Meeting Notice

Missouri Dental Board and
Advisory Commission for Dental Hygienists

July 21, 2006 4:00 p.m.
Doubletree Hotel & Conference Center
16625 Swingley Ridge Rd.
Chesterfield, 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 and the Advisory Commission for Dental Hygienists 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 and the Advisory Commission for Dental Hygienists 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
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
David T. Broeker, Director, Division of Professional Registration
Gregory A. Steinhoff, Director, Department of Economic Development
Open Agenda

Missouri Dental Board and
Advisory Commission for Dental Hygienists

July 21, 2006 – Joint Meeting
Doubletree Hotel & Conference Center
16625 Swingley Ridge Rd.
Chesterfield, Missouri

1. 4:00 p.m. - Call to Order  Dr. Sheets
2. Roll Call  Ms. Lepp
3. Approval of the Agenda  Dr. Sheets
4. Dental Hygiene Renewal Application  Ms. Gerecke
   • Review and Approval of Form
5. Administration of Jurisprudence Exam  Justin Smith
   • Update on Use of Outside Testing Services
6. Inquiry from Patricia Gardner  Ms. Gerecke
   • Practicing in Public Health Settings
7. Application of Fluoride Varnishes  Ms. Gerecke
   • Report from Harold Kirby
8. Review Updated Task List  Ms. Gerecke
9. Motion to Close  Dr. McCoy
10. Return to open for Adjournment

Posted: 07/05/06
9:00 a.m.
Open Minutes
Missouri Dental Board
Advisory Commission for Dental Hygienists

July 21, 2006    4:00 p.m.

Doubletree Hotel & Conference Center
16625 Swingley Ridge Road
Chesterfield, Missouri

The open session of the joint meeting of the Missouri Dental Board and the Advisory Commission for Dental Hygienists was called to order by Dr. John Sheets, President, at approximately 4:00 p.m. on Friday, July 21, 2006 at the Doubletree Hotel & Conference Center, 16625 Swingley Ridge Road, Chesterfield, Missouri.

BOARD MEMBERS PRESENT:
Dr. John L. Sheets, President
Dr. Rolfe C. McCoy, Vice President
Ms. Patricia Lepp, R.D.H., Secretary
Dr. Eric J. Aubert, Member
Dr. H. Fred Christman, Member
Dr. Kevin D. Wallace, Member
Ms. E. Maxine Thompson, Public Member

ADVISORY COMMISSION MEMBERS PRESENT:
Deborah L. Gerecke, R.D.H., Chairperson
Tia Marie Strait, R.D.H., Secretary
Debra A. Adams, R.D.H., Member
Deborah K. Polc, R.D.H., Member

STAFF MEMBERS PRESENT:
Mr. Justin Smith, Executive I
Brian Barnett, Investigator III
Mark Dudenhoeffer, Investigator II
Vickie Holtmeyer, Investigator I

LEGAL COUNSEL PRESENT:
Ms. Nanci Wisdom, Private Legal Counsel

GUESTS:
Charles F. Poeschel, D.D.S., Missouri Dental Association

To better track the order in which items were taken up on the agenda, each item in the minutes will be listed in the order it was discussed in the meeting.
APPROVAL OF THE AGENDA
An item was added to the agenda to discuss the inquiry received from Jill Turnbull regarding charging for an exam when the dentist is not in the office. There being no further additions or corrections, a motion was made by Dr. McCoy and seconded by Dr. Christman that the agenda be approved as amended. Motion carried unanimously with all Board members and Advisory Commission members voting on the motion.

DENTAL HYGIENE RENEWAL APPLICATION
Ms. Gerecke presented the draft dental hygiene renewal application to the Board for final approval. Dr. Sheets questioned the purpose of several questions on the application form. It was noted that most questions are included on the application for purposes of gathering work force and other statistical data. A motion was made by Dr. Christman and seconded by Dr. McCoy that the Board approve the Advisory Commission’s recommendations for changes to the dental hygiene renewal application. Motion carried unanimously with all Board members and Advisory Commission members voting on the motion.

