Meeting Notice

Missouri Dental Board

October 24-25, 2013 @ 8:00 a.m.

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

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 24 - 25, 2013

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

Thursday, October 24, 2013

1.  8:00 a.m. Call to Order                  Dr. Wallace
2.  Roll Call                               Ms. Polc
3.  Approval of the Agenda                  Dr. Wallace
4.  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 25, 2013

Friday, October 25, 2013

5.  11:00 a.m. Call to Order                Dr. Wallace
6.  Roll Call                               Ms. Polc
7.  Approval of the Open Minutes            Dr. Wallace
    •  July 25-26, 2013 Full Board
    •  July 11, 2013 Mail Ballot
    •  July 30, 2013 Mail Ballot
    •  August 9, 2013 Mail Ballot
8.  Executive Director Report               Mr. Barnett
    •  Financial Statement
    •  Rulemaking Status Report
9.  Dialogue with Associations              Dr. Wallace
    •  Missouri Primary Care Association
    •  Missouri Dental Assistants Educators
    •  Missouri Dental Hygienists’ Association
10. Request from Allen Schwartz, DDS for approval of Enteral Moderate Sedation Course & Dr. Wallace

11. Review of 20 CSR 2110-2.210 Notice of Injury or Death Rule & Dr. Wallace

12. Request from Missouri College for approval of Dental Assistant Nitrous Monitoring Course & Dr. Wallace

13. Request from MDHA to consider a rule change to allow dental hygienists to administer local anesthesia under general supervision & Dr. Wallace

14. Request from Missouri Dental Association to be approved as an Expanded Function Training Course Provider & Dr. Wallace

15. Request from Brent Kincaid, DDS for approval of Anesthesia Monitoring Course & Dr. Wallace

16. Request from Michael Hoffmann, DDS for approval of Enteral Moderate Sedation Course & Dr. Wallace

17. Request from Saint Louis University to consider a change to the Limited Teaching License statute. & Dr. Wallace

18. CRDTS and WREB Reports & Dr. Wallace

19. Future Meeting Schedule & Dr. Wallace

20. Bernard Tellez, D.D.S. & Dr. Wallace
   • 1:00 p.m. – Probation Violation Hearing

21. Tyuria Williams, R.D.H. & Dr. Wallace
   • 2:00 p.m. – Probation Violation Hearing

22. Coral Stegen, R.D.H. & Dr. Wallace
   • 2:30 p.m. – Probation Violation Hearing

Adjournment
The open meeting of the Missouri Dental Board was called to order by Dr. Kevin Wallace, President, at approximately 8:04 a.m. on Thursday, October 24, 2013 at the Missouri Council School Administrators, 3550 Amazonas Drive, Jefferson City, Missouri.

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

STAFF MEMBERS PRESENT:
Brian Barnett, Executive Director
Rhonda Robinett-Fogle, Licensing Supervisor
Kevin Davidson, Investigator II
Vickie Holtmeyer, Investigator I
Tracie Pfaff, 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 Mr. Relford and seconded by Dr. Titterington to approve the open agenda as written. The motion carried unanimously.

CLOSED SESSION
At approximately 8:05 a.m., a motion was made by Dr. Saladin and seconded by Mr. Relford 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. Aubert, Dr. Saladin, Ms. Polc, Dr. Wallace, Mr. Relford and Dr. Titterington. The motion carried 6 to 0.

FRIDAY, OCTOBER 25, 2013
The Board reconvened in open session at approximately 10:56 p.m. on Friday, October 25, 2013. The meeting was called to order by Dr. Kevin Wallace, at the Missouri Council School Administrators, 3550 Amazonas Drive, Jefferson City, Missouri.

BOARD MEMBERS PRESENT:
Ms. Deborah K. Polc, R.D.H., President
Mr. Randall Relford, Vice President
Dr. Mark F. Saladin, 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
Tracey Pfaff, Investigator II

LEGAL COUNSEL PRESENT:
Sarah Ledgerwood, Division Counsel
Tina Crow-Halcomb, Litigation Counsel

GUESTS PRESENT:
Lori Bruce, RDH Advisory Commission for Dental Hygienists
Lynn Barbour, Missouri Dental Association
Sherry Powell, President, Missouri Dental Hygienists’ Association
Diann Bomkamp, Missouri Dental Hygienists’ Association
Melissa Albertson, Missouri Dental Association
Mary Lou Young, Missouri Dental Assistants Association
Kwai Lum Young, D.D.S.

