Meeting Notice

Missouri Dental Board

August 2-3, 2012 @ 8:00 a.m.

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 be aware that according to Missouri law, the Board can have open discussion and votes only on items included on the open agenda. If there is a topic you would like included on the open agenda, please notify the Board office not less than forty-eight (48) hours prior to the start of the meeting.

Please see the attached tentative agenda for this meeting.

cc: Members, Missouri Dental Board
Members, Advisory Commission for Dental Hygienists
Tina Crow Halcomb, 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

Posted: 05/18/2012
8:30 a.m.
Open Agenda

Missouri Dental Board
August 2-3, 2012

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

Thursday, August 2, 2012

1.  8:00 a.m. Call to Order  Dr. Saladin
2.  Roll Call  Mr. Relford
3.  Approval of the Agenda  Dr. Saladin
4.  Motion to go into Closed Session  Ms. Polc
   Closed meeting pursuant to Sections 610.021 (1), (3), (5), (7), (13) and (14), RSMo, 324.001.8, RSMo and 324.001.9, RSMo.

The Board will remain in closed session until Friday, August 3, 2012

Friday, August 3, 2012

5.  1:00 p.m. Call to Order  Dr. Saladin
6.  Roll Call  Mr. Relford
7.  Approval of the Open Minutes  Dr. Saladin
   •  April 19-20, 2012 Full Board Meeting
   •  June 22, 2012 Full Board Meeting
   •  June 22, 2012 Joint Meeting
   •  May 22, 2012 Mail Ballot
   •  May 30, 2012 Mail Ballot

8.  Executive Director Report  Mr. Barnett
   •  Financial Statement
   •  Rulemaking Status Report
   •  Legislative Report
   •  FY 2012 License Statistics
9. Dialogue with Associations
   - Missouri Primary Care Association
   - Missouri Dental Assistants Educators
   - Missouri Dental Hygienists’ Association
   - Missouri Dental Assistants Association
   - Missouri Dental Association

10. Discussion regarding Dental Board Well Being Program

11. Discussion regarding ACDH recommended changes to 20 CSR 2110-2.240 - Continuing Dental Education

12. Discussion regarding fingerprinting/background checks for initial licensure

13. Request from Missouri College for approval of Basic Skills Exam

14. Question from Staff regarding printing the word “Probation” on licenses that are on probation

15. Discussion regarding social coupons and fee splitting

16. Review and Approval of Specialty Committees for FY2013

17. CRDTS and WREB Reports

18. Elections
   - CRDTS Representatives
   - WREB Representatives

19. Future Meeting Schedule

20. Election of Officers
   - President
   - Vice President
   - Secretary

Adjournment
The open meeting of the Missouri Dental Board was called to order by Dr. Mark F. Saladin, President, at approximately 8:04 a.m. on Thursday, August 2, 2012 at the Missouri Council of School Administrators, 3550 Amazonas Drive, Jefferson City, Missouri.

BOARD MEMBERS PRESENT:
Dr. Mark F. Saladin, President
Ms. Deborah K. Polc, R.D.H., Vice President
Mr. Randall Relford, Secretary
Dr. Kevin D. Wallace, Member
Dr. Eric J. Aubert, Member
Dr. Paul P. Titterington, Member

STAFF MEMBERS PRESENT:
Brian Barnett, Executive Director
Rhonda Robinett-Fogle, Processing Technician Supervisor
Kevin Davidson, Investigator II
Vickie Holtmeyer, Investigator I

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. Aubert and seconded by Dr. Titterington to approve the open agenda as written. The motion carried unanimously.

CLOSED SESSION
At approximately 8:06 a.m., a motion was made by Ms. Polc 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. Saladin, Ms. Polc, Mr. Relford, Dr. Wallace, Dr. Aubert and Dr. Titterington. The motion carried 6 to 0.

FRIDAY, August 3, 2012
The Board reconvened in open session at approximately 1:04 p.m. on Friday, August 3, 2012. The meeting was called to order by Dr. Mark F. Saladin, President, at the Missouri Council of School Administrators, 3550 Amazonas Drive, Jefferson City, Missouri.

