



MISSOURI DENTAL BOARD NEWSLETTER

Volume 5, Issue 1

October 2003

MISSION OF THE BOARD

The Missouri Dental Board exists to protect and serve the public's interests in dentistry and to preserve the integrity of the dental profession.

PRESIDENT'S MESSAGE



Patricia A. Lepp, R.D.H.
President

It is an honor to have been recently elected as President of the Missouri Dental Board. I am only the fourth dental hygienist to serve on the Board since 1982 when the law changed to add the additional member. So it is a special honor to be the first dental hygienist elected to the office of Missouri Dental Board president. The Board also elected a new Vice President and Secretary at its July meeting. Dr. Eric J. Aubert from St. Louis is the new

Vice President and Dr. John L. Sheets from Cape Girardeau is the new Secretary.

As president, it is my pleasure to announce the appointment of Dr. John L. Sheets, an oral surgeon from Cape Girardeau, to the Missouri Dental Board. Governor Bob Holden appointed Dr. Sheets to the Board on December 19, 2002. The Missouri Senate confirmed his appointment on January 22, 2003. Dr. Sheets replaced Dr. Guy S. Deyton, a general dentist from Kansas City. Dr. Deyton accomplished much during his term on the Board and was a tremendous motivation for us all. He served with distinction and we will miss his service to the Board while we look forward to working with Dr. Sheets. Our congratulations go out to both Dr. Deyton and Dr. Sheets. An introduction to Dr. Sheets is contained later in this newsletter.

The Board is gearing up again for the next legislative session. We have several proposals that are under consideration at this time. Among them is a proposal to license and regulate not-for-profit corporations that own dental practices. This proposal is intended to improve access to dental care for those individuals in Missouri that cannot afford dental treatment and to provide them with the same assurance of safe practice as those seeking care from private practitioners. This would help many clinics performing necessary dental services to be in compliance with state law. We are also working on a proposal clarifying the Board's authority to regulate the administration of sedation in a dental office. For a complete listing of the legislative proposals under consideration by the Board, feel free to contact the Board Office.

I have had the honor and privilege to serve on the Missouri Dental Well-Being Committee for these past three years. This year as I take over the job of Dental Board President, Dr. Larry Jackson will now serve as the Dental Board's representative on the Well-Being Committee. There are also representatives from the Missouri Dental Association and the Missouri Dental Hygienists' Association that serve on the Well-Being Committee. They are Dr. Bill Kane from Dexter and Ms. Kate Tansey from St. Louis. Ira Davis is the Committee Administrator. While serving on the Well-Being Committee, I have seen firsthand how wonderful this program is and how it has helped impaired dental professionals. There are twenty-four licensees currently enrolled in the program. The program consists of both voluntary and mandatory enrollment. To learn more about the program, or for assistance, please call this toll free number; 866-442-0300. Ira Davis may also be contacted by e-mail at rul62@aol.com.

I will close this letter with a thank you to the members of the Board for their support. I am proud of the Board's commitment to continually work to serve our dental consumers and our dental professionals. My work on the Board has been a challenging and rewarding experience. I plan to continue working hard this next year to fulfill the Board's mission. Please do not hesitate to contact me through the Board's office if you have any questions, or if the Board can be of any assistance.

Sincerely,
Patricia A. Lepp, R.D.H.

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The Honorable Bob Holden

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This is an official publication of the Division of Professional Registration. Submit articles to: Missouri Dental Board, P.O. Box 1367, Jefferson City, MO 65102.

ADVISORY COMMISSION NEWS

Members of the Advisory Commission for Dental Hygienists were appointed in April of 2002, and since that time the Commission has met a total of six times. Two of the meetings were held jointly with the Missouri Dental Board. New officers were elected at the Commission's July meeting. Ms. Deborah Gerecke is now serving as the Chairperson and Ms. Tia Strait is serving as the Secretary. Also serving on the Commission is Ms. Patricia Lepp and Ms. Frances Tourdot.

