

MINUTES
NC STATE BOARD OF DENTAL EXAMINERS
BOARD MEETING
ZOOM MEETING
Morrisville, North Carolina
December 11, 2020

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., Friday, December 11, 2020, at the Board's offices in Morrisville, North Carolina. This meeting was held via Zoom and streamed live for the public. 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

Dr. Wester was present at the Board office, all other Board Members joined the meeting via Zoom. The members present included Dr. Millard Wester, III, Dr. Edward Clemons, Dr. William Litaker, Dr. Mark Johnson, Dr. Raleigh Wright, III, 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, 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.

II. APPROVAL & ORDER OF AGENDA

Dr. Wester

Dr. Litaker moved, which was seconded by Dr. Johnson, to accept the agenda as presented. The motion passed following a roll call unanimous vote.

At 8:35 a.m., Dr. Litaker made a motion to move into closed session, pursuant to NCGS §143-318.18(6), in order to conduct a settlement conference. Dr. Lanier seconded the motion which passed following a roll call unanimous vote. The conference concluded at 9:30 p.m. at which time Dr. Clemons made the motion

to move into open session to resume Board business. Dr. Litaker seconded the motion, and the motion passed after a roll call unanimous vote.

III. APPROVAL OF MINUTES

- A. Minutes of November 6, 2020 **[Item #1] Dr. Wester**
Following a review of the November 6, 2020 Minutes, Dr. Litaker moved to approve the Minutes as drafted. Dr. Lanier seconded the motion which passed following a unanimous roll call vote.

IV. REPORT FROM PRESIDENT

[None]

Dr. Wester

At 10:00 a.m., and while in open session, Dr. William Claytor presented a one hour continuing education course regarding opioid prescribing. The course was open to members of the public at no charge and continuing education credit was given to all attendees present at the Board office or watching virtually. Following the course and after a brief recess for lunch, the Board continued with its discussions of routine Board business.


V. REPORT FROM CHIEF EXECUTIVE OFFICER

Mr. White

- A. Financial Report (November) **[Item #2]**
Following a review of the November Financial Report, Dr. Lanier moved to accept the report for informational purposes. Dr. Clemons seconded the motion which passed by general consent following a roll call vote.
- B. Personnel Matters
Dr. Lanier made a motion, which was seconded by Dr. Wright, to move into closed session, pursuant to NCGS §143-318.11(a)(6), in order to discuss performance and fitness of current employees. The motion carried following a unanimous roll call vote.

Following the discussion of personnel matters, Dr. Litaker made a motion to move back into open session in order to continue with the consideration of Board business. Ms. St. Onge seconded the motion. The motion carried following a unanimous roll call vote.

C. Miscellaneous

-  AADB Mid-Year Meeting **[Item #3]**
The AADB will hold a virtual Mid-Year Meeting on February 27-28, 2021. Despite the virtual nature of the meeting, the AADB fees associated with participating will be the same as past fees for in person meetings. Dr. Wright made a motion to approve the expenses for all interested Board Members and staff. Dr. Litaker seconded the motion, which passed following a unanimous roll call vote.

-  APO Report **[Item #4]**

Following review, the annual report to the Secretary of State, the Attorney General and the Joint Legislative Administrative Procedure Oversight Committee was accepted for information purposes.



CDP Update

[Item #5]

Following review, the NCCDP's activity report for 6/30/20 through 10/31/20 as well as their annual financial audit was accepted for informational purposes. The Board requested that staff schedule time at a future Board Meeting to invite Ms. Nancy Davis and Dr. Bill William Claytor to meet with the Board to the CDP's budget.

VI. REPORTS OF STANDING COMMITTEES

A. Executive Committee
[None]

B. Finance Committee

a. Approval of 2021 Budget

[Item #6] Dr. Clemons

Upon review of the proposed budget for 2021 to include changes to personnel as well as additional dental coverage for staff, Dr. Wright made a motion to approve the budget. Dr. Litaker seconded the motion. The motion passed following a unanimous roll call vote.

