Meeting Notice

Missouri Dental Board

October 29-30, 2004  8:00 a.m.
Hilton Garden Inn
19677 East Jackson Drive
Independence, 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
Kristi Flint, Assistant Attorney General
Laurie Morris, Office of Administration
Dr. Jacob Lippert, Executive Director, Missouri Dental Association
President, Missouri Dental Association
President, Missouri Dental 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

October 29-30, 2004
Hilton Garden Inn
19677 East Jackson Drive
Independence, Missouri

8:00 a.m. - Friday, October 29, 2004

1. Call to Order
   Dr. Aubert

2. Roll Call
   Ms. Thompson

3. Motion to Close
   Dr. Sheets

8:00 a.m. – Saturday, October 30, 2004

4. Roll Call
   Ms. Thompson

5. Approval of the Agenda
   Dr. Aubert

6. Approval of Minutes
   Dr. Aubert
   - June 30, 2003 – Policy Review Committee
   - July 16, 2003 – Policy Review Committee
   - August 5, 2004 – Policy Review Committee
   - August 5-7, 2004 – Full Board Meeting

7. Dialogue with Associations
   Dr. Aubert
   - Missouri Dental Association
   - Missouri Dental Assistants Educators
   - Missouri Dental Hygienists’ Association
   - Missouri Dental Assistants Association

8. Executive Director Report
   Ms. Rimiller
   - Financial Statement
   - Rulemaking Status Report
   - Renewal Report

   Dr. Jackson

10. MDA Legislative Proposal
    Dr. Aubert
    - Scaling Dental Assistants

11. Well Being Committee Report
    Dr. Jackson

12. AADA Report
    Ms. Rimiller
    Ms. Holtmeyer

13. AADE Report
    Dr. Aubert
• National Uniform Dental and Dental Hygiene Licensure Examinations  

14. Disciplinary Actions – Notifying the Public  
   Dr. Christman

15. 50 Year Licensee Recognition  
    Dr. Jackson

16. Website Linking Permission  
    Ms. Lepp

17. Medicaid School-Based Services Committee  
    Ms. Rimiller

18. 10:30 a.m. – Keith L. Wilcox, D.D.S.  
    • Testimony on the Board’s rule banning the use of sargenti paste for endodontic filling material  
    Dr. Aubert

    • 11:00 a.m. – Disciplinary Hearing  
    Dr. Aubert

20. Approval of CRDTS Examiners for 2005  
    Dr. Aubert

21. Approval of Specialty Committees for 2005  
    Dr. Aubert

22. CRDTS Steering Committee Report  
    Dr. Aubert

23. Strategic Plan Update  
    Pat Lepp

24. Investigator II Vacancy  
    Dr. Aubert

25. Motion to go into Closed  
    Dr. Sheets

26. Adjournment
Revised Open Agenda

Missouri Dental Board

October 29-30, 2004
Doubletree Hotel
16625 Swingley Ridge Road
Chesterfield, Missouri

8:00 a.m. - Friday, October 29, 2004

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

8:00 a.m. – Saturday, October 30, 2004

4. Roll Call Ms. Thompson
5. Approval of the Agenda Dr. Aubert
6. Approval of Minutes Dr. Aubert
   • June 30, 2003 – Policy Review Committee
   • July 16, 2003 – Policy Review Committee
   • August 5, 2004 – Policy Review Committee
   • August 5-7, 2004 – Full Board Meeting

7. Dialogue with Associations Dr. Aubert
   • Missouri Dental Association
   • Missouri Dental Assistants Educators
   • Missouri Dental Hygienists’ Association
   • Missouri Dental Assistants Association

8. Executive Director Report Ms. Rimiller
   • Financial Statement
   • Rulemaking Status Report
   • Renewal Report

9. Policy Review Committee Report Dr. Jackson

10. MDA Legislative Proposal Dr. McCoy
    • Scaling Dental Assistants

11. Well Being Committee Report Dr. Jackson

12. AADE Report Dr. Aubert
    • National Uniform Dental and Dental Hygiene Licensure Examinations
13. Disciplinary Actions – Notifying the Public  
   Dr. Christman

14. 50 Year Licensee Recognition  
   Dr. Jackson

15. Website Linking Permission  
   Ms. Lepp

16. Medicaid School-Based Services Committee  
   Ms. Rimiller

17. 10:30 a.m. – Keith L. Wilcox, D.D.S.  
   • Testimony on the Board’s rule banning the use of sargenti paste 
     for endodontic filling material  
   Dr. Aubert

