Meeting Notice

Missouri Dental Board

July 22-24, 2010

Missouri Council of School Administrators
3550 Amazonas Drive
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 the attached tentative agenda for this meeting.

cc: Members, Missouri Dental Board
Members, Advisory Commission for Dental Hygienists
Loretta Schouten, Attorney-at-Law
Office of Administration
Vicki Wilbers, Executive Director, Missouri Dental Association
President, Missouri Dental Association
President, Missouri Dental Hygienists’ Association
Missouri Dental Assistants’ Association
Missouri Dental Assistants Educators
Jane Rackers, Director, Division of Professional Registration
Open Agenda

Missouri Dental Board
July 22 - 24, 2010

Missouri Council of School Administrators
3550 Amazonas Drive
Jefferson City, MO 65109

Thursday, July 22, 2010

1.  8:00 a.m. Call to Order Dr. Wallace
2.  Roll Call Ms. Lepp
3.  Approval of the Agenda Dr. Wallace
4.  Ted Lewis, D.M.D.
   •  8:30 a.m. – Probation Violation Hearing Dr. Wallace
5.  Motion to go into Closed Session
    Closed meeting pursuant to Sections 610.021 (1), (3), (5),
    (7), (13) and (14), RSMo, 324.001.8, RSMo and 324.001.9,
    RSMo.
    Dr. Aubert

   The Board will remain in closed session until
   Friday, July 23, 2010 at 3:00 p.m.

Friday, July 23, 2010

6.  Approval of the Open Minutes Dr. Wallace
   •  April 15-17, 2010 Full Board Meeting
   •  May 19, 2010 Conference Call
   •  June 23, 2010 Conference Call
7.  Request From Michael Hoffmann, D.D.S. for Approval of
    Nitrous Oxide Monitoring Course Dr. Wallace
8.  Request from Alan Schwartz, D.D.S. for Approval of Online
    Sedation Monitoring Course Dr. Wallace
9.  Request from Tony Gadbois, D.D.S. and Mary Gadbois,
    D.D.S. for Approval of Basic Skills Mastery Examination for
    Dental Assistants Dr. Wallace
10. Review and Approval of Specialty Committees for FY-11  

Dr. Wallace

11. Elections  
   • CRDTS Representatives  
   • WREB Representatives  

Dr. Wallace

Saturday, July 24, 2010

12. 8:00 a.m. – Call to Order  

Dr. Wallace

13. Roll Call  

Ms. Lepp

14. Executive Director Report  
   • Financial Statement  
   • Rulemaking Status Report  
   • Legislative Report  
   • FY 2010 License Statistics  

Mr. Barnett

15. Dialogue with Associations  
   • Missouri Primary Care Association  
   • Missouri Dental Assistants Educators  
   • Missouri Dental Hygienists’ Association  
   • Missouri Dental Assistants Association  
   • Missouri Dental Association  

Dr. Wallace

16. Review of Rule Change Proposals Necessary to Implement Expanded Functions Permits  
   • 20 CSR 2110-2.120 Dental Assistants  
   • 20 CSR 2110-2.130 Dental Hygienists  

Dr. Wallace

17. Mobile Dentistry  

Dr. Wallace

18. Future Board Meetings  

Dr. Wallace

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

Dr. Wallace

20. Other Agenda Items  

Dr. Wallace

21. Adjournment  

Dr. Wallace

Posted: 7/9/10  
12:00 p.m.
The open meeting of the Missouri Dental Board was called to order by Dr. Kevin D. Wallace, President, at approximately 8:21 a.m. on Thursday, July 22, 2010 at the Missouri Council of School Administrators, 3550 Amazonas Drive, Jefferson City, Missouri.

