Meeting Notice
Missouri Dental Board
August 5-7, 2004 8:00 a.m.
Embassy Suites Hotel
901 North First Street
St. Louis, 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 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 Missouri Dental Board may go into closed session at any time during the meeting. If 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
Dan McPherson, Assistant Attorney General
Laurie Morris, Office of Administration
Dr. Jacob Lippert, Executive Director, Missouri Dental Association
President, Missouri Dental Association
President, Missouri Dental Hygiene Association
President, Missouri Dental Assistants Association
Marilyn Williams, Director, Division of Professional Registration
Kelvin Simmons, Director, Department of Economic Development
Open Agenda
Missouri Dental Board
August 5-7, 2004
Embassy Suites Hotel
901 North First Street
St. Louis, Missouri

1:00 p.m. – Thursday, August 5, 2004

1. Call to Order Ms. Lepp
2. Roll Call Dr. Sheets
3. Motion to Close Dr. Aubert

8:00 a.m. – Friday, August 6, 2004
Closed Session

8:00 a.m. – Saturday, August 7, 2004

4. Call to Order Ms. Lepp
5. Roll Call Dr. Sheets
6. Approval of the Agenda Ms. Lepp
7. Approval of the Minutes Ms. Lepp
   • March 26, 2004 – Mail Ballot
   • April 22, 2004 – Joint Meeting with Advisory Commission
   • April 22, 2004 – Policy Review Committee
   • April 22-24, 2004 – Full Board Meeting
   • June 1, 2004 – Mail Ballot
   • June 10, 2004 – Mail Ballot

8. Dialogue with Associations Ms. Lepp
   • Missouri Dental Assistants’ Association
   • Missouri Dental Association
   • Missouri Dental Assistants Educators
   • Missouri Dental Hygienists’ Association

9. Executive Director Report Mrs. Rimiller
   a. Financial Report
   b. Rulemaking Status Report
   c. Renewal

10. Policy Review Committee Report Dr. Jackson
    a. Ban on sargenti paste (4 CSR 110-2.230)
    b. Proposed Rules on TAFP Legislation
11. Well Being Committee Report
   • Utah Conference

   a. Degree of Supervision to place Topical Anesthetic
   b. ADHA Survey on Scope of Practice Issues
   c. Complaints Regarding CRDTS Exam
   d. New Officers
   e. Prioritized Task List

13. AADE
   a. Membership
   b. National Uniform Dental and Dental Hygiene Clinical Exam

14. Botox for Dentistry

15. Protocol Relating to Items Referred to Board Committees and the Advisory Commission

16. Licensure Exemption for Residents in Approved Residency Programs
   a. Inquiry from St. John’s Mercy Medical Center
   b. ADA Resolution 90

17. DOCS Training Courses
   • Reports from Dr. Sheets and Dr. Deyton

18. EFDA Trainers
   • Review Anonymous Inquiry

19. 10:30 a.m. – Probation Violation Hearing
   • Scott A. Schlagenhauff, D.D.S.

20. 11:30 a.m. – Probation Violation Hearing
   • Walter W. Autry, D.D.S.

21. Medical Malpractice Claim Reports
   • Processing Protocol

22. Elections
   • CRDTS Steering Committee Representative
   • CRDTS Exam Review Representatives

23. Committee Assignments
   • Complaint Review Committee
   • Policy Review Committee

24. Election of Officers
   • President
   • Vice President
   • Secretary

25. Other Agenda Items

26. Motion to go into Closed
27. Adjournment
The open meeting of the Missouri Dental Board was called to order by Ms. Patricia Lepp, R.D.H., President, at approximately 1:25 p.m. on Thursday, August 5, 2004, at the Embassy Suites Hotel, 901 North First Street, in St. Louis, Missouri.

BOARD MEMBERS PRESENT:
Ms. Patricia Lepp, R.D.H., President
Dr. Eric J. Aubert, Vice President
Dr. John L. Sheets, Secretary
Dr. Larry W. Jackson, Member
Dr. H. Fred Christman, Member
Ms. Maxine Thompson, Public Member

BOARD MEMBERS ABSENT:
Rolfe C. McCoy, D.M.D., Member

STAFF MEMBERS PRESENT:
Sharlene Rimiller, Executive Director
Vickie Holtmeyer, Executive I
Brian Barnett, Investigator II

LEGAL COUNSEL PRESENT:
Daniel McPherson, Assistant Attorney General
Nanci Wisdom, Private Legal Counsel

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.

