Meeting Notice

Missouri Dental Board

June 12, 2009

Country Club Hotel and Spa
250 Racquet Club Drive
Lake Ozark, Missouri

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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 the 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
Policy Review Committee
June 12, 2009  8:00 a.m.
Country Club Hotel and Spa
250 Racquet Club Drive
Lake Ozark, Missouri

1. Call to Order          Dr. Wallace
2. Roll Call               Ms. Lepp
3. Approval of the Agenda  Dr. Wallace
4. Consider Developing Language to Obtain the Statutory Authority to Register Expanded Functions Dr. Wallace
5. Review Proposed Statutory Change to Expand the Size of the Missouri Dental Board Dr. McCoy
6. Mobile Dental Clinics   Dr. Wallace
7. Other Agenda Items      Dr. Wallace
8. Prioritize Task List    Dr. Wallace
9. Adjournment
OPEN MINUTES
Missouri Dental Board

June 12, 2009

Country Club Hotel and Spa
250 Racquet Club Drive
Lake Ozark, Missouri

The open meeting of the Missouri Dental Board was called to order by Dr. Rolfe C. McCoy, President, at approximately 8:18 a.m. on Friday, June 12, 2009, at the Country Club Hotel and Spa, 250 Racquet Club Drive, Lake Ozark, 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:
Brian Barnett, Executive Director
Bonnie Mengwasser, Executive I

GUESTS PRESENT:
Ms. Jane Rackers, Director, Division of Professional Registration
Mr. Aaron Washburn, Missouri Dental Association
Ms. Erica Little, R.D.H., President, Missouri Dental Hygienists’ Association
Ms. Deborah Polc, R.D.H., Advisory Commission for Dental Hygienists
Ms. Debra Adams, R.D.H., Advisory Commission for Dental Hygienists
K.L. Young, D.D.S.
Ms. LeeAnn Turnbaugh, Missouri Dental Assistants Association
Ms. Mary Lou Young, Missouri Dental Assistants Association
Merle A. Nunemaker, D.D.S., Missouri Dental Association
Douglas A. Wyckoff, D.D.S, President, Missouri Dental Association
Matthew A. Niewald, D.D.S., President Elect, Missouri Dental Association
Sarah Ledgerwood, Legal Counsel, Division of Professional Registration
Earl Kraus, Senior Legal Counsel, Division of Professional Registration
Kimberly Rogers, R.D.H., President Elect, Missouri Dental Hygienists’ Association
James Mixson, D.M.D.
Robert Busetti, D.D.S.
John Dane, D.D.S., Elks Mobile Dental Program
Lori A. Bruce, R.D.H.
Pamela Whitmeyer
Vicki Wilbers, Missouri Dental Association
Cheryl Haley, D.D.S.
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**
A motion was made by Dr. Aubert and seconded by Dr. Wallace to approve the agenda as written. The motion carried unanimously.

**POLICY REVIEW COMMITTEE AGENDA ITEMS**

**Consider Developing Language to Obtain the Statutory Authority to Register Expanded Functions**
Dr. Wallace informed the Board that the PRC has spent the past two years developing changes to the current dental assistants rule. One of the proposed changes was to have the Board issue a certificate or permit authorizing a dental assistant or dental hygienist to perform expanded function duties. When the Division legal counsel reviewed the proposed changes, it was brought to the PRC’s attention that the Board does not have the statutory authority to issue such a permit. The issue before the PRC, at this time, is to determine if the Board should consider a statute change that would give the Board the authority to issue an expanded functions permit. Mr. Barnett explained that the current proposal simply gives the Board the authority to issue permits to perform expanded functions; it doesn’t change the educational requirements for expanded functions.

A motion was made by Dr. Aubert and seconded by Ms. Lepp to pass the proposed legislation on. The motion carried unanimously.

Ms. Turnbaugh inquired as to what an expanded functions dental assistant would be required to do to renew his/her certification every five years. Mr. Barnett explained that those requirements will be set by rule after the statute change goes into effect.

**Review of Proposed Statutory Change to Expand the Size of the Missouri Dental Board**
Dr. McCoy informed the Board that it came to his attention that the membership of the Missouri Dental Board is one of the smallest in comparison to other states with similar licensee counts. The current members of the Missouri Dental Board spend a large amount of time attending meetings, administering examinations, travelling and working through a large volume of complaints. Dr. McCoy suggested that expanding the Board to include eight dentists could allow for more specialists on the Board. Dr. McCoy also suggested that the term length be changed to four years instead of five, with the option to serve two consecutive terms.

