Open Minutes
Missouri Dental Board
Policy Review Committee

April 22, 2004   7:00 p.m.

Plaza Conference Center
3257 William Street
Cape Girardeau, Missouri

The open meeting of the Missouri Dental Board's Policy Review Committee (PRC) was called to order by Dr. Larry Jackson, Chairperson, at approximately 7:10 p.m. on Thursday, April 22, 2004, at the Plaza Conference Center, 3257 William Street, in Cape Girardeau, Missouri.

COMMITTEE MEMBERS PRESENT:
Dr. Larry Jackson, Committee Chairperson
Dr. John L. Sheets, Member
Ms. Patricia A. Lepp, R.D.H., Member
Ms. Maxine Thompson, Member

STAFF MEMBERS PRESENT:
Sharlene Rimiller, Executive Director
Vickie Coffman, Executive I

LEGAL COUNSEL PRESENT:
Nanci Wisdom, Private Legal Counsel

GUESTS:
Jacob Lippert, D.D.S., Executive Director, Missouri Dental Association
Guy Deyton, D.D.S., Missouri Dental Association
Lori Bruce, R.D.H., Missouri Dental Hygienists' Association
Deborah Gerecke, R.D.H., Missouri Advisory Commission for Dental Hygienists
Tia Strait, R.D.H., Missouri Advisory Commission for Dental Hygienists
Lee Ann Turnbaugh, Missouri Dental Assistants Association
Anna Lippert, Alliance of the 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
A motion was made by Ms. Lepp and seconded by Dr. Sheets that the agenda be approved as printed. Motion carried unanimously.

DEFINING DENTAL SPECIALTIES

The PRC reviewed the draft amendment to 4 CSR 110-2.090 – Certification of Dental Specialists – that defines all of the approved dental specialties. Dr. Sheets reported that the draft amendment is the result of the recommendation that came out of the Specialty Ad Hoc Committee that met on December 17, 2003. Mrs. Rimiller pointed out that the only problem with pursuing an amendment to this rule at this time is that the rule will need to be re-written if HB 970 passes and becomes law. The question considered by the PRC was whether to wait and make the changes all at one time, or pursue this change now and the other changes if HB 970 becomes law. A motion was made by Dr. Sheets and seconded by Ms. Thompson that the PRC define the dental specialties in a stand alone rule and pass it on to the full Board at its meeting on Saturday. Those voting yes: Ms. Lepp, Dr. Sheets, Dr. Jackson and Ms. Thompson. Motion carried 4 to 0.

JURISPRUDENCE EXAMINATION

Ms. Thompson reported that she and Dr. Sheets reviewed the jurisprudence examination for the dental hygienists and made some minor corrections. These corrections have been sent on to the members of the Advisory Commission for Dental Hygienists for their consideration. Ms. Lepp said that she did not see anything wrong with going ahead and making the grammatical changes in the exam recommended by Ms. Thompson and Dr. Sheets. Mrs. Rimiller pointed out that after the Advisory Commission completes its work on the exam, their recommendations will be sent on to the full Board.

RETENTION OF MEDICAL RECORDS

The PRC reviewed the draft proposed statute on the retention of medical records. Dr. Lippert questioned the retention of patient records for minors. Ms. Wisdom recommended that the following language be inserted at the end of subsection 2 before the period, "or in the case of a minor, five (5) years from the age of majority". Ms. Wisdom also recommended that the retention time on the proposed statute change for laboratory work orders be the same as the medical records retention time. Under subsection 4 of the proposed records retention statute, Ms. Wisdom pointed out that the language is somewhat inconsistent with Section 332.051, which gives the Board investigators the authority to inspect dental records. Dr. Deyton suggested that the PRC consider removing the words, "and signed by the dentist" in subsection 3 of the proposed statute. Ms. Lepp suggested removing the words, "of the board" in subsection 2 of the proposed statute. A motion was made by Ms. Lepp and seconded by Ms. Thompson that the Board approve the draft proposed statute on the retention of medical records with the changes suggested, including the elimination of subsection 4, and pass it on to the full Board for consideration. Those voting yes: Ms. Lepp, Dr. Sheets, Dr. Jackson and Ms. Thompson. Motion carried 4 to 0.

