Revised Meeting Notice

Missouri Dental Board

October 25-26, 2012 @ 8:00 a.m.

Associated Industries of Missouri
3234 W. Truman Boulevard
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
Open Agenda

Missouri Dental Board
October 25-26, 2012

Associated Industries of Missouri
3234 W. Truman Boulevard
Jefferson City, MO 65109

Thursday, October 25, 2012

1. 8:00 a.m. Call to Order Ms. Polc

2. Roll Call Dr. Saladin

3. Approval of the Agenda Ms. Polc

   • 9:00 a.m. – Discipline Violation Hearing

5. Motion to go into Closed Session Dr. Saladin
   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, October 26, 2012

Friday, October 26, 2012

6. 1:00 p.m. Call to Order Ms. Polc

7. Roll Call Dr. Saladin

8. Approval of the Open Minutes Ms. Polc
   • August 2-3, 2012 Full Board Meeting
   • August 29, 2012 Mail Ballot

9. Executive Director Report Mr. Barnett
   • Financial Statement
   • Rulemaking Status Report

10. Dialogue with Associations Ms. Polc
• Missouri Primary Care Association
• Missouri Dental Assistants Educators
• Missouri Dental Hygienists’ Association
• Missouri Dental Assistants Association
• Missouri Dental Association

11. Update on discussions between Well Being Committee and Board staff  Mr. Barnett
12. Request from Cherry Hill Dental for approval of Basic Skills Exam  Ms. Polc
13. Request from ProCPR Trainings for approval of their course to satisfy BLS requirement  Ms. Polc
14. Request from J. Kevin McGraw, DDS to include vaccinations in the scope of practice for a dentist  Ms. Polc
15. CRDTS and WREB Reports  Ms. Polc
16. Report from AADB meeting  Ms. Polc
17. Future Meeting Schedule  Ms. Polc

Adjournment
The open meeting of the Missouri Dental Board was called to order by Ms. Deb Polc, President, at approximately 8:10 a.m. on Thursday, October 25, 2012 at the Associated Industries of Missouri, 3234 W. Truman Boulevard, Jefferson City, Missouri.

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

BOARD MEMBERS ABSENT:
Mr. Randall Relford, Vice President

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
Tina Crow-Halcomb, Litigation 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.

GEORGE GRAHAM, Jr., D.D.S. DISCIPLINE VIOLATION HEARING
At approximately 9:06 a.m., the Board began its probation violation hearing in the matter of Missouri Dental Board, Petitioner, v. George Graham, D.D.S., Respondent, Case Number 10-0008 DB. The record will show that Dr. Graham was present and was represented by counsel; Mr. Johnny Richardson, Brydon, Swearengen, & England, P.C.
The hearing was recorded by a court reporter and a transcript of the hearing will be retained as a permanent record of the Board. The hearing concluded at approximately 9:45 a.m.

**CLOSED SESSION**
At approximately 9:50 a.m., a motion was made by Dr. Saladin 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. Saladin, Ms. Polc, Dr. Wallace, and Dr. Titterington. Dr. Aubert was out of the room on this vote. The motion carried 4 to 0.

**FRIDAY, OCTOBER 26, 2012**
The Board reconvened in open session at approximately 12:49 p.m. on Friday, October 26, 2012. The meeting was called to order by Ms. Deb Polc, at the Associated Industries of Missouri, 3234 W. Truman Boulevard, Jefferson City, Missouri.

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

**BOARD MEMBERS ABSENT:**
Mr. Randall Relford, Vice President

**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, RDH Advisory Commission for Dental Hygienists
Nancy Maus, RDH Advisory Commission for Dental Hygienists
Deb Fletcher Adams, RDH Advisory Commission for Dental Hygienists
Mary Young, Missouri Dental Assistants Association
Linda Twehous, Missouri Dental Assistants Educators
Wanda Stout, Missouri Dental Assistants Educators
Dr. K.L. Young, Missouri Dental Association
Vicki Wilbers, Executive Director, Missouri Dental Association
Dr. Marvin E. Rice, President, Missouri Dental Association
Dr. H. Fred Christman, Missouri Dental Association
Aaron Washburn, Assistant Executive Director, Missouri Dental Association
Patrick Baker, Assistant Executive Director, Missouri Dental Association
Deborah D. Trunk, R.D.H., President, Missouri Dental Hygienists’ Association

APPROVAL OF THE MINUTES
A motion was made by Dr. Titterington and seconded by Dr. Aubert to approve the open minutes of the August 2-3, 2012 Full Board meeting as written. The motion carried unanimously.

A motion was made by Dr. Titterington and seconded by Dr. Aubert to approve the open minutes of the August 29, 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 August 31, 2012.