BOARD MEMBERS PRESENT:
Dr. Kevin D. Wallace, President
Ms. Patricia A. Lepp, R.D.H., Secretary
Dr. Paul P. Titterington, Member
Dr. Mark F. Saladin, Member

BOARD MEMBERS ABSENT:
Dr. Eric J. Aubert, Vice President

STAFF MEMBERS PRESENT:
Brian Barnett, Executive Director
Bonnie Mengwasser, Executive I
Mark Dudenhoeffer, Investigator III
Joseph Sears, Investigator II

LEGAL COUNSEL PRESENT:
Sarah Ledgerwood, Division 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.

APPROVAL OF THE AGENDA
A motion was made by Dr. Titterington and seconded by Dr. Saladin to approve the open agenda as written. The motion carried unanimously.

CLOSED SESSION
At approximately 8:23 a.m., a motion was made by Ms. Lepp and seconded by Dr. Titterington 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. Wallace, Ms. Lepp, Dr. Titterington and Dr. Saladin. The motion carried 4 to 0.

FRIDAY, JULY 23, 2010
The Board reconvened in open session at approximately 4:20 p.m. on Friday, July 23, 2010. The meeting was called to order by Dr. Kevin Wallace at the Missouri Council of School Administrators, 3550 Amazonas Drive, Jefferson City, Missouri.

BOARD MEMBERS PRESENT:
Dr. Kevin D. Wallace, President
Ms. Patricia A. Lepp, R.D.H., Secretary
Dr. Paul P. Titterington, Member
Dr. Mark F. Saladin, Member

BOARD MEMBERS ABSENT:
Dr. Eric J. Aubert, Vice President

STAFF MEMBERS PRESENT:
Brian Barnett, Executive Director
Bonnie Mengwasser, Executive I
Mark Dudenhoeffer, Investigator III
Joseph Sears, Investigator II

LEGAL COUNSEL PRESENT:
Sarah Ledgerwood, Division Counsel

GUESTS PRESENT:
Debra Fletcher Adams, R.D.H., Advisory Commission for Dental Hygienists
Deborah Polc, R.D.H., Advisory Commission for Dental Hygienists
Lori Bruce, R.D.H., Advisory Commission for Dental Hygienists
Nancy Maus, R.D.H., Advisory Commission for Dental Hygienists
Ms. Vicki Wilbers, Missouri Dental Association
Ms. E. Maxine Thompson

APPROVAL OF THE MINUTES
A motion was made by Ms. Lepp and seconded by Dr. Saladin to approve the open minutes of the April 8, 2010 mail ballot as written. The motion carried unanimously.

A motion was made by Ms. Lepp and seconded by Dr. Saladin to approve the open minutes of the April 15-17, 2010 Board meeting as written. The motion carried unanimously.

A motion was made by Dr. Saladin and seconded by Ms. Lepp to approve the open minutes of the May 19, 2010 conference call as written. The motion carried unanimously.
A motion was made by Dr. Saladin and seconded by Ms. Lepp to approve the open minutes of the June 23, 2010 conference call as written. The motion carried unanimously.

A motion was made by Dr. Saladin and seconded by Ms. Lepp to approve the open minutes of the July 9, 2010 mail ballot as written. The motion carried unanimously.

REQUEST FROM MICHAEL HOFFMANN, D.D.S. FOR APPROVAL OF NITROUS OXIDE MONITORING COURSE
A motion was made by Dr. Saladin and seconded by Dr. Titterington to request additional information from Dr. Hoffmann regarding the course content. The motion carried unanimously.

REQUEST FROM ALAN SCHWARTZ, D.D.S. FOR APPROVAL OF ONLINE SEDATION MONITORING COURSE
A motion was made by Dr. Titterington and seconded by Dr. Saladin to deny Dr. Schwartz’s request for approval of his online sedation monitoring course based on the insecure testing means. The motion carried unanimously.

REQUEST FROM ANTHONY GADBOIS, D.D.S. AND MARY GADBOIS, D.D.S. FOR APPROVAL OF BASIC SKILLS MASTERY EXAMINATION FOR DENTAL ASSISTANTS
A motion was made by Ms. Lepp and seconded by Dr. Saladin to deny Dr. Gadbois’ request for approval of a basic skills mastery examination for dental assistants based on the fact that the Board is currently attempting to standardize the basic skills exam. The motion carried unanimously.