CLOSED SESSION
Motion was made by Dr. Aubert and seconded by Dr. Christman to move into closed session pursuant to section 610.021 (1) (3) (5) (7) (13) and (14) and section 620.010.14 (7) RSMo, for the purpose of discussing general legal actions, causes of action or litigation and any confidential or privileged communications between the Board and its attorney; investigative reports and/or complaints and approval of closed minutes. Those voting yes: Ms. Thompson, Ms. Lepp, Dr. Aubert, and Dr. Christman. Motion carried 4 to 0. Dr. Jackson and Dr. Sheets were not present for the vote.
SATURDAY, AUGUST 7, 2004
The open meeting of the Missouri Dental Board reconvened at approximately 8:20 a.m. on Saturday, August 7, 2004, at the Embassy Suites Hotel, 901 North First Street, in St. Louis, Missouri.

BOARD MEMBERS PRESENT:
Ms. Patricia Lepp, R.D.H., President
Dr. Eric J. Aubert, Vice President
Dr. John L. Sheets, Secretary
Dr. Larry W. Jackson, Member
Dr. H. Fred Christman, Member
Dr. Rolfe C. McCoy, Member (via telephone conference)
Ms. Maxine Thompson, Public Member

STAFF MEMBERS PRESENT:
Sharlene Rimiller, Executive Director
Vickie Holtmeyer, Executive I
Brian Barnett, Investigator II

LEGAL COUNSEL PRESENT:
Nanci Wisdom, Attorney At Law
Daniel McPherson, Assistant Attorney General

GUESTS PRESENT:
Karen Reiner, RDH, Missouri Dental Hygienists’ Association
Debra Henderson, RDH, President, Missouri Dental Hygienists’ Association
Deborah Gerecke, RDH, Advisory Commission for Dental Hygienists
Dr. Chuck Poeschel, President, Missouri Dental Association
Fran Tourdot, RDH, Advisory Commission for Dental Hygienists
Tia Strait, RDH, Advisory Commission for Dental Hygienists
Jacob Lippert, D.D.S., Executive Director, Missouri Dental Association
Mark Zust, D.D.S., Missouri Dental Association
J.C. Standlee, D.D.S., Missouri Dental Association
Karen Dent, Oral Health Network of Missouri
Chris Stewart, Oral Health Network of Missouri

APPROVAL OF THE AGENDA
A motion was made by Dr. Christman and seconded by Dr. Aubert that the agenda be approved as printed. Motion carried unanimously.

APPROVAL OF THE MINUTES
A motion was made by Ms. Thompson and seconded by Dr. Christman that the following open minutes be approved as written. Motion carried unanimously.
• March 26, 2004 – Mail Ballot
• April 22, 2004 – Joint Meeting with Advisory Commission
• April 22, 2004 – Policy Review Committee
• April 22-24, 2004 – Full Board Meeting
• June 1, 2004 – Mail Ballot
• June 10, 2004 – Mail Ballot

Ms. Thompson noted for the record that the minutes of the April 22-24, 2004 meeting authorized her expenses to audit the DOCS training in San Francisco on behalf of the Board. Ms. Thompson paid her own expenses to attend that course and will not seek reimbursement from the Board.

**DIALOGUE WITH ASSOCIATIONS**

**Missouri Dental Assistants’ Association**
No report.

**Missouri Dental Association**
Dr. Lippert presented to the Board to report that the Missouri Dental Association’s winter session is scheduled at the same time as the Missouri Dental Board meeting in January. Both are in Columbia at the same hotel. It was the consensus of the Board not to change the date of its January meeting.