   • 11:00 a.m. – Disciplinary Hearing  
   Dr. Aubert

19. Approval of CRDTS Examiners for 2005  
   Dr. Aubert

20. Approval of Specialty Committees for 2005  
   Dr. Aubert

21. CRDTS Steering Committee Report  
   Dr. Aubert

22. Strategic Plan Update  
   Pat Lepp

23. Investigator II Vacancy  
   Dr. Aubert

24. Proposed Rule  
   • Improper Influence on Professional Judgment  
   Dr. McCoy  
   Dr. Jackson

25. Motion to go into Closed  
   Dr. Sheets

26. Adjournment
Open Minutes
Missouri Dental Board

October 29-30, 2004
Doubletree Hotel
16625 Swingley Ridge Road
Chesterfield, Missouri

The open meeting of the Missouri Dental Board was called to order by Dr. Eric Aubert, President, at approximately 8:42 a.m. on Friday, October 29, 2004, at the Doubletree Hotel, 16625 Swingley Ridge Road, Chesterfield, Missouri.

BOARD MEMBERS PRESENT:
Dr. Eric J. Aubert, President
E. Maxine Thompson, Secretary
Ms. Patricia A. Lepp, R.D.H., Member
Dr. Larry W. Jackson, Member
Dr. H. Fred Christman, III, Member
Dr. Rolfe C. McCoy, Member

BOARD MEMBERS ABSENT:
Dr. John L. Sheets, Vice President

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

LEGAL COUNSEL PRESENT:
Nanci Wisdom, Outside Legal Counsel
Kristi Flint, Assistant Attorney General

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.

The meeting location was changed from Kansas City to Chesterfield to allow the Board and staff the opportunity to attend a staff member’s funeral. The Board staff made every possible attempt to inform the public of the change in location.

CLOSED SESSION
A motion was made by Ms. Thompson 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: Dr. Aubert, Ms. Thompson, Ms. Lepp, Dr. Jackson, Dr. Christman and Dr. McCoy. Motion carried unanimously.

SATURDAY, OCTOBER 30, 2004
The open meeting of the Missouri Dental Board was called to order by Dr. Eric Aubert, President, at approximately 8:17 a.m. on Saturday, October 30, 2004, at the Doubletree Hotel, 16625 Swingley Ridge Road, Chesterfield, Missouri.

BOARD MEMBERS PRESENT:
Dr. Eric J. Aubert, President
E. Maxine Thompson, Secretary
Ms. Patricia A. Lepp, R.D.H., Member
Dr. Larry W. Jackson, Member
Dr. H. Fred Christman, III, Member
Dr. Rolfe C. McCoy, Member

BOARD MEMBERS ABSENT:
Dr. John L. Sheets, Vice President

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

LEGAL COUNSEL PRESENT:
Nanci Wisdom, Outside Legal Counsel
Kristi Flint, Assistant Attorney General

GUESTS PRESENT:
LeeAnn Turnbaugh, Missouri Dental Assistants’ Association
Mary Young, Missouri Dental Assistants’ Association
Dr. K.L. Young, Missouri Dental Association
Carmen Jackson
Dr. Mark Zust, Missouri Dental Association
Dr. Shanon Kirchhoff, Missouri Dental Association
Dr. Chuck Poeschel, Missouri Dental Association
Lori Bruce, Missouri Dental Hygienists’ Association
Dr. Guy Deyton, Missouri Dental Association
Dr. Ed Kendrick, Missouri Dental Association
Fran Tourdot, Advisory Commission for Dental Hygienists
Dr. Michael Hoffmann
Chris Stewart, Oral Health Network of Missouri
Susan Wilson, Northwest Health Services
Deitra Aubert
Dr. Aubert requested a moment of silence in remembrance of Faga Hollander.

**APPROVAL OF THE AGENDA**
With no additions or corrections, the agenda was approved as printed.

**APPROVAL OF THE OPEN MINUTES**
A motion was made by Ms. Lepp and seconded by Dr. Christman to approve the June 30, 2003 open minutes of the Policy Review Committee as written. Motion carried unanimously. A motion was made by Ms. Lepp and seconded by Dr. Christman to approve the July 16, 2003 open minutes of the Policy Review Committee as written. Motion carried unanimously. A motion was made by Ms. Lepp and seconded by Dr. Christman to approve the August 5, 2004 open minutes of the Policy Review Committee as written. Motion carried unanimously. A motion was made by Ms. Lepp and seconded by Dr. Christman to approve the August 5-7, 2004 open minutes of the full Board Meeting as written. Motion carried unanimously.