ADMINISTRATION OF JURISPRUDENCE EXAM
Mr. Smith provided an updated report on the information he has been able to gather regarding the possible administration of the jurisprudence examinations by an outside testing agency. According to the information provided, Sylvan Learning Center and Pro Metrics can provide an exam on-line or by computer at a testing center and it can be developed to the Board’s specifications using the existing test bank. However, neither testing agency has provided any cost estimates. The Dental Assisting National Board (DANB) organization is also interested in providing this service to the Board. Their executive director, Cynthia Durley, has been communicating with Mrs. Rimiller and more information will be provided to the Board at the October meeting. Dr. Strait reported that most colleges and universities have testing centers in their facilities that could administer the jurisprudence examinations. These are some of the same testing centers that administer the national board examinations. Mr. Smith was instructed to check with the five state universities in Missouri for more information regarding their services and associated costs.

INQUIRY FROM JILL TURNBULL, R.D.H.
The Board and the Advisory Commission discussed the inquiry received from Ms. Turnbull regarding the legality of a dentist charging for an examination when the only person that sees the patient is the hygienist. The dentist looks at the x-rays and the chart but does not examine the patient’s mouth and that may not occur on the same day that the patient was seen by the hygienist. Ms. Wisdom was asked to contact the American Dental Association (ADA) and find out how they would answer the question. Further discussion of this item was tabled until Ms. Wisdom is able to contact the ADA and gather additional information.

INQUIRY FROM PATRICIA GARDNER
The Board and Advisory Commission reviewed the e-mail inquiry from Ms. Gardner asking if dental hygienists have to be licensed in Missouri for a minimum of three years to practice unsupervised in a public health setting, or could they have been licensed in another state for a portion of that three-year requirement. The Board and Advisory Commission also considered Ms. Wisdom’s legal opinion regarding this question. Reference was made to Section 332.311.1, RSMo. Since that section of the statute requires the dentist and dental hygienist to be licensed in Missouri, Ms. Wisdom said it is presumed that section 2 of that statute was intended for the dental hygienist to be licensed for those three years and in practice, but not necessarily in Missouri. If the hygienist was licensed and practicing in Illinois for two years and is currently licensed and practicing in Missouri for one year, the hygienist should qualify to work unsupervised in a public health setting pursuant to Section 332.311.2, RSMo.

APPLICATION OF FLUORIDE VARNISHES
Ms. Gerecke presented the Board with information from Dr. Harold Kirby with the Department of Health and Senior Services regarding the application of fluoride varnishes. The Department of Health is taking the position that anyone can apply fluoride varnishes as long as they are appropriately trained. Ms. Gerecke explained that pursuant to Section 332.311.2, RSMo, dental hygienists can only apply fluoride varnishes unsupervised in public health settings to Medicaid eligible children and if they did go around applying fluoride varnishes to anyone else outside a public health setting, they would be in violation of that statute. It was the consensus of the Board to support legislation to amend Section 332.311.2, RSMo to delete fluoride varnishes so that dental hygienists are not restricted on the unsupervised application of fluoride varnishes. It was suggested that the Advisory Commission take this legislation to the Missouri Dental Hygienists' Association to consider sponsoring in the 2007 session.

TASK LIST
The Advisory Commission provided the Board with its updated Task List. It is as follows:

1. Annual Review of Statutes relating to the Practice of Dental Hygiene.
2. Jurisprudence Examination Review for Dental Hygienists and Dentists.
3. Monitoring Medicaid Reimbursement for Dental Hygienists and the Number Participating in the Program.
4. Monitoring the Results of the New Renewal Application Questions.
5. School Based Services Committee.
7. Newsletter Articles.
8. Legal Counsel Expenditure for Advisory Commission Meetings.

Ms. Gerecke noted that the Advisory Commission has completed the tasks on its task list, except for those items requiring continual monitoring and updating, and asked if the Board had any other projects that it wanted the Commission to work on. The next

Posted: 07/05/06
9:00 a.m.
meeting is scheduled on November 2, 2006, at Tan-Tar-A Resort in Lake Ozarks.

CLOSED SESSION
A motion was made by Dr. McCoy 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 review of examination materials. Those voting yes: Dr. Aubert, Ms. Thompson, Ms. Lepp, Dr. Wallace, Dr. Christman, Dr. McCoy and Dr. Sheets.

A motion was made by Dr. Strait and seconded by Ms. Gerecke 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 review of examination materials. Those voting yes: Dr. Strait, Ms. Gerecke, Ms. Adams, Ms. Lepp, and Ms. Polc. Motion carried unanimously.

ADJOURNMENT
There being no further open business to be brought before the Board at this time, the joint meeting of the Missouri Dental Board and the Advisory Commission for Dental Hygienists was adjourned at approximately 5:34 p.m.

Respectfully submitted,

Sharlene Rimiller, Executive Director

Approved by the Board on: October 28, 2006