



Board of Dental Examiners of Alabama

2229 Rocky Ridge Road, Birmingham, AL 35216

205.985.7267

www.dentalboard.org

MINUTES PUBLIC COMMENTS MEETING March 8, 2024

The President called the Public Comments 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; Shannon Youngblood, Investigator; Dr. Mary Beth Finn, Financial Services Manager; Gina Latham, ADHP Coordinator; and Steve Hancock, Licensing Specialist/ Public Records Coordinator.

Guests included: James Driskell, CPA, Driskell CPA Firm; Michele Huebner, Executive Director, ALDA; Elie “Lee” Chamoun, DMD; Shaheen Upton, DMD; Claire Pitts, DDS; John York, DMD; Megan Sanders, DDS; Cecila Havard, RDH; Jennifer Segers, Esq; Daniel Buckley, DMD; Anne Miller, Court Reporter (Veritext).

The President determined a quorum was present. 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.

There were no comments by the public on the following proposed administrative codes (board rules):

- Alabama Administrative Code, r. 270-X-4.13 (Alabama Dental Professionals Wellness Committee)-2nd Read
- Alabama Administrative Code, r. 270-X-5.-04 (Rule Making)-2nd Read

Dr. Pischek concluded the Public Comments Meeting at 8:05 a.m.



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BOARD MEETING

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The President called the Board Meeting to order at 8:05 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; Shannon Youngblood, Investigator; Dr. Mary Beth Finn, Financial Services Manager; Gina Latham, ADHP Coordinator; and Steve Hancock, Licensing Specialist/ Public Records Coordinator.

Guests included: James Driskell, CPA, Driskell CPA Firm; Michele Huebner, Executive Director, ALDA; Dr. Mike Koslin, Chair, BDEAL Anesthesia Committee; Lee Chamoun, DMD; Shaheen Upton, DMD; Claire Pitts, DDS; John York, DMD; Megan Sanders, DDS; Cecila Havard, RDH; Jennifer Segers, Esq; Daniel Buckley, DMD; Anne Miller, Court Reporter (Veritex).

The President determined a quorum was present. 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 February 9, 2024. Ms. Alexander made a motion to approve the minutes as presented. Dr. Jones seconded the motion. The minutes were approved by unanimous consent.

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

After a brief discussion, Dr. Jones made a motion to approve the proposed revisions to Alabama Administrative Code, r. 270-X-4-.13 and r. 270-X-5-.04, as presented in the Public Comments Meeting. Ms. Alexander seconded the motion. The motion was approved by unanimous consent. Director Strickland advised that the approved changes would be published and would take effect in approximately 45 days.

Dr. Chamoun requested the Board review the definition of "negligence" as it appears in the Alabama Dental Practice Act and consider a revision. The Board thanked him for his presentation.

Dr. Upton requested the Board consider changes to the ADHP scheduling due to the time between a student graduating from the program and the graduate being able to take their licensing exams. She also suggested a possible solution would be allowing a graduate's Temporary Work Permit to stay in effect after graduation through the time of the licensing exams. After some discussion, the Board agreed to review some possible solutions to expedite the licensing process once a graduate has successfully passed their licensing exams, to include calling a special meeting for licensure



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approvals similar to what is done for dental school graduates, as needed. Dr. Pischek advised Dr. Upton that he understood her concerns as he has a student in the program as well but emphasized the need to follow the established board rules. The Board thanked her for her presentation.

Director Strickland requested the Board's permission to re-allocate funds from one line item to another line item in the approved 2023-2024 Budget to ensure funds for CPA services through the end of the fiscal year. Dr. Williams made a motion to re-allocate \$15,000 from account number 6500.5 to account number 6800.6. Dr. Sims seconded the motion. The motion passed with unanimous consent.

Dr. Jones presented the SCPH report.

Dr. Pischek called for a break at 8:42 a.m.

Dr. Pischek called the Board Meeting to order at 9:00 a.m. After confirming that there was no pending business, Dr. Pischek moved the Board to a public Disciplinary Hearing regarding Dr. Daniel Buckley (D.0005231).

At the conclusion of the hearing, Dr. Jones made a motion to go into executive session for deliberation. Dr. McIlwain 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. The Board entered executive session at 10:35 a.m. Per protocols, Dr. Sims (Team Leader) and Ms. Alexander excused themselves from deliberations.

