

MINUTES
NC STATE BOARD OF DENTAL EXAMINERS
BOARD MEETING
ZOOM MEETING
Morrisville, North Carolina
October 14, 2022

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 8:30 a.m., Friday, October 14, 2022, at the Board's offices in Morrisville, North Carolina. The meeting was a Zoom meeting streamed live on FaceBook so the public could watch. 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 appearance of a conflict, he or she should notify the Chair and take appropriate action to recuse himself or herself.

B. Roll Call

Four members of the Board participated via Zoom. Those members included Dr. Karen Lanier, Dr. Mark Johnson, Dr. William Litaker and Ms. Nancy St. Onge. Dr. Catherine Watkins was present at the Board office. Dr. Edward Clemons and Dr. Stan Hardesty were absent and attending the American Dental Association meeting in Houston, Texas and Mr. Dominic Totman was also absent.

C. Declaration of Quorum

With five members of the Board present, Dr. Lanier declared a quorum for the purposes of conducting the business of the Board.

II. APPROVAL & ORDER OF AGENDA

Dr. Lanier

Dr. Litaker moved, which was seconded by Dr. Johnson, 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 unanimously.

III. APPROVAL OF MINUTES

A. Minutes of September 8-10

[Item #1] Dr. Lanier

Following a review of the September 8-10, 2022, Minutes, Ms. St. Onge moved to approve the Minutes as presented. Dr. Johnson seconded the motion which passed unanimously.

IV. REPORT FROM PRESIDENT

Dr. Lanier thanked everyone for their participation in last week's American Association of Dental Boards' (AADB) meeting held in Asheville, North Carolina.

V. REPORT FROM CHIEF EXECUTIVE OFFICER

Mr. White

A. Financial Report (September)

[Item #2]

Following a review of the September Financial Report, Dr. Watkins moved to accept the report for informational purposes. Dr. Litaker seconded the motion which passed unanimously.

B. Personnel Matters

Mr. White acknowledged the loss of Lisa Moore's mother and Jamie Rivera's grandmother. He expressed his deepest sympathy for their loss.

C. Miscellaneous

❖ Towne Bank Account Closure

Dr. Litaker made a motion to transfer \$111,404.56 from the Towne Bank account into our account for legal expense reserve. Dr. Lanier seconded the motion. The motion passed unanimously.

❖ Dental Assisting Training Task Force

Ms. St. Onge made a motion for Dr. Watkins, Dr. Johnson and Dr. Lanier to serve on a taskforce for the development of an airway management course for auxiliaries. Dr. Watkins seconded the motion. The motion passed unanimously.

❖ Open Meetings

Mr. White discussed the recent AADB meeting in Asheville. Specifically, the AADB inappropriately held a portion of the meeting in closed session and asked several Board staff members to leave the meeting. Since the meeting was held in NC and the majority of our Board members were present, the meeting should have been open. Mr. White will relay the Board's concerns to the AADB for future meetings.

VI. REPORTS OF STANDING COMMITTEES

A. Executive Committee

Board staff will research and work with Dr. Lanier about the possibility of having an offsite Board meeting in 2023.

B. Finance Committee

Mr. White informed that Board that he and Dr. Watkins will be working on the budget for 2023 and they plan to present a draft at the November Board meeting.

C. Sedation/General Anesthesia Committee

Dr. Lanier reminded the Board that a rule making hearing regarding the pending rules will be held on November 17, 2022, at 6:30 p.m. at the Board office in Morrisville, NC.

VII. OLD BUSINESS

- A. Radiology Requirements [Item #3] Dr. Watkins/Ms. St. Onge
[Tabled]

VIII. NEW BUSINESS

- A. Approve Rotation Sites - FTCC [Item #4] Ms. Goode
Fayetteville Technical Community College (FTCC) requested Board approval of the Veterans Administration Hospital and Ft. Bragg Dental Clinic #5 as rotation sites for dental hygiene students currently enrolled in the dental hygiene program at FTCC. Upon review of the documentation, Dr. Litaker made a motion to approve the proposed rotation site. Dr. Watkins seconded the motion. The motion carried unanimously.
- B. Approve Rotation Sites – WTCC [Item #5] Ms. Goode
Wake Technical Community College (WTCC) requested Board approval of the 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, Dr. Litaker made a motion to approve the proposed rotation site. Dr. Watkins seconded the motion. The motion carried unanimously.

