Meeting Notice

Missouri Dental Board

March 13-14, 2009

Hotel Deville
319 West Miller
Jefferson City, 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: Chapter 610.021, Subsections (1), (3), (5), (7), (13), (14), and Chapter 324.001.8 and 324.001.9 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
   Laurie Morris, Office of Administration
   Ms. Vickie Wilbers, Executive Director, Missouri Dental Association
   President, Missouri Dental Association
   President, Missouri Dental Hygienists’ Association
   President, Missouri Dental Assistants’ Association
   President, Missouri Dental Assistants Educators
   Jane Rackers, Director, Division of Professional Registration
Open Agenda
Missouri Dental Board

March 13-14, 2009  8:00 a.m.

Hotel Deville
319 W. Miller Street
Jefferson City, Missouri

Friday, March 13, 2009

1.  8:00 a.m. - Call to Order  Dr. McCoy
2.  Roll Call  Ms. Lepp
3.  Approval of the Agenda  Dr. McCoy
4.  Approval of the Minutes  Dr. McCoy
   • December 12, 2008 PRC Meeting
   • January 29, 2009 Full Board Meeting
   • February 20, 2009 Mail Ballot
   • March 2, 2009 Telephone Conference Call
5.  Policy Review Committee Agenda Items  Dr. Wallace
   a. Review 20 CSR 2110-2.120 – Dental Assistants
   b. Review of Sedation Rules
   c. Prioritize Task List
6.  Future Meeting Schedule  Dr. McCoy
7.  Discussion of Meeting Structure  Dr. McCoy
8.  Other Agenda Items  Dr. McCoy
9.  Motion to go into Closed Session  Dr. McCoy
   • Closed meeting pursuant to Section 610.021, subsections (1), (3), (5), (7), (13) and (14) and 324.001.8 RSMO and 324.001.9 RSMo.

The Board will remain in closed session until adjournment on Saturday, March 14, 2009.

10. Adjournment
The open meeting of the Missouri Dental Board was called to order by Dr. Rolfe C. McCoy, President, at approximately 8:14 a.m. on Friday, March 13, 2009, at Hotel Deville, 319 West Miller Street, Jefferson City, Missouri.

BOARD MEMBERS PRESENT:
Dr. Rolfe C. McCoy, President
Dr. Kevin D. Wallace, Vice President
Dr. Eric J. Aubert, Member
Ms. Patricia A. Lepp, R.D.H., Dental Hygiene Member

STAFF MEMBERS PRESENT:
Mr. Brian Barnett, Executive Director
Ms. Bonnie Mengwasser, Executive I

GUESTS PRESENT:
Ms. Deborah Polc, Advisory Commission for Dental Hygienists
Ms. LeeAnn Turnbaugh, Missouri Dental Assistants Association
Ms. Janet Sell, Ozarks Technical Community College
Ms. Mary Lou Young, Missouri Dental Assistants Association
K.L. Young, D.D.S.
Ms. Vicki Wilbers, Missouri Dental Association
Merle Nunemaker, D.D.S., Missouri Dental Association
Robert Coyle, D.D.S., Missouri Academy of Pediatric Dentists
Mr. Aaron Washburn, Missouri Dental Association
Ms. Kathy Jeffries, Missouri Dental Assistants Educators

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
Dr. McCoy requested that a discussion regarding the CRDTS ERC meeting in April be added to the agenda. A motion was made by Dr. Aubert and seconded by Dr. Wallace to approve the agenda as amended. The motion carried unanimously.

APPROVAL OF THE MINUTES
A motion was made by Dr. Aubert and seconded by Dr. Wallace to approve the following minutes as written:
December 12, 2008 PRC Meeting
January 29, 2009 Full Board Meeting
February 20, 2009 Mail Ballot
March 2, 2009 Telephone Conference Call

The motion carried unanimously.

POLICY REVIEW COMMITTEE AGENDA ITEMS

Review of Sedation Rules
Dr. Wallace reported that one of the former PRC members, Ms. Sharlene Rimiller, had some concerns that she wanted to discuss, but he feels it would be best for the PRC to wait to discuss those concerns until it is determined if Ms. Rimiller will be reappointed to the Board. Dr. Wallace reported that there are still a few key items the PRC needs to focus on, such as the possibility of limiting the amount of oral drugs that can be titrated, airway management training and competency testing.

Review of 20 CSR 2110-2.120 – Dental Assistants
A motion was made by Dr. Wallace and seconded by Dr. Aubert to pass the proposed changes to 20 CSR 2110-2.120 onto the full Board for approval. Those voting yes: Dr. McCoy, Dr. Wallace and Dr. Aubert. Those voting no: Ms. Lepp. The motion carried 3 to 1.

Ms. Lepp noted that subsection (4)(C) should read as follows: “Dental assistants, as defined in subsection (1)(C), may be delegated any specific function listed in subsection (4)(D) of this rule…” Ms. Lepp also informed the PRC that she is opposed to expanding the dental assistants’ scope of practice before the Board has the authority to license them.

Review of Prioritized Task List
A motion was made by Dr. McCoy and seconded by Dr. Aubert to refer the proposed statutory change that would expand the size of the Missouri Dental Board to eight dentists, two dental hygienists and one public member to the PRC. The motion carried unanimously.

A motion was made by Ms. Lepp and seconded by Dr. Aubert to refer the task of developing language to obtain the statutory authority to register dental assistants to the PRC. The motion carried unanimously.

