

MINUTES
NC STATE BOARD OF DENTAL EXAMINERS
BOARD MEETING
Morrisville, North Carolina
April 18-19, 2024

THURSDAY, APRIL 18, 2024

The North Carolina State Board of Dental Examiners convened at 6:03 p.m., Thursday, April 18, 2024 for the purposes of conducting a public Rule Making Hearing involving proposed rule amendments to 21 NCAC 16A .0101, 16B .0303, 16C .0303, 16N .0202, 16N .051-.0504 and 16H .0104 and proposed rule adoptions of 21 NCAC 16A .0107 and 16U .0104. All members of the Board were present, with the exception of Mr. Dominic Totman. Also present was Mr. Bobby D. White, Chief Executive Officer, Casie S. Goode, Deputy Operations Officer, Jamie Rivera, Investigator/Paralegal and Mr. Douglas Brocker, the Board's legal counsel. The proceeding was recorded, and a copy of the proposed rules is attached to the Minutes. The public hearing concluded at 6:17 p.m., at which time the Board recessed its meeting for the day.

FRIDAY, APRIL 19, 2024

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

A. Call to Order

Dr. Catherine Watkins, President of the Board, called the business meeting to order at 8:30 a.m., Friday, April 19, 2024, at the Board's offices in Morrisville, North Carolina. Dr. Watkins 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 the 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 meeting. The members present at the Board office included Dr. Stan Hardesty, Dr. William Litaker, Dr. Mark Johnson, Dr. Karen Lanier, Dr. Catherine Watkins, Dr. Edward Clemons, Ms. Lori Hendrick and Mr. Dominic Totman, Esq. Mr. Bobby D. White, Chief Executive Officer, Ms. Casie Goode, Deputy Operations Officer, Rick Hetzel, Investigator, Tyler Henderson, Investigator, Betty Sines, Assistant Director of Investigations, Jamie Rivera, Investigator/Paralegal, Kevin Snead, 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. Watkins declared a quorum for the purposes of conducting a disciplinary hearing and the business of the Board.

II. APPROVAL & ORDER OF AGENDA

Dr. Watkins

Dr. Hardesty moved, which was seconded by Dr. Litaker, to accept the agenda with permission for the President to take items out of order to facilitate business. The motion passed by general consent.

III. APPROVAL OF MINUTES

- A. Minutes of March 15, 2024 **[Item #1]** **Dr. Watkins**
Following a review of the March 15, 2024, Minutes, Dr. Hardesty moved to approve the Minutes as presented. Dr. Litaker seconded the motion which passed by general consent.

IV. REPORT FROM PRESIDENT

- A. AADB Meeting Report
Drs. Watkins, Litaker, Clemons and Mr. Totman gave a report regarding the recent AADB meeting held on April 12-13, 2024 in Chicago, Illinois. The dental and dental hygiene compacts were the central theme of the meeting. They commended Mr. White on North Carolina's recently published position statement regarding the compacts and acknowledged that North Carolina is one of the states leading the nation with respect to the analysis of the compacts.

V. REPORT FROM CHIEF EXECUTIVE OFFICER

Mr. White

- A. Financial Report (March) **[Item #2]**
Following a review of the February Financial Report, Dr. Hardesty moved to accept the report for informational purposes. Dr. Litaker seconded the motion which passed by general consent.
- B. Personnel Matters
[None]
- C. Miscellaneous
- ❖ Tripartite Meeting
Mr. White took a moment to thank Drs. Hardesty and Johnson for their contribution and participation in the Tripartite meeting hosted by the University of North Carolina Adams School of Dentistry at the offices of the North Carolina Dental Society in Cary, North Carolina, which was held April 12, 2024. The NC Dental Board is scheduled to host the 2025 meeting.
 - ❖ Council of State Governments (CSG) – Dental/Dental Hygiene Compact
Mr. White informed the Board that North Carolina is listed on the CSG website as a contributing organization, but we are not listed as endorsing the CSG compact. Dr. Hardesty made a motion for Mr. White to send a request to the CSG that they clarify

the potential misleading nature surrounding NC being listed as contributing vs. endorsing. Dr. Clemons seconded the motion. The motion carried.