Advisory Commission member Tadd S. Greenfield resigned from the Commission effective May 16, 2003. Mr. Greenfield cited a change in career fields as his reason for resigning. The Commission appreciates Tadd's work while serving on the Commission and wishes him the very best as he pursues his new career.

The Commission has developed a task list of issues to address. Among those tasks, the Commission will be writing new questions for the jurisprudence examination for dental hygienists and will be developing a protocol for dental hygienists interested in serving as examiners for the CRDTS examination. Commission members will also be volunteering to represent the Board on accreditation site visits of dental hygiene programs and will provide proctoring assistance at National Board dental hygiene examinations when needed.

The Board recently approved the Commission's request to amend the rule on dental hygienists to eliminate the notary requirement on proof of competency documentation for local and nitrous permit applications. It will likely be six to nine months at a minimum before this change in the rule is implemented.

The Commission's next meeting is scheduled on November 7, 2003. It will be held at the Tan-Tar-A Resort Hotel in Lake Ozarks in conjunction with the Missouri Dental Hygienists' Association Annual Session. The meeting will begin at 8:00 a.m. The public is welcome to attend the open meetings. The Commission's next joint meeting with the Missouri Dental Board is scheduled on April 22, 2004 at 4:00 p.m. in Cape Girardeau.

MESSAGE FROM DIVISION DIRECTOR



It is no secret that the State is in a financial crisis. Governor Holden has worked diligently to see that essential state services are funded for children and our most vulnerable citizens. The good news, however, is that the Governor's budget included a pay increase of \$600 for all state workers making \$40,000 or less. This increase will be effective July 1. In addition, the Division of Professional Registration is fortunate to be funded through professional licensing fees that are deposited into dedicated funds. The Division, therefore, does not have to rely on general revenue funds for its operation. Our budget was approved as submitted in House Bill 7.

House Bill 600, which was signed into law with an emergency clause making this legislation effective July 1, 2003, affects all licensees within the Division of Professional Registration. Effective July 1, 2003, all persons and business entities applying for or renewing a professional license with the Division of Professional Registration are required to have paid all Missouri income taxes, and also are required to have filed all necessary state income tax returns for the preceding three years. If licensees have failed to pay their taxes or have failed to file their tax returns, their licenses will be subject to immediate revocation within 90 days of being notified by the Missouri Department of Revenue of any delinquency or failure to file. This requirement was enacted in House Bill 600 of the 92nd General Assembly (2003), and was signed into law on July 1st by the Governor. My Administrative Staff and the Division's Management Information System staff are working with the Department of Revenue and the Attorney General's Office to establish the necessary procedures for implementing this bill.

Finally, my Administrative Staff along with the Division's Management Information System staff have been working toward making on-line renewal a reality. We have just awarded the credit card contract and are hoping to start pilot boards renewing on-line this fall.

Yours truly,

Marilyn Taylor Williams
Division Director

NEW BOARD APPOINTEE



John L. Sheets, D.D.S.

On December 19, 2002, Governor Holden appointed Dr. John L. Sheets of Cape Girardeau to replace Dr. Guy S. Deyton on the Missouri Dental Board. Dr. Sheets earned his Bachelor of Science degree from Southeast Missouri State University in 1973, and in 1976 he graduated with honors from the University of Missouri Kansas City School of Dentistry. He served his residency/specialty training in Oral and Maxillofacial Surgery at the Carle Foundation Hospital and Clinic at the University of Illinois Medical School from 1976 to 1979. Dr. Sheets also completed a post residency surgical fellowship at John Peter Smith Hospital in Fort Worth, Texas. He is a Diplomate of the American Board of Oral and Maxillofacial Surgery. Prior to opening his private practice in Cape Girardeau in 1982, Dr. Sheets was a Clinical Associate Professor in Oral and Maxillofacial Surgery at the University of Illinois Medical School. He is also an instructor in Advanced Cardiac Life Support for the American Heart Association, both in Missouri and Illinois. He has been a guest lecturer on facial trauma to hospital staff, paramedics/EMTs, and firefighters and has sponsored community CPR courses. Dr. Sheets is a Fellow of the American Association of Oral and Maxillofacial Surgeons, a Fellow and Diplomate of the International Congress of Oral Implantologists, and is a member of the Mid Western Society of Oral and