REVIEW AND APPROVAL OF SPECIALTY COMMITTEES FOR FY2011
The Board reviewed the lists of members for the specialty committees. A motion was made by Dr. Saladin and seconded by Dr. Titterington to approve the specialty committees as presented for fiscal year 2011. The motion carried unanimously.

ELECTIONS
CRDTS Representatives
A motion was made by Dr. Titterington and seconded by Dr. Saladin to approve Ms. Lepp as the CRDTS Steering Committee representative and the CRDTS ERC representative for dental hygienists, and to approve Dr. Aubert as the CRDTS ERC representative for dentists. The motion carried unanimously.

WREB Representatives
A motion was made by Dr. Titterington and seconded by Dr. Saladin to approve Dr. Aubert as the WREB Board of Directors representative and the WREB ERC representative for dentists, and to approve Ms. Lepp as the WREB ERC representative for dental hygienists. The motion carried unanimously.
WELL BEING COMMITTEE LIAISON
A motion was made by Ms. Lepp and seconded by Dr. Titterington to appoint Dr. Saladin as the Missouri Dental Board’s liaison to the Well Being Committee. The motion carried unanimously.

RECESS
The Board recessed for the evening at approximately 4:35 p.m.

SATURDAY, JULY 24, 2010
The Board reconvened in open session at approximately 8:06 a.m. on Saturday, July 24, 2010. The meeting was called to order by Dr. Kevin Wallace at the Missouri Council of School Administrators, 3550 Amazonas Drive, Jefferson City, Missouri.

BOARD MEMBERS PRESENT:
Dr. Kevin D. Wallace, President
Ms. Patricia A. Lepp, R.D.H., Secretary
Dr. Paul P. Titterington, Member
Dr. Mark F. Saladin, Member

BOARD MEMBERS ABSENT:
Dr. Eric J. Aubert, Vice President

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

GUESTS PRESENT:
Debra Fletcher Adams, R.D.H., Advisory Commission for Dental Hygienists
Deborah Polc, R.D.H., Advisory Commission for Dental Hygienists
Lori Bruce, R.D.H., Advisory Commission for Dental Hygienists
Nancy Maus, R.D.H., Advisory Commission for Dental Hygienists
Ms. Vicki Wilbers, Missouri Dental Association
Ms. E. Maxine Thompson
Kwai L. Young, D.D.S.
Ms. Mary Lou Young, Missouri Dental Assistants Association
Ms. Janet Sell, Ozarks Technical Community College
Margaret Bell, R.D.H., Ozarks Technical Community College
Bonnie S. Branson, R.D.H., Missouri Dental Hygienists’ Association
Ms. Kathy Jeffries, Nichols Career Center
Ms. Connie Clarkston, Director of Budget and Legislation, Division of Professional Registration

EXECUTIVE DIRECTOR REPORT
Financial Statement
Mr. Barnett provided the Board with the following Financial Statement as of May 31, 2010:
### Missouri Dental Board
### Open Minutes
### July 22-24, 2010
### Page 5 of 10

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<td>Beginning Fund Balance – 7/1/09</td>
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<td>YTD Revenue</td>
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<td>Appropriations to Board:</td>
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<td>Personal Service</td>
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<td>Expense &amp; Equipment</td>
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<td>Total Appropriations</td>
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<td>Year to Date Appropriation Expenditures:</td>
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<td>Expense &amp; Equipment</td>
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<td>Total Appropriation Expenditures</td>
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<td>YTD Fund Transfers:</td>
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<td>Refunds</td>
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<td>DIFP Cost Allocation</td>
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<td>OA Cost Allocation</td>
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<td>Fringe Benefits</td>
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<td>Administrative Hearing Comm.</td>
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<td>FY 09 Transfers Carried Over</td>
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<td>Total Fund Expenditures</td>
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<td>Ending Fund Balance as of November 30</td>
<td>$1,169,456.44</td>
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Mr. Barnett reported that over the past fiscal year, the Board did a fantastic job in cutting costs. The Board managed to cut spending by seventeen percent (17%) last fiscal year. Mr. Barnett informed the Board that by moving its meetings to Jefferson City, the average cost per meeting went from approximately $4,000 to approximately $600. The way the Board utilizes its legal counsel has also contributed to the overall cost savings. Mr. Barnett also noted that in looking at where the Board’s finances stood a year ago, it was very likely that a fee increase would have been needed within the next year or two, but due to the changes that have been implemented, that is no longer necessary.