<table>
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<tr>
<th>Beginning Fund Balance – 7/1/12</th>
<th>$1,797,511.27</th>
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<tbody>
<tr>
<td>YTD Revenue</td>
<td>$ 19,045.00</td>
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<tr>
<td>Fund Balance Sub Total</td>
<td>$1,816,556.27</td>
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</table>

<table>
<thead>
<tr>
<th>Appropriations to Board:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal Service</td>
<td>$378,550.00</td>
</tr>
<tr>
<td>Expense &amp; Equipment</td>
<td>$259,473.00</td>
</tr>
<tr>
<td>Total Appropriations</td>
<td>$638,023.00</td>
</tr>
</tbody>
</table>

| Year to Date Appropriation     |               |
| Expenditures:                  |               |
| Personal Service               | $ 40,435.48   |
| Expense & Equipment            | $ 50,991.87   |
| Total Appropriation Expenditures| $ 91,427.35   |

| YTD Fund Transfers:           |               |
| Rent                          | $ 0.00        |
| Refunds                       | $ 0.00        |
| DIFP Cost Allocation          | $962.42       |
| OA Cost Allocation            | $ 2,244.00    |
| PR Transfer                   | $(1,097.61)   |
| Fringe Benefits               | $ 18,645.84   |
| Administrative Hearing Comm.  | $ 0.00        |
| FY 11 Transfers Carried Over  | $ 1,568.35    |
| Total Transfers               | $22,323.00    |
Mr. Barnett stated that the Board is not far enough into the fiscal year to have much to report. The fee decrease went through on the emergency rule which decreased the fees for the current renewal period.

Rulemaking Status Report
Mr. Barnett stated the big group of rules, including the dental assistants and dental hygiene, and sedation rules were published in the Missouri Register on September 4, 2012, and the public comment period ran through October 4, 2012. Mr. Barnett stated that the public comment period is over and he has summarized and responded to all of the public comments. Mr. Barnett informed the Board there was one (1) recommended change on the definitions rule for sedation changing the terminology from distilled water to distilled diluents, because sometimes water is not necessarily the correct diluent for an IV drug.

Mr. Barnett said his best guess on the rules becoming final would be April or May and that is if everything runs smoothly, if we don’t have any problems with a JCAR hearing, if the Secretary of States office completes their part of it in a very timely manner, as there is range in which things must happen. Mr. Barnett believes the last day to file the response will be around November 4, 2012.

A motion was made by Dr. Aubert and seconded by Dr. Saladin to change the terminology from distilled water to distilled diluents in the definitions rule for sedation, 20 CSR 2110-4.010. The motion carried unanimously.

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

Missouri Dental Assistants Educators (MDAE)
Ms. Linda Twehous, Dental Assisting Program Coordinator at Nichols Career Center stated the MDAE has not had a meeting in a couple years; however, they are presently trying to coordinate schedules in order to have a meeting in April 2013. Ms. Twehous reported they’ve been having telephone and e-mail consultations about keeping the basic skills mastery examination consistent between the dental assisting programs that are offering it. Ms. Twehous said they are also in the process of incorporating the Missouri Dental Association’s curriculum into their expanded functions program that they offer to the community.
Missouri Dental Hygienists' Association (MDHA)
Ms. Deborah Trunk stated the MDHA would like to congratulate Ms. Polc on her new position as President of the Missouri Dental Board. Ms. Trunk announced the MDHA are having their annual session next weekend at a new location at Camden on the Lake Spa and Resort. Ms. Trunk stated in addition to their continuing education courses they are offering, they will have their general business meeting which will include the election of new officers and nominees. Ms. Trunk also informed the Board they have continued their conversations with the Missouri Coalition of Oral Health.

Missouri Dental Assistants Association (MDAA)
Ms. Mary Young announced they had their annual education meeting in June, and she said they had a lot of wonderful speakers at the meeting. Ms. Young said they scheduled a basic skills examination at the Mid-Continent. Ms. Young stated the MDA said that the doctor's wanted to get the basic skills review and the examination all in one day. Ms. Young reported to the Board that Ms. Janet Sell spent a lot of time getting a study guide together, around fifty-six (56) pages. Ms. Young informed the Board that they need to get the study material out to the dental assistants as they will be studying on their own instead of having the review in class. Ms. Young said; unfortunately, they only had three applicants scheduled so they had to cancel the exam, but they have rescheduled the basic skills for January 2013. Ms. Young said those wanting to take the exam must sign up by December because they have to send the educational material out as there is a lot to study in between since they will not be giving it in class any longer. Ms. Young said applicants will need a month to study as there is new terminology that they are not acquainted with.

Missouri Dental Association (MDA)
Ms. Vicki Wilbers, Executive Director, MDA introduced their new legislative and regulatory director; Patrick Baker, to the Board. Ms. Wilbers informed the Board that the MDA Board will be meeting next week and they will be discussing the request of the Missouri Primary Care Association regarding sealants, they will also be discussing the information that Dr. McGraw has put forth to Missouri Dental Board regarding vaccinations, and they will be discussing their legislative agenda as well.