BOARD MEMBERS PRESENT:
Dr. Mark F. Saladin, President
Ms. Deborah K. Polc, R.D.H., Vice President
Mr. Randall Relford, Secretary
Dr. Eric J. Aubert, Member
Dr. Kevin D. Wallace, Member
Dr. Paul P. Titterington, Member

STAFF MEMBERS PRESENT:
Brian Barnett, Executive Director
Rhonda Robinett-Fogle, Processing Technician Supervisor
Kevin Davidson, Investigator II
Vickie Holtmeyer, Investigator I

LEGAL COUNSEL PRESENT:
Sarah Ledgerwood, Division Counsel

GUESTS PRESENT:
Lori Bruce, Advisory Commission for Dental Hygienists
Deb Adams, Advisory Commission for Dental Hygienists
Marvin E. Rice, D.D.S., President, Missouri Dental Association
J.C. Standlee, D.D.S., Missouri Dental Association
William Kane, D.D.S., Well Being Committee
Aaron Washburn, Assistant Executive Director, Missouri Dental Association

APPROVAL OF THE MINUTES
A motion was made by Dr. Aubert and seconded by Dr. Titterington to approve the open minutes of the April 19-20, 2012 Full Board meeting as written. The motion carried unanimously.

A motion was made by Dr. Aubert and seconded by Dr. Titterington to approve the open minutes of the June 22, 2012 Full Board meeting as written. The motion carried unanimously.

A motion was made by Dr. Aubert and seconded by Dr. Titterington to approve the joint open minutes of the June 22, 2012 Full Board meeting as amended. The motion carried unanimously.
A motion was made by Dr. Aubert and seconded by Dr. Titterington to approve the open minutes of the May 22, 2012 mail ballot as written. The motion carried unanimously.

A motion was made by Dr. Aubert and seconded by Dr. Titterington to approve the open minutes of the May 30, 2012 mail ballot as written. The motion carried unanimously.

**EXECUTIVE DIRECTOR REPORT**

**Financial Statement**

Mr. Barnett provided the Board with the following Financial Statement as of May 31, 2012.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beginning Fund Balance – 7/1/010</td>
<td>$2,124,170.48</td>
</tr>
<tr>
<td>YTD Revenue</td>
<td>$128,515.00</td>
</tr>
<tr>
<td>Fund Balance Sub Total</td>
<td>$2,252,685.48</td>
</tr>
<tr>
<td>Appropriations to Board:</td>
<td></td>
</tr>
<tr>
<td>Personal Service</td>
<td>$372,146.00</td>
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<tr>
<td>Expense &amp; Equipment</td>
<td>$262,863.00</td>
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<tr>
<td>Total Appropriations</td>
<td>$635,009.00</td>
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<tr>
<td>Year to Date Appropriation Expenditures:</td>
<td></td>
</tr>
<tr>
<td>Personal Service</td>
<td>$212,515.57</td>
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<tr>
<td>Expense &amp; Equipment</td>
<td>$92,247.32</td>
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<tr>
<td>Total Appropriation Expenditures</td>
<td>$304,762.89</td>
</tr>
<tr>
<td>YTD Fund Transfers:</td>
<td></td>
</tr>
<tr>
<td>Rent</td>
<td>$4,220.16</td>
</tr>
<tr>
<td>Refunds</td>
<td>$1,055.00</td>
</tr>
<tr>
<td>DIFP Cost Allocation</td>
<td>$1,742.77</td>
</tr>
<tr>
<td>OA Cost Allocation</td>
<td>$5,002.00</td>
</tr>
<tr>
<td>PR Transfer</td>
<td>$728.12</td>
</tr>
<tr>
<td>Fringe Benefits</td>
<td>$102,831.50</td>
</tr>
<tr>
<td>Administrative Hearing Comm.</td>
<td>$1,017.10</td>
</tr>
<tr>
<td>FY 11 Transfers Carried Over</td>
<td>$734.40</td>
</tr>
<tr>
<td>Total Transfers</td>
<td>$117,331.05</td>
</tr>
<tr>
<td>Total Fund Expenditures</td>
<td>$422,093.94</td>
</tr>
</tbody>
</table>
Mr. Barnett provided a handout of updated financials to the Board as when the agenda was completed; Mr. Barnett had not yet received the end of the year report.

