

MINUTES
NC STATE BOARD OF DENTAL EXAMINERS
BOARD MEETING
Morrisville, North Carolina
September 13, 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 8:36 a.m., September 13, 2024, at the Board's offices in Morrisville, North Carolina. 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 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 Mr. Dominic Totman, Esq. The members present at the Board office included Dr. Stan Hardesty, Dr. William Litaker, Dr. Mark Johnson, Dr. Karen Lanier, Dr. Catherine Watkins, Dr. Vincent Allison, and Lori Hendrick, RDH, PhD. Mr. Bobby D. White, Chief Executive Officer, Ms. Casie Goode, Deputy Operations Officer, Jamie Rivera, Investigator/Paralegal, Rick Hetzel, Investigator, Tyler Henderson, Investigator, 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. Johnson declared a quorum for the purposes of conducting a disciplinary hearing and 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 with permission for the President to take items out of order to facilitate business. The motion passed by general consent.

III. APPROVAL OF MINUTES

A. Minutes of August 9, 2024 **[Item #1] Dr. Johnson**

Following a review of the August 9, 2024, Minutes, Dr. Hardesty moved to approve the Minutes as presented. Dr. Lanier seconded the motion which passed by general consent.

IV. REPORT FROM PRESIDENT

[None]

V. REPORT FROM CHIEF EXECUTIVE OFFICER

Mr. White

A. Financial Report (August)

[Item #2]

Following a review of the August 2024 Financial Report, Dr. Litaker moved to accept the report for informational purposes. Dr. Lanier seconded the motion which passed by general consent.

B. Personnel Matters

Mr. White reported that Ms. Betty Sines will be out of the office recovering from a recent surgery.

C. Miscellaneous

The North Carolina Dental Hygiene Association is holding a meeting tomorrow, September 14, 2024 in Cary, North Carolina. Ms. Goode and Ms. Rivera will attend the meeting on behalf of the Board.

VI. REPORTS OF STANDING COMMITTEES

A. Executive Committee

The Executive Committee recently approved allowing the North Carolina Physical Therapy Board to utilize the Dental Boardroom for their meeting on September 18, 2024.

B. Finance Committee

[None]

C. Sedation/General Anesthesia Committee

Dr. Johnson provided information about a new AAOMS requirement that all members take an office-based anesthesia course and evaluation by 2026 to maintain their status as AAOMS members.

VII. OLD BUSINESS

A. 2025 Meeting Dates

[Item #3] Dr. Johnson

Dr. Litaker made a motion to approve the meeting dates as published, giving Ms. Goode some discretionary authority with respect to making plans for offsite meetings in Greenville, North Carolina in February and in Sunset Beach, North Carolina in May. Dr. Hardesty seconded the motion. The motion carried.

Dr. Hardesty made a motion to give Ms. Goode some discretionary authority to research another potential offsite meeting in the Fall of 2025. Dr. Litaker seconded the motion. The motion carried.

At 9:13 a.m., Mr. Bobby White and Mr. Douglas Brocker presented a training session for new and existing Board members as required by G.S. 93B-5(g). Approximately half of the training content was covered. The remaining topics will be covered at a later meeting.

At 11:03 a.m., Mr. Rick Hetzel conducted an “active shooter” training for all Board Members and staff. The training ended at 12:31 p.m., at which time the Board recessed for lunch.

VIII. NEW BUSINESS

- A. Approve Rotation Sites – CCCC **[Item #4] Ms. Goode**
Coastal Carolina Community College (CCCC) requested Board approval of Building 65 Dental Clinic located on Marine Corps Base Camp Lejeune as a rotation site for dental hygiene students currently enrolled in the dental hygiene program at CCCC. Upon review of the documentation, Dr. Litaker made a motion to approve the proposed rotation sites. Dr. Hardesty seconded the motion. The motion carried.
- B. Approve Rotation Sites – CFCC **[Item #5] Ms. Goode**
Cape Fear Community College (CFCC) requested Board approval of the Pender County Community Health Center, the New Hanover County Health and Human Services Children’s Mobile Dental Unit, and Access Dental Care in New Hanover County as rotation sites for dental hygiene students currently enrolled in the dental hygiene program at CFCC. Upon review of the documentation, Dr. Hardesty made a motion to approve the proposed rotation sites. Ms. Hendrick seconded the motion. The motion carried.
- C. Approve Rotation Sites – ABTech **[Item #6] Ms. Goode**
ABTech Community College (ABTech) requested Board approval for dental hygiene students currently enrolled in the dental hygiene program at ABTech to participate in Recovered Smiles outreach, a non-profit organization dedicated to providing free preventative dental care, at the office of Dr. Scott Miller in Candler, North Carolina. Upon review of the documentation, the Board deferred making a decision and requested staff to confirm that a dentist will be on site to supervise.
- D. Approve Medical Emergency Course **[Item #7] Ms. Goode**
Concord Seminars requested approval of a medical emergencies course titled, “Case Presentation of Medical Emergencies in the Dental Office,” for public health and limited supervision hygienists. The six (6) hour course is being taught by Dr. Steven Bookless. Ms. Hendrick made a motion to approve the course. Dr. Lanier seconded the motion. The motion carried.
- E. Approve Radiology Course **[Item #8] Dr. Lanier**
The Radiology Committee presented a recommendation to approve a radiology course that is being offered at Brunswick Community College and taught by Joy Robers. Dr. Hardesty made a motion to approve the course. Dr. Litaker seconded the motion. The motion passed.