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NEW BOARD APPOINTEE (Continued)

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Maxillofacial Surgeons, the Missouri Society of Oral and Maxillofacial Surgeons, the International College of Dentists, the American Dental Association, the Missouri Dental Association, the American Congress of Oral Implantologists, and the Southeast Missouri Dental Society. Dr. Sheets is also the founder and past-president of GROWS Implant Group, which is a dental implant study club. He is the Chief of the Oral and Maxillofacial Surgery Department at Southeast Missouri Hospital and also has hospital privileges in other area hospitals. Dr. Sheets is a current member in many civic/social organizations in his community. He is married to Chris Sheets and has two children, Jordan Christopher and Emily Elizabeth.

CONTINUING EDUCATION

Beginning December 1, 2002, the Missouri Dental Board established a two-year licensing period. The reporting period for continuing education was also changed to a two-year time block to coincide with the two-year licensing period. A dentist is required to complete 50 hours of continuing education during each two-year time block. A dental hygienist is required to complete 30 hours of continuing education during each two-year time block. What this means is that if your license expires on November 30, 2004, you will need to complete the appropriate number of hours of continuing education between the dates of December 1, 2002 and November 30, 2004. The Missouri Dental Board cannot renew a license unless the licensee provides satisfactory evidence that he/she has met the continuing education requirement. When you receive the application for renewal of your license there will be a "Continuing Education Report Form" attached to the application. In order for your application to be processed and your license renewed you must fill out this form. Make sure to list each course you completed on the form in legible print or type. Illegible forms may be rejected and returned to you, slowing down your licensing process. You may download copies of the "Continuing Education Report Form" from the Missouri Dental Board's website, www.ecodev.state.mo.us/pr/dental. Do not send documentation supporting your continuing education hours with your renewal.

The Missouri Dental Board will again be conducting random audits of licensees to verify compliance with the continuing education requirement. What this means is that the Board will be requesting documents/records from you to verify you completed the courses that you listed on the "Continuing Education Report Form". Licensees are required to keep these records/documents for a minimum of 6 years after the reporting period in which the continuing education was completed. For example, the records/documents of the continuing education you complete to renew your license by November 30, 2004 will have to be maintained until 2010. It is a good idea to keep these records/documents in such a manner that they can be easily retrieved should you be audited. If you are audited, you will be required to provide the records/documents in a timely manner. Failure to comply with a continuing education audit can be cause for discipline against your license.

There has been some confusion in past audits regarding what constitutes proper records/documents of completed continuing education courses. First off, your records/documents should provide the course title and the date the course was completed. Secondly, the records/documents should provide some sort of "proof of attendance" for each course. Advertisements for upcoming continuing education courses are not acceptable as proof of attendance. In addition, all continuing education must be from a board-approved sponsor. For a list of board-approved sponsors, consult the Missouri Dental Board's rule concerning continuing dental education, 4 CSR 110-2.240. This and all of the Board's rules can be accessed at the Missouri Dental Board's website. Your records/documents should clearly indicate who the approved sponsor for the course was. Finally, the records/documents should clearly list the number of continuing education hours granted for the course.

Licensees are encouraged to review the Missouri Dental Board's continuing education rule, 4 CSR 110-2.240. Failure to obtain the required number of continuing education hours, falsifying information on your "Continuing Education Report Form", or failure to promptly provide proper documentation of your continuing education hours during an audit may be cause for disciplinary action to be taken against your license. The Board takes this matter very seriously and hopes that all licensees understand the importance of the continuing education requirement for licensure. If you have any questions about the continuing education requirements, please contact the Missouri Dental Board office at (573) 751-0040.

