



# MISSOURI DENTAL BOARD NEWSLETTER

Volume 6, Issue 1

May 2004

## 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

When you assume the presidency of the Missouri Dental Board, one very quickly gains a greater appreciation of those who have gone before you. That's how I feel eight months into my term as Missouri Dental Board President. After all the excitement of being the first dental hygienist elected to the position, it has been business as usual. But to say this has been an ordinary eight months is

probably the understatement of the year.

The legislative session has been the most active for dental related issues in as long as I can remember. The current session that began in January ends on May 14th. The Board anticipates the passage of its legislation, House Bill 970. This is primarily a clean-up measure but it is very important legislation in terms of licensure and enforcement. For example, it will eliminate the specialty examinations currently required under the existing statutes for those applicants that have already passed the American Board examination in their recognized specialty. It clarifies that continuing education is a requirement for re-licensure and that failure to obtain the mandatory hours of continuing education is cause for discipline. We also hope to combine the two existing inactive and lapsed licensure statuses into one so that all licensees that do not renew for whatever reason go through the same process for reactivation. We are hoping to create a new statute dealing with tele-dentistry by defining the practice of dentistry across state lines. There is also a provision in House Bill 970 that grants authority for expedited hearings before the Administrative Hearing Commission for acts that constitute a clear and present danger to the public. And finally, we hope to eliminate Section 332.341 in its entirety because it is in direct conflict with the Board's informal settlement authority.

What has been designated as the ownership proposal has had its share of problems. There were two identical ownership bills introduced, House Bill 1464 and Senate Bill 1122. The introduced version of these bills came about after two years of work involving the Missouri Dental Board, the Missouri Dental Association, the Primary Care Association, and some State Legislators. Because of the Board's limitations in pursuing legislation, the Missouri Dental Association took the proposal and moved it forward. There has been considerable debate in the Legislature regarding these measures. The Board's goal in this proposal was to create a permit category for non-profit dental corporations that are not owned by dentists and bring them under the same enforcement statutes and regulations as dentist owned dental practices. Unfortunately, because of the amendments that have been attached to these bills, the enforcement provisions have been severely limited. The fate of the legislation is questionable at this time.

The anesthesia bill (House Bill 1422) is progressing smoothly through the legislative process at this time. It went through the House as a Consent Bill and we are hop-

*Continued on Page 2*

### IN THIS ISSUE....

President's Message.....	1-2
Sedating Patients for Non Dental Related Procedures .....	2
New Board Appointee.....	3
House Bill 600.....	3
Informed Consent.....	3-4
On Being A Dental Board Member.....	4
Renewals.....	5
Disciplinary Actions.....	6
Next Board Meeting.....	7
Moving? .....	7

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The Honorable Bob Holden

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DEPARTMENT OF ECONOMIC DEVELOPMENT

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## PRESIDENT'S MESSAGE (Continued)

*Continued from Page 1*

ing it will have the same success in the Senate. This bill requires dentists to obtain a permit to administer and prescribe deep sedation or general anesthesia and conscious sedation. Although the Board already requires by rule a permit to administer general anesthesia and parenteral conscious sedation, this bill clarifies the Board's authority to promulgate rules on prescribing and administering sedation in a dental office, including enteral sedation.

Since my term as President ends after our August meeting, this will be my final opportunity in this setting to publicly thank the members of the Board and the professional associations that have supported me this past year. I was recently notified that Governor Holden re-appointed me to the Board for another five-year term so my work with the Board will not end with my presidency. I am very excited about my re-appointment to the Board and will continue to work hard to carry out the Board's mandate to ensure public health, safety and welfare. 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.

## SEDATING PATIENTS FOR NON DENTAL RELATED PROCEDURES

It has recently been brought to the Board's attention that some dentists may be numbing a patient in the dental office and then allowing the patient to leave the office numb so s/he can go to a tattoo artist for permanent makeup applications. In part, the practice of dentistry is defined as the administration of an anesthetic in connection with dental services or dental operations or dental surgery. The practice of dentistry does not provide for the administration of an anesthetic for non-dental related procedures. If a complaint is filed with the Board and the dentist is found to be administering an anesthetic to allow for the patient to have a non-dental related procedure performed, such as the application of permanent makeup, this is cause for the Board to pursue disciplinary action against the licensee.

