

**Open Minutes  
Missouri Dental Board**

**Telephone Conference Call  
December 11, 2001                      7:00 p.m.**

**Division of Professional Registration  
3605 Missouri Boulevard  
Jefferson City, Missouri**

The telephone conference call of the Missouri Dental Board was called to order by Dr. Larry W. Jackson, President, at approximately 7:00 p.m. on Tuesday, December 11, 2001. The conference call meeting originated from the Dental Board Office at the Division of Professional Registration, 3605 Missouri Boulevard, Jefferson City, Missouri.

**BOARD MEMBERS PRESENT:**

Dr. Larry W. Jackson, President  
Dr. Rodney L. Beard, Vice President  
Dr. Rolfe C. McCoy, Secretary  
Dr. Guy S. Deyton, Member  
Ms. Patricia A. Lepp, Member  
Ms. Maxine Thompson, Member

**BOARD MEMBERS ABSENT:**

Dr. Oswald L. Thomas, Member

**STAFF MEMBERS PRESENT:**

Sharlene Rimiller, Executive Director

**LEGAL COUNSEL PRESENT:**

Nanci Wisdom, Private Legal Counsel  
Rikki Jones, Assistant Attorney General

**GUESTS:**

Dr. Jacob Lippert, Executive Director, Missouri Dental Association  
Ms. Lori Bruce, President, Missouri Dental Hygienists' Association  
Dr. Dan Haney, President, Missouri Dental Association

To better track the order in which items were taken up on the agenda, each item in the minutes will be listed in the order it was discussed in the meeting.

**APPROVAL OF AGENDA**

Dr. Deyton asked that the Board include an item on the open agenda to discuss statutory authority to regulate anesthesia in a dental office. Ms. Bruce asked for a quick update on the public health settings proposed rule. A motion was made by Dr. McCoy

and seconded by Ms. Thompson that the Board approve the agenda with the addition of these two items. Motion carried 6 to 0.

### **PROPOSED FEE INCREASE**

The Board reviewed the five-year fund balance projections and considered the need for an increase in the renewal fee for dentists and dental hygienists. Mrs. Rimiller explained that the projections are based on actual revenue received in prior years and the need to spend all appropriated funds, including the appropriations from the Board's fund to Professional Registration and General Revenue. Without a fee increase, the projections show a negative fund balance at the end of FY-2006. With a \$10 increase in renewal fees for dental hygienists and a \$20 increase in renewal fees for dentists every other year, \$96,350 is projected in additional revenue. Mrs. Rimiller noted that even with the increase, a dangerously low fund balance is projected at the end of FY-2006. This could mean another increase would be necessary when renewals are sent out in FY-05. A motion was made by Dr. McCoy and seconded by Ms. Lepp that the Board increase renewal fees for dentists by \$10 annually (\$20 biennially) and increase renewal fees for dental hygienists by \$5 annually (\$10 biennially) for the 2002-2003 (FY-03) renewal licenses. During the discussion on the motion, the association representatives were asked if they would rather the Board implement a slightly higher increase now and do a one-time increase, or do the lower increase now with the understanding that another increase may be necessary in another two years. Lori Bruce and Dr. Haney agreed to support the increase either way but noted it would be better to implement the lower increase now and come back in a couple of years for another increase if it becomes necessary. There being no further discussion, the motion carried 6 to 0.

The Board discussed the fact that the number of licensed dentists has been steadily declining over the past ten years and the decline is expected to continue based on the statistics available. Mrs. Rimiller said that the current decline (about 70 to 75 dentists per year) results in a \$8,000 - \$9,000 a year revenue loss but other fees generate revenue and the Board needs to continue close monitoring of the situation.

### **AADE MID-YEAR MEETING**

Dr. Jackson noted that the AADE Mid-Year meeting is March 18, 2002, in Chicago, Illinois. He will not attend the meeting and asked if any other members plan to attend. Dr. McCoy is the Board's liaison to the AADE and plans to attend the meeting. Ms. Lepp said she would like to attend as well. It was the consensus of the Board to send Dr. McCoy, Ms. Lepp, and Dr. Thomas, if he wants to go, to the AADE Mid-Year meeting in March.

