

**MINUTES**  
**NC STATE BOARD OF DENTAL EXAMINERS**  
**BOARD MEETING**  
**Morrisville, North Carolina**  
**March 15, 2024**

FRIDAY, MARCH 15, 2024

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

**Dr. Watkins**

A. Call to Order

Dr. Catherine Watkins, President of the Board, called the business meeting to order at 8:33 a.m., Friday, March 15, 2024, at the Board's offices in Morrisville, North Carolina. Dr. Watkins 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 with the exception of Dr. Edward Clemons. The members present at the Board office included Dr. Stan Hardesty, Dr. William Litaker, Dr. Mark Johnson, Dr. Karen Lanier, Dr. Catherine Watkins, Ms. Lori Hendrick and Mr. Dominic Totman, Esq. Mr. Bobby D. White, Chief Executive Officer, Ms. Casie Goode, Deputy Operations Officer, Rick Hetzel, Investigator, Tyler Henderson, Investigator, Betty Sines, Assistant Director of Investigations, Jamie Rivera, Investigator/Paralegal, Kevin Snead, Investigator, and Mr. Douglas Brocker, Legal Counsel for the Board were also present.

C. Declaration of Quorum

With seven members of the Board present, Dr. Watkins declared a quorum for the purposes of conducting a disciplinary hearing and the business of the Board.

**II. APPROVAL & ORDER OF AGENDA**

**Dr. Watkins**

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.

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At 8:30 a.m., Dr. William Claytor presented a one hour continuing education course covering mental health and substance abuse for Wake County Dental Hygienists who were properly registered. The course was given virtually and at no charge and continuing education credit was given to all attendees. The Board did not attend the virtual course as it was given simultaneously with the commencement of Board business and was identical to the course the Board attended in December 2023.

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**III. APPROVAL OF MINUTES**

- A. Minutes of February 19, 2024 **[Item #1] Dr. Watkins**  
Following a review of the February 19, 2024, Minutes, Dr. Litaker moved to approve the Minutes as presented. Dr. Hardesty seconded the motion which passed by general consent.

**IV. REPORT FROM PRESIDENT**

[No Report]

**V. REPORT FROM CHIEF EXECUTIVE OFFICER**

**Mr. White**

- A. Financial Report (February) **[Item #2]**  
Following a review of the February Financial Report, Dr. Hardesty moved to accept the report for informational purposes. Dr. Litaker seconded the motion which passed by general consent.

- B. Personnel Matters  
Mr. White reminded the Board that Madeline Richardson will be leaving her employment at the Board to attend law school in the fall.

Mr. White acknowledged that Mr. Doug Brocker has received the prestigious ranking as a “Super Lawyer” in the practice area of Administrative Law and Mr. Fred Morelock has received the prestigious ranking as a “Super Lawyer” in the practice area of Family Law.

Dr. Hardesty made a motion, which was seconded by Dr. Litaker, to move into closed session, pursuant to NCGS §143-318.11(a)(6), in order to discuss an individual employee. The motion carried.

Following the discussion of personnel matters, Dr. Hardesty made a motion to move back into open session to vote on their personnel discussion and in order to continue with the consideration of Board business. Dr. Litaker seconded the motion. The motion carried.

Dr. Hardesty made a motion to grant Mr. White an additional week of vacation to be recurring annually for the duration of his employment in appreciation of his 20 years of service to the Board. Dr. Litaker seconded the motion. The motion carried.

- C. Miscellaneous

❖ Radiation Protection

Mr. White informed the Board that he spoke with Ms. Denise Cloninger, the Director of NC Radiation Protection Division, to inquire about the Board’s role in the upcoming changes to rules/policies regarding radiology. Ms. Cloninger informed

Mr. White that DHHS will be publishing new rules addressing the utilization of handheld x-ray machines that are not FDA approved, where handheld radiology equipment is used, and the use of broken equipment and shielding. Once the rules have been published, DHHS will ask for the Board to comment on them.

- ❖ Security Access Proposal **[Item #3]**  
The Board's current security access control system, which allows entry into the building, is outdated, no longer supported, and has failed twice in the last few months; therefore, a proposal from BFPE International to upgrade our system was presented for approval. Dr. Litaker made a motion to approve the proposal and move forward with the upgrade. Dr. Hardesty seconded the motion. The motion carried.

## VI. REPORTS OF STANDING COMMITTEES

- A. Executive Committee  
[No Report]
- B. Finance Committee  
[No Report]
- C. Sedation/General Anesthesia Committee  
Dr. Lanier announced that the General Anesthesia and Sedation Subcommittees are currently re-evaluating the initial evaluation test questions for permit applicants and plan to make recommendations for the Board to consider at a future Board Meeting.

Dr. Johnson encouraged the Board Members to review the current ADA guidelines for teaching and administering General Anesthesia and Sedation.

- a. Approve Sedation Course **[Item #4] Dr. Lanier**  
The General Anesthesia and Sedation Advisory Committee reviewed and recommended the Board approve the moderate conscious IV sedation course presented by Drs. David Earle Sullivan and Joseph Earle Sullivan entitled, the Mint Hill Dentistry IV Sedation Course. Dr. Lanier made a motion to approve the course. Dr. Johnson seconded the motion. The motion passed.
- D. Radiology Committee
  - a. Approve Radiology Courses **[Item #5] Dr. Watkins**  
The Radiology Committee presented recommendations to approve several radiology courses that have been modified to meet the requirements of the new radiology rule which outlines minimum course requirements. Dr. Hardesty made a motion to approve the following courses: Shades of Purple Healthcare Training Institute and Dental Assistant Training Centers, Inc. (DATC). Dr. Johnson seconded the motion. The motion passed.