ADVERTISING

Due to the increased number of complaints received by the Board regarding advertising and the misconception of the newly revised rule on advertising, the Board felt this would be a good topic to address to the dental population. The revised rule on Addressing the Public for dentists was implemented on December 30, 2002. There are some very significant changes to the rule for those dentists that advertise non-specialty interest areas such as bleaching, cosmetic dentistry, implantology, implant dentistry and TMJ therapy. The rule requires that any announcement or advertisement of services implying non-specialty interest areas, which are not recognized by the American Dental Association, must include a disclaimer. The disclaimer must be clearly legible, with print equal to or larger than the announcement of services, and clearly audible if advertising by radio or television, with speech volume and pace equal to the announcement of services. The disclaimer shall state: "(list non-specialty interest areas) (is/are) non-specialty interest area(s) that require(s) no specific educational training to advertise the service."

A disclaimer is also required when announcing or advertising conscious sedation services, such as sleep dentistry and twilight sleep. The disclaimer shall state: "Conscious sedation is taught as part of post-graduate residency programs approved by the American Dental Association. Dr. (Insert Name) (has/has not) completed an American Dental Association approved residency program in which conscious sedation is taught." The same rule applies requiring that the disclaimer be clearly legible, with print equal to or larger than the announcement of services, and clearly audible if advertising by radio and television, with speech volume and pace equal to the announcement of services.

If a general dentist advertises any terms that imply services associated with specialty practices, such as orthodontics, braces, endodontics, root canals, periodontics, gum surgery, oral surgery, extractions, prosthodontics, crowns, bridges, full or partial dentures, a disclaimer is required. The disclaimer shall state: "This provider is not a specialist in (list specialty areas referenced)." Again, the same rule applies on the size and clarity of the disclaimer.

While the Board understands that there are new provisions in the rule on advertising and violations may occur unintentionally, the Board has a system in place to address reported violations. The first reported incident will result in a letter of concern, the second incident will result in a request for the licensee to appear before the Board, and the third incident will be referred to legal counsel for disciplinary action. The

Board believes it is important that all licensed dentists be aware of the full context of the rule on advertising and conform accordingly. A copy of the rule can be made available upon request, or feel free to download it from the Board's web site. The rule is 4 CSR 110-2.110.

The Board also feels that the following checklist can be helpful to licensees when they are reviewing their advertising to determine compliance with the advertising statutes and rules. Your attention to this matter now could possibly avoid problems with the Board in the future if someone should complain about your advertisement(s).

Checklist for Reviewing Advertisements, Announcements, & Web Pages

(No answers indicate areas of possible violation of Missouri Statutes and Rules Regulating Dental Advertising)

- | Yes | No | |
|--|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Is the ad or announcement true and fair? (If the ad or announcement is in any way false, fraudulent, misleading, deceptive, or unfair, mark no.) |
| If the ad or announcement lists fees, credits, or discounts: | | |
| <input type="checkbox"/> | <input type="checkbox"/> | Are the advertised fees stated as a fixed fee rather than a range? |
| <input type="checkbox"/> | <input type="checkbox"/> | Are the services associated with the advertised fees, credit, or discount stated specifically? |
| <input type="checkbox"/> | <input type="checkbox"/> | In case of a discount or credit, is the fee normally charged for the service stated? |
| <input type="checkbox"/> | <input type="checkbox"/> | If the discount or credit applies to a full range of services, is there an appropriate disclaimer about the availability of regular fee schedule? |
| <input type="checkbox"/> | <input type="checkbox"/> | Does the ad or announcement contain the name of one or more of the currently licensed dentists regularly employed in and responsible for the management of each of the locations listed? |
| <input type="checkbox"/> | <input type="checkbox"/> | Did the doctor graduate from a dental school accredited by the Council On Dental Accreditation (CODA) enabling him/her to use titles such as doctor, dentist, DDS, or DMD? |
| <input type="checkbox"/> | <input type="checkbox"/> | If words are used implying specialization, such as specialist, specializing, specialty, or practice limit- |

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ADVERTISING (Continued)

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ed to, does the doctor hold a valid specialty license issued by the Missouri Dental Board?

