

MINUTES
NC STATE BOARD OF DENTAL EXAMINERS
BOARD MEETING
Morrisville, North Carolina
October 9, 2020

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 8:35 a.m., Friday, October 9, 2020, 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 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

All members of the Board were present at the Board office with the exception of Mr. Dominic Totman, who joined us via Zoom. The members present at the Board office included Dr. Millard Wester, III, Dr. Edward Clemons, and Dr. Karen Lanier, Dr. William Litaker, Dr. Mark Johnson, Dr. Raleigh Wright, III and Ms. Nancy St. Onge, RDH. Mr. Bobby D. White, Chief Executive Officer, Ms. Casie Goode, Deputy Operations Officer, Amanda Carver, Investigator, and Mr. Douglas Brocker, 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.

II. APPROVAL & ORDER OF AGENDA **Dr. Wester**

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

III. APPROVAL OF MINUTES

A. Minutes of August 14, 2020 **[Item #1] Dr. Wester**

Following a review of the August 14, 2020 Minutes, Dr. Wright moved to approve the Minutes as amended. Dr. Clemons seconded the motion which passed by general consent.

B. Minutes of September 10-12, 2020 **[Item #2] Dr. Wester**

Following a review of the September 10-12, 2020 Minutes, Dr. Wright moved to approve the Minutes as drafted. Dr. Lanier seconded the motion which passed by general consent.

IV. REPORT FROM PRESIDENT

Dr. Wester

[None]

V. REPORT FROM CHIEF EXECUTIVE OFFICER

Mr. White

A. Financial Report (August and September)

[Item #3]

Following a review of the August and September Financial Reports, Dr. Lanier moved to accept the reports for informational purposes. Dr. Litaker seconded the motion which passed by general consent.

B. Personnel Matters

[None]

C. Miscellaneous



Immigration Status

Mr. White updated the Board regarding DACA (Deferred Action for Childhood Arrivals) candidates. Under the current law, DACA candidates are not eligible to obtain a professional license in North Carolina.



AADB Lifetime Memberships

Dr. Litaker made a motion to approve Dr. Merlin Young's request for the Board pay for his lifetime membership to the AADB. Dr. Wright seconded the motion, which passed by general consent.



HB 1053

[Item #4]

Mr. White updated the Board on HB 1053 which is An Act to expedite occupational licensure for military spouses and it will require occupational licensing boards to publicize and report data regarding applicants who are military spouses and have military training.

VI. REPORTS OF STANDING COMMITTEES

A. Executive Committee

[None]

B. Finance Committee

Dr. Clemons and Mr. White are working on the 2021 budget and will present a draft at the November meeting.

C. Sedation/General Anesthesia Committee

Rule amendments to minimal sedation are being drafted and will be presented to the Board at the December meeting.

VII. OLD BUSINESS

- A. Bylaws **[Item #5] Dr. Wester**
Dr. Lanier made a motion to approve the Bylaws as amended. Dr. Litaker seconded the motion. The motion carried.

Dr. Wester announced that Ms. Nancy St. Onge would serve as the third member of the Executive Committee for 2020-2021.

- B. Committee Appointments **[Item #6] Dr. Wester**
Dr. Litaker made a motion to approve the following committee appointments:
ADEX Board of Directors: Dr. Litaker
CITA Board of Directors: Dr. Wright and Dr. Lanier
CDP Board of Directors: Dr. Clemons and Dr. Johnson
DHHS Task Force: Ms. Nancy St. Onge
Management IP: Dr. Wester and Mr. Totman
Sedation Committee: Dr. Lanier, Chair and Dr. Johnson
Finance Committee: Dr. Clemons

Dr. Lanier seconded the motion which passed by general consent. Mr. White will notify Dr. Stan Hardesty that Dr. Johnson will serve on the CDP Board of Directors on behalf of the Dental Board and not the Dental Society.

- C. Dentist to Dental Hygienist Ratio **Dr. Wester**
No motion was made; the ratio will remain consistent with the current statutes and rules.

VIII. NEW BUSINESS

- A. Approval of Radiology Equivalency Exam **[Item #7] Ms. Goode**
Dr. Wright made a motion to approve the equivalency exam submitted by A+ Healthcare Compliance. Dr. Johnson seconded the motion. The motion carried.