Mr. Barnett explained the out of state travel process to the Board and then stated he has submitted himself, Ms. Polc, Ms. Ledgerwood, and Ms. Fogle to attend the AADA and AADB meetings this year which will be held in San Francisco, CA. Mr. Barnett informed the Board he is still waiting for this travel to be approved.

Mr. Barnett informed the board members only 41% of the E & E appropriation has been spent. Mr. Barnett reported the board’s finances are in fantastic shape. Mr. Barnett said the board’s E & E expenses this year were one hundred three thousand five hundred fifty dollars which is less than one half of what they were three years ago. Mr. Barnett stated the money saving steps the Board has taken has really paid off dividends. Mr. Barnett reported the Board is now in a position that will allow them to pass savings on to the licensees. Mr. Barnett stated that he believes this is the heart of responsible government, keeping your costs to your constituents as low as possible and still being able to function. Mr. Barnett said that one of the big factors we had was, more revenue than what the Board anticipated this year due to the increased number in hygienists that the Board is licensing. Mr. Barnett did report that he underestimated revenue this year by thirty thousand dollars and he said that even with the board’s fee decrease; there is still a danger of possibility having a small government sweep.

Mr. Barnett informed the Board he would like to remodel the office to make it more efficient. Mr. Barnett stated he estimates the costs of the remodel job to be anywhere from twenty five thousand up to thirty thousand dollars. A motion was made by Dr. Titterington and seconded by Mr. Relford to approve the renovations to the board office. The motion carried unanimously.

**Rulemaking Status Report**

Mr. Barnett informed the Board that the rule change proposals for 20 CSR 2110-2.010 License by Examination - Dentists, 20 CSR 2110-2030 - Licensure by Credentials - Dentists, 20 CSR 2110-2.050 License By Examination - Dental Hygienists, 20 CSR 2110-2070 - Licensure by Credentials - Dental Hygienists will become effective on September 30, 2012. These rule change proposals change initial license requirements by eliminating CPR and making it just BLS in order to be consistent with current renewal requirements.

Mr. Barnett stated the proposed emergency rule change 20 CSR 2010-2.170 Fees which lowers the biennial renewal fees of dentists from two hundred fifty dollars to two hundred twenty dollars, dental specialists from two hundred seventy dollars to two hundred twenty dollars, and dental hygienists from one hundred thirty dollars to one hundred dollars will become effective August 5, 2012 and will expire February 13, 2013.

Mr. Barnett informed the Board the proposed rule changes on 20 CSR 2010-4.010 Definitions, 20 CSR 2010-4.020 Conscious Sedation, 20 CSR 2010-4.030 Guidelines
for Administration of Conscious Sedation, 20 CSR 2010-4.040 Deep Sedation/General Anesthesia, 20 CSR 2010-2.120 Dental Assistants, 20 CSR 2010-2.130 Dental Hygienists, and 20 CSR 2010-2.170 fees will appear in the Missouri Register on September 4, 2012 which will start the formal rule making process.

Additionally, Mr. Barnett stated the last two proposed rule changes in process are 20 CSR 2110-2.010 Licensure by Examination - Dentists and 20 CSR 2110-2.050 Licensure by Examination - Dental Hygienist which limits the number of times a person can take the competency examination has been submitted and they are in the early stages of the process.

**Legislative Report**
Mr. Barnett reported that HB 1135 did pass; this is the Bill that originally created the sunset on all administrative rules. It was changed to require that all agencies conduct a review of all their rules and it sets out a schedule in which it should be done. Agencies are required to review all of their rules to determine the appropriateness of them. Mr. Barnett wanted the Board to be mindful of this as the Board will be working on this project in the next couple of years.

**FY 2012 License Statistics**
Mr. Barnett’s July 2012 license statistics report is included in the open agenda for board review and discussion. Mr. Barnett informed the Board that he pulls this specific license statistics report on July one of each year and these statistical reports vary from year to year due to the biennial renewal of licensees. Mr. Barnett stated you must keep in perspective that the timing on running these reports does influence the statistical outcome.

**DIALOGUE WITH ASSOCIATIONS**
**Missouri Primary Care Association (MPCA)**
There were no representatives of the MPCA present at this meeting.

