MINUTES
NC STATE BOARD OF DENTAL EXAMINERS
BOARD MEETING
Morrisville, North Carolina
August 18, 2023

I. CALL TO ORDER & ESTABLISHMENT OF QUORUM

A. Call to Order
Dr. Catherine Watkins, President of the Board, called the business meeting to order at 8:33 a.m., Friday, August 18, 2023, 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. Edward Clemons, Dr. Stan Hardesty, Dr. William Litaker, Dr. Mark Johnson, Dr. Karen Lanier, Dr. Catherine Watkins, Ms. Lori Hendrick, RDH 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, 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.

D. Oath of Office
Ms. Lori Hendrick, RDH took her official oath of office in Shelby, North Carolina on August 1, 2023. Ms. Hendrick participated in a ceremonial oath of office at the onset of the meeting. Drs. Johnson and Litaker also participated in their official oath of office reaffirming their willingness to execute their duties as recently re-elected Dental Board Members.
II. APPROVAL & ORDER OF AGENDA

Dr. Litaker moved, which was seconded by Dr. Clemons, to accept the agenda with permission for the President to add emergency items or those without public interest and take items out of order to facilitate business. The motion passed by general consent.

III. APPROVAL OF MINUTES

A. Minutes of July 14, 2023

Following a review of the July 14, 2023 Minutes, Dr. Hardesty moved to approve the Minutes as presented. Dr. Litaker seconded the motion which was passed by general consent.

IV. REPORT FROM PRESIDENT

Dr. Watkins thanked everyone in advance for their support for the upcoming year.

V. REPORT FROM CHIEF EXECUTIVE OFFICER

A. Financial Report (July)

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

B. Personnel Matters

Mr. White introduced the Board staff to Ms. Hendrick. Mr. White also presented each Board Member with a State Bureau of Investigation (SBI) challenge coin on behalf of Dirk German as a thank you to the Board upon his departure.

At 8:50 a.m., Mr. Douglas Brocker and Mr. Bobby White presented a training session for new and existing Board members as required by G.S. 93B-5(g). The presentation ended at 12:03 p.m., at which time Dr. Clemons made a motion to move into closed session pursuant to NCGS §143-318.18(6) and §90-41(g), in order to deliberate and make a decision in the Dr. Tung Nguyen matter. Dr. Johnson seconded the motion. The motion carried. Mr. Fred Morelock, Esq. represented the Hearing Panel in its deliberations. Deliberations concluded at 12:45 p.m. at which time Dr. Lanier made a motion to move into open session to resume Board business. Dr. Litaker seconded the motion. The motion carried.

C. Miscellaneous

AADB (FSDB) – Dental/Dental Hygiene Compact

Mr. White informed the Board that the American Association of Dental Boards (AADB) is in the process of changing its name to the Federation of State Dental Boards (FSDB). He further reported that the AADB is currently developing its own dental compact that addresses several concerns that regulatory boards have regarding the lack of testing requirements found within the compact drafted by the Council of State Governments.

RDH staggering appointments

Mr. White will draft the Board’s position regarding staggering dental hygiene appointments and present it at a future meeting for the Board to review.
Opioid/Mental Health Course
The Board approved inviting Dr. Bill Claytor to come and offer his opioid course and his mental health course at the December 2023 Board Meeting.

Retired status – volunteering
A retired oral surgeon requested a change in the rule that requires anyone who has not actively been engaged in the practice of dentistry for more than 5 years to retake a clinical examination prior to reinstating. The request was for him to be allowed to reinstate to volunteer at a local clinic and only practice under supervision of a North Carolina licensed dentist. Following a discussion, the Board determined that the language of the rule is appropriate and should not be amended.

CDP Fall Annual Meeting
Dr. Hardey moved to approve any expenses for Dr. Mark Johnson to attend the North Carolina Caring Dental Professionals Annual Meeting. Dr. Litaker seconded the motion, which passed by general consent.

VI. REPORTS OF STANDING COMMITTEES
A. Executive Committee
Mr. White reported that the Executive Committee recently reviewed an applicant requesting predetermination for licensure eligibility prior to enrolling in a dental hygiene program. The review was completed, and the Executive Committee determined the applicant’s past criminal record would not prevent her from applying for a dental hygiene license after graduation if her criminal record remains unchanged.

B. Finance Committee
[None]

C. Sedation/General Anesthesia Committee
a. Course approval checklists
   [Item #3] Ms. Richardson
   Dr. Hardey made a motion to approve the utilization of the checklist as a tool for course approvals. Dr. Litaker seconded the motion. The motion carried.

b. In-office Sedation
   [Item #4] Dr. Lanier
   A dentist that does not have a moderate sedation permit or a general anesthesia permit may not supervise a CRNA.

c. Subcommittee Update
   Dr. Johnson reported that the general anesthesia subcommittee met to discuss course approvals. He stressed the importance of ensuring that these courses are not only requiring that participants observe procedures, but rather they offer the required hands-on component to all participants.
D. Radiology Committee
[Item #5] Ms. Richardson
Dr. Hardey made a motion to approve the utilization of the checklist as a tool for course approvals. Dr. Litaker seconded the motion. The motion carried.