Ms. Erica Little asked what kind of cost would be incurred by the State if the size of the Board were to be increased. Mr. Barnett informed the Board that based upon some very preliminary research he estimates the average annual cost per Board member is about $6,291.94.
Ms. Deborah Polc questioned if the second dental hygiene member on the Board would also be a member of the Advisory Commission for Dental Hygienists (Commission). Dr. McCoy explained that that wasn’t necessarily his intention, and that he would leave that up to the legislature to decide how the second dental hygiene member is chosen. Dr. Niewald asked if the additional cost that would result from increasing the size of the Board would be paid for using licensing fees. Mr. Barnett explained that the Missouri Dental Board’s only source of revenue is from licensing fees; the Board does not receive any funding from general revenue.

Dr. Wyckoff informed the Board that the Missouri Dental Association would be very supportive of the expansion of the Board, and asked if there would be any changes to the composition of the Commission. Dr. Wallace explained that the proposed language would not make any changes to the composition of the Commission. Ms. Polc expressed that she feels it is very important to retain the Commission because its members make recommendations to the Board on issues concerning the licensing and/or discipline of dental hygienists, and because one of the members of the Commission is an educator. Dr. McCoy believes there would be a significant cost-savings to do away with the Commission. Dr. Wallace noted that he believes it is a conflict of interest to allow an educator to be a member of either the Board or the Commission. Dr. Wallace feels that having meetings that are open to the public, allow the educators plenty of opportunities to discuss the issues they feel are important, and he commended the dental assistant educators for always having representation at the Board’s meetings. Ms. Debra Adams feels that due to the fact that the number of dental hygiene licensees is almost equal to the number of dental licensees, there should be equal representation on the Board, especially if the Commission were to be dissolved with the expansion of the Board.

Dr. McCoy suggested that the Missouri Dental Association and the Missouri Dental Hygienists’ Association work together to form a compromise.

Ms. Lori Bruce asked what the average annual cost per Commission member is. Mr. Barnett informed the Board that based upon some very preliminary research he estimates the average annual cost per Commission member is about $2,203.85.

Dr. Young suggested that if the number of dental hygiene members on the Board is increased, that the Board should also consider adding a certified dental assistant or an expanded functions dental assistant to the makeup of the Board.

A motion was made by Dr. McCoy and seconded by Dr. Aubert to pass the proposed language on. The motion carried unanimously.

Dr. Wyckoff reported that the MDA’s position is that it will support the proposal to expand the Board with the abolishment of the Commission.
Mobile Dental Clinics
Dr. Wallace expressed his appreciation to the Board staff for their work on putting together the proposals on all three of today's issues. Dr. Wallace reported that the Board’s main concern with mobile dental clinics, in terms of protecting the public, is the risk of patient abandonment.
Mr. Barnett informed the Board that he put this proposal together while researching what other states have been doing with regard to mobile dental clinics. One of the things Mr. Barnett thought might address the issue of patient abandonment was to require all mobile dental units to maintain a permanent address and telephone number with the Board office. Because of this requirement, Mr. Barnett believes it would be necessary to require that all mobile dental units register with the Board office. Mr. Barnett reported that there will not be a fee associated with the registration of mobile dental clinics.

Dr. Dane with the Elks Mobile Dental Program informed the Board that he agrees there should be some form of regulation for mobile dental units. Dr. Dane expressed his concern with the requirement in section 6 of the proposed language, which states: “follow-up care shall be made available in the same area where the patient received care…” Dr. Dane informed the Board that the Elks program provides care to many mentally retarded patients. Finding someone in the immediate area to provide follow-up care is extremely difficult because many dentists aren’t equipped to provide dental services to the mentally retarded population.

Dr. Mixson informed the Board that he has provided nursing home dentistry for the past twenty years. He is very glad the Board is looking into this issue and would welcome this type of registration. Dr. Mixson asked for clarification on what the Board considers to be a “portable dental unit.” Mr. Barnett explained that his intention for the definition of a portable dental unit is to cover any scenario that isn’t covered by the definition of a mobile dental clinic, such as when dental care is provided in nursing homes and schools.

Dr. Busetti informed the Board that he primarily deals with long-term care facilities, which are highly regulated by both the federal and state governments. Nursing homes have very specific requirements for providing dental care that the Board might consider looking at when drafting its language.

Future Meeting Schedule
The next PRC meeting will be scheduled during the Board’s August meeting. Dr. Wallace requested that the agenda include discussions on the proposed changes to the sedation rules and the proposed legislation regarding mobile dental clinics.

The next telephone conference call is scheduled for Monday, July 27, 2009 at 6:00 p.m. if necessary.
Review of Prioritized Task List
The PRC reviewed its prioritized task list and determined that no changes need to be made at this time.

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. Wallace that this meeting adjourn. The motion carried unanimously. The meeting adjourned at approximately 10:55 a.m.

Respectfully submitted,

Bonnie Mengwasser, Executive I

Brian Barnett, Executive Director

Approved by Board on: August 6, 2009