Dr. Pischek resumed the Board Meeting at 11:15 a.m.

Director Strickland discussed the "Special Purpose License" with the Board. He advised that out-of-state dentists are applying for this license to provide tele-dentistry from other states. Director Strickland advised that the current definition of "tele-dentistry" in Alabama is very limited. Mr. Lane added that he is receiving calls from out-of-state licensees who have explained to him that it is less expensive to get Alabama's Special Purpose License to conduct tele-dentistry than obtaining the same privileges within their own state. Mr. Dettling suggested the Board review all of the board opinions currently posted on the agency's website for possible revision or clarification. Dr. Jones asked about the states in which the applicants hold licensure. Mr. Lane advised that he has spoken with licensees from California and New York.

At the Board's previous request, Mr. Dettling presented a draft board opinion regarding the use of lead aprons/thyroid collars in dental clinics. After a review, Dr. Jones made a motion to accept the draft board opinion and publish it on the Board's website. Dr. Williams seconded the motion. The motion passed with unanimous consent.

Dr. Koslin asked the Board to consider requiring a minimum number of twenty (20) sedation/anesthesia cases for Parenteral Sedation and General Anesthesia permits. These cases would have to be completed after the Facility Inspection/issuance of a temporary permit and the Anesthesia Evaluation which occurs approximately ninety (90) days later. Dr. Koslin added that applications for sedation/anesthesia permits have more than doubled in the last 3-5 years and



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having a minimum number of sedation/anesthesia cases would ensure licensees and their staff are fully prepared. After a brief discussion, Director Strickland was asked to develop a draft protocol with Mr. Dettling.

Dr. Koslin provided an update on the backlog of Facility Inspections and the positive impact of the emergency board rule that was put in place during the February 9, 2024, board meeting. He advised that, as of March 4th, all Facility Inspections had been completed. He added that the anesthesia examiners have scheduled all final anesthesia evaluations and should have them completed within the next several weeks.

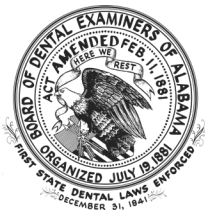
Dr. Koslin provided information regarding a recent advanced airway management course that was presented during a statewide oral surgeons' conference in Sylacauga, Alabama. Dr. McIlwain, who attended the conference/training and Dr. Koslin spoke at length about the emergency airway simulator's technology and training applications. Dr. McIlwain suggested the Board invest in a simulator lab and provide this training to the state dental community.

Director Strickland presented a Legislative report.

- HB69 and HB70 are progressing through committee votes and should be in the Senate after legislatures return from Spring Break.
- SB205 (a dental/dental hygiene compact) was introduced. The Board did not become aware of this bill until Director Strickland was contacted by the Legislative Services Agency to help develop a potential financial impact report. After discussions with our partners in Montgomery and the legislators who were endorsing the bill, we believe that it has been removed from consideration for this term. He was asked to advise the Board to prepare a response to this bill for the 2025 legislative session. After a discussion, Dr. McIlwain asked Executive Director Huebner about the state association's position on interstate compacts. Director Huebner advised that ALDA was gathering information to review and would support the Board in developing an appropriate response for the legislators. Dr. Jones encouraged the board members to fully read the two (2) dental/dental hygiene interstate compacts currently circulating at the national level (Council of State Governments and the American Association of Dental Boards). She believes that the AADB version of an interstate compact is better aligned to the protection of the patient. The general consensus of the Board is that an interstate compact is not needed in Alabama; however, it was understood that a full review of all of the information is warranted.

Director Strickland advised the Board that their requests for draft language for several board rules had been completed by staff.