**DIALOGUE WITH ASSOCIATIONS**

**Missouri Dental Association**
Dr. Poeschel and Dr. Deyton presented to the Board and requested that the current statute which allows the Board to grant a waiver or extension to a licensee who cannot complete the required continuing education hours be changed to a waiver rather than an extension option for those licensees in the military. Mrs. Rimiller commented that there is already a law in place that waives continuing education for professionals in active military duty.

**Missouri Dental Assistants Educators**
No report presented.

**Missouri Dental Hygienists’ Association**
Ms. Lori Bruce presented to the Board and expressed her appreciation for having the opportunity to speak and sympathized with the Board for their loss. Ms. Bruce informed the Board that the next meeting of the MDHA is scheduled on November 12-14, 2004. This is their annual session at Tan-Tar-A, in Osage Beach, Missouri. Ms. Bruce also informed the Board that MDHA will be asking the legislature for an elimination or extension of the sunset provision in Senate Bill 393 that has a 2006 expiration date. She informed the Board that MDHA will probably be expressing their support to the legislature for the Distance Learning Program that Ms. Strait is proposing through Missouri Southern State University. Ms. Bruce believes there will be some kind of scaling assistant legislation from the Missouri Dental Association and the MDHA will be taking some position on that as well. The MDHA will be replacing Kate Tansey as their representative on the Well-Being Committee at its November meeting. Ms. Bruce
informed the Board that this will be her last meeting in her official capacity as the representative of MDHA. Deborah Henderson will be replacing her as the MDHA liaison to the Board.

**Missouri Dental Assistants Association**

Ms. Mary Young and Ms. LeeAnn Turnbaugh presented to the Board and reported that MDAA recently added another basic skills review course which will be on December 4-5 in Kansas City at the Truman Medical Center. The MDAA is hoping for approval from MDA to put the course on-line so it will be available to all dentists. Ms. Young also reminded the Board of their January workshop. She informed the Board that MDAA has recently launched its website, which is still a work in progress. Ms. Turnbaugh presented the Board with the State Fact Book as a gift from MDAA. She hopes it will give the Board insight as to what other states are doing for dental assistants.

**EXECUTIVE DIRECTOR REPORT**

**Financial Statement**

Mrs. Rimiller provided the Board with the following Year End Financial Statement for fiscal year 2004.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beginning Fund Balance</td>
<td>$1,130,371.89</td>
</tr>
<tr>
<td>Revenue (7/1/03 to 6/30/04)</td>
<td>$96,860.22</td>
</tr>
<tr>
<td>Fund Balance Sub Total</td>
<td>$1,227,232.11</td>
</tr>
<tr>
<td><strong>Total Appropriations</strong></td>
<td>$592,414.00</td>
</tr>
<tr>
<td><strong>Appropriation Expenditures:</strong></td>
<td></td>
</tr>
<tr>
<td>Personal Service</td>
<td>$273,906.25</td>
</tr>
<tr>
<td>Expense &amp; Equipment</td>
<td>$176,720.62</td>
</tr>
<tr>
<td><strong>Total Appropriation Expenditures:</strong></td>
<td>$450,626.87</td>
</tr>
</tbody>
</table>

**Fund Transfers:** (Actual for Year)

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fringe Benefits</td>
<td>$93,312.88</td>
</tr>
<tr>
<td>Rent &amp; Utilities</td>
<td>$9,700.45</td>
</tr>
<tr>
<td>General Revenue</td>
<td>$15,703.21</td>
</tr>
<tr>
<td>Hancock</td>
<td>$0.00</td>
</tr>
<tr>
<td>OA Cost Allocation</td>
<td>$16,182.88</td>
</tr>
<tr>
<td>DED/MIS</td>
<td>$9,402.72</td>
</tr>
<tr>
<td>Refunds</td>
<td>$0.00</td>
</tr>
<tr>
<td>Professional Registration</td>
<td>$44,345.09</td>
</tr>
<tr>
<td>PR Credit for Accounting Position</td>
<td>($29,594.20)</td>
</tr>
<tr>
<td>FY 2003 Transfers paid in FY 2004</td>
<td>$6,664.73</td>
</tr>
</tbody>
</table>
Mrs. Rimiller reported that the $3,609.34 increase in Personal Services in FY04 was due to the $1,200 annual salary increase for full-time employees who earned less than $40,000 per year. There was a decrease in Expense & Equipment spending by $9,982.12, but that was made up by an increase in fund transfer expenditures by $10,752.83. Mrs. Rimiller reported that the overall net effect for FY04 was an increase in spending by $4,380.05. She provided the Board with a report showing the combined revenue and expenditures for the past two fiscal years. The overall net effect of the two-year period was a decrease in spending by $34,318.14. Also provided to the Board was a spending comparison chart for FY01 through FY04 and a detailed expenditure report for the personal services and expense and equipment appropriations.