Mr. Barnett reported that the Office of Administration is planning to do a fleet consolidation this fiscal year, in which all state vehicles in the Jefferson City area will be
consolidated into a central pool. Mr. Barnett expressed that while it won’t be as convenient for the state vehicles to be pooled into a centralized location, the vehicles that will be available for use will likely be newer and more reliable than what the Board currently owns.

**Rulemaking Status Report**
Mr. Barnett reported that the proposed change to 20 CSR 2110-2.240, which grants two (2) hours of continuing education credit to licensees who attend the open session of the Advisory Commission’s meetings was approved last week, and should be published within the next few weeks. Mr. Barnett also informed the Board that the proposed changes to the sedation rules have been submitted, but he doesn’t look for approval anytime soon because of how significant the changes are.

**Legislative Report**
Mr. Barnett reported that at this point, the Board doesn’t have anything it has put forward for this coming legislative session.

**FY2010 License Statistics**
Mr. Barnett reported that from July 2009 to July 2010, the number of licensed dentists has increased by 152, the number of licensed dental specialists has increased by 22 and the number of licensed dental hygienists has increased by 200. The overall total licensee count is the highest it’s been in over the past fifteen years.

**DIALOGUE WITH ASSOCIATIONS**
**Missouri Dental Assistants Educators (MDAE)**
Ms. Janet Sell reported that the MDAE has been working with the Missouri Dental Association (MDA) to standardize all expanded functions curriculum. According to the grant the MDA received, the standardized curriculum for each of the expanded functions must be ready by the end of the year. Ozarks Technical Community College (OTC) plans to make the standardized curriculum available online through Blackboard. Ms. Sell reported that the competency testing and grading scale have been standardized as well.

Ms. Sell also reported that the MDAE is continually updating the basic skills examination. Approximately ninety-eight (98) people have taken the basic skills exam since it became available online last summer.

Mr. Barnett asked approximately how many certified dental assistants graduate in Missouri each year. Ms. Sell estimated approximately eighty to one hundred (80-100). In an average year, approximately three hundred fifty to four hundred (350-400) dental assistants will become eligible to perform expanded functions.

Ms. Sell informed the Board that OTC received grant money from the State for a program called Train for Tomorrow, and the school has allocated some of that money towards the development of a hybrid dental assisting program. The hybrid program will offer part of the coursework online and part in a traditional classroom setting. With this
program, all of the clinical work will be offered in the evenings and on Saturdays. After the hybrid program is implemented, OTC should be graduating approximately thirty-four (34) dental assistants each year.

**Missouri Dental Assistants Association (MDAA)**

Ms. Mary Lou Young reported that the MDAA recently administered the basic skills exam in Branson. Of the twenty-one (21) exam candidates, only thirteen (13) passed. The MDAA also plans to administer a basic skills review course in St. Louis in the near future.

**Missouri Dental Hygienists’ Association (MDHA)**

Bonnie Branson, R.D.H. reported that the MDHA held its Strategic Planning and Board of Trustees meeting last weekend. The MDHA continues to finalize the details for its annual session, October 14-16, 2010 in Branson. The MDHA will be offering up to fifteen (15) continuing education hours during its annual session.

