

MINUTES
NC STATE BOARD OF DENTAL EXAMINERS
BOARD MEETING
Morrisville, North Carolina
July 11-13, 2019

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, July 12, 2019, at the Board's offices in Morrisville, North Carolina. 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 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. Edward J. Clemons, Jr., Dr. Catherine Watkins, Dr. Kenneth M. Sadler, Dr. William Litaker, Ms. Nancy St. Onge, R.D.H. and Mr. Dominic Totman, Esq. Mr. Bobby D. White, Chief Executive Officer, Ms. Casie Goode, Deputy Operations Officer, Ms. Betty Sines, Investigations Coordinator, Amanda Carver, Investigator, Tyler Henderson, Investigator, Jamie Rivera, Investigative Assistant, Ms. Dauna Bartley, Ms. Crystal Carlisle 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.

At 8:35 a.m., Dr. Watkins made a motion to move into closed session, pursuant to NCGS §143-318.18(6), in order to conduct three settlement conferences. Dr. Young seconded the motion, which passed by general consent. The conference concluded at 12:30 p.m. for lunch. Following the lunch break, at 1:20 p.m., Dr. Litaker made the motion to move into open session to resume Board business. Ms. St. Onge seconded the motion. The motion passed.

II. APPROVAL & ORDER OF AGENDA

Dr. Wester

Dr. Litaker moved, which was seconded by Dr. Young, 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 June 14-15, 2019

[Item #1] Dr. Wester

Following a review of the June 14-15, 2019 Minutes, Dr. Young moved to approve the Minutes as drafted. Dr. Litaker seconded the motion, which passed by general consent.

IV. REPORT FROM PRESIDENT

Dr. Wester

Dr. Wester thanked everyone for helping to make his year as President successful. He expressed special gratitude to Dr. Sadler and Dr. Litaker for their service to the Board.

V. REPORT FROM CHIEF EXECUTIVE OFFICER

Mr. White

A. Financial Report (June)

[Item #2]

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

B. Personnel Matters

Mr. White reported that we are fully staffed. Dirk German has been officially hired as the Board's new investigator and will begin employment on a 90-day probationary period on Monday, July 15, 2019.

C. Miscellaneous

📌 HB 770

[Item #3]

An Act to clarify and simplify a licensee's qualifications for licensure and to require recognition by licensing boards of certain apprenticeship and training experiences.

One of the components of this Bill discusses how criminal convictions impact licensure, therefore, staff was directed to develop an outline for the Board to consider regarding parameters for licensure.

📌 CITA Mid-Year Meeting

Dr. Litaker moved to approve any expenses for Board Members and necessary staff to attend the upcoming CITA Mid-Year meeting which will be held on July 19, 2019, in Atlanta, Georgia. Dr. Clemons seconded, motion carried.

VI. REPORTS OF STANDING COMMITTEES

A. Executive Committee

[None]

B. Finance Committee

[None]

C. Sedation/General Anesthesia Committee

a. Sedation Committee Meeting

Dr. Sadler

Dr. Sadler reported that Ms. Cheri Ramos is currently working on scheduling the next meeting with the sedation committee. The Board will discuss and determine who will chair the committee in 2020 at the August Board Meeting.

VII. OLD BUSINESS

A. Elections

Mr. Totman

Mr. Totman announced the results of the dental run-off election. He reported that Dr. Raleigh Wright, III won the remaining open seat.

VIII. NEW BUSINESS

A. Approve Rotation Sites – AB Tech

[Item #4]

Ms. Goode

AB Tech requested Board approval of the North Carolina Baptist Men's Medical/Dental Bus Ministry, NC Mom Clinics, and Oral Cancer Foundation Screening Teams as rotation sites for dental hygiene students currently enrolled in the dental hygiene program at AB Tech. Upon review of the documentation, Dr. Litaker made a motion to approve the proposed rotation sites. Dr. Young seconded the motion. The motion carried.

B. BLS certification

[Item #5]

Dr. Sadler

EMS Safety Services BLS certifications do not meet the Board's requirements for CPR/BLS. The training is not recognized by the American Red Cross or the American Heart Association as required by rule, therefore, obtaining CPR/BLS certification through EMS Safety Services is not sufficient for licensure.

C. Approval of Sedation Course

[Item #6]

Dr. Sadler

The International Academy of Dental Implantology submitted a course for auxiliaries in monitoring conscious sedation. Upon review of the documentation, Dr. Young made a motion to approve the course. Dr. Clemons seconded the motion. The motion carried.

Dr. Sadler made a motion to have the Board submit sedation and general anesthesia courses to the Sedation Advisory Committee for review and request that the committee make a recommendation regarding the approval of these courses, then bring the recommendation to the Board for consideration. Dr. Watkins seconded the motion, which passed by general consent.

