

MINUTES
NC STATE BOARD OF DENTAL EXAMINERS
BOARD MEETING
Morrisville, North Carolina
January 16-18, 2020

THURSDAY, JANUARY 16, 2020

The North Carolina State Board of Dental Examiners convened at 6:30 p.m., Thursday, January 16, 2020, for the purposes of conducting a public Rule Making Hearing involving proposed rule adoption of 21 NCAC 16A .0106. Board Members, Dr. Merlin Young, Dr. Buddy Wester, Dr. Catherine Watkins and Dr. Raleigh Wright were present. Also present was Mr. Bobby D. White, Chief Executive Officer, Casie S. Goode, Deputy Operations Officer, Amanda Carver, Investigator 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 6:35 p.m., at which time the Board recessed its meeting for the day.

FRIDAY, JANUARY 17, 2020

I. CALL TO ORDER & ESTABLISHMENT OF QUORUM **Dr. Young**

A. Call to Order

Dr. Merlin Young, President of the Board, called the business meeting to order at 8:00 a.m., Friday, January 17, 2020, at the Board's offices in Morrisville, North Carolina. Dr. Young 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 this weekend?

If so, please identify the conflict or appearance of conflict and refrain from any undue participation in the particular matter involved.

If, as agenda items are discussed, 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 him or herself.

B. Roll Call

All members of the Board were present. The members included Dr. Merlin W. Young, Dr. Millard Wester, III, Dr. Catherine Watkins, Dr. Edward Clemons, Jr., Dr. Karen Lanier, Dr. Raleigh Wright, III, Ms. Nancy St. Onge, RDH and Mr. Dominic Totman, Esq. Mr. Bobby D. White, Chief Executive Officer, Ms. Casie Goode, Deputy Operations Officer, Betty Sines, Investigations Coordinator, Dirk German, Investigator, Amanda Carver, Investigator, Tyler Henderson, Investigator, Jamie Rivera, Paralegal, and Ms. Dauna Bartley 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. Young declared a quorum for the purposes of conducting the business of the Board.

II. APPROVAL & ORDER OF AGENDA

Dr. Young

Dr. Wester moved, which was seconded by Ms. St. Onge, to accept the agenda as presented and to allow the President of the Board to determine the order of business. The motion passed by general consent.

III. APPROVAL OF MINUTES

A. Minutes of December 12-13, 2019

[Item #1] Dr. Young

Following a review of the December 12-13, 2019 Minutes, Dr. Wester moved to approve the Minutes as drafted. Dr. Watkins seconded the motion which passed by general consent.

IV. REPORT FROM PRESIDENT

Dr. Young

[No Report]

V. REPORT FROM CHIEF EXECUTIVE OFFICER

Mr. White

A. Financial Report (December)

[Item #2]

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

In preparation for the forecasted budget, the Board requested that staff research to determine how much should be maintained in a legal fund for future potential litigation.

B. Personnel Matters

Mr. White thanked the Board for their support and the annual raises for personnel this year, he indicated that staff morale was boosted as a result. Dr. Young thanked staff for all of their continuous work.

C. Miscellaneous

[None]

VI. REPORTS OF STANDING COMMITTEES

A. Executive Committee

[No Report]

B. Finance Committee

[No Report]

C. Sedation/General Anesthesia Committee

Dr. Lanier reminded the Board that the sedation committee will meet at the Board office in Morrisville on Friday, February 7, 2020 from 8:30 a.m. – 12:00 noon and prior to the commencement of the regularly scheduled February Board Meeting.

Dr. Young suggested that all Board members participate in this committee meeting.

VII. OLD BUSINESS

- A. SCDDE Annual Meeting **[Item #3] Ms. Goode**
The Southern Conference of Dental Deans and Examiners' Annual Meeting is being held in Birmingham, Alabama during the same weekend as the North Carolina State Board of Dental Examiners' February 7-9, 2020 Board Meeting. Due to the conflicting dates, Dr. Young requested that only one member of the Board attend this meeting so that a quorum may be attained to proceed with any scheduled hearings and/or disciplinary proceedings to come before the Board at the February meeting. Dr. Wright made a motion to approve Dr. Edward Clemons to attend the SCDDE meeting. Dr. Wester seconded the motion. The motion passed by general consent.