**Missouri Dental Association (MDA)**

Ms. Vicki Wilbers requested that Mr. Barnett provide her with a comprehensive overview of the changes between the current sedation rules and the proposed changes being reviewed by the Division to include in the Focus magazine. Mr. Barnett said that he would be happy to provide that information to Ms. Wilbers, but he would rather wait until the Division approves the proposed language in case there are any significant changes before the proposal is published.

The MDA will be offering a large Train-the-Trainers program to prepare for the implementation of the new expanded functions courses at the end of the year.

Ms. Wilbers also reported that the MDA’s Board meeting will be held August 12-13, 2010.

**REVIEW OF RULE CHANGE PROPOSALS NECESSARY TO IMPLEMENT EXPANDED FUNCTIONS PERMITS**

**20 CSR 2110-2.120 Dental Assistants**

On behalf of the Board, Dr. Wallace thanked Ms. Connie Clarkston, Director of Budget and Legislation with the Division of Professional Registration, for her efforts in getting the statute change passed during this legislative session.

Mr. Barnett informed the Board that with the proposed changes to 20 CSR 2110-2.120, a separate permit will be issued for each category of expanded functions. Mr. Barnett is estimating the application fee to be ten dollars ($10.00). To qualify for an expanded functions permit, a dental assistant must submit proof of competency, current BLS certification, a completed application and the required fee. Once all of the appropriate documentation is received, a permit will be printed and mailed to the applicant.

Beginning March 1, 2012, all expanded functions permits will be renewed every five (5) years. In order to renew an expanded functions permit, the dental assist must submit a
renewal application, the renewal fee, proof of sixteen (16) hours of continuing education and current certification in BLS.

In the proposed draft, the Board requested that subsection (4)(G)(3) read as follows: “Satisfactory evidence of completion of sixteen (16) hours of continuing education from Board-approved sponsors as specified in 20 CSR 2110-2.240(1)(C) during the five (5) year period immediately preceding the expiration date. All sixteen (16) hours of continuing education for renewal must be directly related to the updating and maintaining of knowledge and skills in the treatment, health and safety of the individual dental patient. Permit holders shall only be required to complete sixteen (16) hours of continuing education regardless of the number of permits the permit holder wishes to renew. Each permit holder shall maintain documentation of completion of the required continuing education hours for five (5) years after the completion of the permit period in which the continuing education was earned.”

Ms. Lepp asked if permit holders would be required to obtain sixteen (16) hours of continuing education in addition to the BLS certification. Mr. Barnett explained that as long as the BLS certification was through a Board-approved sponsor, it could be counted towards the continuing education requirement.

Ms. Sell asked how the Board intends to get the word out to the dental assistant population to inform them of the upcoming permit requirements. Mr. Barnett reported that articles will be included in the association newsletters and the Board will also send out a mass mailing to all licensed dentists and dental specialists. Ms. Sell offered to send a letter on the Board’s behalf to all of the dental assistants that OTC has educated.

The Board requested that “after June 1, 1995” be removed from subsection (4)(A). The Board also requested that “certified dental assistant” be added to subsection (1)(G).

Dr. Wallace instructed Mr. Barnett to include the following items on the Board’s task list:

- Create a definition for “assisting in the administration of and monitoring nitrous oxide” in 20 CSR 2110-2.001;
- Develop language for the renewal of nitrous oxide permits for both dental assistants and dental hygienists.

A motion was made by Ms. Lepp and seconded by Dr. Titterington to approve the changes discussed in subsections (4)(G)(3), (4)(A) and (1)(G) of 20 CSR 2110-2.120 and to forward the revised draft through the formal rulemaking process. The motion carried unanimously.

20 CSR 2110-2.130 Dental Hygienists
A motion was made by Ms. Lepp and seconded by Dr. Saladin to forward the proposed draft of 20 CSR 2110-2.130 through the formal rulemaking process. The motion carried unanimously.
A motion was made by Ms. Lepp and seconded by Dr. Titterington to amend 20 CSR 2110-2.170 to include the ten dollar ($10.00) application fee for expanded functions permits. The motion carried unanimously.