IX. LICENSURE MATTERS

- A. Approval of Licenses/Permits/Reinstatements [Item #6] Ms. Goode
Dr. Litaker 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. Watkins and passed unanimously.
- B. Examinations
Ms. St. Onge moved to approve any expenses, including one travel day before the meeting and one travel day after the meeting, for Board Members and necessary staff to attend the upcoming CDCA/WREB/CITA Annual Meeting held on January 5-7, 2023, in Grapevine, Texas. Dr. Johnson seconded; motion carried unanimously.

X. REPORT FROM LEGAL COUNSEL

- A. Rules for Permanent Adoption – 16B and 16C [Item #7] Mr. Brocker/Mr. White
Mr. Brocker
Dr. Litaker made a motion to approve amendments to 21 NCAC 16B and 16C which will allow the Board to accept clinical examinations administered on human subjects or an approved alternative including manikins. Should amendments to 16B, the rule for dentists, be challenged, the Board will proceed with the hygiene rule allowing the change. Dr. Johnson seconded the motion. The motion carried unanimously.
- B. Limited Supervision Dental Hygiene [Item #8] Mr. White
The Board received a request from Dr. Candy Jones and Ms. Neplus Hall, RDH regarding the utilization of limited supervision dental hygienists in a research project they are conducting with the University of North Carolina and the Nutritional Research Institute. The research is related to identifying biomarkers that link periodontal disease. After a review

of the request and general statutes, it was determined that the statute will not allow limited supervision based on the parameters of this study and the locations of the study, therefore, Dr. Litaker made a motion to deny the request, which was seconded by Dr. Johnson. The motion passed unanimously.

- C. Intern Permit Question **[Item #9] Mr. White**
The Board received an inquiry from Dr. Katherine Jowers with the Mountain Area Health Education Center regarding how dentists in a general practice residency and public health dental hygienists may be utilized and place SMART restorations under direction of a faculty dentist that is not physically present. Following a discussion, the Board determined that a public health dentist hygienist may place SMART restorations under the standing order of a licensed dentist, however, residents with intern permits cannot since their permit requires direct supervision. The residents may however, act as dental assistants and assist the public health dental hygienist. Dr. Litaker made a motion for staff to draft a response to Dr. Jowers reflecting the Board's discussion. Dr. Watkins seconded the motion. The motion carried unanimously.
- D. Unauthorized Practice of Dentistry **Mr. Brocker**
Mr. Brocker informed the Board of an ongoing investigation into a subject who is practicing dentistry without a license. Dr. Johnson made a motion to allow the investigative panel to file for injunctive relief through the NC court system. Ms. St. Onge seconded the motion. The motion carried.

XI. INVESTIGATIVE MATTERS

- A. Investigative Statistics (September) **[Item #10] Dr. Watkins**
The Board reviewed investigative statistics for September. The statistics were accepted for informational purposes.
- B. Hearing Panel Decisions **[Item #11] Dr. Lanier**
a. Log #22-030
- C. Settlement Conferences
[None]

XII. NEXT MEETING

The Board's next regularly scheduled meeting will begin on Thursday, November 17, 2022, at 6:30 p.m. and will be held at the Board's offices in Morrisville, North Carolina to conduct a rulemaking hearing and for the consideration of routine business.

XIII. ADJOURNMENT

There being no further business, Dr. Litaker made a motion to adjourn the meeting. Dr. Watkins seconded the motion, which passed by general consent. The meeting adjourned at 9:59 a.m.

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

Date of Approval: November 18, 2022

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*