

Meeting Notice

Missouri Dental Board Policy Review Committee

November 17, 2006 ~~ 10:00 a.m.

**Missouri Dental Association
3340 American Avenue
Jefferson City, Missouri**

Notification of special needs as addressed by the Americans with Disabilities Act should be forwarded to the Missouri Dental Board, 3605 Missouri Boulevard, Jefferson City, Missouri 65109 or by calling 573-751-0040 to ensure available accommodations. The text telephone for the hearing impaired is (800) 735-2966.

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
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
David T. Broeker, Director, Division of Professional Registration

Posted: 11/02/06
9:00 a.m.

Open Agenda

Missouri Dental Board Policy Review Committee

November 17, 2006

10:00 a.m.

**Missouri Dental Association
3340 American Avenue
Jefferson City, Missouri**

- | | | |
|-----|---|--------------|
| 1. | Call to Order | Dr. Wallace |
| 2. | Roll Call | Pat Lepp |
| 3. | Approval of Agenda | Dr. Wallace |
| 4. | Workforce Assessment Ad Hoc Report | Dr. Wallace |
| 5. | EFDA Program Ad Hoc Report | Dr. Wallace |
| 6. | 20 CSR 1110-2.140 – Notice, Change of Employment –
Dental Hygienists | Ms. Lepp |
| 7. | Consider Uniform Policies for Licensees that do not Renew
on Time and Licensees whose BNDD Registration Expires
for Failure to Notify BNDD of a Change in Practice Location | Dr. Wallace |
| 8. | Proposed Renewal Application Question Related to
Dispensing Controlled Substances, Mandating CPR for
Renewal, and Requiring Defibrillators in all Dental Offices | Dr. Wallace |
| 9. | Corresponding with Sedation Committees Regarding the
Representations made to Licensees on the Issuance of a
Permit | Dr. Wallace |
| 10. | Review of Prioritized Task List | Dr. Wallace |
| 11. | Other Agenda Items | Dr. Wallace` |
| 12. | Motion to Close | Ms. Thompson |
| 13. | Adjournment | |

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

November 17, 2006 10:00 a.m.

**Missouri Dental Association
3340 American Avenue
Jefferson City, Missouri**

The open meeting of the Missouri Dental Board's Policy Review Committee (PRC) was called to order by Dr. Kevin Wallace, Chairperson, at approximately 10:03 a.m. on Friday, November 17, 2006, at the Missouri Dental Association, 3340 American Avenue, Jefferson City, Missouri.

COMMITTEE MEMBERS PRESENT:

Dr. Kevin Wallace, Committee Chairperson
Dr. Rolfe McCoy, Member
Ms. Patricia A. Lepp, R.D.H., Member
Ms. E. Maxine Thompson, Member

STAFF MEMBERS PRESENT:

Sharlene Rimiller, Executive Director
Justin C. Smith, Executive I
Brian Barnett, Investigator III

GUESTS:

Deb Polc, R.D.H., Advisory Commission for Dental Hygienists
Diann Bomkamp, R.D.H., American Dental Hygienists' Association
Dr. Dorsey Moore
Mary Young, Missouri Dental Assistants Association
Kelly Tillery, R.D.H., Missouri Dental Assistants Educators
Dr. Guy Deyton
Dr. Stan Scott
Vickie Wilbers, Executive Director, Missouri Dental Association
Dr. Jake Lippert, Missouri Dental Association
Stacie Butler, Missouri Dental Association
Dr. George Bailey
Dr. John R. Hugo
Dr. Ed Kendrick

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. McCoy that the agenda be approved as printed. Motion carried 3 to 0. Ms. Thompson was not present for the vote on this motion.