VIII. NEW BUSINESS

- A. CVCC Approve Rotation Sites **[Item #4] Ms. Goode**
Catawba Valley Community College (CVCC) requested Board approval of Broughton Hospital, Wilkes Public Health Dental Clinic, Alexander County Health Department, and the Veteran's Stand Down as rotation sites for dental hygiene students currently enrolled in the dental hygiene program at CVCC. Upon review of the documentation, Ms. St. Onge made a motion to approve the proposed rotation sites. Dr. Wester seconded the motion. The motion carried.
- B. AADB Mid-Year Meeting **Ms. Goode**
Dr. Wester moved to approve any expenses, including one travel day before the meeting and one travel day after the meeting, for Board Members and necessary staff to attend the upcoming AADB Meeting held on April 4-5, 2020 in Chicago, Illinois. Dr. Watkins seconded; motion carried.
- C. Approve Event Participation - CCCC **[Item #5] Ms. Goode**
Coastal Carolina Community College (CCCC) requested Board approval for second year dental hygiene students to participate in the Veteran's Stand Down event on February 4, 2020. Upon review of the documentation, Dr. Watkins made a motion to approve the proposed rotation sites. Dr. Wester seconded the motion. The motion carried.

IX. LICENSURE MATTERS

- A. Approval of Licenses/Permits/Reinstatements **[Item #6] Ms. Goode**
Dr. Clemons 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
Dr. Wester thanked everyone that made it to the CITA annual meeting in San Diego, CA.

X. REPORT FROM LEGAL COUNSEL

Mr. Brocker

- A. Rules for Permanent Adoption **[Item #7]**
Dr. Wester made a motion to permanently adopt amendments to the following licensing rules: 21 NCAC 16B .0301, .0501, .0601, .0701, .0801, .1001-1002; 16C .0301, .0501; 16D .0104; 16E .0102-0103; 16G .0107-0108; 16Y .0102. Dr. Lanier seconded the motion which passed by general consent.
- B. Verifying License Eligibility for Non-US Citizens **[Item #8]**
In order to ensure that the Board only issues licenses to those individuals entitled to hold them, Dr. Wester made a motion to implement the utilization of the Systematic Alien Verification for Entitlements (SAVE) system for new license applications or renewal applications who cannot provide proof of U.S. citizenship. Dr. Watkins seconded the motion which passed by general consent.

XI. INVESTIGATIVE MATTERS

- A. Investigative Statistics (December) **[Item #9] Dr. Watkins**
The Board reviewed investigative statistics for the month of December. 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 and passed by general consent.
 - a. Log #18-165 **[Item #10] Dr. Young**
 - b. Log #14-193 **[Item #11] Dr. Watkins**
 - c. Log #20-006 **[Item #12] Dr. Watkins**
- C. Settlement Conferences
[None]

Following the conclusion of Board business, the Board remained in open session for the purposes of conducting a formal hearing involving Dr. Albert Bozart. Dr. Catherine Watkins presided over the hearing. All members of the Board were present. Mr. Douglas Brocker and Ms. Dauna Bartley served as legal counsel for the Investigative Panel and Mr. Fred Morelock served as legal counsel for the Hearing Panel. Dr. Bozart did not attend the hearing and was not represented by counsel. A court reporter was present to transcribe the proceedings. Also present were Ms. Casie Goode, Deputy Operations Officer, Betty Sines, Investigations Coordinator, Dirk German, Investigator, Amanda Carver, Investigator, Tyler Henderson, Investigator, and Jamie Rivera, Paralegal. The hearing concluded at 5:30 p.m. at which time the Board remained in open session to conduct its regular business meeting.

XII. NEXT MEETING

The Board's next regularly scheduled meeting will begin on Friday, February 7, 2020 and will be held at the Board's offices in Morrisville, North Carolina for the purposes of conducting disciplinary hearings and for the consideration of routine business.

XIII. ADJOURNMENT

There being no further business, Dr. Wester made a motion to adjourn the meeting. Dr. Wright seconded the motion, which passed by general consent. The meeting adjourned at 5:35 p.m.

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

Date of Approval: February 7, 2020

MEMBERS OF THE BOARD

Dr. Merlin W. Young, President
Dr. Catherine Watkins, Secretary-Treasurer
Dr. Millard W. Wester, III, Past-President
Dr. Edward Clemons, Jr.
Dr. Karen Lanier
Dr. Raleigh Wright, III
Ms. Nancy St. Onge, R.D.H., Dental Hygiene Member
Mr. Dominic Totman, Esq., Consumer Member