## NEW BOARD APPOINTEE

On August 28, 2003, Governor Holden announced the appointment of H. Fred Christman, D.D.S. to replace Dr. Rodney L. Beard on the Missouri Dental Board. The Senate confirmed Dr. Christman's appointment in January, 2004. Dr. Christman earned his bachelor's and master's degrees from the University of Missouri at Columbia and in 1983, he earned his D.D.S. degree from the School of Dentistry at the University of Missouri in Kansas City. Dr. Christman is in private practice in Columbia. He is on the medical staff of both Boone Hospital Center and Rusk Rehabilitation in Columbia. Dr. Christman is a member of the American Dental Association; the Missouri Dental Association; the Central District Dental Society; and the Columbia Dental Society. He has served as the Secretary-Treasurer of the Central District Dental Society since 1997. He is also a former President, Vice President and Secretary-Treasurer of the Columbia Dental Society. Dr. Christman is a founding member of the Doctors With a Heart Program. He is also a founder of the Columbia Medigroup Clinic. Dr. Christman participates in Dental Health Month with the Columbia School District as well as the Boone County Health Department Dental Program. He is involved in many volunteer dental programs, such as the King's Daughter Dental Aid Program. Dr. Christman also volunteers his time at area nursing homes, the Boone County Hospital Center Emergency Room, and the Columbia Orthopedic Group for college and high school athletic sports physicals. The Board welcomes Dr. Christman to the Board and wishes to thank Dr. Rodney Beard for his years of dedicated service to the Board and to Missouri citizens.



## HOUSE BILL 600

In our October issue of the Missouri Dental Board Newsletter, Marilyn Williams reported on the passage of House Bill 600. This new law requires all persons and business entities applying for or renewing a professional license with the Division of Professional Registration to have paid all Missouri income taxes and to have filed all necessary state income tax returns for the preceding three years. The Board believes another reminder of this new law is appropriate as renewals are scheduled for mailing sometime in July. The Missouri Department of Revenue will notify licensees of any delinquent taxes owed or if a tax return was not filed. The Department of Revenue will send the notices to our licensees at the address that is on file with the Missouri Dental Board. Another important reason to notify the Board of a change of address. The licensee has ninety days to pay the tax delinquency or file the tax return or make arrangements to achieve a remedy in either situation. If dentists and dental hygienists fail to pay their taxes or fail to file their tax returns, or fail to achieve a remedy with the Department of Revenue, their licenses will be revoked immediately. Although this is not a revocation imposed against the licensee by the Missouri Dental Board, it is considered public disciplinary action and is reportable to the National Practitioner's Data Bank. And as with any disciplinary action, it is a permanent part of the licensee's record. Therefore, if you receive notification from the Department of Revenue during the upcoming renewal of your license that you are delinquent on paying your state income taxes or have not filed a tax return, the Board strongly encourages and recommends that you take steps to immediately achieve a remedy to avoid action against your professional license.

## INFORMED CONSENT

The Missouri Dental Board is mandated by law to protect the health, safety and welfare of the citizens of Missouri where the practice of dentistry or dental hygiene is concerned. That is why one of the most important aspects of being a board member is to thoroughly investigate complaints and to impose appropriate disciplinary action when it has been found that a licensee has violated any provision of the Dental Board statutes and/or rules. One of the most common problems seen by the Board when investigating complaints is the lack of informed consent. Inform-

*Continued on Page 4*

## INFORMED CONSENT (Continued)

*Continued from Page 3*

ed consent and open communications with the patient are key factors in avoiding complaints. It is important that patients are provided with their treatment options along with the associated risks/benefits and then it is critical that it be documented in the file that the patient has consented to a specific treatment. In a contested case, if informed consent is not documented, then it is assumed it was not provided to the patient.

## ON BEING A DENTAL BOARD MEMBER



E. Maxine Thompson

When asked to become the Public Member of the Missouri Dental Board in October of '98, I had not a clue what was involved. Dental Board? What is that? Upon receipt of the "hernia pack" in January '99 for my first meeting, resignation popped up as a possibility, but dragons and leos are not quitters. Can you imagine reading literally reams of written matter in a

foreign language and being expected to draw conclusions and make judgements?