- F. Approve Volunteer Site
Danny Spainhour, President of Footbridge, requested approval of their dental clinic at Two Rivers Church in New Bern, North Carolina, to provide treatment to Veterans at no cost, as volunteer sites under 21 NCAC 16B .0801. Upon review, Dr. Litaker moved to approve the clinics as volunteer sites. Dr. Hardesty seconded the motion, which passed by general consent.

IX. LICENSURE MATTERS

- A. Approval of Licenses/Permits/Reinstatements **[Item #9] 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 by general consent.
- B. Examinations
Dr. Litaker reminded Board Members to complete the availability request from CDCA-WREB-CITA for upcoming exams.

X. REPORT FROM LEGAL COUNSEL

- A. Request for Rulemaking **[Item #10] Mr. Brocker/Mr. White
Mr. White**
The North Carolina Dental Hygienists' Association submitted a request to amend the current continuing education (CE) rule to increase the CE requirements for dental hygienists from six (6) hours to fifteen (15) hours annually. The request also included the associations specific interest in requiring CE on the following topics: Opioid Prescription and Utilization, Human Trafficking and Ethics/Jurisprudence. Mr. White notified the Board that since this request would have a substantial economic impact, the Board is required to present a fiscal note to be approved by the Office of State Budget and Management before considering an increase in CE requirements.

Since the proposed rule change was submitted without any mention of its level of support among hygienists licensed in North Carolina, Dr. Hardesty made a motion to survey licensed hygienists to see if they are in favor of the increase. Dr. Watkins seconded the motion. The motion carried.

- B. Instructors/Interns – Hospital Settings **[Item #11] Mr. White**
The Board received an inquiry from High Point University (HPU), regarding graduate students obtaining an instructor's license or an intern permit to engage in a Fellowship program in a hospital setting. Dr. Hardesty made a motion to allow graduate students to obtain intern permits to participate in a Fellowship program. Dr. Litaker seconded the motion. The motion carried.
- C. CBD Products **[Item #12] Mr. White**
The Board received an inquiry regarding the Board's opinion as it relates to dental practices offering CBD-derived products to their patients. Dr. Hardesty made a motion to defer to legal counsel to generate an informal response for the Executive Committee's approval.

- D. Subpoenas for attendance **[Item #13] Mr. Brocker**
Dr. Hardesty made a motion to move forward with issuing subpoenas to appear and be interviewed at the Board office when licensees refuse to cooperate in the Board’s informal investigative process. Dr. Litaker seconded the motion.

- E. Potential Injunction - Log #23-292
Mr. Brocker informed the Board of an ongoing investigation into the unlicensed practice of dentistry. Dr. Hardesty made a motion to allow the investigative panel to initiate a lawsuit through the NC Court System. Dr. Watkins seconded the motion. The motion carried.

XI. INVESTIGATIVE MATTERS

- A. Investigative Statistics (August) **[Item #14] Dr. Litaker**
The Board reviewed investigative statistics for the month of August, 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. Hardesty 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. Litaker and passed by general consent.
 - a. Log #18-199 **[Item #15] Dr. Litaker**

- C. Settlement Conferences
[None]

XII. NEXT MEETING

The Board’s next regularly scheduled meeting will begin on Friday, October 18, 2024, at 8:30 a.m. and will be held at the Board’s offices in Morrisville, North Carolina to conduct disciplinary hearings and for the consideration of routine business.

XIII. ADJOURNMENT

There being no further business, Dr. Hardesty made a motion to adjourn the meeting. Dr. Watkins seconded the motion, which passed by general consent. The meeting adjourned at 2:01 p.m.

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

Date of Approval: October 18, 2024

Minutes

September 13, 2024

Page 6

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