## VII. OLD BUSINESS

- A. Dental/Dental Hygiene Compact **[Item #6] Mr. White**  
The National Center for Interstate Compacts, the Council of State Governments (CSG) responded to the Board's recently published position statement on the selection of a dentist and dental hygienist compact. Dr. Hardesty moved to accept the response for informational purposes. Dr. Litaker seconded the motion which passed by general consent.

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At 10:06 a.m., Dr. Hardesty 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. The motion carried. The conference concluded at 11:24 a.m., at which time Dr. Hardesty made the motion to move into open session to resume Board business. Dr. Litaker seconded the motion, and the motion passed.

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- B. Hydroxyapatite Regeneration Medicament **[Item #7] Ms. Goode**  
The Board received an inquiry regarding the application of hydroxyapatite regeneration medicaments (Curodont) and whether a dental hygienist and/or a dental assistant may apply it. Dr. Hardesty made a motion **not** to approve the application of Curodont as a delegable duty that may be performed by a dental hygienist or a dental assistant. Dr. Litaker seconded the motion, the motion carried.

## VIII. NEW BUSINESS

- A. Tripartite Meeting **Mr. White**  
The Tripartite meeting is currently set for April 12, 2024. The University of North Carolina Adams School of Dentistry will be hosting this year. Mr. White and Drs. Hardesty and Johnson will represent the Board at the meeting. The discussion topics will be the importance of clinical competency and the dental and dental hygiene compact.
- B. Local Anesthetic Questions **[Item #8] Ms. Hendrick**  
Following a discussion regarding who can teach the use of local anesthetics in CODA accredited dental hygiene programs, the Board determined that educators may teach all portions of the course without a dentist, however, a dentist must be present chairside for any live injections.
- C. Delegable Duties (EMS-GBT) **[Item #9] Ms. Goode**  
Dr. Wendy Willoughby requested Board approval to allow dental assistants to clean patients' teeth utilizing the new EMS-GBT machine provided that the dentist completes a final examination and removes any calculus that may be left behind. It was determined that the use of this machine constituted the practice of dentistry/dental hygiene and cannot be delegated to a dental assistant. Dr. Hardesty made a motion to deny the request. The motion was seconded by Dr. Litaker. The motion carried.
- D. AADB Mid-Year Meeting  
Mr. Dominic Totman serves as the Public Member on the Board of Directors for the AADB. Since Mr. Totman serves as both an AADB Representative and a North Carolina Dental Board Representative, clarification was requested regarding which agency pays for his expenses for the upcoming meeting. Dr. Hardesty moved to approve any expenses for Mr.

Dominic Totman to attend the upcoming AADB Mid-Year Meeting held on April 12-13, 2024, in Chicago, Illinois as a North Carolina Dental Board Representative. Dr. Litaker seconded; motion carried.

**IX. LICENSURE MATTERS**

- A. Approval of Licenses/Permits/Reinstatements **[Item #10] Ms. Goode**  
Dr. Litaker moved to approve all provisional licenses, licenses issued by credentials, military licenses, intern permits, sedation permits, CE waivers and reinstatements issued since the last meeting. The motion was seconded by Dr. Hardesty and passed by general consent.
- B. Examinations  
[None]

**X. REPORT FROM LEGAL COUNSEL Mr. Brocker/Mr. White**

Mr. Brocker reported on the hearing that was held on March 11, 2024, on the Petition for Judicial Review of Dr. Tung Thai Nguyen’s Final Agency Decision which was entered on August 22, 2023. After the hearing, the court informed the parties that it would deny Dr. Nguyen’s petition for judicial review and affirm the Dental Board’s Final Agency Decision revoking his dental license.

**XI. INVESTIGATIVE MATTERS**

- A. Investigative Statistics (February) **[Item #11] Dr. Johnson**  
The Board reviewed investigative statistics for the month of February, 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. Litaker 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. Johnson and passed by general consent.
  - a. Log #16-212 **[Item #12] Dr. Hardesty**
- C. Settlement Conferences  
The Board conducted one settlement conference, during the meeting. Ms. Dauna Bartley represented the Investigative Panel. Standard protocol was followed.

**XII. NEXT MEETING**

The Board’s next regularly scheduled meeting will begin on Thursday, April 18, 2024, and will be held at the Board’s offices in Morrisville, North Carolina for the purposes of conducting a rule making hearing, a formal hearing involving Dr. Shawana Patterson and to conduct routine Board business.

**XIII. ADJOURNMENT**

There being no further business, Dr. Hardesty made a motion to adjourn the meeting. Dr. Litaker seconded the motion which passed by general consent. The meeting was adjourned at 1:48 p.m.

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

Date of Approval: April 19, 2024

**MEMBERS OF THE BOARD**

*Dr. Catherine Watkins., President*  
*Dr. Mark Johnson, Secretary-Treasurer*  
*Dr. Karen Lanier., Immediate Past President*  
*Dr. William Litaker*  
*Dr. Edward Clemons, Jr*  
*Dr. W. Stan Hardesty*  
*Ms. Lori Hendrick, R.D.H., Dental Hygiene Member*  
*Mr. Dominic Totman, Esq., Consumer Member*