MINUTES
NC STATE BOARD OF DENTAL EXAMINERS
BOARD MEETING
Morrisville, North Carolina
September 8-10, 2022

THURSDAY, SEPTEMBER 8, 2022
The North Carolina State Board of Dental Examiners convened at 6:30 p.m., Thursday, September 8, 2022, at the Board’s offices in Morrisville for the purposes of conducting a public Rule Making Hearing involving the proposed amendments of 21 NCAC 16B .0303 and 16C .0303. The proceeding was recorded and conducted in-person. A copy of the proposed rules is attached to the Minutes. The public hearing concluded at 6:33 p.m., at which time the Rule Making Hearing was adjourned.

At 6:34 p.m., Dr. Hardesty made a motion to move into closed session, pursuant to NCGS §143-318.11(3), in order to receive the advice of legal counsel. Dr. Litaker seconded the motion, which passed by general consent. At that time, Matt Swohchek, Esq. advised the Board on potential anti-trust issues. Following his advice, at 7:30 p.m., Dr. Hardesty made a motion to move into open session. Dr. Litaker seconded the motion. The motion carried. The meeting adjourned for the day at 7:32 p.m.

FRIDAY, SEPTEMBER 9, 2022

I. CALL TO ORDER & ESTABLISHMENT OF QUORUM

A. Call to Order

Dr. Karen Lanier, President of the Board, called the business meeting to order at 8:30 a.m., Friday, September 9, 2022, at the Board’s offices in Morrisville, North Carolina. 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

All members of the Board were present at the meeting. The members present at the Board office included Dr. Edward Clemons, Dr. Stan Hardesty, Dr. William Litaker, Dr. Mark Johnson, Dr. Karen Lanier, Dr. Catherine Watkins, Ms. Nancy St. Onge, RDH and Mr. Dominic Totman, Esq. Mr. Bobby D. White, Chief Executive Officer, Ms. Casie Goode, Deputy Operations Officer, Dirk German, Investigator, Tyler Henderson, Investigator, Betty Sines, Investigations Coordinator, Jamie Rivera, Investigator/Paralegal, Rick Hetzel,
Inspector/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. Lanier declared a quorum for the purposes of conducting disciplinary conferences and the business of the Board.

II. APPROVAL & ORDER OF AGENDA
    Dr. Hardey moved, which was seconded by Ms. St. Onge, 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 by general consent.

At 8:33 a.m., Mr. Douglas Brocker presented proposed revisions to the general anesthesia and sedation rules. Following the discussion, Dr. Johnson made a motion to approve the revised versions of the proposed new Rules 16Q .0103 and .0104, and the proposed amended Rules 16Q .0202, .0302, .0405, and .0703, as they are before the Board today, for re-publication and public comment; and that the Board does not adopt and takes no further action on the proposed Rules 16Q .0105 and .0702. Dr. Hardey seconded the motion. The motion carried.

Following the motion, Mr. Totman read a statement on the Board’s rationale for the proposed revisions.

III. APPROVAL OF MINUTES
    A. Minutes of August 12, 2022 [Item #1]  Dr. Lanier
        Following a review of the August 12, 2022, Minutes, Dr. Litaker moved to approve the Minutes as presented. Ms. St. Onge seconded the motion which passed by general consent.

IV. REPORT FROM PRESIDENT
    Dr. Lanier expressed her appreciation to the Board for all of the support and for allowing her to serve as President for 2022-2023.

V. REPORT FROM CHIEF EXECUTIVE OFFICER
    Mr. White
    A. Financial Report (August) [Item #2]
        Following a review of the August Financial Report, Dr. Watkins moved to accept the report for informational purposes. Dr. Litaker seconded the motion which passed by general consent.

    B. Personnel Matters
        [None]

VI. REPORTS OF STANDING COMMITTEES
    A. Executive Committee
        [No Report]
B. Finance Committee
Mr. White informed the Board that he and Dr. Watkins will be working on the budget for next year to present at a future meeting for approval.

C. Sedation/General Anesthesia Committee
Dr. Lanier thanked the Board and staff, specifically, Mr. White and Mr. Brocker, for all of the support and dedication surrounding the pending Sedation Rules.

At 10:10 a.m., Dr. Hardesty made a motion to move into closed session, pursuant to NCGS §143-318.18(6), in order to conduct a settlement conference. Dr. Litaker seconded the motion. The motion carried. The conference concluded at 11:59 a.m., at which time Dr. Hardesty made the motion to move into open session to resume Board business. Ms. St. Onge seconded the motion, and the motion passed.

VII. OLD BUSINESS
A. 2023 Meeting Dates [Item #3] Ms. Goode
Ms. Goode presented the Board with a proposed Board meeting schedule for 2023. Dr. Litaker made a motion to approve the schedule as amended for the months of July and December. Dr. Clemons seconded the motion. The motion carried.