### **CRDTS WORKSHOP**

Dr. McCoy mentioned that the CRDTS workshop is scheduled on March 7-10, 2002, in Minneapolis, Minnesota. Traditionally, CRDTS pays the expenses for 7 examiners to attend this workshop and the Board pays the expenses for the remainder of the CRDTS examiners to attend. Since the meeting is out-of-state this year, Mrs. Rimiller stated that the Board must get prior approval to reimburse examiners for their travel expenses

to attend this workshop. Generally, there are no more than three approved on any one out-of-state travel authorization. Mrs. Rimiller informed the Board that CRDTS encourages examiner attendance at the workshop, but it is not required. There was also discussion on whether the Board should be paying the expenses to send any of the CRDTS examiners to the workshop. Dr. McCoy will check into this for the Board. He said that he didn't realize until just recently that the Board was paying examiner costs for these workshops, other than those examiners that are considered still in training. It was the consensus of the Board to allow Dr. McCoy and Mrs. Rimiller to work on this together and if necessary and at their discretion, come back to the Board before the January meeting on the out-of-state authorization.

### **ELIGIBILITY REQUIREMENTS FOR NATIONAL BOARD EXAMS**

The Board reviewed the survey received from the Joint Commission on National Dental Examinations asking whether the Board is satisfied with the current eligibility requirements on the National Board examination for dentists and dental hygienists. Ms. Lepp informed the Board that she is not satisfied with the eligibility requirements for the dental hygienists because graduates from non-accredited programs are allowed to sit for the examination under special circumstances. Ms. Lepp also pointed out a discrepancy in the material received with regard to the criteria required from dental hygienists graduating from non-accredited programs. A motion was made by Ms. Lepp and seconded by Ms. Thompson that the Board answer no to question number 3 on the survey and explain that the Board is not satisfied with the eligibility requirements because a dental hygienist will not qualify for licensure in Missouri unless the hygienist graduates from an accredited program. Those voting yes: Ms. Lepp and Ms. Thompson. Those voting no: Dr. Deyton, Dr. Beard, Dr. McCoy and Dr. Jackson. Motion failed 4 to 2. Ms. Lepp mentioned that according to an article in the latest CRDTS newsletter, a letter was published from Lynn Ray that says this policy was rescinded. Ms. Lepp will make further inquiry regarding this matter.

A motion was made by Dr. Deyton and seconded by Dr. Beard that the Board respond to the survey by saying the Board does not have a problem with the eligibility requirements but explain that graduates from non-accredited programs will not be eligible for licensure in Missouri. Those voting yes: Dr. Deyton, Dr. Beard, Dr. McCoy, Dr. Jackson and Ms. Thompson. Those voting no: Ms. Lepp. Motion carried 5 to 1. Mrs. Rimiller was asked to point out the discrepancy highlighted by Ms. Lepp when sending the response back to the Joint Commission.

### **PROPOSED LEGISLATION**

Dr. Deyton informed the Board that one of the issues at the recent JCAR hearing regarding the Board's proposed rule on deep sedation/general anesthesia was the Board's lack of statutory authority for regulating general anesthesia and sedation. He suggested that this might be a good opportunity to get specific statutory authority because several of the JCAR members as well as Senator Kinder were sympathetic to the Board's situation. Dr. Deyton recommended that the Board not pursue the legislation because of the process but see if the associations or specific individuals, such as Dr. Sheets, would encourage pursuit of this type of legislation so that the Board

has an easier time justifying statutory authority to regulate general anesthesia and sedation. The Board members agreed that this would be a very good idea and Dr. Deyton will work with the associations and/or specific individuals to see what can be done.

Mrs. Rimiller provided a brief report on the status of the Board's proposed rule defining public health settings. The attorneys from the Department of Health and Economic Development are working on the emergency statement and after they put their stamp of approval on the rule, it will be ready for the Department Directors to approve and then it can be filed with the Secretary of State. There will be two identical rules filed. One under the Board's chapter and one under the Department of Health's chapter.

The Board inquired about the status of Representative Shield's proposed legislation. Dr. McCoy reported that it is his understanding that Representative Shields will introduce the legislation without change from the Board's suggested language, which includes the subpoena power. Ms. Wisdom informed the Board that Representative Shields called her on December 3<sup>rd</sup> or 4<sup>th</sup> and he said that he may make some minor changes but before he presented anything, he would send it back to the Board. At this time, nothing has come back from Representative Shields.

### **CLOSED SESSION**

Motion was made by Dr. Beard and seconded by Dr. McCoy to move into closed session pursuant to section 610.021 (1) and (3) and section 620.010.14 (7) RSMo, for the purpose of discussing general legal actions, causes of action or litigation and any confidential or privileged communications between the Board and its attorney and investigative reports and/or complaints. Motion carried 6 to 0. Dr. Thomas was not present.

### **ADJOURNMENT**

There being no further business to be brought before the Board at this time, a motion was made by Dr. McCoy and seconded by Dr. Beard that this meeting adjourn. Motion carried 6 to 0. The meeting adjourned at approximately 9:10 p.m.

**Respectfully submitted,**

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**Sharlene Rimiller, Executive Director**

**Approved by Board on: \_\_\_\_\_.**