

Meeting Notice

Missouri Dental Board Policy Review Committee

January 14, 2005 ~~ 1:00 p.m.

**Dental Office of Dr. Jay Sheets
#53 Doctors Park
Cape Girardeau, Missouri**

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Except to the extent disclosure is otherwise required by law, the Policy Review Committee of the Missouri Dental Board is authorized to close meetings, records and votes, to the extent they relate to the following: Sections 610.021 (1), (3), (5), (7), (13) and (14), RSMo, and Section 620.010.14 (7) and (8), RSMo.

The Policy Review Committee of the Missouri Dental Board may go into closed session at any time during the meeting. When the meeting is closed, the appropriate section will be announced to the public with the motion and vote recorded in open session minutes.

Please see attached tentative agenda for this meeting.

cc: Members, Missouri Dental Board
Nanci Wisdom, Attorney-at-Law
Kristi Flint, Assistant Attorney General
Laurie Morris, Office of Administration
Dr. Jacob Lippert, Executive Director, Missouri Dental Association
President, Missouri Dental Association
President, Missouri Dental Hygienists' Association
President, Missouri Dental Assistants Association

Open Agenda

Missouri Dental Board Policy Review Committee

January 14, 2005 1:00 p.m.

**Dental Office of Dr. Jay Sheets
#53 Doctors Park
Cape Girardeau, Missouri**

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| 1. | Call to Order | Dr. Jackson |
| 2. | Roll Call | Pat Lepp |
| 3. | Approval of Agenda | Dr. Jackson |
| 4. | 4 CSR 110-2.260 – Proposed Rule on Certification Requirements – Licensees Employed by or Contracting with Federally Qualified Health Centers | Ms. Lepp |
| 5. | 4 CSR 110-2.110 – Addressing the Public – Dentists <ul style="list-style-type: none">• Consider issues relating to compliance with the advertising rule. | Dr. Sheets |
| 6. | 4 CSR 110-2.230 – Endodontic Materials <ul style="list-style-type: none">• The ban on Sargenti Paste used as an Endodontic filling material. | Dr. Jackson |
| 7. | 4 CSR 110-2.240 – Continuing Dental Education <ul style="list-style-type: none">• Consider further revisions to the proposed amendment to address limiting the number of hours that can be earned via correspondence courses. | Ms. Lepp |
| 8. | Review of Prioritized Task List | Dr. Jackson |
| 9. | Other Agenda Items | Dr. Jackson |
| 10. | Motion to Close | Ms. Thompson |
| 11. | Adjournment | |

**Open Minutes
Missouri Dental Board
Policy Review Committee**

January 14, 2005 1:00 p.m.

**Dental Office of Dr. Jay Sheets
#53 Doctors Park
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 1:00 p.m. on Thursday, January 14, 2005, at the Dental office of Dr. Jay Sheets, #53 Doctors Park, 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
Bonnie Mengwasser, Executive I

LEGAL COUNSEL PRESENT:

Nanci Wisdom, Private Legal Counsel

GUESTS:

Deborah Gerecke, R.D.H., Missouri Advisory Commission for Dental Hygienists
Gail Redman, SEMO Health Network
Susan Wilson, Northwest Health Services
Joseph Pierle, Missouri Primary Care Association
Vicki Smith, Crosstrails Medical Center
Chris Sheets

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 4 to 0.

4 CSR 110-2.260 – Proposed Rule on Certification Requirements

The PRC reviewed proposed rule 4 CSR 110-2.260 – Certification Requirements – Licensees Employed by or Contracting with Federally Qualified Health Centers. The PRC revised its draft certification form. Those attending the PRC meeting

representing the federally qualified health centers expressed concern that licensees practicing at their centers are being held to a higher standard. It was acknowledged that the language was taken directly from the statute but to avoid the appearance of holding some licensees to a higher standard, it was suggested that the Board add a question to the renewal application asking all licensees to certify that their facility complies with the infection control guidelines of OSHA and CDC. A motion was made by Dr. Sheets and seconded by Ms. Thompson that the PRC draft a question to add to the renewal application and present it to the Board for approval. Motion carried 4 to 0. A motion was made by Ms. Lepp and seconded by Dr. Sheets to recommend the revised draft certification form, including Susan Wilson's suggested language "to the best of my knowledge," to the full Board for approval. Motion carried 4 to 0. The PRC reviewed and revised the draft proposed certification rule. Reference was made to the compromises reached between the attorney representing the federally qualified health centers and Ms. Wisdom. A motion was made by Ms. Lepp and seconded by Ms. Thompson to accept the draft proposed rule as revised and move it on to the full Board for approval. Motion carried 4 to 0.

