

MINUTES
NC STATE BOARD OF DENTAL EXAMINERS
BOARD MEETING
Morrisville, North Carolina
November 8-10, 2018

THURSDAY, NOVEMBER 8, 2018

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 6:30 p.m., Thursday, November 10, 2018, 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 S. Goode, Deputy Operations Officer, Ms. Betty Sines, Investigations Coordinator, Line Dempsey, Senior Investigator and Mr. Douglas Brocker and Ms. Crystal Carlisle 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.

Following the declaration of a quorum, the Board remained in open session for the purposes of conducting a formal hearing involving Dr. Shawana Patterson. Dr. Millard "Buddy" Wester presided over the hearing. All members of the Board were present. Mr. Douglas Brocker and Ms. Crystal Carlisle served as legal counsel for the Investigative Panel and Mr. Fred Morelock served as legal counsel for the Hearing Panel. Mr. Charles George, Mr. Daniel Blue, Jr. and Mr. Dhamian Blue served as legal counsel for Dr. Patterson. A court reporter was present to transcribe the proceedings. Also present were Mr. Bobby D. White, Chief Executive Officer, Ms. Casie Goode, Deputy Operations Officer, Ms. Betty Sines, Investigations Coordinator, and Mr. Line Dempsey, Senior Investigator. The hearing recessed for the day at 7:30 p.m. at which time the Board remained in open session to conduct its regular business meeting.

II. APPROVAL & ORDER OF AGENDA

Dr. Wester

Dr. Young moved, which was seconded by Dr. Sadler, 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 October 9, 2018

[Item #1] Dr. Wester

Following a review of the October 9, 2018 Minutes, Dr. Young moved to approve the Minutes as written. Dr. Watkins seconded the motion, which passed by general consent.

IV. REPORT FROM PRESIDENT

Dr. Wester

[No Report]

V. REPORT FROM CHIEF EXECUTIVE OFFICER

Mr. White

A. Financial Report (October)

[Item #2]

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

Dr. Young made a motion, which was seconded by Dr. Watkins, to move into closed session, pursuant to NCGS §143-318.11(a)(6), in order to discuss personnel matters. The motion carried.

B. Personnel Matters

Mr. White reported that Mr. Steven Brewington was no longer employed by the Board. He further reported that he will have a proposal for replacing Mr. Brewington for consideration at the December meeting.

Following the discussion of personnel matters, Dr. Young 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.

C. Miscellaneous



Dental Sleep Medicine Task Force

[Item #3]

The North Carolina Dental Society's Dental Sleep Medicine Task Force submitted their proposed 2018 Policy Statement for the Board's consideration and comment. A video conference will take place on Monday, November 26, 2018 at 6:00 p.m. to discuss this matter further.



Teledentistry Summit

Mr. White reported that he and Ms. St. Onge attended the Teledentistry Summit held on October 26, 2018 at the Rizzo Center in Chapel Hill, North Carolina. This was an invitation only “Think-Tank” event designed to engage leaders in North Carolina. Ms. St. Onge reported that the discussion focused on how to best use teledentistry to continue to improve the oral health of North Carolinians.



Counsel on Prevention and Oral Health

Mr. White reported that he recently participated in a meeting held on October 12, 2018 at the North Carolina Dental Society, Chadwick Conference Room. During this meeting, that participants discussed the scope of the practice of dental hygiene, particularly as it relates to access to care. Workgroups were created to further evaluate school-based programs, geriatric programs, tele-dentistry and currently existing rules that impact these programs.

VI. REPORTS OF STANDING COMMITTEES

A. Executive Committee

Dr. Wester encouraged Board Members to continue to educate members of the public as well as our regulated professionals regarding the legislative responsibilities of the Board. There appears to be a general misunderstanding regarding the Board’s role in the legislative process. He encouraged Board Members to clarify when appropriate, that the Legislature is charged with law making and the Board is charged with enforcing those laws once they are passed.

B. Finance Committee

[No Report]

C. Sedation/General Anesthesia Committee

D. Dr. Sadler reported that the sedation committee is in the process of scheduling another meeting. The committee is working to generate back-up questions to generate alternative versions of the written examinations. Dr. Sadler discussed the need to consider a rule change to require the written examinations and to address what steps should be taken when an applicant fails the written examination three times. The committee also needs to consider rule changes to address discrepancies in the rules with respect to BLS requirements.

Mr. White informed the Board that staff attended a training session and wanted to thank Dr. Stanley Allen for conducting the training session and Dr. Bertrand Bonnick for allowing the session to take place in his dental office.

VII. OLD BUSINESS

[None]

VIII. NEW BUSINESS

A. Approve RDH Rotation Sites (WTCC)

[Item #4] Ms. Goode

Wake Technical Community College (WTCC) requested Board approval of Wake County Human Services and Wake Smiles as rotation sites for dental hygiene students currently

enrolled in the dental hygiene program at WTCC. Upon review of the documentation, Ms. St. Onge made a motion to approve the proposed rotation sites. Dr. Young seconded the motion. The motion carried.