Obviously the number one task was to learn at least a part of that nomenclature. Without the help and patience of fellow board members as well as my personal dentist, my task would have been impossible. Which brings up one of the most valuable, yes precious, aspects of being a Dental Board member: the incredibly wonderful people involved in YOUR profession. Like the majority of the general public, over the years I dreaded visiting my dentist more than anything in this world. It's still not my favorite pastime, but now visits to my dentist are less stressful as I have a better understanding of the difficult job you have in dealing every day with patients just like me.

That brings up another point, the lack of appreciation for and of your profession. I can think of no other--perhaps executioner--in which the client is as reluctant to visit. As a teacher, I knew some students would not appreciate my

efforts, but fortunately the vast majority enjoyed learning, which fed my ego. Even an MD or DO is not right in the patient's face, constantly stooped and dealing in micro-measurements. But you know all that. My point is that I now feel a part of my duty as a Dental Board member must be "education" of the public about you--dental professionals.

Now for a bit of scolding! During these past five years, I've had the privilege of working with twelve of the finest dentists and hygienists in this state. Without exception, these men and women give their time and their efforts for dentistry. You cannot imagine the amount of reading involved not to mention time out of the office for meetings. Oh, and they are richly reimbursed to the tune of \$50 per day for actual meeting days. Phone conferences, of which there are fortunately not many, must be held at night. Sadly, I've heard professionals in many parts of the State criticize Board members. Do I always agree with other Board members? Do THEY agree with me? Certainly not always. We come with different personalities and different milieus, but we value those differences, not merely tolerate. Unity, not conformity, is the key to a successful Board I believe. The one thing for which all strive is the good--no, the BEST for the dental profession and the public. Another group which deserves your heartfelt thanks is the Dental Board staff. You truly cannot believe how hard they work to keep this profession and Board running smoothly!

Thank you for allowing me to share this small part of your profession, of which I am now inordinately proud. If and when you are asked to serve as a member of the Missouri Dental Board, please accept knowing your life will truly be changed! And don't forget to THANK those five gentlemen and our President Pat Lepp, RDH, for their untiring service as well as all of the past members who served so tirelessly.

Gratefully yours,  
Maxine Thompson  
Public Member, Missouri Dental Board

## RENEWALS

Renewal applications are scheduled for mailing to all currently licensed dentists, dental specialists, and dental hygienists in July. Although your current license does not expire until November 30, 2004, renewal applications are mailed early to encourage licensees to renew early. Early renewal will ensure that your application is processed timely and you have your renewed license before your current license expires. The fee for renewal remains the same. It is \$130 for dental hygienists, \$250 for dentists and \$270 for dental specialists. This fee is for a two-year renewal period.

To avoid unnecessary delays in the renewal of your professional license, please answer all the questions on the renewal application itself, sign and date it and then return the application in the envelope that will be provided along with your completed continuing education reporting form and fee. A continuing education reporting form will be provided with your renewal application but you should have one that you have been updating regularly during this current continuing education reporting period. If you do not have a continuing education reporting form you can go online to the Board's web site and download a copy. The Board's web site address is printed on the inside cover of this newsletter. The continuing education reporting period started on December 1, 2002 and ends on November 30, 2004. However, please do not wait until the end of the reporting period to earn your continuing education as this may prevent you from receiving your renewed license before your current license expires. Dental hygienists must have thirty (30) hours and dentists must have fifty (50) hours of approved continuing education during the reporting period to qualify for renewal. Dental hygienists are allowed to carry over fifteen (15) hours of continuing education from the last reporting period. Dentists are allowed to carry over twenty-five (25) hours from the last reporting period. Carry over hours can only be used if those hours were not needed for renewal in 2002. If you are uncertain as to whether your continuing education hours have been approved, please refer to the Board's rule on continuing education (4 CSR 110-2.240) and review the list of Board approved sponsors.