**Missouri Dental Hygienists’ Association**
Ms. Debra Henderson presented to the Board and expressed her appreciation for having the opportunity to dialogue. Ms. Henderson congratulated Ms. Lepp and Ms. Thompson on their re-appointments to the Missouri Dental Board. The Missouri Dental Hygienists’ Association (MDHA) has been very busy working with the Missouri Dental Association (MDA), dental educators, and legislators on the dental manpower issues. The next meeting is scheduled for September 13th in Jefferson City. The MDHA is working on a response to MDA’s legislative proposal and will present that at the next meeting. Ms. Henderson also expressed appreciation to Ms. Lepp for attending the MDHA board meetings on a regular basis. She also expressed appreciation to Dr. Sheets for facilitating the group gathering on Friday evening and inviting MDHA members. The next meeting of the MDHA is scheduled on November 12-13, 2004. This is their annual session at Tan-Tar-A, in Osage Beach, Missouri.

**EXECUTIVE DIRECTOR REPORT**

**Financial Statement**
Mrs. Rimiller provided the Board with the following Financial Statement for fiscal year 2004 as of May 31, 2004.
<table>
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<tr>
<th>Description</th>
<th>Board</th>
<th>Adv. Comm.</th>
<th>Total</th>
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<td>Beginning Fund Balance</td>
<td>$1,130,371.89</td>
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<td>Revenue (7/1/03 to 5/31/04)</td>
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<td>Estimated Revenue (6/1/04 - 6-30-04)</td>
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<td>Fund Balance Sub Total</td>
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<td>Appropriations to Board:</td>
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<tr>
<td>Personal Service</td>
<td>$326,490.00</td>
<td>$13,166.00</td>
<td>$339,656.00</td>
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<td>Expense &amp; Equipment</td>
<td>$265,924.00</td>
<td>7,516.00</td>
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<td>Total Appropriations</td>
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<td>$20,682.00</td>
<td>$613,096.00</td>
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<td>Appropriation Expenditures:</td>
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<tr>
<td>Personal Service</td>
<td>$255,029.53</td>
<td>$10,316.50</td>
<td>$265,346.03</td>
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<td>Expense &amp; Equipment</td>
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<td>Total Appropriation Expenditures</td>
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<td>$13,378.11</td>
<td>$414,936.60</td>
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<td>Fund Transfers: (Projected for Year)</td>
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<td>Fringe Benefits</td>
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<td>Rent &amp; Utilities</td>
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<td>General Revenue</td>
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<tr>
<td>DED/MIS</td>
<td>$11,654.92</td>
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<tr>
<td>Refunds</td>
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<td>Professional Registration</td>
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<td>PR Credit for Accounting Position</td>
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<tr>
<td>Hancock</td>
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<td>FY-03 Transfers paid in FY-04</td>
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<td>O.A. Transfer from Board Fund</td>
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<td>Total Transfers</td>
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<td>Total Fund Expenditures</td>
<td>$607,789.66</td>
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<td>$607,789.66</td>
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<td>Unexpended Appropriations:</td>
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<td>Projected Unspent Appropriations</td>
<td>+ $133,500.00</td>
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<td>Projected Fund Balance at 6/30/04</td>
<td>= $558,780.92</td>
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Mrs. Rimiller reported that the June expenditures are now in and that she will provide the fiscal year end financial statement to the Board at its October meeting. Also provided to the Board was a detailed expenditure report for the personal services and expense and equipment appropriations, as well as the five-year fund balance projection. Revenue estimates have been completed for 2005-2009 and have been given to the Division for the new fund balance projections, which should be available at the October meeting. Mrs. Rimiller stated that it will be good to have the figures from this next two-year renewal cycle, which will provide better projection data for the future. Dr. Christman questioned the effect of the two vacancies, the Investigator I position and the Investigator II position. Mrs. Rimiller reported that the Investigator I position will be filled but the Investigator II position is still under review at this time. Mrs. Rimiller said that the Board needs to talk about what it wants to do regarding the position at the October meeting.

Mrs. Rimiller informed the Board that the Division and the Department are starting work on the FY-06 budget. She reported that the Board will have a decision item for the attorneys’ fees case (Lathuras) in the amount of $2,015.44. Although there are sufficient funds available in the Board’s existing Expense and Equipment appropriation for this expense, it was explained that under the law, a special appropriation request has to be made and approved as part of the budget process. Additionally, Mrs. Rimiller mentioned that with the passage of SB 1122, specific to the per diem for Advisory Commission members, the Board could request a decision item to fund that part of the legislation. However, Mrs. Rimiller explained that the Board has the money in its existing personal services appropriation and does not recommend seeking the additional appropriation. The estimated cost is $2,000.