Dr. Jackson requested an explanation for the Office of Administration cost allocation. Mrs. Rimiller explained that a law was passed two years ago that requires the Board to reimburse the Office of Administration for the services that they provide. Dr. Deyton asked that Mrs. Rimiller give the Board an example of the services provided by OA. Mrs. Rimiller informed the Board that OA reviews and approves all budget items, all legislative items, and processes every payment request. Mr. Randy Singer was given the opportunity to express his thoughts on the matter, as well as his fond memories of Faga Hollander.

Rulemaking Status Report

Mrs. Rimiller reported that all rules associated with conscious sedation, deep sedation and general anesthesia appeared in the October 15, 2004 issue of the Missouri Register. She informed the Board that the comment period ends on November 15, 2004 and that the Board won’t be able to vote on the Final Orders of Rulemaking until after that date. Mrs. Rimiller said that she has received only one negative comment regarding the rules so far. She also informed the Board that when the Final Orders of Rulemaking are filed, the Board will have to respond to all comments. Mrs. Rimiller reported that the rules on the Dental Well Being Committee went into effect September 30, 2004, the changes to the rule on Dental Hygienists will go into effect November 30, 2004, and the Addressing the Public – Dental Hygienists rule will go into effect December 30, 2004. Mrs. Rimiller told the Board that she hasn’t heard any indication that there will be a JCAR hearing on the rule defining dental specialties. She also informed the Board that she hopes to have updated rulebooks printed within the next 30 days. Dr. Deyton informed the Board that he checked with Dr. Dick Brown at UMKC, and was told that by the end of January, he will have a course available for those individuals who need to obtain conscious sedation permits. Dr. Deyton also requested from the Board for Mr. Brown that both the Board and the respective
associations do as much as possible to get the information regarding the new rules out to the licensees as soon as possible. Dr. Michael Hoffmann informed the Board that the American Society of Anesthesiology and the American Society of Dentist Anesthesiologists are developing courses on conscious sedation. These organizations plan to present the courses to major cities across the United States, and will also offer a hands-on segment. Dr. Deyton told the Board that he feels there should be a conscious sedation committee set up as a subcommittee of the Board. Mrs. Rimiller said that at the August Board meeting the Board appointed Dr. Deyton as a liaison to the Board on conscious sedation. The Board asked that Dr. Hoffman work with Dr. Deyton to evaluate the available course work and come back to the Board with their recommendations.

Renewal Report
Mrs. Rimiller reported that the renewal cycle ends November 30, 2004, and that out of the 6,132 renewals that were mailed, 2,915 have been received and approved by the CRR. She informed the Board that this is the first year dentists will have the ability to renew on-line. Dr. McCoy commented that he believed the on-line renewal system was excellent. He also said it did not bother him to pay the extra amount to renew his license on-line and he was impressed to have received his license within two weeks. Dr. McCoy stated that he wants the Board to have statutory authority to mandate that licensees have to complete the demographic information on their renewal applications.

POLICY REVIEW COMMITTEE REPORT
Dr. Jackson reported that the Policy Review Committee did not meet yesterday as originally scheduled out of respect for Faga Hollander. There was some discussion with the Board on whether home study courses should be accepted for continuing education. This is an item on the PRC Task List. Dr. Jackson presented the following rules to the Board for consideration:

4 CSR 110-2.090 Certification of Dental Specialists
4 CSR 110-2.031 License Renewal – Dentists and Dental Hygienists
4 CSR 110-2.170 Fees
4 CSR 110-2.240 Continuing Dental Education

A motion was made by Dr. Jackson and seconded by Dr. Christman that the proposed rules be approved by the full Board. Motion carried unanimously.

WELL BEING COMMITTEE REPORT
Dr. Jackson reported that new participants have come into the Well Being Program. The program is doing very well, it is very productive and very helpful to the Dental Board. Dr. Jackson also presented the Board with a Financial Report prepared by the Committee secretary. A motion was made by Dr. McCoy and seconded by Ms. Lepp that the Well Being Committee investigate the need for additional funding and bring the information to the January Board meeting. Motion carried unanimously.