- B. Approve RDH Rotation Sites (FTCC) **[Item #5] Ms. Goode**
Fayetteville Technical Community College (FTCC) requested Board approval of the Veterans Administration Hospital, Fort Bragg Dental Clinic #5, and MOM clinics throughout the year as rotation sites for dental hygiene students currently enrolled in the dental hygiene program at FTCC. Upon review of the documentation, Dr. Watkins made a motion to approve the proposed rotation sites. Dr. Young seconded the motion. The motion carried.
- C. NC State Board of Elections & Ethics **[Item #6] Mr. White**
The North Carolina State Board of Elections and Ethics Enforcement completed their evaluation of the statement of economic interested filed by Mr. Dominic Totman. The notification was to remind Mr. Totman and all Board Members that an actual or potential conflict of interest should be recorded in the minutes and duly brought to the attention of all Board Members as often as necessary to remind them of the conflict and to help ensure compliance.
- D. Delegable Functions **[Item #7] Ms. St. Onge**
The Board received an inquiry requesting rationale for several of the amendments made to 21 NCAC 16H .0203. Dr. Wester directed staff to research these questions and respond to Ms. Snider's inquiry.

IX. LICENSURE MATTERS

- A. Approval of Licenses/Permits/Reinstatements **[Item #8] 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. Litaker and passed by general consent.
- B. Examinations
 - a. CITA Annual Meeting
Dr. Young moved to approve any expenses for Board Members and necessary staff to attend the upcoming CITA Annual Meeting, January 4-5, 2019 in Scottsdale, Arizona. Dr. Clemons seconded, motion carried.

X. REPORT FROM LEGAL COUNSEL

Mr. Brocker

- A. Rules for Permanent Adoption **[Item #9]**
Dr. Young made a motion for the Board to approve the permanent adoption of the amendments to 21 NCAC 16T .0101 and the new 21 NCAC 16T .0103 and to approve the proposed response to the American TeleDentistry Association's comments as drafted. Dr. Litaker seconded the motion which passed by general consent.

XI. INVESTIGATIVE MATTERS

- A. Investigative Statistics (October) **[Item #10] Dr. Sadler**
The Board reviewed investigative statistics for the month of October. The statistics were accepted for informational purposes.
- B. Hearing Panel Decisions
During open session, and without conducting other business, Dr. Sadler made a motion to move into closed session, pursuant to NCGS §143-318.18(6) and §90-41(g), in order to rule on several Hearing Panel Decisions and other investigative matters. The motion was seconded by Dr. Litaker and passed by general consent.
- a. Log #16-174 **[Item #11] Dr. Sadler**
- b. Log #16-131 & 17-034 **[Item #12] Dr. Wester**
- C. Settlement Conferences
[None]

The Board adjourned for the day at 9:35 p.m.

FRIDAY, NOVEMBER 9, 2018

The North Carolina State Board of Dental Examiners reconvened at 8:30 a.m., Friday, November 9, 2018 at the Board's offices in Morrisville for the purposes of conducting a formal hearing in the matter of Dr. Shawana Patterson. Dr. Millard "Buddy" Wester presided over the hearing. All members of the Board were present except for Dr. Catherine Watkins. Mr. Douglas Brocker and Ms. Crystal Carlisle served as legal counsel for the Investigative Panel and Mr. Fred Morelock served as legal counsel for the Hearing Panel. Mr. Charles George, Mr. Daniel Blue, Jr. and Mr. Dhamian Blue served as legal counsel for Dr. Patterson. A court reporter was present to transcribe the proceedings. Also present were Mr. Bobby D. White, Chief Executive Officer, Ms. Casie Goode, Deputy Operations Officer, Ms. Betty Sines, Investigations Coordinator, and Mr. Line Dempsey, Senior Investigator. The hearing adjourned for the day at 5:30 p.m.

SATURDAY, NOVEMBER 10, 2018

The North Carolina State Board of Dental Examiners reconvened at 8:30 a.m., Saturday, November 10, 2018 at the Board's offices in Morrisville for the purposes of conducting a formal hearing in the matter of Dr. Shawana Patterson. Dr. Millard "Buddy" Wester presided over the hearing. All members of the Board were present except Dr. Catherine Watkins. Mr. Douglas Brocker and Ms. Crystal Carlisle served as legal counsel for the Investigative Panel and Mr. Fred Morelock served as legal counsel for the Hearing Panel. Mr. Charles George, Mr. Daniel Blue, Jr. and Mr. Dhamian Blue served as legal counsel for Dr. Patterson. A court reporter was present to transcribe the proceedings. Also present were Mr. Bobby D. White, Chief Executive Officer, Ms. Casie Goode, Deputy Operations Officer, Ms. Betty Sines, Investigations Coordinator, and Mr. Line Dempsey, Senior Investigator. The hearing adjourned for the day at 9:00 p.m.

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XII. NEXT MEETING

The Board's next regularly scheduled meeting will begin on Friday, December 7, 2018, and will be held at the Renaissance Hotel in Asheville, North Carolina for the purposes of conducting several disciplinary proceedings and for the consideration of routine 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 9:15 p.m.

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

Date of Approval: December 7, 2018

MEMBERS OF THE BOARD

Dr. Millard W. Wester, III, President

Dr. Kenneth M. Sadler, Secretary-Treasurer

Dr. Merlin W. Young, Past-President

Dr. William M. Lstaker, 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