**MOBILE DENTISTRY**
Dr. Wallace informed the Board that the topic of mobile dentistry was discussed at a previous meeting, but that the Board did not take any kind of action with regard to the matter. The two concerns the Board previously discussed were the potential for fraud and infection control standards. Dr. Wallace believes that the Board already has statutes and rules in place to deal with these issues should they arise. Mr. Barnett believes that regardless of whether the dental services are being provided in a stationary building or in a mobile dental clinic, the licensees providing those services are responsible for patient care, and that care must be provided at the acceptable standard.

A motion was made by Dr. Saladin and seconded by Dr. Titterington to remove the mobile dentistry item from the Board’s task list. The motion carried unanimously.

Dr. Wallace would like the Board to review the former PRC task list to determine if there are any items the Board needs to discuss at future meetings.

**FUTURE BOARD MEETINGS**
Mr. Barnett asked the Board if it would consider handling its Fifty Year Licensee Recognition Ceremony differently in January 2011. In the past, the ceremony has always been scheduled during the Board’s January meeting because the legislature is in session. With this being an election year and knowing that many of the senators and representatives won’t be taking office until January, it will be much more difficult for staff to prepare for the ceremony. In light of this, Mr. Barnett proposed doing away with the recognition at the Capitol and only recognizing the honorees during the MDA luncheon. Once the senators and representatives are in office, the Board staff can request that a resolution be prepared and shipped to each honoree. It was the general consensus of the Board to not cancel the recognition at the capitol. Dr. Saladin suggested scheduling the ceremony separate from the Board meeting. Ms. Wilbers mentioned that her staff could work with Mr. Barnett to schedule the ceremony and MDA luncheon at a later date.

The Board tentatively scheduled its summer 2011 meeting for July 28-30, 2011 in Jefferson City. The next conference call was scheduled for Wednesday, September 1, 2010 at 6:00 p.m.

Dr. Aubert joined the meeting via conference call at approximately 12:00 p.m.

**CRDTS/WREB UPDATES**
Ms. Lepp reported that both CRDTS and WREB went to electronic scoring for dental hygiene this year. California now has a Dental Hygiene Committee which is separate from the Dental Board. Both CRDTS and WREB are trying to get their foot in the door with the Dental Hygiene Committee of California. WREB has added five (5) testing sites
in California to its schedule. Ms. Lepp also reported that both CRDTS and WREB administered dental hygiene exams at the University of Missouri – Kansas City School of Dentistry this year.

Dr. Aubert also provided a report to the Board regarding his attendance at the WREB annual meeting. WREB voted to restructure their governance. The current ERC will be replaced by Exam Review Boards. The current Executive Committee will be replaced by a Governing Board. Members of the Governing Board will be selected by the Exam Review Boards. These changes will more clearly define and separate the roles of the Exam Review and Governing Boards.

**ELECTION OF OFFICERS**

**President**
Dr. Saladin nominated Dr. Titterington as President of the Missouri Dental Board. There being no further nominations or objections, Dr. Titterington was elected as President of the Board by acclamation.

**Vice-President**
Dr. Titterington nominated Dr. Saladin as Vice-President of the Missouri Dental Board. There being no further nominations or objections, Dr. Saladin was elected as Vice-President of the Board by acclamation.

**Secretary**
Dr. Saladin nominated Dr. Aubert as Secretary of the Missouri Dental Board. There being no further nominations or objections, Dr. Aubert was elected Secretary of the Board by acclamation.

**ADJOURNMENT**
There being no further open business to be brought before the Board at this time, a motion was made by Dr. Saladin and seconded by Dr. Titterington that this meeting adjourn. The motion carried unanimously. The meeting adjourned at approximately 12:22 p.m.

Respectfully submitted,

Bonnie Mengwasser, Licensing Supervisor

Brian Barnett, Executive Director

Approved by the Board on: October 23, 2010