VIII. NEW BUSINESS
A. Approve Radiology Course [Item #4] Ms. Goode
Ms. Helen Sublette, from Coastal Dental Professionals Consulting, requested approval of the program’s radiology course. Dr. Watkins made a motion to approve the course. Dr. Johnson seconded the motion. The motion carried.

B. Approval of Volunteer Site [Item #5] Ms. Goode
Danny Spanhour, President of Footbridge in Winston-Salem, requested approval of their dental clinics 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. Watkins seconded the motion, which passed by general consent.

C. Approve Rotation Sites – CCCC [Item #6] Ms. Goode
Coastal Carolina Community College (CCCC) requested Board approval of the Marine Corps Base at 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. Hardesty made a motion to approve the proposed rotation site. Dr. Litaker seconded the motion. The motion carried.

D. Approve Rotation Sites – CPCC [Item #7] Ms. Goode
Central Piedmont Community College (CPCC) requested Board approval of the Affinity Health Center and the AMEN Dental Clinic as rotation sites for dental hygiene students currently enrolled in the dental hygiene program at CPCC. Upon review of the documentation, Dr. Hardesty made a motion to approve the proposed rotation sites. Dr. Litaker seconded the motion. The motion carried.
E. ADEX RDH Representative

[Item #8] Mr. White

Dr. Watkins made a motion to approve Ms. St. Onge as the dental hygiene ADEX representative. Dr. Hardesty seconded the motion. The motion carried.

When Ms. St. Onge completes her term on the North Carolina State Board of Dental Examiners, the Board will revisit this matter when a new dental hygiene member is elected.

F. Minimizing Post Operative Pain

[Item #9] Ms. Goode

Dr. Abdullah Mahmud inquired about the appropriateness of the use of intramuscular injections of dexamethasone and vitamin B12 for patients following certain procedures to minimize post-operative pain, swelling, paresthesia, and other symptoms. Following a discussion, Dr. Johnson made a motion to inform Dr. Mahmud that such procedures are within the scope of dentistry provided that the dentist is properly trained, and the administration is clinically appropriate. Dr. Litaker seconded the motion. The motion carried.

At 1:00 p.m., Dr. Hardesty made a motion to move into closed session, pursuant to NCGS §143-318.18(6), in order to conduct a settlement conference. Dr. Watkins seconded the motion. The motion carried. The conference concluded at 3:25 p.m., at which time Dr. Hardesty made the motion to move into open session to resume Board business. Dr. Clemons seconded the motion, and the motion passed.

IX. LICENSURE MATTERS

A. Approval of Licenses/Permits/Reinstatements

[Item #10] 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. Hardesty and passed by general consent.

B. Examinations

a. CITA Annual Meeting

Ms. Goode

Dr. Litaker 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 CITA Annual Meeting held on December 9-10, 2022, in Orlando, Florida. Dr. Watkins seconded; motion carried.

C. Retired Status

Mr. White

Mr. White informed the Board that Board staff has recently received information indicating that several licensees that have retired status are continuing to practice and volunteer. Following a discussion, the Board directed Board staff to send a letter to every dentist with retired status to remind them that they may not practice while in retired status.
X. REPORT FROM LEGAL COUNSEL
   A. Subchapter 16Q
      Mr. Brocker
      [Item #11] Mr. Brocker
      This item was discussed out of order and at the beginning of the meeting. Please see page two of the Minutes.

XI. INVESTIGATIVE MATTERS
   A. Investigative Statistics (August)
      Dr. Watkins
      [Item #12] Dr. Watkins
      The Board reviewed investigative statistics for August. 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. Closure Report - Log #22-074
         [Item #13]

   C. Settlement Conferences
      The Board conducted two (2) settlement conferences throughout the meeting. Mr. Douglas Brocker and Ms. Crystal Carlisle represented the Board's Investigative Panel in the matters. Standard protocol was followed.

XII. NEXT MEETING
The Board's next regularly scheduled meeting will begin on Friday, October 14, 2022, at 8:30 a.m. and will be held at the Board's offices in Morrisville, North Carolina for the consideration of routine business.

XIII. ADJOURNMENT
There being no further business, Dr. Litaker made a motion to adjourn the meeting. Dr. Hardesty seconded the motion, which passed by general consent. The meeting adjourned at 4:30 p.m.

Reported by: ___________________________
Casie S. Goode
Deputy Operations Officer

Date of Approval: October 14, 2022
MEMBERS OF THE BOARD
Dr. Karen Lanier, President
Dr. Catherine Watkins, Secretary-Treasurer
Dr. Edward Clemmons, Jr., Immediate Past President
Dr. William Littaker
Dr. Mark Johnson
Dr. W. Stan Hardesty
Ms. Nancy St. Onge, R.D.H., Dental Hygiene Member
Mr. Dominic Totman, Esq., Consumer Member