The PRC reviewed its prioritized task list and determined that it should be updated to reflect the following:

1. Review of Sedation Rules and Sedation Courses
2. Review of Proposed Statutory Change to Expand the Size of the Missouri Dental Board
3. Consider Developing Language to Obtain the Statutory Authority to Register Dental Assistants
4. Review of Dental Assistants Basic Skills Exams
5. Review of Dental Assistants and Dental Hygiene rules regarding performing Dental Screenings
6. Consider adding a question to the licensure application asking the applicant if he/she has ever received any type of academic discipline
7. Review of 20 CSR 2110-1.010 – General Organization, 20 CSR 2110-2.110 – Licensure by Examination – Dentists, and 20 CSR 2110-2.050 – Licensure by Examination – Dental Hygienists in light of becoming a WREB member state (20 CSR 2110-2.110 has the 30-day meeting notice requirement that should be eliminated)
8. Review of Section 332.322 to Consider Changes for Dental Hygienists Working Unsupervised in Public Health Settings in order to Increase Access to Care
9. Correspond with the Sedation Committees (Parenteral and Deep) Regarding what they Represent to the Licensee Concerning the Issuance of a Permit while doing the On-Site Evaluations
10. Advisory Commission Recommendation to Amend or Rescind 20 CSR 2110-2.140 – Notice, Change of Employment – Dental Hygienists
11. Review Statute Regarding the Issuance of a Probated License and Consider Changes to Include Language in the Statute Allowing for the Issuance of Probated Permits
13. Review of Renewal Application Questions and EFDA Tracking Data
14. Consider utilization of Professional Background Information Services (PBIS)
15. Review of EFDA Program (Referred to Workforce Ad-hoc Committee)
16. New Model of Dentistry (Workforce and Access to Care)
17. Review of Dental Assistants Rule, 20 CSR 2110-2.120 (EFDA)

POLICY REVIEW COMMITTEE REPORT
A motion was made by Dr. Wallace and seconded by Dr. Aubert to move the proposed changes to 20 CSR 2110-2.120 into the formal rulemaking process. Those voting yes: Dr. McCoy, Dr. Wallace and Dr. Aubert. Those voting no: Ms. Lepp. The motion carried 3 to 1.

CRDTS ERC MEETING
Dr. McCoy reported that he is unable to attend the CRDTS ERC meeting April 17-18, 2009 in Kansas City. A motion was made by Ms. Lepp and seconded by Dr. Aubert to approve Dr. Jacob Lippert as the Board’s designee for the CRDTS ERC meeting. The motion carried unanimously.

Ms. Lepp informed the Board that there is a CRDTS Dental Hygiene ERC meeting on July 11, 2009 that she plans to attend.

DISCUSSION OF MEETING STRUCTURE
Dr. McCoy informed the Board that Mr. Barnett received an opinion from Mr. Earl Kraus, Division attorney, stating that Board members are not to be present during the Commission’s closed session meetings and the Commission members are not to be present during the Board’s closed session meetings.

Dr. McCoy expressed his concern that the Commission meetings can at times be inaccessible to the public because they are not held in conjunction with the full Board meetings.
Dr. McCoy recommended that the Board continue to hold monthly conference calls to discuss closed cases and reserve the actual meetings for open discussions, appearances and hearings. Dr. McCoy recommended that the open Board meetings always be scheduled at 1:00 p.m. on Friday afternoons and follow that with the open Commission meeting. Dr. McCoy would like to reserve the Saturday afternoon of every meeting for appearances only.

A motion was made by Dr. Wallace and seconded by Ms. Lepp to instruct the investigative staff to pull the telephone records from the March 9, 2009 conference call to determine who was dialed in for the call. The motion carried unanimously.

Ms. Wilbers suggested that the Board consider having webinars.

Mr. Barnett informed the Board that the Division now has the ability to set up a secure portal on the website that would allow Board members to download agenda materials, CRC packets, etc. This would give the Board members the ability to access the information more quickly and there would be a tremendous cost savings.

Ms. Lepp expressed her concern that if the Board meetings and Commission meetings were to always be held in conjunction, she would not have adequate time to prepare for both meetings. Dr. McCoy suggested that the Commission consider holding their open session meetings via conference call. Dr. McCoy mentioned that he would like for the Board to review the Commission’s prioritized task list.

A motion was made by Dr. Wallace and seconded by Dr. Aubert to schedule the appearances for the April meeting on Thursday and Saturday, review the closed cases Friday morning, schedule the open meeting at 1:00 p.m., and follow it with the Commission meeting. The Board will also schedule monthly conference calls on Monday evenings at 6:00 p.m. to review closed cases. The motion carried unanimously.

**FUTURE MEETING SCHEDULE**

It was the decision of the Board to schedule the July and October meetings as follows: closed session Thursday, closed session Friday morning, followed by open session at 1:00 p.m. and closed session on Saturday.

A motion was made by Dr. Aubert and seconded by Dr. Wallace to schedule a closed session telephone conference call on Monday, April 13, 2009 at 6:00 p.m. The motion carried unanimously.

Ms. Wilbers requested that the Board schedule its January 2010 meeting to be in conjunction with the Missouri Dental Association’s winter session meeting January 22-24, 2010.
CLOSED SESSION
A motion was made by Dr. Wallace and seconded by Dr. Aubert to move into closed session pursuant to Chapter 610.021, sections (1), (3), (5), (7), (13) and (14), RSMo, and Chapter 324.001.8 and 324.001.9, 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. McCoy, Dr. Wallace, Dr. Aubert and Ms. Lepp. The motion carried 4 to 0.

ADJOURNMENT
There being no further open business to be brought before the Board at this time, a motion was made by Dr. Wallace and seconded by Ms. Lepp that this meeting adjourn. The motion carried unanimously. The meeting adjourned at approximately 1:59 p.m.

Respectfully submitted,

Bonnie Mengwasser, Executive I

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Brian Barnett, Executive Director

Approved by the Board on: April 13, 2009