Dr. Elwood Rice, MDA President thanked the Board for the hospitality they have showed him over this past year. He also thanked the Board for their efforts with the EFDA as well. Dr. Rice expressed his gratitude towards Mr. Barnett for helping Ms. Wilbers with the timeline information on hygiene and assistants; Dr. Rice stated that was a lot of work and he believes it is going to prove to be helpful to a lot of their members. In addition, Dr. Rice stated he hopes the MDA can continue to work together with the Board for the betterment of dentistry and their patients.
UPDATE ON DISCUSSIONS BETWEEN WELL BEING COMMITTEE AND BOARD STAFF
Mr. Barnett stated at the last meeting the Board instructed him to meet with the well being committee to define the expectations from the board’s standpoint and the contractor’s standpoint. Mr. Barnett said that they have met once and had a very good, very productive meeting. Mr. Barnett stated that one of the issues they finally realized is that in the past they have tried to place participants within two categories within the well being program which is volunteers and mandated participants and the Board has individuals that really should fall into a third category which would be someone whom joins the well being program due to an unofficial nudge from the Board. Mr. Barnett said a second meeting is planned to determine how this type of participant fits into the equation. Mr. Barnett feels this type of situation is where we see the mission conflict. Mr. Barnett believes the key to having a successful program and relationship as far as running the well being program is to identify how to address this particular dynamic. Mr. Barnett said he will do a follow up report at the January 2013 board meeting.

REQUEST FROM CHERRY HILL DENTAL FOR APPROVAL OF BASICS SKILLS EXAM
After detailed discussion regarding the basic skills examination questions that was submitted to the Board, Mr. Barnett asked the Board to make a list of all the questions they have issues with and forward those to him and then he will forward them on to Cherry Hill Dental.

A motion was made by Dr. Saladin and seconded by Dr. Aubert to table this issue and to provide Mr. Barnett with a list of questions that the Board has concerns about within two (2) weeks, then once the Board receives the revised basic skills examination questions from Cherry Hill Dental, a decision will be made. The motion carried unanimously.

REQUEST FROM PROCPR TRAININGS FOR APPROVAL OF THEIR COURSE TO SATISFY BLS REQUIREMENT
After detailed discussion regarding the course material submitted, the Board made the following determination.

A motion was made by Dr. Saladin and seconded by Dr. Aubert to approve the skill evaluator hands on course and their combo course and to deny the online only course, and to additionally request they clarify on their website to their participants what courses are acceptable and not acceptable by the Missouri Dental Board. The motion carried unanimously.

REQUEST FROM J.KEVIN MCGRAW, D.D.S. TO INCLUDE VACCINATIONS IN THE SCOPE OF PRACTICE FOR A DENTIST
After detailed discussion regarding this issue, the following motion was made.
A motion was made by Dr. Titterington and seconded by Dr. Wallace to deny Dr. McGraw’s request to include vaccinations in the scope of practice for dentists. The motion carried unanimously.
CRDTS AND WREB REPORTS
Ms. Polc stated the Board has received the minutes from both the CRDTS and WREB meetings and Ms. Polc then asked the board members if they had any questions regarding the minutes. No questions or comments were made; however, Ms. Polc stated there is one thing that she would like to stress again, with Missouri being a WREB state, next year they are going to look at Missouri and if the Board does not have three (3) active dental examiners and two (2) active dental hygiene examiners then it may change Missouri’s membership status. Mr. Barnett stated Dr. Rolf McCoy spoke with him and said he would be more than happy to take a board member with him to examine. Dr. Saladin stated he contacted WREB; however, he has not heard back from them to date. Mr. Barnett said he would call WREB and make sure that Dr. Saladin is contacted by them in a timely manner.

REPORT FROM AADB MEETING
Ms. Polc and Ms. Ledgerwood thanked the Board for sending them to the AADB meeting. Ms. Polc stated it was an excellent meeting. Ms. Polc also stated she has not had a chance to write a report; however, she will provide Mr. Barnett with her report once completed to include in the January 2013 board material.

Ms. Ledgerwood informed the Board that she had a very good experience at the AADB meeting. Ms. Ledgerwood stated she met lots of lawyer contacts that have been doing this type of work for over twenty (20) years. Ms. Ledgerwood stated she learned a lot and she really appreciates the Board sending her to the meeting.

FUTURE MEETING SCHEDULE
The Board scheduled a conference call for December 12, 2012 at 6:00 p.m., as time nears, if it is not needed, staff will cancel the call.

Ms. Polc informed the Board of the scheduled meetings dates of January 17-18, 2013, April 18-19, 2012, and July 25-26, 2013. Ms. Polc stated the joint meeting will be held on January 18, 2013. Ms. Polc stated the Advisory Commission will have their annual meeting on February 12, 2013. The Board set the October 2013 meeting for October 17-18, 2013.

ADJOURNMENT
There being no further open business to be brought before the Board at this time, a motion was made by Dr. Titterington and seconded by Dr. Saladin that this meeting adjourn. The motion carried unanimously. The meeting adjourned at approximately 2:00 p.m.

Respectfully submitted,

Rhonda Robinett-Fogle, Processing Technician Supervisor
Brian Barnett, Executive Director

Approved by the Board on: ____________