- Alabama Administrative Code, r. 270-X-2-.25 "Administration of Botulinum Toxin and Similar Treatments by Dentists" (NEW-PROPOSED)
 - Mr. Dettling advised that part of the process in developing the proposed language was to query the dental practice acts of all 50 states. The Board discussed the anatomical "boundaries" that would determine a dentist's scope of practice as it is



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related to the dental use of esthetic treatments. Additionally, the Board discussed whether the term “cosmetic injectables” was the best terminology to be used

- Alabama Administrative Code, r. 270-X-2-.26 “Patient Records Management” (NEW-PROPOSED”; r. 270-X-2-.22 “Patient Records” (Revision)
 - Mr. Dettling reviewed the proposed new board rule that would provide guidance as to how long patient records should be retained; how to handle patient records if the licensee has left the practice to work at another practice; how to handle patient records when a licensee retires; how to handle patients records when a licensee dies; requirements for corporate dental practices to allow appropriate access to patient records; how to handle digital records. Additionally, Mr. Dettling advised that the current board rule on what information is required to be contained in a patient record needed to be updated to ensure continuity with the new/proposed board rule.

Dr. Pischek called for a break at 12:11 p.m.

Dr. Pischek resumed the board meeting at 12:24 p.m.

- **Dental License Applications**

- **By Regional Exam**
 - Tong Wang, DDS; University of Nebraska (2020)
 - Eduard Popa, DMD; Harvard (2023)

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.

- **By Credentials**
 - Jennifer Garza, DDS; University of Iowa (2000)

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

- **Retirement and/or Disability**
 - David B. Dowling, DMD (D.0006323) – Retired

Director Strickland recommended approval of the above applicant for Retired/Physically Disabled License request. Dr. Kevin Sims made a motion to approve the application. Dr. Pischek seconded the motion. The motion was approved by unanimous consent.

- **Dental Hygiene License Applications**

- **By Regional Exam**



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- Josefina Amador, RDH; Fortis (2024)
 - Lauren Ballard, RDH; Columbus Tech. (2019)
 - Jillian Edwards, RDH; Savannah Tech. (2020)
 - Christian Findley, RDH; Fortis (2024)
 - Allison Hise, RDH; ADHP (2023)
 - Taneko Murphy, RDH; Fortis (2024)
 - Kourtney Wade, Fortis (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. Sims made a motion to approve the applications. Dr. Jones seconded the motion. The motion was approved by unanimous consent.

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

Ms. Latham presented the ADHP Report. Currently there are 190 students remaining in the program with the last class scheduled in April. She advised that the Pinning ceremony is scheduled for Saturday, April 20, 2024, and all board members are invited to attend. Lastly, Ms. Latham advised that the application period for the 2024-2025 ADHP is open, and applications have begun to arrive. The venue for the program will remain at the current location in Homewood, Alabama.

Investigator Youngblood presented the Inspections Report.

Mr. Dettling presented the Attorney's report.

Case Reviews

Dr. Jones made a motion that case #2018-03 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. (Note: This case was originally forwarded to the Alabama Attorney General's Office due to a potential conflict of interest. The AGs Office recommended the matter be closed by letter in 2022; however, the matter was not submitted to the Board for a final vote as required. Once discovered, Director Strickland submitted the case to the Board for final adjudication.)

Dr. Gray made a motion that case #2022-84 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. Jones made a motion that case #2022-118 be noticed for a hearing on the first and the opening of a new case on the second. Dr. Sims 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 #2023-118 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. Gray requested to be recused from the case.



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Dr. Williams made a motion that case #2023-125 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. Williams made a motion that case #2023-137 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 #2023-139 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. Jones made a motion to rescind the non-disciplinary fines issued for case #2023-154. Dr. Pischek seconded the motion. It was approved by unanimous consent with the case leader and hygiene member abstaining from the vote.

Dr. McIlwain made a motion that case #2023-335 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. Williams made a motion that case #2023-336 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. Sims made a motion that case #2023-240 be noticed for a hearing. 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 #2024-01 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 #2024-03 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 #2024-04 is out of jurisdiction. 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 #2024-13 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.



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Dr. McIlwain made a motion to rescind the non-disciplinary fine issued for case #2024-61. Dr. Williams 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 to rescind the non-disciplinary fine issued for case #2024-62. Dr. Williams 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 #2024-93 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 #2024-112 has no evidence to sustain. Dr. Gray 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 to issue a non-disciplinary fine (NDF) of \$500 to case #2024-94. 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 made a motion to issue a non-disciplinary fine (NDF) of \$500 to case #2024-95. 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 made a motion to issue a non-disciplinary fine (NDF) of \$500 to case #2024-96. 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 made a motion to issue a non-disciplinary fine (NDF) of \$500 to case #2024-97. 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 (NDF) of \$500 to case #2024-98 and be noticed for a hearing for a second violation. Dr. McIlwain 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 (NDF) of \$500 to case #2024-99. 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. Jones made a motion to issue a non-disciplinary fine (NDF) of \$500 to case #2024-103. Dr. Williams seconded the motion. The motion was approved by unanimous consent with the case team leader and the hygiene member abstaining from the vote.