C. Sedation/General Anesthesia Committee
[See Report from Legal Counsel]

VII. OLD BUSINESS

A. NCDPH Dental Representative

Dr. Wester

Dr. Johnson volunteered to serve as the dental representative for the North Carolina Department of Public Health.

B. Home Sleep Testing

[Item #7] Dr. Johnson/Dr. Wright

Dr. Johnson and Dr. Wright made presentations to the other members of the Board regarding the research they conducted at the Board's request regarding Home Sleep Testing. Following the presentations and discussions, the Board determined that no new evidence exists which would warrant the Board to reconsider their previous policy that a dentist should not prescribe Home Sleep Apnea Tests as a screening tool.

C. Radiology Requirements

[Item #8] Ms. Goode

After receiving several questions about the Board's recent amendments to the dental radiology course policies, Dr. Wright made a motion to have legal counsel review and further modify the requirements to present to the Board at a future meeting. Ms. St. Onge seconded the motion. The motion carried following a unanimous roll call vote.

VIII. NEW BUSINESS

A. Approve Radiology Instructors

[Item #9] Ms. Goode

Dr. Wright made a motion to approve Anna Hernandez, Ebony Bussey and July Walker as radiology instructors. Ms. St. Onge seconded the motion. The motion carried following a roll call vote.

IX. LICENSURE MATTERS

- A. Approval of Licenses/Permits/Reinstatements **[Item #10] 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 Dr. Lanier and passed by general consent following a roll call vote.
- B. Examinations
Dr. Wester announced that the CITA exam season will begin in January 2021. He thanked all of the Board for their willingness to participate in the examination process.

X. REPORT FROM LEGAL COUNSEL

Mr. Brocker/Mr. White

- A. Proposed Annual Rule Changes **[Item #11]**
Dr. Johnson made a motion to approve amendments to 21 NCAC 16Q .0102, .0206, .0504, .0505, .0506, .0507 and 21 NCAC 16R .0204 for publication. Dr. Litaker seconded the motion. The motion passed following a roll call vote.
- B. Examinations
Mr. Brocker suggested that the Board enter an Order which would insure the least amount of disruption should the state of emergency end in the middle of the exam cycle. Mr. Brocker and Mr. White will draft an Order to be considered at the January 15, 2021 Board Meeting.
- C. Scope of Practice Question **[Item #12]**
The Board received an inquiry regarding the possibility of a dentist providing multi-disciplinary services. Specific services cited were, lactation consultant and infant bodyworker. A dentist may offer non-dental services but may not advertise that these services are the practice of dentistry and may not imply that he/she is more qualified than any other person offering these services.
- D. Vaccinations
If approached, the Board will support legislation that would allow dentists to administer vaccines.

XI. INVESTIGATIVE MATTERS

- A. Investigative Statistics (November) **[Item #13] Dr. Clemons**
The Board reviewed investigative statistics for the month of November. The statistics were accepted for informational purposes.

- B. Hearing Panel Decisions

During open session, and without conducting other business, Dr. Clemons 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. Wright. The motion carried following a unanimous roll call vote.

a. Log #20-025

[Item #14] Dr. Litaker

C. Settlement Conferences

The Board conducted one settlement conference throughout the meeting. Ms. Crystal Carlisle represented the Investigative Panel. The respondent was not represented. Standard protocol was followed.

XII. NEXT MEETING

The Board's next regularly scheduled meeting will begin on Thursday, January 14, 2021 and will be held at the Board's offices in Morrisville, North Carolina for the purposes of conducting a formal disciplinary hearing and for the consideration of routine business.

XIII. ADJOURNMENT

There being no further business, Dr. Lanier made a motion to adjourn the meeting. Dr. Wright seconded the motion, which passed by general consent. The meeting adjourned at 2:45 p.m.

Reported by: _____

Casie S. Goode

Casie S. Goode

Deputy Operations Officer

Date of Approval: _____

1/16/21

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 Totnan, Esq., Consumer Member