

MINUTES
NC STATE BOARD OF DENTAL EXAMINERS
BOARD MEETING
Morrisville, North Carolina
May 19-20, 2021

I. CALL TO ORDER & ESTABLISHMENT OF QUORUM

Dr. Wester

A. Call to Order

Dr. Millard “Buddy” Wester, President of the Board, called the business meeting to order at 8:30 a.m., Wednesday, May 19, 2021, at the Board’s offices in Morrisville, North Carolina. Dr. Wester read the following statement regarding conflicts of interest as a reminder to all Board members:

In accordance with General Statute 138A-15(e), it is the duty of every Board member to avoid both conflicts of interest and appearances of conflict.

Does any Board member have any known conflict of interest or appearance of conflict with respect to any matters coming before the Board today?

If so, please identify the conflict or appearance of conflict and refrain from any undue participation in the particular matter involved.

If, during the discussion, any Board member learns of a conflict or appearance of a conflict, he or she should notify the Chair and take appropriate action to recuse himself or herself.

B. Roll Call

All members of the Board were present at the Board office. The members present at the Board office included Dr. Millard Wester, III, Dr. Edward Clemons, Dr. Raleigh Wright, Dr. William Litaker, Dr. Mark Johnson, Dr. Karen Lanier, Ms. Nancy St. Onge, RDH and Mr. Dominic Totman, Esq. Mr. Bobby D. White, Chief Executive Officer, Ms. Casie Goode, Deputy Operations Officer, Amanda Carver, Investigator, Betty Sines, Investigations Coordinator, Tyler Henderson, Investigator and Mr. Douglas Brocker, Legal Counsel for the Board were also present.

C. Declaration of Quorum

With all eight members of the Board present, Dr. Wester declared a quorum for the purposes of conducting the business of the Board.

At 8:35 a.m., Dr. Clemons made a motion to move into closed session, pursuant to NCGS §143-318.18(6), in order to conduct a settlement conference. Dr. Litaker seconded the motion which passed by general consent. The conference recessed at 11:30 a.m., at which time, Dr. Johnson made the motion to move into open session to conduct a rulemaking hearing. Dr. Litaker seconded the motion and the motion passed. The rulemaking hearing concluded at 11:35 a.m. at which time Dr. Lanier made a motion to move back into closed session, pursuant to NCGS §143-318.18(6), in order to resume the settlement conference. Dr. Wright seconded the motion which passed by general consent. The conference concluded at 2:35 p.m. at which time the Board remained in closed session to conduct another settlement conference. The conference concluded at 5:50 p.m. at which time, Dr. Lanier made the motion to move into open session to resume Board business. Ms. St. Onge seconded the motion and the motion passed.

II. APPROVAL & ORDER OF AGENDA

Dr. Wester

Dr. Litaker moved, which was seconded by Dr. Lanier, to accept the agenda as presented. The motion passed by general consent.

III. APPROVAL OF MINUTES

A. Minutes of April 8-10, 2021

[Item #1] Dr. Wester

Following a review of the April 8-10, 2021 Minutes, Dr. Litaker moved to approve the Minutes as presented. Dr. Johnson seconded the motion which passed by general consent.

IV. REPORT FROM PRESIDENT

Dr. Wester

No Report

V. REPORT FROM CHIEF EXECUTIVE OFFICER

Mr. White

A. Financial Report (April)

[Item #2]

Following a review of the April Financial Report, Ms. St. Onge moved to accept the report for informational purposes. Dr. Lanier seconded the motion which passed by general consent.

B. Personnel Matters
No Report

C. Miscellaneous



Senate Bill 146

[Item #3]

SB 146 – An Act to Establish Standards for the Practice of Teledentistry, to Authorize Properly Trained Dental Hygienists to Administer Local Dental Anesthetics Under Direct Supervision of a Licensed Dentist, and to Permit Certain Dental Hygienists to Practice Dental Hygiene at Schools Without a Licensed Dentist Being Physically Present. The Board will begin the rulemaking process to address this legislative change, should it pass.



Board of Elections

Mr. Totman was nominated and will serve as election chair for this year's election. The three (3) candidates are, Dr. Edward Clemons, Dr. Sarah Tomlinson and Dr. Catherine Watkins.

VI. REPORTS OF STANDING COMMITTEES

A. Executive Committee

B.

a. Tripartite Meeting

On May 7, 2021, Dr. Wester attended the annual Tripartite meeting where he gave a legislative update and a presentation regarding measures that the Board has taken during the COVID-19 pandemic to address licensure issues such as: allowing CPR

extensions, creating the temporary license option, waiving SBI background checks, and waiving the “live patient” examination requirement.

- C. Finance Committee
[No Report]
- D. Sedation/General Anesthesia Committee
The Sedation/General Anesthesia Advisory Committee will meet tomorrow evening, Thursday, May 20, 2021, at 6:00 p.m. The purpose of this meeting is to discuss the use of Ketamine and muscle relaxants. The meeting will be conducted via Zoom as well as in person.