- If the title Diplomate is used, is there documentation of diplomate status awarded by a specialty board recognized by the American Dental Association?
- If the doctor practices general dentistry, is there an announcement of that fact that is clearly legible with print equal to or larger than the announcement of services or clearly audible, with speech volume and pace equal to the announcement of services?
- If terms associated with recognized specialties are used, is there a disclaimer indicating that the practitioner is not a specialist that is clearly legible with print equal to or larger than the announcement of services or clearly audible, with speech volume and pace equal to the announcement of services? Such terms include, but are not limited to: orthodontics, braces, endodontics, root canals, periodontics, gum surgery, oral surgery, extractions, prosthodontics, crowns, bridges, full or partial dentures
- If the announcement or ad implies non-specialty interest areas, such as bleaching, cosmetic dentistry, implants, TMJ therapy, is there the appropriate disclaimer for non-specialty interest areas that is clearly legible with print equal to or larger than the announcement of services or clearly audible, with speech volume and pace equal to the announcement of services?
- If the ad or announcement is for conscious sedation, is there the appropriate conscious sedation disclaimer that is clearly legible with print equal to or larger than the announcement of services or clearly audible, with speech volume and pace equal to the announcement of services?

DISCIPLINARY ACTIONS

The following report on disciplinary actions is for the period November 1, 2002 through August 31, 2003. The report typically includes several provisions in its orders, which may not be summarized here. Although great care has been taken to ensure accuracy of the information provided hereafter, inadvertent errors may appear, and no entity should initiate any adverse action against a dentist, dental specialist, or dental hygienist based solely on the following information. Rather, the reader should request a copy of the Board's Order prior to making any decisions affecting licensees. This listing may not reflect appeals filed after the publication of this newsletter.

Buford K. Casebolt, D.D.S., license number 013834, of Osceola, was placed on suspension for thirty days effective, December 1, 2002 - December 31, 2002, followed by probation for five years ending on December 31, 2007, for violation of Section 332.321.2 (15), RSMo 2000. Order currently under appeal.

Stephen M. Matthews, D.D.S., license number 014735, of Ballwin, was placed on suspension for twenty-four months effective, November 25, 2002 - November 25, 2004, followed by probation for five years ending on November 25, 2009, for violation of Sections 332.321.2 (13) and (15), RSMo 2000.

Gregory A. Wait, D.D.S., license number 013830, of Springfield, was placed on probation for one year effective, December 2, 2002 - December 2, 2003, for violation of Sections 332.321.2 (5), (6), (13), and (15), RSMo 2000.

Kenneth S. Powell, D.D.S., license number 011987, of St. Louis, was placed on suspension for three years effective, December 3, 2002 - December 3, 2005, followed by probation for five years ending December 3, 2010, for violation of Section 332.321.2 (2), RSMo 2000. Order currently under appeal.

Vernon J. Wind, D.D.S., license number 011125, of St. Louis, was placed on suspension for twenty-eight days effective, December 3, 2002 - December 31, 2002, followed by probation for five years ending December 31, 2007, for violation of Sections 332.321.2 (5) and (13), RSMo 1994 and Section 332.321.1 (2)(g), RSMo 1978. Order currently under appeal.

Charles M. Waller, D.D.S., license number 2002029904, of Camdenton, was issued a probated, restricted license for five years effective, December 1, 2002 - December 1, 2007, for violation of Sections 332.321.2 (2), (4), (5), (6), and (13), RSMo.

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DISCIPLINARY ACTIONS (Continued)

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D. Michael DeRuyter, D.D.S., license number 012974, of Branson, was placed on suspension for ninety days effective, March 15, 2003 - June 15, 2003, followed by probation for five years ending on June 15, 2008, for violation of Sections 332.321.2 (5), (13), and (20).