**Rulemaking Status Report**

Mrs. Rimiller reported that the final orders of rulemaking on the Well Being Committee rules and the amendment to the rule for Dental Hygienists to remove the notary requirement for permit applications appeared in the August 1st Missouri Register and should appear in the Code of State Regulations in September and become effective in October. The new proposed rules on dental specialties and addressing the public – dental hygienists have been filed and appeared in the August 2nd Missouri Register.

**Renewal**

Mrs. Rimiller reported that renewal applications are scheduled to be mailed on September 1st. The renewal applications were presented to the Board for their review and final approval. The Board’s attention was directed to the new question that is intended to track expanded function dental assistants. Mrs. Rimiller also reported that the Division has the capability of renewing dental board licensees on-line this year. There will be an additional charge assessed to the licensee for renewing on-line (approximately 2% of the total fee).

The Board questioned if something should be added to the renewal application reminding licensees of the BNDD laws and rules on the requirement to notify that
agency of changes of practice locations. It was also noted that the new BNDD renewal application is difficult to understand for many licensees. Mrs. Rimiller stated that she can address these issues in the newsletter but there is not any more room on the renewal application to add anything further.

Dr. Lippert asked for a change in the question on the dental hygienist renewal application with regard to listing the names of all the dentists employing the hygienist. In an FQHC situation, the hygienist may work for several dentists but has one supervisor, which is usually the dental director. The question will be left as is for now. Dr. McCoy also pointed out the problem with the demographic information from the dental hygienists as they generally have their license mailed to their home address, which is different from their employment address. The MDHA president agreed that the Board needs to collect both home and office addresses for all licensees. Mrs. Rimiller pointed out that if the Board collects that information and it is readily identifiable in the licensing system, both addresses will become public information. Also, it was pointed out that addresses no longer appear on the licenses and that was the big problem with the MDHA. After further discussion, it was the consensus of the Board that the renewal applications ask for both the office address and mailing address on all licensees.

Mrs. Rimiller stated that the Board cannot go on-line with its renewal as long as completion of the continuing education reporting form is a requirement for renewal. Mrs. Rimiller explained that the continuing education question is still on the renewal application and the question must be answered with a “yes” response, meaning that the licensee must attest to having earned the required number of continuing education in the current time block, before the license can be renewed. A motion was made by Dr. McCoy and seconded by Dr. Aubert that the Board eliminate completion of the continuing education reporting form as a requirement for renewal. Motion carried unanimously. It was noted that the continuing education reporting form is still a good tool for licensees to maintain an accurate record of their continuing education hours and that the Board can still make the form available as a convenience to the licensee. Additionally, the form can be printed in the newsletter with an article explaining that submission of the completed form is no longer mandatory.

POLICY REVIEW COMMITTEE REPORT
Dr. Jackson provided a report to the Board on Thursday's Policy Review Committee (PRC) meeting. The PRC heard testimony on the current rule, 4 CSR 110-2.230, which bans the use of endodontic filling materials containing paraformaldehyde. All persons that testified before the PRC spoke in favor of the Board rescinding the rule. It was noted that this is the only rule of the Missouri Dental Board that regulates the use of dental materials and that Missouri is the only state that has a rule banning the use of endodontic filling materials containing paraformaldehyde. Ohio recently rescinded its policy regarding this matter and Florida has a rule, but it does not ban use of the material. Dr. Jackson stated that the PRC will keep this item under review and will come back to the Board, perhaps at its October meeting, with a specific recommendation.
Ms. Lepp reported that the PRC started looking at rules that need to be promulgated as a result of the passage of House Bill No. 970 and Senate Bill No. 1122. It was determined that the PRC will schedule a special meeting just to study the proposed rules. However, the PRC approved the form to begin registering and permitting not-for-profit dental clinics under the provisions of Senate Bill No. 1122, which becomes effective on August 28, 2004. The form approved by the PRC was presented to the full Board for its approval along with the certification form that must be completed by licensees employed by or contracting with FQHC’s and which must accompany the application form. A motion was made by Dr. Christman and seconded by Dr. Sheets that the Board approve the registration/permit application form, the registration/permit certificate, and the certification form as presented. Motion carried 6 to 1. Dr. Jackson voted against the motion.