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Dr. Jones made a motion to issue a non-disciplinary fine (NDF) of \$500 to case #2024-106. Dr. Williams seconded the motion. The motion was approved by unanimous consent with the case team leader and the hygiene member abstaining from the vote.

Dr. Jones made a motion to issue a non-disciplinary fine (NDF) of \$500 to case #2024-107. Dr. Williams seconded the motion. The motion was approved by unanimous consent with the case team leader and the hygiene member abstaining from the vote.

Dr. Jones made a motion that case #2024-108 be noticed for a hearing. Dr. Williams seconded the motion. The motion was approved by unanimous consent with the case team leader and the hygiene member abstaining from the vote.

Dr. Jones made a motion to issue a non-disciplinary fine (NDF) of \$250 to case #2024-110. Dr. Pischek seconded the motion. The motion was approved by unanimous consent with the case team leader abstaining from the vote.

Dr. Sims made a motion that case #2024-111 be noticed for a hearing. Dr. Jones seconded the motion. The motion was approved by unanimous consent with the case team leader and the hygiene member abstaining from the vote.

Dr. Jones made a motion to issue a non-disciplinary fine (NDF) of \$500 to case #2024-113. Dr. Sims seconded the motion. The motion was approved by unanimous consent with the case team leader and the hygiene member abstaining from the vote.

Dr. Jones made a motion to issue a non-disciplinary fine (NDF) of \$500 to case #2024-114. Dr. Sims seconded the motion. The motion was approved by unanimous consent with the case team leader and the hygiene member abstaining from the vote.

Dr. Jones made a motion to issue a non-disciplinary fine (NDF) of \$500 to case #2024-115. Dr. Sims seconded the motion. The motion was approved by unanimous consent with the case team leader and the hygiene member abstaining from the vote.

Dr. Jones made a motion to issue a non-disciplinary fine (NDF) of \$500 to case #2024-116. Dr. Sims seconded the motion. The motion was approved by unanimous consent with the case team leader and the hygiene member abstaining from the vote.

Dr. Jones made a motion to issue a non-disciplinary fine (NDF) of \$500 to case #2024-119. Dr. Williams seconded the motion. The motion was approved by unanimous consent with the case team leader and the hygiene member abstaining from the vote.

Dr. Jones made a motion to issue a non-disciplinary fine (NDF) of \$500 to case #2024-120. Dr. Williams seconded the motion. The motion was approved by unanimous consent with the case team leader and the hygiene member abstaining from the vote.

Dr. Jones made a motion to issue a non-disciplinary fine (NDF) of \$500 to case #2024-121. Dr. Williams seconded the motion. The motion was approved by unanimous consent with the case team leader and the hygiene member abstaining from the vote.



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Dr. Jones made a motion to issue a non-disciplinary fine (NDF) of \$500 to case #2024-123. Dr. Williams seconded the motion. The motion was approved by unanimous consent with the case team leader and the hygiene member abstaining from the vote.

Dr. Jones made a motion to issue a non-disciplinary fine (NDF) of \$500 to case #2024-124. Dr. Williams seconded the motion. The motion was approved by unanimous consent with the case team leader and the hygiene member abstaining from the vote.

Dr. Jones made a motion to issue a non-disciplinary fine (NDF) of \$500 to case #2024-125 and to notice for a hearing for a second violation. Dr. Williams seconded the motion. The motion was approved by unanimous consent with the case team leader and the hygiene member abstaining from the vote.

Director Strickland presented the Executive Director's Report.