20 CSR 1110-2.140 NOTICE, CHANGE OF EMPLOYMENT – DENTAL HYGIENISTS

Ms. Lepp mentioned that when the Advisory Commission did its annual review of the hygiene statutes and rules, the Commission recommended that the Board either amend or rescind 20 CSR 1110-2.140 because dentists are not complying with the notification requirements, except at the time of renewal. Ms. Lepp suggested an amendment to the rule that would say, "A dentist shall notify the board upon renewal of his/her license if s/he employs a dental hygienist and provide the board with the name(s) and license number(s) of all the dental hygienists employed at the time of renewal." Dr. McCoy suggested that if the dentist is required to notify the Board of the name(s) and license number(s) of the hygienists s/he employs, the hygienist should be required to notify the Board of his/her supervising dentist at the time of renewal for tracking purposes. The Policy Review Committee (PRC) discussed the possibility that at some point in the future the Division may crack down on the number of questions the Board will be able to ask on the renewal application, unless there is a change in the statutes and/or rules to make the renewal application questions mandatory for the licensee to answer. It was the consensus of the PRC to include this suggested rule change with the other tasks on the PRC task list that will require amendments to the dental practice act.

POLICY DISCUSSION

The PRC discussed the need to develop some guidelines regarding Board action against licensees who do not renew on time and continue to practice with an expired license, licensees that allow their Bureau of Narcotics and Dangerous Drugs (BNDD) registrations to expire, and licensees who move and do not notify the BNDD of their new practice location, and continue prescribing/administering controlled substances. Mr. Barnett provided a brief report regarding some of the issues before the Board. One of the issues to consider is to start looking at whether or not the Board wants to establish some sort of policy on handling the BNDD violations against dentists who are suspected of conducting controlled substance activities after their registration has expired. The BNDD does not investigate these cases. A suggestion was to establish a time period of three (3) months or more after the expiration date and in those cases, the policy would be to have Board investigators investigate to determine if the dentist conducted any controlled substance activities during the time the registration was not valid. Dr. McCoy suggested that the PRC needs to determine what point after the expiration date of the BNDD registration, for failure to renew or moving and not notifying the BNDD within thirty days, warrants more than a letter of concern. Dr. McCoy questioned that if the BNDD action is a Letter of Censure for these violations,

which is not discipline by BNDD standards, should the Board do anything more than a Letter of Concern.

Mrs. Rimiller stated that if the PRC is to establish standards for investigating the BNDD cases of expired registration, there needs to be a similar standard for dentists and dental hygienists who fail to renew their dental or dental hygiene license. Mr. Barnett reported that there are procedures in place for investigating cases of non-renewal of a dentist or dental hygiene license. A letter is usually generated sometime in January for those licensees that did not renew. That letter usually generates some licensees to notify the Board that they are not going to renew their licenses and it also generates late renewals. Some of those late renewals are licensees that have been practicing in Missouri after November 30th, but there is not an investigation conducted to determine if the license practiced after November 30th. Sometime in February, there are phone calls made to licensees that still have not renewed. A motion was made by Dr. McCoy and seconded by Ms. Lepp that the PRC recommend establishing a three-month grace period for non-renewal of a dental or dental hygiene license and expired BNDD registrations and if the license, permit or registration is expired for more than three (3) months, an investigation be the standard protocol and that this suggestion be forwarded to the Complaint Review Committee (CRC) to ask that Committee for a standard recommendation for action and the need for any possible rule changes. Motion carried 4 to 0.

RENEWAL APPLICATION QUESTIONS

The PRC discussed the newly referred task that involves adding a question to the dentist renewal application to inquire as to whether or not the dentist is prescribing controlled substances. It was the consensus of the PRC to recommend to the Board that it is not necessary to add the question to the renewal application at this time.

The PRC discussed the newly referred task to consider a statute and/or rule change requiring mandatory CPR for all licensees at renewal and requiring a defibrillator in every dental office. It was noted that CPR is a requirement for initial licensure but not for renewal. Dr. Deyton reported that the Missouri Dental Association (MDA) House of Delegates passed a resolution to seek a change in the Dental Practice Act to require defibrillators in all dental offices. A motion was made by Dr. McCoy and seconded by Ms. Lepp that the PRC refer both issues (current CPR at renewal and defibrillators in every dental office) to Nanci Wisdom and ask her opinion of whether the Board needs to seek a change in the statutes or a change in the rules and that she also come up with a draft statute or regulation for review by the PRC at its next meeting. Motion carried 4 to 0. Dr. McCoy asked that he receive a copy of the draft prior to the next meeting.