WELL BEING COMMITTEE REPORT
Dr. Jackson reported that there have been two more licensees and a possible third licensee join the program as volunteers since the date of the last meeting. Mr. Davis reported that the Utah Conference was another very good experience. Missouri had seven dentists in attendance. A financial report was distributed for the Board’s review. It was reported that the next committee meeting is set for just prior to the Board’s October meeting. The Missouri Dental Hygienists’ Association is considering candidates to replace Kate Tansey on the committee. At its October meeting, the committee will be discussing the confidential information that the Missouri Dental Board committee representative sometimes receives as a committee member regarding its participants, particularly with regard to the volunteers, and how knowledge of that information could impact on Board decisions with regard to possible discipline of participants in the program. Dr. Lippert reported that one of the participants in the program donated scholarship money that paid for two other participants to attend the Utah Conference. He also reported that the Missouri Pharmacy Association is looking at the Dental Board program and is considering seeking legislation for a similar program for pharmacists.

ADVISORY COMMISSION FOR DENTAL HYGIENISTS
Ms. Gerecke presented to the Board to provide a report from the Advisory Commission for Dental Hygienists. On behalf of all the Commission members, Ms. Gerecke expressed appreciation to the Board for the per diem allowance. At its last meeting in July, the Commission reviewed an inquiry received from a dental hygienist asking about the supervision levels for using topical anesthetics. The Commission recommended a response that says, “applying topical anesthetic by dental hygienists while performing root planning and scaling is the same degree of supervision required to perform root planning and scaling and these procedures can be performed under general supervision”. The second question that went with this inquiry was whether a dentist is required to diagnose which pockets need placement of arestin or atridox, or if it can be done at the discretion of the hygienist at the time of performing deep scale and root planning, and if so, the degree of supervision required. The Advisory Commission
recommends a response that says, “probing to determine pocket depth and placement of arestin or atridox are both non-surgical periodontal procedures that can be done under general supervision”. The Commission referenced 4 CSR 110-2.130 (3) (D) to support its position. A motion was made by Ms. Thompson and seconded by Dr. Christman that the Board accept the Commission’s recommendations. Motion carried 5 to 2. Dr. Jackson and Dr. McCoy voted against the motion.

Ms. Gerecke presented the Advisory Commission’s recommendation for a response to the American Dental Hygienists’ Association’s questions regarding services that can be performed by dental hygienists in Missouri. The first question was whether dental hygienists can perform subgingival/therapeutic agents. The Commission recommends that the answer is yes and that this is a non-surgical periodontal procedure that can be done under general supervision. The second question of whether dental hygienists can perform bleaching procedures, the Commission recommends that further clarification of the question is needed as the question is too vague. The third question of whether dental hygienists can perform fabrication of bleaching trays, the Advisory Commission recommends that the answer is yes, under general supervision. The fourth and final question of whether dental hygienists can perform brush biopsy, the Advisory Commission recommends that the answer is yes, under indirect supervision. Reference was made to 4 CSR 110-2.130 (4) (C), that says under indirect supervision hygienists are authorized to perform procedures deemed appropriate by a dentist as outlined in Section 332.091, RSMo. A motion was made by Dr. Aubert and seconded by Dr. McCoy that the Board accept the Advisory Commission’s recommendations, except for their response to the question on brush biopsy, and refer that question to the Policy Review Committee for further study. The motion and second to the motion was withdrawn. A motion was made by Dr. Sheets and seconded by Dr. Christman that the Board accept the Advisory Commission’s answers to the ADHA survey questions with a comment under each “yes” response indicating that the procedure can be performed under the appropriate level of supervision. Motion carried 5 to 2. Dr. Jackson and Dr. Aubert voted against the motion.