❖ Community College

In an effort to assist dental hygiene programs that are experiencing difficulty hiring dentists that are willing to supervise these programs, Mr. White will contact the community colleges urging them to modify the overly extensive employment process which seems to be deterring otherwise willing practitioners from serving in that capacity. He will further notify the community college dental hygiene programs of the expectations for dental supervision within these programs.

VI. REPORTS OF STANDING COMMITTEES

A. Executive Committee

Mr. White informed the Board that the Executive Committee recently approved adding language to reinstatement applications asking applicants when they last treated a live patient.

B. Finance Committee

[None]

C. Sedation/General Anesthesia Committee

Dr. Lanier reported that the committee is in the process of drafting new questions for the written exams and will put the proposed questions on a future agenda for discussion and approval.

D. Radiology Committee

a. Equivalency Examination

[Item #3] Ms. Richardson

Dr. Litaker made a motion that dental assistants trained outside of North Carolina must successfully complete both a didactic and clinical radiology equivalency exam prior to being allowed to take radiographs. Dr. Clemons seconded the motion. The motion carried.

b. Approve Radiology Course

[Item #4] Ms. Richardson

The Radiology Committee presented a recommendation to approve a radiology course that has been modified to meet the requirements of the new radiology rule which outlines minimum course requirements. Dr. Hardesty made a motion to approve the Dental Assisting School of North Carolina. Dr. Litaker seconded the motion. The motion passed.

VII. OLD BUSINESS

[None]

VIII. NEW BUSINESS

A. Approve Nitrous Oxide Course

[Item #5] Ms. Goode

Dr. Litaker made a motion to approve the Nitrous Oxide Monitoring Course given by the Dental Assisting Preparatory Academy by Dr. Daniel Hostrander. Dr. Lanier seconded the motion. The motion carried.

IX. LICENSURE MATTERS

- A. Approval of Licenses/Permits/Reinstatements **[Item #6] Ms. Goode**
Dr. Hardesty moved to approve all provisional licenses, licenses issued by credentials, military licenses, intern permits, sedation permits, CE waivers and reinstatements issued since the last meeting. The motion was seconded by Dr. Clemons and passed by general consent.
- B. Examinations
[None]

X. REPORT FROM LEGAL COUNSEL Mr. Brocker/Mr. White
[None]

XI. INVESTIGATIVE MATTERS

- A. Investigative Statistics (March) **[Item #7] Dr. Johnson**
The Board reviewed investigative statistics for the month of March, as well as the year to date. The statistics were accepted for informational purposes.
- B. Hearing Panel Decisions
During open session, and without conducting other business, Dr. Hardesty 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. Johnson and passed by general consent.
- a. Log #19-151 **[Item #8] Dr. Lanier**
- b. Log #07-151 **[Item #9] Dr. Litaker**
- c. Log #18-006, #20-163, #21-002, Et. al **[Item #10] Dr. Watkins**
- C. Settlement Conferences
[None]

XII. NEXT MEETING

The Board's next regularly scheduled meeting will begin on Wednesday, May 15, 2024, and will be held at Thistle Golf Club in Sunset Beach, North Carolina, in conjunction with the North Carolina Dental Society's annual meeting. The Board will conduct disciplinary hearings and consider routine business.

XIII. ADJOURNMENT

There being no further business, Dr. Hardesty made a motion to adjourn the meeting. Dr. Litaker seconded the motion, which was passed by general consent. The meeting was adjourned at 10:18 a.m.

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

Date of Approval: May 15, 2024

MEMBERS OF THE BOARD

Dr. Catherine Watkins., President
Dr. Mark Johnson, Secretary-Treasurer
Dr. Karen Lanier., Immediate Past President
Dr. William Litaker
Dr. Edward Clemons, Jr
Dr. W. Stan Hardesty
Ms. Lori Hendrick, R.D.H., Dental Hygiene Member
Mr. Dominic Totman, Esq., Consumer Member