COMMUNICATIONS WITH SEDATION COMMITTEES

Dr. McCoy informed the PRC that there have been issues recently regarding the communications that Sedation Committee members are having directly with the applicants applying for sedation permits. A recent case involved a licensee

whose deep sedation/general anesthesia permit had been expired for several years and the Committee Chairman had communications directly with the licensee who told the licensee that he could continue doing sedation while his new permit application was pending and also, the licensee was told that his application was approved, before the Board had an opportunity to review the application. It was the consensus of the PRC that Mrs. Rimiller formulate a letter to all the Sedation Committee members (parenteral and deep sedation/general sedation) thanking them for their service to the Board and include a gentle reminder that although they are representing the Board with regard to the on-site evaluations, such representation does not extend to promising the issuance of a permit before it has been reviewed and approved by the Board, or giving a permit applicant the authority to do sedation in his/her office while the permit application is pending, because there may be issues other than the on-site evaluation which may affect the question of issuing the permit. Mrs. Rimiller was asked to work up a draft letter for the Board President's signature and send it to the PRC members for approval before distributing it to the full Board.

Dr. McCoy brought up an issue that should have been added to the open agenda for this meeting. This issue is the letters that were written to the Western Regional Examining Board (WREB) and to the Central Regional Dental Testing Services (CRDTS) regarding the Board's on-going evaluation of the clinical examination required for licensure. Dr. McCoy asked that similar letters be written to the Southern Regional Testing Agency (SRTA) and the Council of Interstate Testing Agencies (CITA) expressing the Board's concern that the tests are not standardized and therefore are not equal. Dr. McCoy will sign the letters as he did with the letters to CRDTS and WREB.

PRC TASK LIST

Dr. Wallace asked that task number 6 be moved down on the list.

Mrs. Rimiller updated the PRC on what is going on with the Jurisprudence examination. She provided some information on the proposal received from the Dental Assisting National Board (DANB) and noted that their proposal includes validating, computerizing, administering, and scoring the examination. The Advisory Commission for Dental Hygienists reviewed this task at its last meeting and agreed that the examination does not need to go through all the validation processes proposed by DANB. The Commission thought for now that it wanted to continue offering the examination as a pen and paper examination but explore more options for testing facilities. A motion was made by Dr. McCoy and seconded by Ms. Lepp that the PRC recommend to the Board that it investigate seeking proposals from the Advisory Commission's recommended list of schools to find out what it would cost to computerize the jurisprudence examination and make it available at any of the approved testing centers. Motion carried 4 to 0

The PRC split task number 15 into two categories. The first part of task (including a question on the renewal application about dispensing controlled substances) will be sent back to the Board with a no further action recommendation. The second part of task (mandating CPR for renewal and requiring defibrillators in all dental offices) will be

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moved up on the task list and Dr. McCoy will contact Ms. Wisdom to ask for a draft proposal for review by the PRC at its next meeting.

Task number 7 (possible rule changes needed for acceptance of the ADEX examination) was moved down on the list and a motion was made by Ms. Lepp and seconded by Dr. McCoy that a letter be drafted to all the independent states that still administer their own clinical examination to inform them that the Board is reviewing the examinations currently accepted for licensure in Missouri and are considering an amendment to their rule to accept only regional or national examinations. The letter should further state that as a part of that review process the Board would like to know more about their state examination, if it is comparable to the regional or national exams, and if they have any plans in the future to accept the ADEX exam or become a member of one of the regional testing services. The draft letter should be presented to the Board for approval at its next meeting. Motion carried 4 to 0.

ADJOURNMENT

There being no further business to be brought before the PRC at this time, a motion was made by Dr. McCoy and seconded by Ms. Lepp that the meeting adjourn. Motion carried 4 to 0. The meeting adjourned at approximately 11:26 a.m.

Respectfully submitted,

Sharlene Rimiller, Executive Director

Approved by Board on: January 13, 2007