New licensees that obtained their license by examination are exempt from the continuing education requirement. To qualify for this exemption, new licensees must have taken their regional clinical examination during this cur-

rent reporting period. Again that is December 1, 2002 through November 30, 2004. Dental hygienists that obtained their license by credentials will only be required to obtain fifteen (15) hours of approved continuing education to renew if the hygienist became licensed during the second year of the time block, or between December 1, 2003 through November 30, 2004. Dentists that obtained their license by credentials will only be required to obtain twenty-five (25) hours of approved continuing education to renew if the dentist became licensed during the second year of the time block. New licensees that obtained their license by credentials during the first year of the reporting period, or between December 1, 2002 through November 30, 2003, are not exempt from the continuing education requirements.

Online license renewal is a new service being developed by the Missouri Division of Professional Registration. All professions are NOT currently able to renew online. There is no set time line for when boards will be able to participate. If the Dental Board is selected for online license renewal for the upcoming renewal, you will be notified when renewal applications are mailed in July. If online license renewal is available this year for the Dental Board, we would encourage as many licensees as possible to utilize this service.



## DISCIPLINARY ACTIONS

The following report on disciplinary actions is for the period October 1, 2003 through March 1, 2004. 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.

**Julie K. Kohler, R.D.H.**, license number 002036, of Redfield, AR, was placed on three years probation effective October 8, 2003 - October 8, 2006, for violation of Section 332.321 (6) and (11), RSMo 2000.

**Terry S. Niehaus, D.D.S.**, license number 011477, of St. Charles, was placed on suspension for thirty days effective November 14, 2003 - December 14, 2003, followed by probation for five years ending on December 15, 2008, for violations of Section 332.321.2 (5), (6), (8), (13), and (15), RSMo 2000.

**Michael M. Kryzanowski, D.D.S.**, license number 008871, of St. Louis, voluntarily surrendered his license effective November 20, 2003, for violation of Section 332.321.2 (15).

**Theodore Ziske, D.D.S.**, license number 009160, of Salem, was placed on suspension for two weeks effective November 21, 2003 - December 5, 2003, followed by probation for three years ending December 6, 2006, for violation of Section 332.321.2 (3), (5), (6), (11), and (13), RSMo 2000.

**Buford K. Casebolt, D.D.S.**, license number 013834, of Osceola, was placed on suspension for thirty days effective December 4, 2003 - January 3, 2004, followed by probation for five years ending January 4, 2009, for violation of Section 332.321.2 (15).

**James R. Dye, D.D.S.**, license number 012493, of Kansas City, was placed on suspension for thirty to ninety days effective December 26, 2003, followed by probation for five years, for violations of a previous disciplinary order

and Section 332.321.2 (3) and (5). This discipline has been "STAYED".

**Walter W. Autry, D.D.S.**, license number 014687, of Monett, was placed on suspension for three-hundred sixty five days effective December 27, 2003, followed by probation for five years, for violations of a previous disciplinary order.

**Wayne D. Olson, D.D.S.**, license number 011387, of St. Charles, was placed on suspension for ninety days effective December 26, 2003 - March 26, 2004, followed by a probation for five years ending on March 27, 2009, for violations of a previous disciplinary order. This discipline has been "STAYED".

**Christi E. Childress, R.D.H.**, license number 2002005327, of Farmer's Branch, TX, was placed on probation for five years effective February 26, 2004 - February 26, 2009, for violations of Section 332.321.2 (8) and (11).



## NEXT BOARD MEETING

The next meeting of the Missouri Dental Board is scheduled for August 5-7, 2004. The meeting will be held in St. Louis, Missouri. The open meeting is scheduled on Saturday, August 7th, beginning at 8:00 a.m. The date of this meeting has changed from the date published in our October 2003 Newsletter.

The meeting schedule for the remainder of 2004 and 2005 is as follows:

- October 28-30, 2004 - Kansas City
- January 20-22, 2005 - Columbia
- April 21-23, 2005 - Location To Be Determined
- July 21-23, 2005 - St. Louis
- October 20-22, 2005 - 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.

### MOVING? PLEASE NOTIFY THE BOARD OFFICE OF YOUR NEW ADDRESS.

<b>Name:</b>	_____
<b>Profession:</b>	_____
<b>License Number:</b>	_____
<b>Old Address:</b>	_____
	_____
<b>New Address:</b>	_____
(P.O. Box must be accompanied by your physical address)	_____
	_____
Signature:	_____
Date:	_____

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