VII. OLD BUSINESS
A. Approve Nitrous Oxide Course – Dr. Sery
[Item #6] Ms. Goode
Dr. Laetitia Sery of Gastonia Pediatric Dentistry submitted a dental assistant nitrous oxide monitoring course for the Board’s approval. Upon review, Dr. Litaker moved to approve the course, with Dr. Sery as the course instructor. Dr. Johnson seconded the motion, which passed by general consent.

B. 2024 Meeting Dates
[Tabled]

[Item #7] Ms. Goode

VIII. NEW BUSINESS
A. Approve Nitrous Oxide Course – Village Family
[Item #8] Ms. Goode
Ms. Cyndi Newsham of Village Family Dental submitted a dental assistant nitrous oxide monitoring course for the Board’s approval. Upon review, Dr. Watkins moved to approve the course, with Dr. Grant Wiles as the course instructor. Dr. Johnson seconded the motion, which passed by general consent.

B. Approve Rotation Sites – CFCC
[Item #9] Ms. Goode
Cape Fear Community College (CFCC) requested Board approval of the Pender County Community Health Center, the MedNorth Health Center, the New Hanover County Health and Human Services Children’s Mobile Dental Unit and Access Dental Care in New Hanover County as rotation sites for dental hygiene students currently enrolled in the dental hygiene program at CFCC. Upon review of the documentation, Dr. Hardey made a motion to approve the proposed rotation sites. Dr. Litaker seconded the motion. The motion carried.

C. Approve Rotation Sites – ABTech
[Item #10] Ms. Goode
ABTech requested Board approval of the Recovered Smiles Program at Miller Family Dentistry in Candler, North Carolina and the Mountain State Fair as rotation sites for dental hygiene students currently enrolled in the dental hygiene program at ABTech. Upon review of the documentation, Dr. Hardey made a motion to approve the proposed rotation sites. Dr. Litaker seconded the motion. The motion carried.

IX. LICENSURE MATTERS
A. Approval of Licenses/Permits/Reinstatements
[Item #11] Ms. Goode
Dr. Hardey 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. Litaker and passed by general consent.
B. Examinations
   a. ADEX Annual Meeting Update  
      Dr. Litaker
      Dr. Litaker gave an update regarding the recent ADEX meeting. He reported that
      ADEX has published new examination criteria for the 2024 examination cycle.

   b. CDCA-WREB-CITA Steering Committee Meeting  
      Dr. Litaker
      Dr. Litaker gave an update regarding the recent CDCA-WREB-CITA Steering
      Committee meeting. He reported that the agency has created a scoring portal that
      will allow state Boards to access scores from examinations that were completed prior
      to the agencies merging.

C. Council on Dental Education and Licensure Update  
   Dr. Watkins
   Dr. Watkins reported on the recent CDEL meeting. She reported that several policy
   rescissions and amendments were passed during the meeting.

X. REPORT FROM LEGAL COUNSEL  
   Mr. Brocker
   A. Proposed Rule Amendment – 16H .0104  
      [Item #12]
      Amendments to 16H .0104 were considered for publication. The amendments eliminate the
      coronal polishing restriction for dental assistants, and it implements formal recognition of
      appropriate military training as another path for classification as a DA II. Dr. Hardesty made
      a motion to approve the rules for publication. Dr. Litaker seconded the motion. The
      motion carried.

XI. INVESTIGATIVE MATTERS  
   Dr. Johnson
   A. Investigative Statistics (July)  
      [Item #13]
      The Board reviewed investigative statistics for the month of July, 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(6), in order to rule
      on several Hearing Panel Decisions and other investigative matters. The motion was
      seconded by Dr. Hardesty and passed by general consent.

      a. Log #19-036  
         [Item #14]  
         Dr. Clemons

      b. Log #18-254  
         [Item #15]  
         Dr. Hardesty

C. Settlement Conferences  
   [None]

XII. NEXT MEETING
    The Board’s next regularly scheduled meeting will begin on Friday, September 8, 2023, and will
    be held at the Board’s offices in Morrisville, North Carolina for the purposes of conducting disciplinary
    conferences and routine Board business.
XIII. ADJOURNMENT
There being no further business, Dr. Clemons made a motion to adjourn the meeting. Dr. Hardesty seconded the motion which passed by general consent. The meeting was adjourned at 2:55 p.m.

Reported by: Casie S. Goode
Deputy Operations Officer

Date of Approval: September 8, 2023

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 Toiman, Esq., Consumer Member