Ms. Gerecke went on to report that the Advisory Commission reviewed the complaints received from Larry Jeffreys and Monica Myers that were sent to CRDTS regarding the examination administered to dental hygienists at the UMKC School of Dentistry on May 3-4, 2004. The Advisory Commission voted to write letters to Mr. Jeffreys and Ms. Myers explaining that the Commission feels that CRDTS adequately answered their complaints and there is nothing further the Commission can do at this time.

The Commission also voted to send Ms. Gerecke and Ms. Tourdot to the CLEAR Conference in Kansas City. Unfortunately, Ms. Gerecke has a conflict and will be unable to attend.

The Commission considered the fact that the National Board never responded to a letter of concern written by Ms. Thompson regarding discrepancies in the dental hygiene examination administered earlier this year. The Commission recommends that a joint
letter from the Advisory Commission and the Board be written to the National Board acknowledging the situation and to ask for a response. Ms. Gerecke also updated the Board on the Advisory Commission’s Task List. A motion was made by Dr. McCoy and seconded by Dr. Christman that the Board approve the Advisory Commission’s recommendation to write a joint letter to the National Board. Motion carried unanimously.

**SCOTT A. SCHLAGENHAUFF, D.D.S.**

At approximately 10:35 a.m., the Board began its probation violation hearing in the matter of Missouri Dental Board, Petitioner, v. Scott A. Schlagenhauff, D.D.S., Respondent, Case No. DB-04-10. The record will show that Dr. Schlagenhauff was present and was not represented by counsel. The hearing was recorded by a court reporter and a transcript of the hearing will be retained as a permanent record of the Board. Therefore, a summary of the hearing is not made a part of the official minutes of this meeting. The hearing concluded at approximately 10:50 a.m.

**AMERICAN ASSOCIATION OF DENTAL EXAMINERS**

The Board reviewed its policy regarding the payment of dues to the AADE for Board members to be members of the AADE. Dr. Jackson noted that in the past, only examiners have been members of the AADE. A motion was made by Dr. Jackson and seconded by Dr. Sheets that the Board authorize the payment of dues to the AADE only for Board members that serve as examiners. Motion failed by a vote of 6 to 1. Dr. Sheets voted in favor of the motion. It was recognized that the AADE annual meetings do not always relate to examination issues and that any sitting Board member should be able to attend the meetings, with the selection process to be approved by the Board. A motion was made by Dr. McCoy and seconded by Dr. Christman that the Board pay membership dues for any sitting Board member that wants to attend the AADE meetings. Motion carried 6 to 1. Dr. Jackson voted against the motion.

The Board reviewed the memorandum received from the AADE regarding the concept to develop one common examination for dentists and dental hygienists to be known as the National Uniform Dental and Dental Hygiene Clinical Examination. A motion was made by Dr. McCoy and seconded by Dr. Christman that the Board support the concept of one common examination for dentists and dental hygienists. Motion carried 6 to 1. Dr. Jackson voted against the motion.

**BOTOX FOR DENTISTRY**

The Board reviewed the e-mail message from Dr. Jim McGivney regarding an advertisement for a course teaching Botox for Dentistry. A motion was made by Dr. Sheets and seconded by Dr. Aubert that Botox is acceptable for legitimate dental purposes. Motion carried 6 to 1. Dr. Christman voted against the motion.

**WALTER W. AUTRY, D.D.S.**

At approximately 11:30 a.m., the Board began its probation violation hearing in the matter of Missouri Dental Board, Petitioner, v. Walter W. Autry, D.D.S., Respondent,
Case No. DB-04-9. The record will show that Dr. Autry was present and was not represented by counsel. The hearing was recorded by a court reporter and a transcript of the hearing will be retained as a permanent record of the Board. Therefore, a summary of the hearing is not made a part of the official minutes of this meeting. The hearing concluded at approximately 11:40 a.m.

BOARD PROTOCOL ON VARIOUS ASSIGNMENTS
Ms. Lepp asked the Board for clarification on how agenda items are assigned to committees. She asked if it is really necessary that everything go before the Board before it is assigned to PRC, CRC, or the Advisory Commission. A motion was made by Dr. McCoy and seconded by Dr. Jackson that the PRC and CRC chairmen and the Advisory Commission chairperson, with the advice from the President, be given the authority to refer any issues to the appropriate committees in between dates of Board meetings. Motion carried unanimously.