Anthony M. Gadbois, D.D.S., license number 2000158123, of Columbia, was placed on suspension for two weeks effective, March 22, 2003 - March 28, 2003 and April 5, 2003 - April 11, 2003, followed by probation for five years ending on April 5, 2008, for violation of Sections 332.321.2 (5), (13), and (15), RSMo 2000.

Mary V. Gadbois, D.D.S., license number 2000158124, of Columbia, was placed on suspension for two weeks effective, March 22, 2003 - April 4, 2003, followed by probation for five years ending on April 5, 2008, for violation of Sections 332.321.2 (5), (6), (13), and (15), RSMo 2000.

Wayne D. Olson, D.D.S., license number 011387, of St. Charles, was placed on suspension for ninety days effective, June 1, 2003 - June 30, 2003, June 1, 2004 - June 30, 2004, and June 1, 2005 - June 30, 2005, followed by probation for five years beginning after the first suspension period and ending on August 30, 2008, for violation of Sections 332.321.2 (5), (6), and (13), RSMo 2000.

Walter W. Autry, D.D.S., license number 014687, of Monett, was placed on probation for five years effective, May 19, 2003 - May 19, 2008, for violation of Sections 332.321.2 (5), (13), and (20).

Paul A. Bonstead, D.D.S., license number 011066, of O'Fallon, was placed on probation for five years effective, May 20, 2003 - May 20, 2008, for violation of a previous disciplinary order.

Michael D. Frede, D.D.S., license number 013703, of St. Louis, was placed on suspension for thirty days effective, May 20, 2003 - June 19, 2003, followed by probation for five years ending June 19, 2008, for violation of a previous disciplinary order.

Margaret M. Riehl, D.D.S., license number 014328, of Bismarck, ND, voluntarily surrendered her license effective, May 27, 2003.

C. Thomas Howard, D.D.S., license number 012909, of Washington, was placed on suspension for thirty days effective, July 4, 2003 - August 3, 2003, followed by probation for five years ending August 3, 2008, for violation of Sections 332.321.2 (5) and (13).

James A. Steen, D.M.D., license number 011772, of St. Peters, was issued a probated license for three years effective, July 29, 2003 - July 29, 2006, for violation of Sections 332.321.1 and .2 (6), RSMo Supp. 2002

Dean O. Cansler, D.D.S., license number 010645, of Marshfield, was placed on probation for five years effective, August 12, 2003 - August 12, 2008, for violation of Sections 332.321.2 (3) and (5), RSMo and 332.321.2 (1), (5), (13) and (20).

REPORTING A CHANGE OF ADDRESS

There seems to be a recurring problem with licensees notifying the Board office of changes in their mailing address. Board Rule 4 CSR 110-2.175 requires licensees to keep the Board informed of their legal name, mailing address and telephone number. Any change must be reported to the Board, in writing, within thirty (30) days.

By not keeping your mailing address current you will not receive mailings with important licensure information. Whenever your mailing address changes, just fax us a notice with your current address. Our fax number is 573-751-8216. Failure to notify the Board of a current mailing address within thirty (30) days is a violation of the Board's rule and a violation of any Board rule is cause for disciplinary action.

NEXT BOARD MEETING

The next meeting of the Missouri Dental Board is scheduled on January 29-31, 2004. The meeting will be held in Jefferson City, Missouri. The open meeting is scheduled on Saturday, January 31st, beginning at 8:00 a.m.

The meeting schedule for the remainder of 2004 is as follows:

April 22-24, 2004 - Cape Girardeau
July 22-24, 2004 - St. Louis
October 28-30, 2004 - Kansas City

The open meetings are on Saturday mornings beginning at 8:00 a.m. Licensees who attend the open session of the Missouri Dental Board's quarterly meetings will receive two hours of continuing education credit per meeting.

For further information regarding meeting times and locations, please feel free to contact the Board's Central Office as it gets closer to the meeting date, or visit our web site. The address is on the inside cover of this newsletter.

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