

MINUTES
NC STATE BOARD OF DENTAL EXAMINERS
EMERGENCY BOARD MEETING
IN-PERSON AND VIRTUAL MEETING
Morrisville, North Carolina
October 10, 2024

I. CALL TO ORDER & ESTABLISHMENT OF QUORUM

Dr. Johnson

A. Call to Order

Dr. Mark Johnson, President of the Board, called the business meeting to order at 6:00 p.m., Thursday, October 10, 2024. Dr. Johnson 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 afternoon?

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 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 virtually. The members present included Dr. Stan Hardesty, Dr. William Litaker, Dr. Mark Johnson, Dr. Karen Lanier, Dr. Catherine Watkins, Dr. Vincent Allison, Lori Hendrick, RDH, PhD, and Mr. Dominic Totman, Esq. Ms. Casie Goode, Deputy Operations Officer, 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 virtually. Mr. Bobby D. White, Chief Executive Officer, and Mr. Tyler Henderson, Investigator, were present at the Board office.

C. Declaration of Quorum

With all eight members of the Board present, Dr. Johnson declared a quorum for the purposes of conducting the business of the Board.

II. APPROVAL & ORDER OF AGENDA

Dr. Johnson

Dr. Litaker moved, which was seconded by Dr. Hardesty, to accept the agenda as presented. The motion passed by general consent.

III. REPORT FROM PRESIDENT

Dr. Johnson

Dr. Johnson opened the meeting by providing general information regarding how the Board operates. He specifically, reminded everyone that the Board has been granted authority by the NC General Assembly to waive certain requirements and modify or delay certain statutory provisions during a state of emergency. The purpose of this meeting is to address possible waivers to rules in

response to the State of Emergency created in North Carolina in the aftermath of Hurricane Helene.

IV. NEW BUSINESS

Dr. Johnson

A. Emergency actions necessary for licensees and applicants during the current State of Emergency

a. Damaged Water Systems in Western NC

Current sanitation rules 21 NCAC 16J .0101 (c) and (g) require that sanitary quality water be piped under pressure to all dental equipment and fixtures requiring water and that functioning toilet facilities exist in every dental office. Dr. Litaker made a motion to waive these requirements for dental facilities located within the geographical area subject to FEMA-4827-DR. The waiver shall not supersede any other applicable requirements imposed by local health authorities. Dr. Allison seconded the motion, and the motion carried.

Legal Counsel will draft an executive order waiving these requirements and circulate it to the entire Board for approval prior to publication. Until such an order has been approved, staff members have permission to respond informally to inquiries relating to this decision.

b. Out-of-State Licensees

No emergency action is necessary at this time regarding out-of-state licensees because NCGS 90-29 (c)(5) already allows the temporary practice of dentistry by licensed dentists of another state, territory, or country to appear in emergency cases upon the specific call of a North Carolina licensed dentist.

Dr. Litaker made a motion to table the remaining three agenda items and will reconsider them at a later meeting if necessary. Dr. Hardesty seconded the motion. The motion carried.

c. Retired or Inactive Health Care Professionals
[Tabled]

d. Allowing Dental Students to Provide Treatment
[Tabled]

e. OEMS Pathway to Provide Dental Services
[Tabled]

The Board granted permission for staff to forward the link from OEMS to all licensees who may wish to sign up as volunteers to assist in Western North Carolina.

V. ADJOURNMENT

There being no further business, Dr. Watkins made a motion to adjourn the meeting. Dr. Lanier seconded the motion, which passed by general consent. The meeting adjourned at 6:40 p.m.

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

Date of Approval: October 18, 2024

MEMBERS OF THE BOARD

Dr. Mark Johnson., President

Dr. William Litaker, Secretary-Treasurer

Dr. Catherine Watkins., Immediate Past President

Dr. Karen Lanier

Dr. Vincent Allison

Dr. W. Stan Hardesty

Ms. Lori Hendrick, R.D.H., Dental Hygiene Member

Mr. Dominic Totman, Esq., Consumer Member