D. Election of Officers

Dr. Wester

Dr. Wester, representing the Executive Committee, presented the following nominations as officers to the North Carolina State Board of Dental Examiners for the upcoming 2019-2020 term: Dr. Merlin Young as President; Dr. Catherine Watkins as Secretary-Treasurer; and Dr. Buddy Wester as Past-President. As there were no other nominations put forward, Dr. Sadler made a motion to accept the slate of officers as presented. Mr. Totman seconded the motion. The motion carried.

- E. **AAMOS Inspections** **Dr. Sadler**
Dr. Sadler made a motion to allow general anesthesia permit holders who are members of AAMOS to submit copies of their AAMOS inspections along with proof that the office is properly displaying anesthesia permits in lieu of undergoing an additional Board inspection. Dr. Young seconded the motion. Motion carried.
- F. **CDP Representatives** **Dr. Wester**
Dr. Wester nominated Dr. Young and Dr. Clemons to serve as CDP representatives for 2019-2020. Dr. Watkins seconded the motion; the motion carried.
- G. **CITA Representative**
[Postponed]

IX. LICENSURE MATTERS

- A. **Approval of Licenses/Permits/Reinstatements** **[Item #7] Ms. Goode**
Dr. Young 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. Sadler and passed by general consent.
- B. **Examinations**
The CITA mid-year meeting will be focused on dental and dental hygiene educators to discuss concerns and ideas for improvement of the examination process.

X. REPORT FROM LEGAL COUNSEL

Mr. Brocker

- A. **Clarification of Deliver vs. Administer** **[Item #8]**
Following a review of the Board's rules, the Board directed counsel to prepare an interpretative statement for its review on the use of auxiliaries in delivering anesthesia and sedation.
- B. **Rules Update**
Mr. Brocker reminded the Board of the Rule Making Hearing that was held on Thursday, July 11, 2019 at 6:30 p.m. The rules presented at the hearing were proposed adoption of 21 NCAC 16A .0105, 16H .0208 and 16N .0607 and proposed amendments to 21 NCAC 16A .0101, 16B .0101, 16B .0303, 16C .0101, 16H .0201, 16I .0106, 16N .0501, 16N .0603, 16V .0101, 16V .0102 and 16W .0102. The comment period for these rules ends on August 16, 2019.

Mr. Brocker informed the Board that staff is working on several rules including rules addressing the application process. The goal is to standardize our rules and make them consistent throughout.

The petition for rulemaking submitted by the NCDS to amend the Board's rules regarding public health hygienists has been considered and a draft of those rules has been forwarded to the Rules Review Commission for pre-review and to determine if the Board has statutory authority to allow dental hygienists to work under the supervision of a dentist under contract with a public health agency.

- C. MSA Reviews **[Item #9]**
Mr. Brocker informed the Board that recently, there has been an increase in the volume of management service agreements being submitted for review. Mr. Brocker attributes this spike, in part, to the statutory change allowing credentialed licensees to own practices in North Carolina without living or practicing here.

XI. INVESTIGATIVE MATTERS

- A. Investigative Statistics (June) **[Item #10] Dr. Sadler**
The Board reviewed investigative statistics for the month of June, as well as year to date. The statistics were accepted for informational purposes.

Dr. Litaker thanked the Board and the Board staff for everything that contributed to his six successful years serving on the Board. He said it was the most influential time of his career.

Dr. Sadler thanked the Board and the Board staff for all of the support and encouragement throughout his time serving on the Board. He described his time on the Board as one of the most fulfilling and rewarding experiences of his dental career.

- B. Hearing Panel Decisions
- a. Log #17-176 **[Item #11] Dr. Sadler**
- C. Settlement Conferences
The Board conducted three (3) settlement conferences throughout the meeting. Ms. Crystal Carlisle and Mr. Doug Brocker represented the Investigative Panel. Standard protocol was followed.

XII. NEXT MEETING

The Board's next regularly scheduled meeting will begin on Friday, August 16, 2019, and will be held at the Board's offices in Morrisville, North Carolina for the purposes of conducting several disciplinary conferences and routine Board business.

XIII. ADJOURNMENT

There being no further business, Dr. Sadler made a motion to adjourn the meeting. Dr. Young seconded the motion which passed by general consent. The meeting adjourned at 5:00 p.m.

Reported by: Casie S. Goode
Casie S. Goode

Deputy Operations Officer

Date of Approval: August 16, 2019

MEMBERS OF THE BOARD

Dr. Millard W. Wester, III, President

Dr. Kenneth M. Sadler, Secretary-Treasurer

Dr. Merhn W. Young, Past-President

Dr. William M. Litaker, Jr.

Dr. Catherine Watkins

Dr. Edward J. Clemons, Jr.

Ms. Nancy St. Onge, R.D.H., Dental Hygiene Member

Mr. Dominic Totman, Esq., Consumer Member