22	43.31%
	-,	2,000.00	۵,000.22	55.66%

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	Actual	Budget	Remaining	% of Budget	
6600.3 Equipment Rental/Lease	1,942.79	0.00	(1,942.79)	0.00%	
6700.0 Bad Debt Expense	3,990.00	0.00	(3,990.00)	0.00%	
6700.1 Utilities - Telephone	311.02	0.00	(311.02)	0.00%	
6700.3 Utilities - Power	12,025.31	18,000.00	5,974.69	66.81%	
6700.4 Utilities - Internet	3,192.00	5,000.00	1,808.00	63.84%	
6700.5 Utilities - Water/Sewer	985.84	2,500.00	1,514.16	39.43%	
6700.6 Communications	4,136.00	8,000.00	3,864.00	51.70%	
6800 Professional Services General	6,813.09	5,000.00	(1,813.09)	136.26%	
6800.1 Membership Dues/Subscriptions	11,830.88	25,000.00	13,169.12	47.32%	
6800.2 ADHP Instruc Costs	27,740.43	75,000.00	47,259.57	36.99%	
6800.3 ADHP Extra Assistance	2,780.00	500.00	(2,280.00)	556.00%	
6800.4 Anesthesia Committee Chairman	16,000.00	24,000.00	8,000.00	66.67%	
6800.5 Wellness Committee Chairman	56,250.64	85,000.00	28,749.36	66.18%	
6800.6 External Auditors	17,593.50	17,500.00	(93.50)	100.53%	
6801 Board Attorney Fees (GC)	73,814.00	157,500.00	83,686.00	46.87%	
6801.1 Attorney General's Office	1,613.76	2,000.00	386.24	80.69%	
6801.2 Board Attorney Fees - Other	0.00	500.00	500.00	0.00%	
6840 Consultants	56,000.00	84,000.00	28,000.00	66.67%	
6899.1 Evaluator Fees (for all evals)	14,100.00	30,000.00	15,900.00	47.00%	
6899.2 Hearing Officer Fees	950.00	2,000.00	1,050.00	47.50%	
6899.5 Website Charges	594.00	2,000.00	1,406.00	29.70%	
6899.6 ADHP Materials and Supplies	2,310.67	3,000.00	689.33	77.02%	
6900 Office Expense	8,654.82	15,000.00	6,345.18	57.70%	
6900.1 Recycle/Paper Disposal	611.64	800.00	188.36	76.46%	
6900.2 Legal Fees & Record Acq	4,565.89	3,500.00	(1,065.89)	130.45%	
6902 NPDB HIPDB Lic Bkgrd	142.50	250.00	107.50	57.00%	
6903 SAVE	175.09	400.00	224.91	43.77%	
6906 Printing & Supplies	1,629.00	2,000.00	371.00	81.45%	
6910 Postage Fees	1,000.00	4,000.00	3,000.00	25.00%	
6924 Insurance Other	13,447.00	19,000.00	5,553.00	70.77%	
6944 Computer Updates	1,535.36	12,000.00	10,464.64	12.79%	
6944.1 Computer Support	9,348.00	20,000.00	10,652.00	46.74%	
6944.2 ADHP Conf & Storage	1,946.76	2,200.00	253.24	88.49%	
6944.3 Computer Expenses - Other	2,052.08	6,000.00	3,947.92	34.20%	
6944.4 i-Gov Charges	35,003.00	75,000.00	39,997.00	46.67%	
6950 Bank & CC Service Fees	941.61	2,200.00	1,258.39	42.80%	
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	Actual	Budget	Remaining	% of Budget
6951 NSF	5,509.50	2,000.00	(3,509.50)	275.48%
6951.1 Refunds	31.60	0.00	(31.60)	0.00%
6999 Misc. Payroll Entries	24,509.85	8,000.00	(16,509.85)	306.37%
7100.1 Vehicle Repairs & Maintenance	848.37	8,000.00	7,151.63	10.60%
7100.2 Vehicle Fuel	9,021.23	12,000.00	2,978.77	75.18%
7400 Equipment	1,512.96	3,000.00	1,487.04	50.43%
Total Expenditures	1,391,919.67	2,481,224.86	1,089,305.19	56.10%
Net Operating Revenue	1,022,470.19	359,530.14	(662,940.05)	284.39%
Other Expenditures				201.0070
9901 External Theft	3,605.40	0.00	(3,605.40)	0.00%
Total Other Expenditures	3,605.40	0.00	(3,605.40)	0.00%
Net Other Revenue	(3,605.40)	0.00	3,605.40	0.00%
Net Revenue	1,018,864.79	359,530.14	(659,334.65)	283.39%
