

MINUTES
NC STATE BOARD OF DENTAL EXAMINERS
BOARD MEETING
Morrisville, North Carolina
August 9, 2024

I. CALL TO ORDER & ESTABLISHMENT OF QUORUM

Dr. Johnson

A. Call to Order

Dr. Mark Johnson, President of the Board, called the business meeting to order at 8:31 a.m., Friday, August 9, 2024, at the Board's offices in Morrisville, North Carolina. Dr. Johnson 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. Vincent Allison, and Lori Hendrick, RDH, PhD. Mr. Dominic Totman, Esq. joined the meeting virtually. Mr. Bobby D. White, Chief Executive Officer, Ms. Casie Goode, Deputy Operations Officer, Betty Sines, Assistant Director of Investigations, Jamie Rivera, Investigator/Paralegal, Rick Hetzel, Investigator, Tyler Henderson, Investigator, 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. Johnson declared a quorum for the purposes of conducting a disciplinary hearing and the business of the Board.

D. Oath of Office

Mr. White

Dr. Watkins participated in her official oath of office re-affirming her willingness to execute her duties as a recently re-elected Dental Board Member.

II. APPROVAL & ORDER OF AGENDA

Dr. Johnson

Dr. Litaker moved, which was seconded by Dr. Hardesty, 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 July 12, 2024 **[Item #1] Dr. Johnson**
Following a review of the July 12, 2024, Minutes, Dr. Hardesty moved to approve the Minutes as presented. Ms. Hendrick seconded the motion which passed by general consent.

IV. REPORT FROM PRESIDENT

[None]

V. REPORT FROM CHIEF EXECUTIVE OFFICER

Mr. White

- A. Financial Report (July) **[Item #2]**
Following a review of the July 2024 Financial Report, Dr. Litaker moved to accept the report for informational purposes. Dr. Lanier seconded the motion which passed by general consent.
- B. Personnel Matters
[None]
- C. Miscellaneous
- ❖ Ethics Committee Approval
Dr. Vincent Allison was cleared by the ethics commission, and he was sworn in on Friday, August 2, 2004 at the Board office.
 - ❖ CODA Approval of Foreign Dental Programs
Mr. White informed the Board that Saudia Arabia and Turkey now have CODA accredited dental schools.
 - ❖ 2023 Audit **[Item #3]**
The Board's financial audit for the year ending December 31, 2023, was completed by Bernard Robinson & Company, LLP. It was the auditor's opinion that the financial statements of the Board fairly and accurately presented the Board's financial position and cash flow for 2023. There were no deficiencies reported.
 - ❖ SL 2024-45 **[Item #4]**
Mr. White updated the Board regarding a new law that requires Boards to provide documentation and confirmation of current membership, last reported minutes, current bylaws, and a listing of the entities to which reports are submitted to the Legislative Library. Failure to respond could result in a recommendation to repeal the Board.

VI. REPORTS OF STANDING COMMITTEES

- A. Executive Committee
- a. Expenses for ADEX – RDH voting member
Dr. Litaker moved to approve any expenses, including one travel day before the meeting and one travel day after the meeting, for Ms. St. Onge and Ms. Hendrick to

attend the upcoming ADEX Annual Meeting held in September 2024 in Louisville, Kentucky. Dr. Hardesty seconded; motion carried.

Ms. Hendrick will take Ms. St. Onge's position as a voting member following the September meeting of ADEX.

b. Dr. Johnson, Dr. Allison, and Ms. Hendrick will serve as CDP representatives for 2024-2025.

B. Finance Committee
[None]

C. Sedation/General Anesthesia Committee
[None]

VII. OLD BUSINESS

A. Delegable Functions **[Item #5] Dr. Lanier**
Dr. Hardesty moved not to amend the current wording of 21 NCAC 16H .0205. Dr. Johnson seconded the motion. The motion did not carry. Dr. Lanier made a motion to amend 21 NCAC 16H .0205 to make it clear that dental assistants cannot scale. Ms. Hendrick seconded the motion. Dr. Hardesty opposed. Motion carried.

B. Curodont **[Item #6] Ms. Hendrick**
Ms. Hendrick made a motion that dental hygienists be allowed to apply Curodont at the direction of a dentist. Dr. Lanier seconded the motion, and the motion carried. Mr. Brocker was directed to draft an interpretive statement.