LICENSURE REQUIREMENTS FOR RESIDENTS IN APPROVED PROGRAMS
The Board reconsidered the question received from Dr. Stuart D. Waite, Director of the General Practice Residency at St. John’s Mercy Medical Center in St. Louis. The question is whether the exemptions regarding licensure in Section 332.081.1, RSMo, would include residents in an approved residency program. It was noted that the Board previously took the position that if the residency program is not affiliated with an accredited dental school, the exemption would not apply. The Board also reviewed information received from the Council on Dental Education and Licensure of the American Dental Association (ADA) regarding their proposed resolution on defining the terms dental school and dental college. The question before the Board was whether the ADA resolution, if adopted as presented, would have any affect on the Board’s interpretation of Section 332.081.1, RSMo, which is residents of an approved residency program not affiliated with a dental school are not considered dental school students. A motion was made by Dr. McCoy and seconded by Dr. Christman that a letter be written to Dr. Waite informing him that under the current statute, licensure exemptions do not include residents in approved residency programs if the residency is not affiliated with a dental school and that he may wish to advocate for a change in the law. Motion carried unanimously.

A motion was made by Dr. McCoy and seconded by Dr. Aubert that the licensure exemption issue for residents be referred to the Board’s Policy Review Committee for consideration of a statute change. Motion carried unanimously.

DOCS TRAINING COURSES
Dr. Sheets provided the Board with a report of his attendance at the one-day DOCS training course that was held in Chicago in May. It was noted that Ms. Thompson and Dr. Deyton attended the three-day DOCS training course in June that was held in San Francisco. Dr. Sheets reported that he was impressed with the one-day program. Ms. Thompson presented materials that she received from the three-day course. She said that she is pleased to know that this organization no longer advocates the term “sleep
dentistry”, which was one of the things that she had concerns about regarding this organization. There were no big sales campaigns; it was all technical information regarding sedation dentistry. Ms. Thompson was also impressed with the safety instruction. After the course, the DOCS organization leaders met with representatives of the Boards of Dentistry around the country, including one representative from Canada. It was noted that Dr. Deyton will provide a report on the course and give his opinions of whether the course meets the educational requirements of the proposed Conscious Sedation rule. According to Dr. Deyton’s preliminary report, he is still waiting on some additional documentation to be provided by the DOCS organization before he provides his opinion. Mrs. Rimiller reported that there is still no action on the sedation proposed rules. The proposed rules are still in the review stage at the Division level. When the rules move forward, the Board will need to be prepared and have educational programs approved for the enteral permit requirements. At this time, the DOCS organization is the only course available and so far it has not been approved. It was reported that Dr. Deyton is working with the UMKC School of Dentistry to develop a course. A motion was made by Dr. Christman and seconded by Dr. Jackson that Dr. Deyton be appointed as a liaison to the Board on conscious sedation and that he be asked to analyze the conscious sedation courses that are available and make recommendations to the Policy Review Committee as to whether or not the courses meet the educational requirements for a permit under the Board’s proposed rules. Motion carried unanimously.

EFDA TRAINERS
The Board reviewed the e-mail message from an anonymous source regarding the training session in expanded functions at the Nichols Career Center in Jefferson City. The anonymous source is a certified dental assistant that is questioning the integrity of the program because neither of the instructors are certified in the skill areas of expanded functions. A motion was made by Dr. McCoy and seconded by Dr. Christman that a response be sent to the anonymous source by e-mail explaining that if they want the Board to investigate, a complaint must be filed. Motion carried unanimously.

MEDICAL MALPRACTICE CLAIM REPORTS
The Board discussed its current policy regarding the processing of medical malpractice claim reports. At the present time, the information is recorded on the licensee’s Additional Information (A.I.) sheet and filed away. There is no Board review of the cases, unless a complaint is filed. It was the consensus of the Board that the medical malpractice claim reports be sent to the CRC Chairman for review and action and that the CRC Chairman also address the issue in the strategic plan on complaints currently under review.