FIFTY YEAR LICENSEE RECOGNITION
Dr. Jackson presented the Board with a list of names to receive the 2004 Fifty Year Licensee Recognition award. He informed the Board and guests that the recipients will be honored by both the Senate and the House at a special ceremony in January, and the Missouri Dental Association will provide a luncheon following the recognition at the Capitol. Dr. Aubert requested that a special invitation to attend the ceremony be sent to Dr. Beard.

**MDA LEGISLATIVE PROPOSAL**
Dr. McCoy reported to the Board that he along with Ms. Lepp and Ms. Thompson attended the last meeting of the Missouri Dental Healthcare Worker Focus Group. He informed the Board that he believes the scaling dental assistant issue is one for the associations and the legislature to resolve and that the Dental Board should take a neutral position. However, he does feel it is imperative that the Board stay up to date. A motion was made by Dr. McCoy that a representative of the Board be present at all future meetings in order for the Board to stay informed. Dr. McCoy withdrew his motion. A motion was made by Dr. McCoy and seconded by Ms. Thompson that the scaling dental assistant issue be added to the PRC task list. Motion carried 5 to 0. Dr. Jackson was absent for the vote.

**AMERICAN ASSOCIATION OF DENTAL EXAMINERS**
Dr. Aubert updated the Board on the National Uniform Dental and Dental Hygiene Licensure Examinations being developed by the American Association of Dental Examiners (AADE). He told the Board that the organizations supplying the exams will remain as separate components that make up the AADE, but they will all administer the same exam. WREB originally supported the concept of the uniform exam, but individual members of WREB weren’t comfortable signing the non-compete agreement until WREB’s Board of Directors decide how it wants to proceed. As a result, WREB has since pulled their support. Dr. Aubert reported that the AADE Executive Counsel recommended that the name of the AADE be changed to reflect the association’s true services. The name recommended was “Federation of State Dental Boards,” which was voted down. He also said that the AADE wants to implement the national uniform exam by 2006. The American Dental Association (ADA) currently has a five-year plan to develop its own exam. Dr. Aubert feels that this would be an extreme conflict of interest. Ms. Lepp informed the Board that she believes CRDTS has good representatives working on the committee in the development of the national uniform exam. She also said that the AADE provided her with a copy of the presentation that was given at the meeting that she will share if anyone is interested.

**DISCIPLINARY ACTIONS – NOTIFYING THE PUBLIC**
Dr. Christman reported that he would like for the general public to be able to look up discipline on the Board’s website. Currently, the public can find that information in the newsletter, which is posted on the Board’s website. A motion was made by Dr. McCoy and seconded by Dr. Christman to change the link on the Board website to “Newsletter/Discipline.” Motion carried 5 to 0. Ms. Thompson was absent for the vote.

**WEBSITE LINKING PERMISSION**
Ms. Lepp informed the Board that Mrs. Rimiller received an e-mail from a representative of Dentists’ Advantage asking for permission to link the Board website to theirs, as well as a reciprocal link from their website to the Board’s. The Board members generally agreed that they don’t want to start linking their website to that of private companies, but asked for input from the Division’s MIS staff before sending a response.

**MEDICAID SCHOOL-BASED SERVICES COMMITTEE**

Mrs. Rimiller reported that the Medicaid School-Based Services Committee was organized to look into standard of care issues with regard to sealants and other services that are being provided to children in a school setting. She said the Board appointed Dr. McCoy to serve as its representative on the Committee and the Hygiene Commission appointed Deb Gerecke to serve as its representative on the Committee. The Committee had its first meeting in August and Mrs. Rimiller thought it was very informative. Due to Election Day, the second meeting was cancelled. The next Committee meetings are scheduled on December 6, 2004 and January 11, 2005. Mrs. Rimiller informed the Board that the Committee wants to start working on more of the technical components such as standard of care and that is when Dr. McCoy’s input will be important. Mrs. Rimiller found it interesting that dentists aren’t considered among the group of school-based providers that are reimbursed under the Medicaid system, unless the services are provided and billed through one of the insurance companies on contract with the state Medicaid program. Dr. Young informed the Board that he is a retired dentist who volunteers for a school-based dental program through Bridgeport Dental. He currently doesn’t get reimbursed for his services, but Bridgeport Dental requested that he get a Medicaid number so they can bill Medicaid for the services he provides.