**Missouri Dental Assistants Educators (MDAE)**
There were no representatives of the MDAE present at this meeting.

**Missouri Dental Hygienists’ Association (MDHA)**
Ms. Deborah Trunk provided a written report; it was placed in the open agenda for the Board’s review.

**Missouri Dental Assistants Association (MDAA)**
There were no representatives of the MDAA present at this meeting.

**Missouri Dental Association (MDA)**
There were representatives of the MDA present; however, no verbal report was given.
DISCUSSION REGARDING DENTAL WELL BEING PROGRAM
Dr. Saladin stated there is a constant struggle between the Well Being goals and that of the Dental Board. The Board’s mission is to protect and serve the public and uses the Well Being Program for the monitoring of dentist’s the Board mandates to the program; whereas, the Well Being Committee is also an advocate for those dentists and sometimes the role becomes skewed.

Dr. Saladin stated the Board would like to see the Missouri Dental Staff and the Well Being Committee work together to search out and work to define expectations the Dental Board has for the Well Being program. Dr. Saladin suggested researching possible solutions of expectations of other entities that deal with similar situations. Dr. Saladin would like Dental the board staff and the Well Being Committee to report on the issue at the October 2012 dental board meeting.

DISCUSSION REGARDING ACDH RECOMMENDED CHANGES TO 20 CSR 2110-2.240
The Advisory Commission conducted its yearly review of the Statutes and Rules and they requested the Board to review 20 CSR 2110-2.240 Continuing Dental Education section two (2) and subsections (F) and (I).

- (F) Licensees who give presentations through a board-approved sponsor relating to dentistry will receive two (2) continuing education hours for each hour of the original presentation and an hour-for-hour credit for subsequent presentation of the same material up to sixteen (16) hours per year.

- (I) Licensees who attend the open session of the Missouri Dental Board's quarterly meetings or an open meeting of the Advisory Commission for Dental Hygienists will receive two (2) hours of continuing education credit per meeting. To qualify, licensees must sign in at the beginning of the open meeting and sign out at the end of the open meeting. These continuing education credits do not qualify as directly related to the updating and maintaining of knowledge and skills in the treatment, health, and safety of the individual dental patient.

After detailed discussion regarding 20 CSR 2012-2.240 Continuing Dental Education, a motion was made by Dr. Titterington and seconded by Ms. Polc to review 20 CSR 2110-2.240 Continuing Dental Education in its entirety at a joint meeting with the Advisory Committee in January 2013 and make recommendations on what changes will be viable at that particular time, to discuss if in fact the rule does need to be changed and if it does, what changes need to be made, and to also instruct board staff to research other boards and agencies in the State of Missouri regarding the type of continuing education language they use in their statutes and rules. The motion carried unanimously.

DISCUSSION REGARDING FINGERPRINTING/BACKGROUND CHECKS FOR INITIAL LICENSURE
After detailed discussion, a motion was made by Dr. Titterington and seconded by Mr. Relford to instruct board staff to research further, the ability to have a statute or rule change to enable the Board to require fingerprinting/background checks for original...
licensure and instruct board staff to put together language for that said statute addition or rule change. The motion carried unanimously.

**REQUEST FROM MISSOURI COLLEGE FOR APPROVAL OF BASIC SKILLS EXAM**
After detailed discussion, a motion was made by Dr. Wallace and seconded by Ms. Polc to approve the Missouri Dental Assisting Basic Skills Exam of Missouri College. The motion carried unanimously.

**QUESTION FROM STAFF REGARDING PRINTING THE WORD “PROBATION” ON LICENSES THAT ARE ON PROBATION**
No motions were made; however, it is the board’s consensus that the word “Probation” does not need to be printed on probated licenses as public discipline is listed on our website.

**SOCIAL COUPONS AND FEE SPLITTING**
At the April 19-20, 2012 board meeting. The Board instructed Legal Counsel to formulate an opinion on social coupons and fee splitting and bring it to this meeting for board review. Dr. Saladin reported that social coupons could in some cases constitute fee splitting. The Board will address the issue on a case-by-case basis if complaints are received.

**REVIEW AND APPROVAL OF SPECIALTY COMMITTEES FOR FY2013**
The Board reviewed the lists of members for the specialty committees. A motion was made by Dr. Titterington and seconded by Dr. Aubert to approve the current list of specialty committees as presented for fiscal year 2013 and allow board staff the latitude to add a pediatric dentist and a prosthodontist to the list. The motion carried unanimously.

