MINUTES
NC STATE BOARD OF DENTAL EXAMINERS
BOARD MEETING
Morrisville, North Carolina
March 31 – April 1, 2022

FRIDAY, APRIL 1, 2022

I. CALL TO ORDER & ESTABLISHMENT OF QUORUM
   Dr. Clemons

   A. Call to Order
      Dr. Edward Clemons, President of the Board, called the business meeting to order at 8:26 a.m., Friday, April 1, 2022, at the Board's offices in Morrisville, North Carolina. Dr. Clemons 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. Edward Clemons, Dr. Raleigh Wright, Dr. William Litaker, Dr. Mark Johnson, Dr. Karen Lanier, Dr. Catherine Watkins, Ms. Nancy St. Onge, RDH and Mr. Dominic Totman, Esq., Mr. Bobby D. White, Chief Executive Officer, Ms. Casie Goode, Deputy Operations Officer, Dirk German, Investigator, Betty Sines, Investigations Coordinator, Jamie Rivera, Paralegal, Mr. Douglas Brocker and Ms. Crystal Carlisle, Legal Counsel for the Board were also present.

   C. Declaration of Quorum
      With all eight members of the Board present, Dr. Clemons declared a quorum for the purposes of conducting a Formal Hearing and the business of the Board.
At 8:28 a.m. the Board remained in open session to conduct a formal hearing involving Dr. William Boles, Jr. Mr. Douglas Brocker and Ms. Crystal Carlisle served as legal counsel for the Investigative Panel and Mr. Lane Williamson served as legal counsel for the Hearing Panel. Dr. William Boles, Jr. was not represented by legal counsel. A court reporter was present to transcribe the proceedings. The public hearing adjourned at 3:08 p.m. and the Hearing Panel announced it will not issue a Final Agency Decision (FAD) until after the transcript was received and each party submitted a proposed FAD. The Board remained in open session to conduct Board business.

II. APPROVAL & ORDER OF AGENDA

A. Ms. St. Onge moved, which was seconded by Dr. Watkins, to accept the agenda as presented with permission for the President to take items out of order to facilitate business. The motion passed by general consent.

B. Dr. Litaker requested permission to add potential legislation changes to be presented by the NC Dental Society to the agenda for discussion. Dr. Clemons, the Board’s president, approved his request.

III. APPROVAL OF MINUTES

A. Minutes of March 3-4, 2022

Dr. Wright moved to approve the Minutes with the recommended changes to Item VII. Old Business C. HbA1C Readings. Dr. Watkins seconded the motion which passed by general consent.

IV. REPORT FROM PRESIDENT

[No Report]

V. REPORT FROM CHIEF EXECUTIVE OFFICER

A. Financial Report (March)

[Item #2]

Following a review of the March 2022 Financial Report, Dr. Lanier moved to accept the report for informational purposes. Dr. Litaker seconded the motion which passed by general consent.

B. Personnel Matters

Mr. White announced that the Board will be fully staffed starting Monday, April 4, 2022. Ms. Precious Lee will be filling the Executive Assistant role. Mr. White requested permission to present the Executive Committee with suggested adjustments to salaries based on new responsibilities for those staff members who are moving into different positions. Ms. St. Onge moved to approve Mr. White’s request and Dr. Lanier seconded the motion.
C. Miscellaneous
Mr. White reminded the Board that this year’s Tripartite Meeting will be held on April 29, 2022. The Old North State is hosting this year’s meeting which will be held at the North Carolina’s Dental Society’s offices in Cary.

VI. REPORTS OF STANDING COMMITTEES
A. Executive Committee
[No Report]

B. Finance Committee
[No Report]

C. Sedation/General Anesthesia Committee
Dr. Lanier announced that the subcommittees within the general anesthesia and sedation committee have been meeting and will continue to meet within the next few weeks to review the proposed rules and the public comments. As a result of the meetings, the advisory committee will make a recommendation to the Board at a later date.

VII. OLD BUSINESS
A. Proposed Legislation Changes
Dr. Litaker
The North Carolina Dental Society plans to present proposed changes to the Dental Practice Act to the House of Delegates at the annual meeting in May of 2022. Two of the proposed changes include:

a. Live patient vs. Manikin
The North Carolina Dental Society plans to present legislation to the House of Delegates that changes the Dental Practice Act to enable the Board to allow human subjects or approve alternative methods (Manikin) during exams. A vote was taken with a seven to one outcome showing the Board supported the use of manikins during exams. Mr. Brocker was directed to prepare language for both dental and dental hygiene rules to allow for manikin exams.

b. Credentialing
It is the Dental Society’s intention to add guidelines to the existing legislation which allows foreign trained dentists with an instructor license to be eligible for licensure by credentialing. The guideline would require the dentist to practice for five years under the instructor’s license to be eligible to apply for licensure by credentialing.