VIII. NEW BUSINESS

A. 2025 Meeting Dates **[Item #7] Ms. Goode**
Dr. Litaker made a motion to approve the meeting date for January 10-11, 2025, and to revisit the remaining 2025 meeting dates at the September meeting. Dr. Lanier seconded the motion, and the motion carried.

B. Approve Rotation Sites – FTCC **[Item #8] Ms. Goode**
Fayetteville Technical Community College (FTCC) requested Board approval of the Veterans Administration Hospital and Ft. Liberty Dental Clinic #5 as rotation sites for dental hygiene students currently enrolled in the dental hygiene program at FTCC. Upon review of the documentation, Dr. Hardesty made a motion to approve the proposed rotation sites. Dr. Litaker seconded the motion. The motion carried.

C. Approve Medical Emergency Course **[Item #9] Ms. Goode**
Mr. Paul Kearns of the Response Institute/CPR Consultants, Inc., requested approval of his medical emergencies course for limited supervision hygienists. Dr. Hardesty made a motion to approve the course. Ms. Hendrick seconded the motion. The motion carried.

- D. Spokesperson
Dr. Hardesty reminded Board members and staff that only Mr. White and the Board President can speak on behalf of the Board without permission from the Board.
- E. Coasters
Dr. Watkins distributed vehicle coasters with the Board seal to the Board members and staff to show her appreciation for the support shown to her during her term as President.
- F. Volunteer Licenses
Dr. Hardesty made a motion that the Board will support a potential legislative change that would allow volunteer permits for dental hygienists. Dr. Allison seconded the motion. The motion carried.

At 10:00 a.m., Ms. Danielle Sagona from the Division of Services for the Deaf and Hard of Hearing with NCDHHS made a presentation to the Board regarding a new state-funded program that will allow for reimbursement of translator fees that practitioners are required, by the Americans with Disabilities Act, to provide and fund for deaf and hard of hearing patients. Her presentation concluded at 10:45 a.m., after which the Board resumed its business meeting.

IX. LICENSURE MATTERS

- A. Approval of Licenses/Permits/Reinstatements **[Item #10] Ms. Goode**
Dr. Hardesty 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. Watkins and passed by general consent.
- B. Examinations **Ms. Goode**
 - a. 2024-2025 CDCA-WREB-CITA Steering Committee Members
Dr. Litaker nominated Dr. Hardesty to serve as the alternate member and Dr. Watkins to replace Dr. Clemons as a voting member of the CDCA-WREB-CITA steering committee.

X. REPORT FROM LEGAL COUNSEL

Mr. Brocker/Mr. White

- A. Licensing Instructors in RDH/DA Programs
The Board supports adding language in the Dental Hygiene Practice Act to allow dentists and hygienists to obtain instructor's licenses to teach in dental hygiene and dental assisting programs. Current rules do not provide a pathway for a Dental Hygiene Instructor's license.
- B. Instructors – Hospital Settings **[Item #11]**
The Board received an inquiry from High Point University (HPU), regarding graduate students obtaining an instructor's license or an intern permit to engage in a Fellowship program in a hospital setting.

The Board directed Mr. White to obtain additional information regarding the accreditation of all of the medical facilities that HPU is proposing to utilize as part of the Fellowship curriculum.

XI. INVESTIGATIVE MATTERS

A. Investigative Statistics (July) **[Item #12] Dr. Litaker**
The Board reviewed investigative statistics for the month of July, 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. Watkins and passed by general consent.

a. Log #14-203 **[Item #13] Dr. Litaker**

C. Settlement Conferences
[None]

XII. NEXT MEETING

The Board's next regularly scheduled meeting will begin on Friday, September 13, 2024, at 8:30 a.m. and will be held at the Board's offices in Morrisville, North Carolina to conduct disciplinary hearings and for the consideration of routine business.

XIII. ADJOURNMENT

There being no further business, Dr. Hardesty made a motion to adjourn the meeting. Dr. Lanier seconded the motion, which passed by general consent. The meeting adjourned at 12:04 p.m.

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

Date of Approval: September 13, 2024

- MEMBERS OF THE BOARD**
Dr. Mark Johnson., President
Dr. William Litaker, Secretary-Treasurer
Dr. Catherine Watkins., Immediate Past President
Dr. Karen Lanier
Dr. Vincent Allison
Dr. W. Stan Hardesty
Ms. Lori Hendrick, R.D.H., Dental Hygiene Member
Mr. Dominic Totman, Esq., Consumer Member