**CRDTS AND WREB REPORTS**
Ms. Polc provided the board members with two written reports and gives a brief verbal report to the Board as follows:

**CRDTS DHERC Committee**
Ms. Polc informed the Board they announced; pending Steering’s approval, Ms. Laura Jacobs will be the new Executive Director for CRDTS. Ms. Polc also noted that CRDTS dental hygiene exam is accepted in all states except nine. Additionally, Ms. Polc stated the dental hygiene exam fee will be raised thirty five dollars from nine hundred fifteen dollars to nine hundred fifty dollars and the dental exam will be increased one hundred dollars from one thousand nine hundred ninety five dollars to two thousand ninety five dollars for the 2013 exam season.

**WREB HERB Report**
Ms. Polc reported to the Board they explained the WREB organizational governance. Ms. Polc stated there are two types of memberships now (active and affiliate). Per Ms. Polc, if you are an active member of the WREB, you will get a seat on the DERB and the HERB; these are now boards instead of committees. Ms. Polc stated the exam
review and any changes will be decided in the DERB and HERB and then be given to
the BOD. Ms. Polc said the BOD is more administrative and financial. Ms. Polc also
stated all member states were grandfathered in as active states, but will be reviewed
every two years, and this will be next year. Ms. Polc reported the rights and
responsibilities of an active member state which are the following: eligible for a seat on
the BOD, provide one member for each exam review board, provide a minimum of three
dental examiners and two dental hygiene examiners (these must be active examiners,
not just a name on a list). Ms. Polc stated, at this time the Board has one active dental
examiner and two active hygienist examiners and if the Board wants to stay active in
WREB then they must have three dental examiners that is going to examine. Ms. Polc
also said they only have one educator and one new examiner is assigned to any exam,
dental or hygiene.

**ELECTIONS**

**CRDTS Representatives**
A motion was made by Dr. Aubert and seconded by Mr. Relford to approve Dr. Wallace
as the CRDTS Steering Committee representative as the CRDTS ERC representative
for dentists and to approve Ms. Polc as the CRDTS ERC representative for dental
hygienists. The motion carried unanimously.

**WREB Representatives**
A motion was made by Dr. Aubert and seconded by Ms. Polc to appoint Dr. Saladin to
serve as the DERB representative for dentists, and Ms. Polc to serve as the HERB
representative for dental hygienists. The motion carried unanimously.

**FUTURE MEETING SCHEDULE**
- OCTOBER 18-19, 2012
- JANUARY 17-18, 2013
- APRIL 18-19, 2013
- JULY 25-26, 2013

**ELECTIONS OF OFFICERS – PRESIDENT, VICE PRESIDENT, AND SECRETARY**

**President**
Dr. Saladin nominated Ms. Polc as President of the Missouri Dental Board. Dr. Aubert
seconded the nomination. There being no further nominations or objections, those
voting yes: Dr. Titterington, Dr. Saladin, Dr. Aubert, Dr. Wallace, Ms. Polc and Mr.
Relford. Ms. Polc was elected as President of the Board by acclamation.

**Vice-President**
Dr. Wallace nominated Mr. Relford as Vice-President of the Missouri Dental Board. Dr.
Aubert seconded the nomination. There being no further nominations or objections,
those voting yes: Dr. Titterington, Dr. Saladin, Dr. Aubert, Dr. Wallace, Ms. Polc and Mr.
Relford. Mr. Relford was elected as Vice-President of the Board by acclamation.

**Secretary**
Dr. Aubert nominated Dr. Saladin as Secretary of the Missouri Dental Board. Dr. Titterington seconded the nomination. There being no further nominations or objections, those voting yes: Dr. Titterington, Dr. Saladin, Dr. Aubert, Dr. Wallace, Ms. Polc and Mr. Relford. Dr. Saladin 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 Ms. Polc and seconded by Dr. Titterington that this meeting adjourn. The motion carried unanimously. The meeting adjourned at approximately 3:00 p.m.

Respectfully submitted,

Rhonda Robinett-Fogle, Processing Technician Supervisor

______________________________
Brian Barnett, Executive Director

Approved by the Board on: October 26, 2012