VII. OLD BUSINESS

[None]

VIII. NEW BUSINESS

- A. Approval of Radiology Equivalency Exam **[Item #4] Ms. Goode**
Ms. Trudie Helmick with the Lake Norman Dental Assisting School requested approval of the school’s dental radiology exam to serve as an equivalency exam for out of state trained dental assistants to become eligible to take radiographs in North Carolina. Dr. Wright made a motion to approve the exam. The motion was seconded by Dr. Johnson. The motion carried.
- B. Approval of Radiology Course and Instructor **[Item #5] Ms. Goode**
Ms. Mina Carey with the National Institute of Dental Assisting submitted a radiology course for Board approval as well as a request to approve Renee RiCharde as a radiology instructor. Upon review of the documents, Dr. Wester made a motion to approve the course and Ms. RiCharde as the instructor, allowing Ms. RiCharde an 18-month grace period to complete the UNC Course for Radiology Instructors. Ms. St. Onge seconded the motion. The motion carried.
- C. Approval of IV Sedation Course **[Item #6] Dr. Lanier**
DOCS submitted an IV Sedation Course for Board approval. Dr. Wright made a motion to approve the course and to approve any expenses for Dr. Johnson to attend and observe this course. Dr. Litaker seconded the motion. The motion carried.
- D. Approval of Minimal Sedation Course **[Item #7] Dr. Lanier**
DOCS submitted a Minimal Sedation Course for Board approval. Dr. Wright made a motion to approve the course and to approve any expenses for Dr. Lanier to attend and observe this course. Dr. Clemons seconded the motion. The motion carried.
- E. Approval of ADEX/AADB Meetings
Dr. Wright moved to approve any expenses for Dr. Litaker and one other Board Member to attend the August 6-7, 2021, ADEX meeting in to be held in Chicago, Illinois. He further moved to approve Board Members and necessary staff to attend the upcoming AADB

Meeting, October 30-31, 2021, in San Antonio, Texas. Dr. Clemons seconded. The motion carried.

IX. LICENSURE MATTERS

- A. Approval of Licenses/Permits/Reinstatements **[Item #8] Ms. Goode**
Dr. Wright moved to approve all provisional licenses, licenses issued by credentials, intern permits, sedation permits, CE waivers and reinstatements issued since the last meeting. The motion was seconded by Ms. St. Onge and passed by general consent.
- B. Examinations
[No Report]

X. REPORT FROM LEGAL COUNSEL

Mr. Brocker/Mr. White

- A. Rules for Publication **[Item #9]**
Dr. Wright made a motion to approve the rules as amended after removing the requirement that states that the nitrous oxide course shall be provided and taught by an already-approved CE course sponsor. Dr. Johnson seconded the motion. Motion carried.

Following approval of future courses, the language in the letter of approval, sent by the Board, should remind the course instructor that any time nitrous oxide is turned on, a dentist must be present and the one turning it on.

Mr. Wright made a motion to move into closed session, pursuant to NCGS §143-318.11(3) in order to receive advice from legal counsel. The motion was seconded by Dr. Litaker and passed by general consent. Following advice from legal counsel, Mr. Totman made a motion to move into open session to vote on the decision in this matter. Dr. Clemons seconded. The motion carried.

- B. Unauthorized Practice of Dentistry **[Item #10]**
Mr. Totman made a motion that the respondent be informed that no additional action will be taken at this time; however, the Board is not approving the services being offered. Dr. Wright seconded the motion. Motion carried.

XI. INVESTIGATIVE MATTERS

- A. Investigative Statistics (April) **[Item #11] Dr. Clemons**
The Board reviewed investigative statistics for the month of April as well as year to date. The statistics were accepted for informational purposes.
- B. Hearing Panel Decisions
During open session, and without conducting other business, Dr. Johnson made a motion to move into closed session, pursuant to NCGS §143-318.18(6) and §90-41(g), in order to rule on several Hearing Panel Decisions and other investigative matters. The motion was seconded by Dr. Litaker and passed by general consent.

- a. Log #11-020 **[Item #12] Dr. Wester**

C. Settlement Conferences

The Board conducted two (2) settlement conferences throughout the meeting. Mr. Douglas Brocker represented the Board. Standard protocol was followed.

XII. NEXT MEETING

The Board's next regularly scheduled meeting will begin on Friday, June 18, 2021 and will be held at the Board's offices in Morrisville, North Carolina for the consideration of routine business.

XIII. ADJOURNMENT

There being no further business, Dr. Lanier made a motion to adjourn the meeting. Dr. Litaker seconded the motion, which passed by general consent. The meeting adjourned at 7:40 p.m.

Reported by: Casie S. Goode
Casie S. Goode
Deputy Operations Officer

Date of Approval: June 18, 2021

MEMBERS OF THE BOARD

Dr. Millard W. Wester, III, President
Dr. Edward Clemons, Jr., Secretary-Treasurer
Dr. Karen Lanier
Dr. Raleigh Wright, III
Dr. William Litaker
Dr. Mark Johnson
Ms. Nancy St. Onge, R.D.H., Dental Hygiene Member
Mr. Dominic Totman, Esq., Consumer Member