4 CSR 110-2.110 – ADDRESSING THE PUBLIC - DENTISTS

The PRC reviewed 4 CSR 110-2.110 – Addressing the Public – Dentists - to consider if the rule should be amended. The first area of the rule reviewed by the PRC was subsection (7) specifically, some of the terms implying non-specialty interest areas. A motion was made by Ms. Lepp and seconded by Dr. Sheets to recommend that the full Board amend subsection (7) of the rule by deleting bleaching and cosmetic dentistry from the list, by changing the term "non-specialty interest areas" to "specialty areas not recognized by the ADA," by adding that the advertisements apply to services "by a general practitioner," and by adding the following sentence at the end, "Dentists licensed as a specialist may advertise specialty areas not recognized by the ADA if training in the specialty area not recognized by the ADA was an integral part of their specialty training curriculum." Motion carried 4 to 0.

The PRC also reviewed subsection (8) of the rule on advertising. A motion was made by Ms. Thompson and seconded by Dr. Sheets to recommend that the full Board replace all of subsection (8) as follows, "Without possessing a deep sedation/general anesthesia permit, licensees shall not advertise such terms as sleep dentistry, snooze dentistry, and twilight sleep." Motion carried 4 to 0.

The PRC reviewed subsection (6) of the advertising rule. A motion was made by Dr. Sheets and seconded by Ms. Lepp to recommend that the full Board amend subsection (6) by including the language in (6)(A) as the second sentence in (6), delete subsection (6)(B) entirely, and add the language "Such announcement of services shall be in compliance with Section 332.321.2 (14)(f), RSMo" at the end of subsection (6). Motion carried 4 to 0.

4 CSR 110-2.230 – ENDODONTIC MATERIALS

The PRC reviewed 4 CSR 110-2.230 – Endodontic Materials. Dr. Jackson recommended that in light of all the testimony received and the fact that Missouri is the only state that bans the use of endodontic filling materials containing

paraformaldehyde, the PRC recommend to the full Board that the rule be rescinded. A motion was made by Dr. Sheets and seconded by Ms. Thompson to recommend that the full Board rescind the rule banning sargenti paste as an endodontic filling material. Motion carried 4 to 0.

4 CSR 110-2.240 – CONTINUING DENTAL EDUCATION

The PRC reviewed the proposed amendment to 4 CSR 110-2.240 – Continuing Dental Education and considered the need to further amend the rule limiting the number of continuing education hours that can be earned via correspondence courses. A motion was made by Dr. Sheets and seconded by Ms. Lepp to recommend that the full Board not limit the number of continuing education hours that can be earned via correspondence courses. Motion carried 4 to 0.

PRIORITIZED TASK LIST

The PRC reviewed its prioritized task list and made the following changes:

1. Licensure by Credentials – The Christine Lathuras case – Does the Board need to seek a change in the statute?
2. Proposed Statute Change to Exempt Residents in Approved Residency Programs from Licensure Requirements
3. Jurisprudence Examination – Working with the Advisory Commission to create a bank of test questions
4. Retention of Medical Records – Should the Board consider legislation requiring that the licensee retain medical records for a specific period of time?
5. Lab Reports – Currently records must be retained for two years – Consider statute change to increase that to four years
6. Emeritus License for Retired Dentists and Dental Hygienists
7. Educating Dental Assistants
8. Tracking Expanded Function Dental Assistants
9. Age Related Issues in the Work Place
10. Monitor Dental Assistant Scaling Proposal
11. Proposed Rule on Improper Influence on Professional Judgment
12. Approval of Course on Monitoring Nitrous Oxide Analgesia
13. Criteria for Approval of CRDTS Examiners
14. Work on rules relating to Senate Bill 1122
15. Addressing the Public – Dentists
16. The Ban on Sargenti Paste used as Endodontic Filling Material
17. Continuing Education – Limiting the number of hours earned via correspondence courses
19. Proposed Changes to the Dental Practice Act (updated definition to the practice of dentistry)
19. Proposed Rule on Deep Sedation/General Anesthesia

The PRC decided that future meetings will be held earlier in the day so that members and staff can be more productive. Future meetings will begin at 1:00 p.m. the day prior to regularly scheduled meetings.

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 4:57 p.m.

Respectfully submitted,

Bonnie Mengwasser, Executive I

Sharlene Rimiller, Executive Director

Approved by Board on: _____