RETENTION OF LAB REPORTS

The PRC reviewed the draft proposed statute change to Section 332.071 (11) changing the retention time for laboratory work orders from two years to four years. After a discussion of the changes needed to both Section 332.071 (11) and the new proposed

Section 332.052, a motion was made by Ms. Lepp and seconded by Ms. Thompson that the PRC rescind its previous motion to approve the draft proposed statute on retention of medical records. Those voting yes: Ms. Lepp, Dr. Sheets, Dr. Jackson and Ms. Thompson. Motion carried 4 to 0.

A motion was made by Ms. Lepp and seconded by Dr. Sheets that the PRC pass the proposed statute, 332.052, on to the full Board for consideration with the following changes: delete the words, "of the board" from subsection 2; add the words, "or in the case of a minor, five (5) years from the age of majority" at the end of subsection 2; delete the words, "and signed by the dentist" in subsection 3 as an addendum, and delete all of subsection 4 and replace it with "Dentists and nondentists shall maintain copies of laboratory work orders for five (5) years". Those voting yes: Ms. Lepp, Dr. Sheets, Dr. Jackson and Ms. Thompson. Motion carried 4 to 0.

A motion was made by Ms. Lepp and seconded by Ms. Thompson that the PRC pass the changes made to Section 332.071 (11) on to the full Board for consideration with the following changes: delete the words, "and copies of which shall be retained by the nondentist for two years". Those voting yes: Ms. Lepp, Dr. Sheets, Dr. Jackson and Ms. Thompson. Motion carried 4 to 0.

LEGISLATION FOR 2005

The PRC considered whether or not to recommend pursuing any legislative proposals for the next legislative session in 2005. Mrs. Rimiller reminded the PRC that the Division usually asks for the Board's legislative issues by the end of July and since the Board is not scheduled to meet until August this year, the PRC should make its recommendations on legislation to the Board at this April meeting. Unless there are some very pressing issues, Mrs. Rimiller suggested that the PRC recommend no legislation to the Board in 2005 to give the legislature a break from dentistry for a year. The changes to 332.071 and the new section 332.052 on medical records and laboratory work orders was considered and Dr. Deyton said that perhaps the change to Section 332.071 could be added to the PR bill (HB 1195) in this session and Section 332.052 could be handled next year. Dr. Deyton cautioned the PRC in recommending any changes next year to Sections 332.071 or 332.081. A motion was made by Ms. Thompson and seconded by Dr. Sheets that the PRC recommend not pursuing any legislation to the Board for 2005. Those voting yes: Ms. Lepp, Dr. Sheets, Dr. Jackson and Ms. Thompson. Motion carried 4 to 0.

EMERITUS LICENSE

The PRC reviewed the staff surveys of other State Dental Boards and other boards and commissions within the Division regarding the issuance of an emeritus or retired license. In light of the PRC's decision not to recommend any legislation to the Board in 2005, a motion was made by Dr. Sheets and seconded by Ms. Thompson that the PRC table further discussion of this item until a later date. Those voting yes: Ms. Lepp, Dr. Sheets, Dr. Jackson and Ms. Thompson. Motion carried 4 to 0.

PRC TASK LIST
The PRC reviewed its prioritized task list and made no changes at this time. It was noted that several items can be removed from the task list if the Board's and the MDA's legislation passes this year.

ADJOURNMENT
There being no further business to be brought before the PRC at this time, a motion was made by Ms. Thompson and seconded by Dr. Sheets that this meeting adjourn. Motion carried 4 to 0. The meeting adjourned at approximately 8:35 p.m.

Respectfully submitted

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Sharlene Rimiller, Executive Director

Approved by Board on: ___________