- B. Radio Frequency Procedures **[Item #8] Ms. Goode**
The Board received an inquiry regarding the use of a Tempsure Envi RF machine. This device purports to provide effective skin rejuvenation through heat and radio wave technology. Following a discussion, the Board determined that this is not the practice of dentistry; therefore, any dentist utilizing such procedures may not advertise that dental expertise gives him/her more specialized knowledge than anyone else using this machine. The dentist should also check with other agencies about regulations.

- C. Virtual CPR **[Item #9] Ms. Goode**
The Board received a request to approve a virtual CPR course offered by a company called CPR Remote. Despite claims that the course is approved by the American Heart

Association, staff at CPR Remote were unable to provide proof of AHA approval; therefore, the course was not approved.

- D. 2021 Meeting Dates [Item #10] Dr. Wester
Dr. Wright made a motion to approve meeting dates for 2021. Dr. Lanier seconded the motion. The motion carried.
- E. 2020-2021 Officers Dr. Wester
Dr. Wester reminded the Members of the Board that according to the Bylaws, any member of the Board may serve as officers.
- F. Dental Sleep Medicine [Item #11] Dr. Wester
Dr. Wester appointed a sleep subcommittee comprised for Dr. Johnson, Dr. Wright Mr. Brocker and Mr. White to research the issues surrounding a dentists' role in sleep medicine. The committee will report back to the Board in November.
- G. Approval of Amended Radiology Course [Item #12] Ms. Goode
Dr. Wright made a motion to approve the amended radiology course submitted by VandelayEducation. Ms. St. Onge seconded the motion. The motion carried.
- H. Financial Audit [Item #13] Mr. White
The results of the Board's financial audit for the years ending December 31, 2019 and 2018 were presented. It was the auditor's opinion that the financial statements of the Board fairly and accurately presented the Board's financial position and cash flow for 2018 and 2019 and that there were no issues or concerns. The report was accepted for information purposes.

IX. LICENSURE MATTERS

- A. Approval of Licenses/Permits/Reinstatements [Item #14] Ms. Goode
Dr. Wright 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. Johnson and passed by general consent.
- B. Examinations
- a. ADEX CompeDont Examination [Item #15] Dr. Wester
Under the emergency powers granted to the Board, the Board can only accept the ADEX manikin (CompeDont/Typodont) examination as an alternative to live patient examinations when a student takes it during the declared State of Emergency. Mr. White will draft a letter to Dean Chadwick of the East Carolina School of Dental Medicine and Dean DeRossi of the University of North Carolina School of Dentistry explaining the Board's position and limitations regarding examinations.

X. REPORT FROM LEGAL COUNSEL

- A. 21 NCAC 16W [Item #16] Mr. Brocker/Mr. White
Dr. Litaker made a motion to approve the utilization of Public Health Hygienists and Limited Supervision Dental Hygienists in Federally Qualified Health Centers, Group Homes and PACE Programs. Dr. Johnson seconded the motion. The motion carried.

- B. Temporary Dental Hygiene License [Item #17]
Dr. Wright made a motion to extend the issuance of temporary dental and dental hygiene licensure. Emergency rules will be submitted to the Rules Review Commission to reflect this extension. Dr. Litaker seconded the motion. The motion carried.

- C. 21 NCAC 16J .0101 and .0103 [Item #18]
[Postponed]

XI. INVESTIGATIVE MATTERS

- A. Investigative Statistics (August and September) [Item #19] Dr. Clemons
The Board reviewed investigative statistics for the months of August and September as well as year to date. The statistics were accepted for informational purposes

- B. Hearing Panel Decisions
During open session, and without conducting other business, Dr. Clemons 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 #15-054 [Item #20] Dr. Wester
 - b. Log #20-006 [Item #21] Dr. Clemons
 - c. Log #19-062 [Item #22] Dr. Watkins
 - d. Log #18-165 [Item #23] Dr. Wright

- C. Settlement Conferences
[None]

XII. NEXT MEETING

The Board's next regularly scheduled meeting will begin on Friday, November 6, 2020 and will be held at the Board office, in Morrisville, 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 passed by general consent. The meeting adjourned at 3:15 p.m.

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

Date of Approval: November 6, 2020

MEMBERS OF THE BOARD

Dr. Millard W. Waster, III, President
Dr. Edward Clemons, Jr., Secretary-Treasurer
Dr. Karen Lanier
Dr. Raleigh Wright, III
Dr. Wilburn Lisker
Dr. Mark Johnson
Ms. Nancy St. Onge, R.D.H., Dental Hygiene Member
Mr. Dominic Totman, Esq., Consumer Member