ELECTIONS
CRDTS Steering Committee
Dr. Aubert nominated Ms. Lepp to continue in the capacity as the Board’s representative on the CRDTS Steering Committee. Nomination seconded by Dr. Christman. Dr. McCoy suggested that more Board members get involved and serve on
the CRDTS committees. The nomination was withdrawn after Ms. Lepp indicated her preference to serve on the dental hygiene Exam Review Committee (ERC) of CRDTS. Dr. Jackson nominated Dr. Aubert to serve as the Board’s representative on the CRDTS Steering Committee. Nomination seconded by Dr. Christman. There being no further nominations, Dr. Aubert was elected by acclamation to serve as the Board’s Steering Committee representative.

**CRDTS Exam Review Committee Representatives**
Dr. Aubert nominated Dr. Jacob Lippert to serve as the Board’s representative to the CRDTS Exam Review Committee (ERC) for dentists and Pat Lepp to serve as the Board’s representative to the CRDTS ERC for dental hygienists. Dr. Christman seconded the nomination. There being no further nominations, Dr. Lippert and Ms. Lepp were elected by acclamation to serve on the CRDTS Examination Review Committees.

Dr. Lippert reported that he is on a committee to try and develop a joint periodontic examination between Southern, Western, and CRDTS. At the last meeting, all the materials were put together for the people who are developing the computer program. It will be 2006 before the perio examination will be available.

**COMMITTEE ASSIGNMENTS**
A motion was made by Dr. Jackson and seconded by Dr. Aubert that the committee assignments (PRC and CRC) remain the same. Motion carried unanimously. Dr. Jackson will remain as PRC Chairman with Pat Lepp, Maxine Thompson and Dr. Sheets as members. Dr. McCoy will remain as CRC Chairman with Dr. Christman and Dr. Aubert as members.

**ELECTION OF OFFICERS**
Dr. Sheets nominated Dr. Aubert to serve as President of the Board for the upcoming year. Nomination seconded by Dr. Christman. A motion was made by Dr. McCoy that the nominations cease. The Board voted unanimously for Dr. Aubert to serve as the new President of the Board.

Dr. McCoy nominated Dr. Sheets to serve as Vice President of the Board for the upcoming year. A motion was made by Ms. Thompson that the nominations cease. The Board voted unanimously for Dr. Sheets to serve as the new Vice President of the Board.

Dr. Sheets nominated Ms. Thompson to serve as Secretary of the Board for the upcoming year. There being no further nominations, the Board voted unanimously for Ms. Thompson to serve as the Board’s new Secretary.

Ms. Lepp expressed her appreciation to the Board for being given the opportunity to serve as the President of the Board this past year.
CLOSED SESSION
A motion was made by Dr. Aubert at 12:45 p.m. and seconded by Dr. Christman to move into closed session pursuant to section 610.021 (1), (3), (5), (7), (13) and (14) and section 620.010.14 (7) RSMo, for the purpose of discussing general legal actions, causes of action or litigation and any confidential or privileged communications between the Board and its attorney, and approval of closed minutes. Those voting yes: Ms. Thompson, Dr. Christman, Dr. Sheets, Dr. Jackson, Dr. McCoy, Dr. Aubert, and Ms. Lepp. Motion carried unanimously.

POLICY REVIEW COMMITTEE REPORT – CONTINUED
The Board returned to open session to discuss the report previously provided by Dr. Jackson regarding the rule banning the use of the drug N2 containing paraformaldehyde for endodontic filling material. A motion was made by Dr. Sheets and seconded by Dr. McCoy that the Board invite Dr. Keith Wilcox to the next meeting in October for further testimony and that a court reporter be present for the appearance. Motion carried 6 to 1. Dr. Jackson voted against the motion.

ADJOURNMENT
There being no further open business to be brought before the Board at this time, a motion was made by Dr. Aubert and seconded by Dr. Christman that this meeting adjourn. Motion carried unanimously. The meeting adjourned at approximately 7:45 p.m.

Respectfully submitted,

________________________________
Sharlene Rimiller, Executive Director

Approved by the Board on: ________