B. CODA Meeting
Dr. Wright provided the Board with an update on the CODA Meeting which was held February 10-11, 2022.
VIII. NEW BUSINESS
A. Local Anesthetic Certification Requirements [Item #3] Ms. Alexander
Dr. Lonnie Johnson from the University of Colorado School of Dental Medicine sent Ms. Zaibun Alexander an inquiry as to whether a hygienist’s previous local anesthetic course meets the Board’s requirements for Local Anesthetic Certification. Based on the information available, the Board requested Ms. Alexander obtain further information on the individual and her experience in order for an informed decision to be made.

B. Phlebotomy vs. Venipuncture [Item #4] Mr. White
Dr. Mark Oghalai requested a Board opinion regarding the training requirements for dental assistants to be qualified to start IVs. He specifically asked if a venipuncture training course would be sufficient. Mr. White will follow up with Dr. Oghalai and present additional information regarding the venipuncture course at the May 2022 meeting.

IX. LICENSURE MATTERS
C. Approval of Licenses/Permits/Reinstatements [Item #5] Mr. White
Dr. Litaker 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 Dr. Johnson and passed by general consent.

D. Examinations
   a. ADEX Occupational Analysis [Item #6] Mr. White
   In response to the Board’s inquiry, the American Board of Dental Examiners (ADEX) confirmed that they are in compliance with the North Carolina Administrative Code, specifically, 21NCAC 16B .0303(d)(3)(G) which requires an approved clinical examination to conduct a task analysis performed at least once every seven years to determine the content of the examination. The latest analysis in dentistry was conducted in 2018 and the latest analysis in dental hygiene was conducted in 2016.

X. REPORT FROM LEGAL COUNSEL
A. Proposed Rules 161 .0206 and 16R .0206 [Item #7] Mr. Brocker/Mr. White
These proposed new rules would require all dentists and dental hygienists to take one continuing education (CE) hour in substance abuse and mental health issues every two years as part of their total CE requirements. The Board reviewed the proposed rules, and it was determined that additional changes should be made, including language allowing the course to be completed in-person or through self-study. Dr. Wright moved to approve the proposed rules with the addition of the discussed changes and Dr. Johnson seconded. The motion carried by general consent.
B. Coronal Polishing
   Dr. Rick Booth submitted a request to amend Board rules to allow a dental assistant I to take a course in coronal polishing a be allowed to perform that function before meeting the requirements to be considered a dental assistant II. The Board requested additional time to review the request and a vote will be taken at the next Board meeting.

XI. INVESTIGATIVE MATTERS
   A. Investigative Statistics (March)  [Item #9]  Dr. Lanier
      The Board reviewed investigative statistics for the month of March. The statistics were accepted for informational purposes.

   B. Hearing Panel Decisions
      During open session, and without conducting other business, Dr. Litaker made a motion to move into closed session, pursuant to NCGS §143-318.18(6) and §90-41(g) in order to rule on Hearing Panel Decisions and other investigative matters. The motion was seconded by Dr. Lanier and passed by general consent.

      a. Log #18-146  [Item #10]  Dr. Wright

   C. Settlement Conferences
      [None]

XII. NEXT MEETING
   The Board’s next regularly scheduled meeting will begin at 8:30 a.m. on Wednesday, May 18, 2022, and will be held at Thistle Golf Club in Sunset Beach for the purposes of conducting disciplinary conferences and for the consideration of routine business.

XIII. ADJOURNMENT
   There being no further business, Dr. Lanier made a motion to adjourn the meeting. Dr. Watkins seconded the motion which passed by general consent. The meeting adjourned at 6:30 p.m.

Reported by:  
Jamie L. Rivera  
Paralegal

Date of Approval:  May 19, 2022
MEMBERS OF THE BOARD
Dr. Edward Clemmons, Jr., President
Dr. Karen Lanier, Secretary-Treasurer
Dr. Raleigh Wright, III
Dr. William L. Talley
Dr. Mark Johnson
Dr. Catherine Watkins
Ms. Nancy St. Onge, R.D.H., Dental Hygiene Member
Mr. Dominic Totman, Esq., Consumer Member