

MINUTES
NC STATE BOARD OF DENTAL EXAMINERS
BOARD MEETING
Morrisville, North Carolina
June 9, 2023

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

A. Call to Order

Dr. Karen Lanier, President of the Board, called the business meeting to order at 8:00 a.m., Friday, June 9, 2023, at the Board's offices in Morrisville, North Carolina. Dr. Lanier 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. Nancy St. Onge, RDH and Mr. Dominic Totman, Esq. Mr. Bobby D. White, Chief Executive Officer, Ms. Casie Goode, Deputy Operations Officer, Rick Hetzel, Investigator, Dirk German, Investigator, Tyler Henderson, Investigator, Betty Sines, Assistant Director of Investigations, Jamie Rivera, Investigator/Paralegal, and Mr. Douglas Brocker and Ms. Whitney Waldenberg, Legal Counsel for the Board were also present.

C. Declaration of Quorum

With all eight members of the Board present, Dr. Lanier declared a quorum for the purposes of conducting a disciplinary hearing and the business of the Board.

At 8:32 a.m. the Board remained in open session to conduct a formal hearing involving Dr. Tung T. Nguyen. Dr. Karen Lanier presided over the hearing and all members of the Board were present. Mr. Douglas Brocker and Ms. Whitney Waldenberg served as legal counsel for the Investigative Panel and Mr. Fred Morelock served as legal counsel for the Hearing Panel. Ms. Carrie Meigs served as legal counsel for Dr. Nguyen. A court reporter was present to transcribe the proceedings. The public hearing concluded at 2:00 p.m., at which time the Hearing Panel retired to chambers to discuss the case. Following its discussion, the Board remained in open session to conduct Board business.

II. APPROVAL & ORDER OF AGENDA

Dr. Lanier

Dr. Hardesty moved, which was seconded by Ms. St. Onge, to accept the agenda with permission for the President to add items as necessary and take items out of order to facilitate business. The motion passed by general consent.

III. APPROVAL OF MINUTES

A. Minutes of May 17, 2023

[Item #1] Dr. Lanier

Following a review of the May 17, 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

[None]

V. REPORT FROM CHIEF EXECUTIVE OFFICER

Mr. White

A. Financial Report (May)

[Item #2]

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

B. Personnel Matters

Mr. White announced that staff has begun the search to secure Mr. Dirk German's replacement in the wake of his recent announcement to resign/retire, effective September 1, 2023. Mr. White also announced the Executive Committee's approval to follow through with a staff member's mid-year performance review, thereby increasing the salary as agreed upon by the Board in December 2022.

C. Miscellaneous

a. 2023 FARB Meeting

Dr. Clemons moved to approve any expenses, including one travel day before the meeting and one travel day after the meeting, for Mr. White to attend the upcoming FARB Meeting held on September 21-23, 2023, in Chicago, Illinois. Dr. Johnson seconded; motion carried.

VI. REPORTS OF STANDING COMMITTEES

A. Executive Committee

[None]

B. Finance Committee

[None]

C. Sedation/General Anesthesia Committee

[None]

VII. OLD BUSINESS

[None]

VIII. NEW BUSINESS

- A. Approve Radiology Equivalency Exam **[Item #3] Ms. Goode**
Village Family Dental in Fayetteville, North Carolina, submitted two versions of their radiology equivalency exams. Dr. Hardesty made a motion to approve the examinations. Dr. Litaker seconded the motion. The motion carried.
- B. Approve Minimal Sedation Course **[Item #4] Dr. Lanier**
Dr. Dan Hostrander requested approval of a minimal sedation course titled “Conscious Oral Sedation.” The course was developed and is taught by Dr. Brian McGue. Dr. Litaker made a motion to approve the course. Dr. Hardesty seconded the motion. The motion carried.
- C. NPDB Audit **Ms. Goode**
Ms. Goode reported that the office recently participated in an audit performed by the National Practitioner Data Bank. The Data Bank randomly audits those agencies required to submit disciplinary reports in order to ensure that all such agencies have met the Federal Government’s reporting requirements.
- D. Approve Rotation Sites – CCCC **[Item #5] Ms. Goode**
Central Carolina Community College (CCCC) requested Board approval for students to participate in clinical rotations at the following locations: ECU Learning Centers, First Health of the Carolinas, Womack Army Hospital, Moncure Community Health Center, Siler City Community Health Center, and Baptist on Mission Dental Bus. The participants include dental hygiene students currently enrolled in the dental hygiene program at CCCC. Upon review of the documentation, Ms. St. Onge made a motion to approve the proposed rotation sites. Dr. Johnson seconded the motion. The motion carried.

IX. LICENSURE MATTERS

- A. Approval of Licenses/Permits/Reinstatements **[Item #6] 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. Litaker and passed by general consent.
- B. Examinations
- a. CDCA/WREB/CITA Steering Committee **[Item #7] Ms. Goode**
Dr. Watkins will replace Dr. Young as an alternate on the CDCA/WREB/CITA Steering Committee. Ms. Hendrick will replace Ms. St. Onge on the committee when her term begins on August 1, 2023.
- ❖ Dr. Litaker and Ms. St. Onge gave reports regarding upcoming changes to the dental and dental hygiene CDCA/WREB/CITA examinations.

X. REPORT FROM LEGAL COUNSEL

Mr. Brocker/Mr. White

A. Electronic Documents

[Item #8]

Mr. White

Dr. Hardesty made a motion, pursuant to the North Carolina Uniform Electronic Transaction Act, to accept verifiably secure electronic transcripts sent directly from a school, college, or university as an alternative to the submission of transcripts in an unopened envelope sealed by the entity involved. Dr. Watkins seconded the motion. The motion carried.

B. Request for Rule Change

[Item #9]

Mr. White

Dr. Sheila Holt submitted a petition for rule changes to help address the current workforce shortages. Dr. Litaker made a motion for legal counsel to draft a memorandum outlining the history of the Board's rules as they pertain to coronal polishing and report back in July. Dr. Watkins seconded the motion. The motion carried.

XI. INVESTIGATIVE MATTERS

A. Investigative Statistics (May)

[Item #10]

Dr. Watkins

The Board reviewed investigative statistics for the month of May. The statistics were accepted for informational purposes.

B. Hearing Panel Decisions

[None]

C. Settlement Conferences

[None]

Mr. Totman announced the results of the dental and dental hygiene elections. He reported that Dr. Mark Johnson and Dr. William Litaker had been successful in their bids for re-election to the Board. He further reported that Ms. Lori Hendrick, RDH had been successful in her bid for election to the Board as the Dental Hygiene Member.

XII. NEXT MEETING

The Board's next regularly scheduled meeting will begin on Friday, July 14, 2023, and will be held at the Board's offices in Morrisville, North Carolina for the purposes of conducting disciplinary conferences and for the consideration of routine business.

XIII. ADJOURNMENT

There being no further business, Dr. Litaker made a motion to adjourn the meeting. Dr. Clemons seconded the motion, which was passed by general consent. The meeting adjourned at 3:25 p.m.

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

Date of Approval: JULY 14, 2023

MEMBERS OF THE BOARD
Dr. Karen Lanier, President
Dr. Catherine Watkins, Secretary-Treasurer
Dr. Edward Clemons, Jr., Immediate Past President
Dr. William Litaker
Dr. Mark Johnson
Dr. W. Stan Hardesty
Ms. Nancy St. Onge, R.D.H., Dental Hygiene Member
Mr. Dominic Totman, Esq., Consumer Member