- Building renovations are continuing. The final contract for Phase III has been signed. The concrete floors on the 1st floor are scheduled for repair and resealing. He will begin getting informal quotes for repairs to the parking lot.
- Sunset Review and Legal Compliance Audits are ongoing. The state examiners have been receiving documents both electronically and in person. General Counsel from the State Examiner's Department, Jason Paulk, will visit the board office to review board contracts for compliance.
- The Board's new CPA Firm and the staff have been working very well together. Mr. James Driskell and his staff have been assisting board staff in reviewing our financial documents as we work with the state examiners.
- Per the Board's discussion, all board opinions posted on our website will be submitted to the Board for review and revision during next month's board meeting.
- Director Strickland is concerned about the number of licensees, mainly dentists, who failed to renew their dental license and/or permits this year. In 2023, the Board reviewed 32 administrative cases regarding reinstatements. So far this year, the Board has reviewed 99 administrative cases regarding reinstatements. He requested the Board provide any possible solutions to this unusual situation. The board members advised the staff that we have gone well above the normal in our communications, to include the bi-monthly reminder emails to all licensees

Director Strickland advised the Board that he and Mr. Dettling were required to have a meeting with the Alabama Attorney General's Office concerning the actions of one of the board members, Dr. Holt Gray. Due to Dr. Gray being a public official, the Board was barred from going into executive session to discuss the issues. Director Strickland directed the board members' attention to the state ethics law, specifically §36-25-17. The section states, in part, "*...Every governmental agency head shall within 10 days file reports with the commission on any matters that come to his or her attention in his or her official capacity with constitutes a violation of this chapter.*" Mr. Dettling confirmed that Director Strickland was statutorily obligated to report the issue.



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The direction/guidance received from the Attorney General's Office was to inform the full board of the issues and to immediately take corrective actions in the form of an administrative code (board rule) to establish a standard of ethics for board members to follow. The rule must be written so as to be enforceable by the Board against a board member's violations.

As directed, Director Strickland advised the Board of the following actions taken by Dr. Gray that led to this issue. He advised that Dr. Gray had: 1) interfered with an investigation concerning one of his (Dr. Gray's) employees. Director Strickland spoke privately with Dr. Gray and resolved the issue; 2) Dr. Gray prematurely revealed information regarding a licensee who had been noticed for a hearing, and in a context that reasonably called Dr. Gray's impartiality into question. Mr. Dettling and Director Strickland officially met with Dr. Gray, discussed the issue, and he was directed to recuse himself from the case at the next board meeting, which was scheduled to occur in January 2024. Dr. Gray did recuse himself as directed; 3) Dr. Gray and his practice manager attempted to influence or interfere with an ongoing investigation involving an associate dentist in his practice. Based on Dr. Gray's actions in this particular case, the Attorney General's Office advised that Dr. Pischek, Dr. McIlwain, and Dr. Gray all should recuse themselves from the case. Those recusals, as well as the standard recusals of the assigned team leader and dental hygiene board member, left only 2 board members to hear the case. It was this third issue that led Director Strickland to meet with Mr. Dettling, who contacted the Alabama Attorney General's Office for guidance.

Mr. Dettling provided his perspective as the Board's General Counsel to the meeting with the Attorney General's Office. Mr. Dettling reiterated that, as a Deputy Attorney General, he has professional accountability to the Attorney General's office. He confirmed the statute and information as provided by Director Strickland. Mr. Dettling recommended that the two (2) unaffected board members, Dr. Jones, and Dr. Williams, be tasked with contacting three (3) former board members to serve with them to hear this specific case. He will have a draft board rule for the Board's consideration at the next regularly scheduled board meeting in April with a planned first vote on the new rule at the May 2024 board meeting. The new rule will provide for enhanced public disclosures by Board members and employees and will put a legal mechanism in place for the Board to take action against any licensee of the Board who violates the provisions of the Ethics Law.

Dr. Williams made a motion that Dr. Jones recruit three (3) former board members to hear case #2024-100 when the investigation is completed, and the assigned Team Leader is ready to present the case. Dr. McIlwain seconded the motion. The motion passed with unanimous consent.

Dr. Gray apologized to the Board and staff for his actions and advised that it was not his intent to do anything inappropriate.

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

Dr. Pischek adjourned the meeting at 2:30 p.m.



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Submitted by: Steve Hancock

Respectfully Submitted,

Marshall A. Williams DDS

Dr. Marshall Williams, Secretary/Treasurer

Approved: 3/08/2024_____