**KEITH L. WILCOX, D.D.S.**

Dr. Keith Wilcox did not appear for the discussion on the Board’s rule banning the use of sargenti paste for endodontic filling material. However, Dr. Ed Kendrick with the American Endodontic Society spoke in support of removing the ban. Dr. Kendrick would like the Board to distinguish between sloppy root canal cleaning and filling, and the actual materials themselves. He believes the problem with sargenti paste being used for endodontic filling material stemmed from improper use, not the material itself, and would like the Board to reconsider its use in the dental practice. Dr. Kendrick believes the Board could’ve also banned Clorox for the same possibilities of impairment and harm to patients.

**APPROVAL OF CRDTS EXAMINERS FOR 2005**

The Board reviewed the list of examiners for CRDTS for 2005. A motion was made by Dr. McCoy and seconded by Ms. Thompson to approve the list of CRDTS examiners for 2005 as provided. Motion carried 5 to 0. Dr. Jackson was absent for the vote.

**APPROVAL OF SPECIALTY COMMITTEES FOR 2005**

The Board reviewed the list of specialty committees for 2005. A motion was made by Dr. McCoy and seconded by Dr. Christman to approve the list of specialty committees for 2005 as provided. Motion carried unanimously.
STRATEGIC PLAN UPDATE
Ms. Lepp informed the Board that at its April meeting in Cape Girardeau, the Board met with Gloria Andrews in order to come up with a strategic plan. At that time, the Board identified five areas it felt were important to address, the first of which was an evaluation of the complaint process. Ms. Andrews later met with staff members to design a flow chart. Dr. McCoy informed the Board that he has made a few changes in the complaint process. He said that Ms. Holtmeyer sends complaint packets to him on a weekly basis. He then makes the decision whether to refer the complaint for the Complaint Review Committee (CRC) to look over or to go ahead and send it to the consent agenda for the full Board to review. A motion was made by Dr. Christman and seconded by Ms. Thompson to give the CRC chairperson the authority to send complaints directly to the consent agenda or regular agenda at his/her discretion. Motion carried unanimously.

INVESTIGATOR II VACANCY
Mrs. Rimiller informed the Board that the Investigator II position has been vacant for over six months. At the Division Director’s request, Mrs. Rimiller said she waited the six months to better evaluate the position to see if the Board could get by with only one field investigator. After evaluating the situation, Mrs. Rimiller recommended that the Board fill the position. A motion was made by Dr. McCoy and seconded by Dr. Christman that Mrs. Rimiller try to fill the Investigator II position. Motion carried unanimously.

PROPOSED RULE
The Board reviewed the proposed rule 4 CSR 110-2.250 Improper Influence on Professional Judgment. Dr. Deyton informed the Board that the MDA is strongly in favor of this rule, but has some suggestions for the Board to consider. The first suggestion is that anytime the phrase “professional judgment of the dentist” appears, the word “reasonable” be inserted before professional judgment. The second suggestion is to add “or is contrary to generally accepted standards within the dental profession” to the end of section (b) (8). Susan Wilson, CEO of Northwest Health Services and Chris Stewart, Director of Oral Health Network of Missouri, went on record in opposition to the rule. They don’t believe the rule is necessary to enforce what is already in statute. They also have concerns about possible constraints that could be placed on their program that would impede their efforts to maintain high standards of care. A motion was made by Dr. McCoy and seconded by Dr. Christman to promulgate the rule as revised with Dr. Deyton’s suggestions. During discussion, Dr. McCoy withdrew his motion, but requested that the Board set a timeframe within the next thirty days to address the rule again. A motion was made by Dr. McCoy and seconded by Dr. Christman to add the discussion to the conference call agenda that will be scheduled to review the sedation rules and comments. Motion carried 5 to 1. Dr. Jackson voted against the motion.

OTHER AGENDA ITEMS
Ms. Lepp informed the Board that the next Advisory Commission meeting is November 11, 2004 in Jefferson City at 3:00 p.m.
CLOSED SESSION
A motion was made by Ms. Thompson at 12:39 p.m. and seconded by Dr. McCoy 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: Dr. Aubert, Ms. Thompson, Ms. Lepp, Dr. Jackson, Dr. Christman and Dr. McCoy. Motion carried unanimously.

ADJOURNMENT
There being no further open business to be brought before the Board at this time, a motion was made by Dr. McCoy and seconded by Dr. Christman that this meeting adjourn. Motion carried unanimously. The meeting adjourned at approximately 5:30 p.m.

Respectfully submitted,

Bonnie Mengwasser, Executive I

__________________________
Sharlene Rimiller, Executive Director

Approved by the Board on: ________