APPROVAL OF THE MINUTES
A motion was made by Aubert and seconded by Dr. Titterington to approve the open minutes of the July 25-26, 2013 Full Board meeting as written. The motion carried unanimously.

A motion was made by Mr. Relford and seconded by Dr. Saladin to approve the mail ballot open minutes of the July 11, 2013 mail ballot as written. The motion carried unanimously.
A motion was made by Dr. Saladin and seconded by Dr. Aubert to approve the mail ballot open minutes of the July 30, 2013 mail ballot as written. The motion carried unanimously.

A motion was made by Mr. Relford and seconded by Dr. Saladin to approve the mail ballot open minutes of the August 9, 2013 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, 2013.

<table>
<thead>
<tr>
<th>Missouri Dental Board</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY-2014 Financial Statement</td>
</tr>
<tr>
<td>As of August 31, 2013</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beginning Fund Balance – 7/1/013</td>
<td>$2,627,897.24</td>
</tr>
<tr>
<td>YTD Revenue</td>
<td>$21,530.00</td>
</tr>
<tr>
<td>Fund Balance Sub Total</td>
<td>$2,649,427.24</td>
</tr>
<tr>
<td>Appropriations to Board:</td>
<td></td>
</tr>
<tr>
<td>Personal Service</td>
<td>$378,828.00</td>
</tr>
<tr>
<td>Expense &amp; Equipment</td>
<td>$237,475.00</td>
</tr>
<tr>
<td>Total Appropriations</td>
<td>$616,303.00</td>
</tr>
<tr>
<td>Year to Date Appropriation Expenditures:</td>
<td></td>
</tr>
<tr>
<td>Personal Service</td>
<td>$45,005.83</td>
</tr>
<tr>
<td>Expense &amp; Equipment</td>
<td>$10,519.30</td>
</tr>
<tr>
<td>Total Appropriation Expenditures</td>
<td>$55,525.13</td>
</tr>
<tr>
<td>YTD Fund Transfers:</td>
<td></td>
</tr>
<tr>
<td>Rent</td>
<td>$527.35</td>
</tr>
<tr>
<td>Refunds</td>
<td>$0.00</td>
</tr>
<tr>
<td>DIFP Cost Allocation</td>
<td>$881.40</td>
</tr>
<tr>
<td>OA Cost Allocation</td>
<td>$936.00</td>
</tr>
<tr>
<td>PR Transfer</td>
<td>$766.53</td>
</tr>
<tr>
<td>Fringe Benefits</td>
<td>$20,298.67</td>
</tr>
<tr>
<td>Administrative Hearing Comm.</td>
<td>$123.50</td>
</tr>
<tr>
<td>Attorney General Costs</td>
<td>$0.00</td>
</tr>
<tr>
<td>FY 13 Transfers Carried Over</td>
<td>$185.25</td>
</tr>
<tr>
<td>Total Transfers</td>
<td>$23,718.70</td>
</tr>
</tbody>
</table>
Total Fund Expenditures | $79,243.83 | - | $79,243.83
Ending Fund Balance as of August 31, 2013 | $2,570,183.41

Mr. Barnett provided the Board with stated the above financial statement as of August 31, 2013. Dr. Tittering inquired about the remodel of the office and Mr. Barnett said the funding on the remodel was fairly insignificant; however, the Board has not received all billing on it as of yet. Mr. Barnett reported that the construction work on the remodel was around two thousand ($2,000.00). Mr. Barnett also informed the Board that one (1) of the investigators desk had arrived and the two others should be arriving any time now; Mr. Barnett said the cost of each desk is approximately twelve hundred dollars ($1,200.00).

Rulemaking Status Report
Mr. Barnett discussed the rule regarding the number of times an individual can take the competency examination; the current rule states in order for an individual to be eligible to take the examination for a sixth time, then they must get approval from the Board, then the Board would require some type of remediation. Mr. Barnett stated the new rule says if an individual fails the examination twice then the Board may require remediation, and if the individual fails three (3) times then the Board may reject the application. Mr. Barnett stated this rule became effective August 30, 2013.

Legislative Report
No report was given as there is nothing to report.

DIALOGUE WITH ASSOCIATIONS
Missouri Primary Care Association (MPCA)
There were no representatives for the MDAA at this meeting; however, Mr. Barnett stated that Ms. Karen Dent contacted him and informed him that she was unable to make it to this board meeting and she asked Mr. Barnett to share the following information with the Board. Ms. Dent wanted to make the Board aware of the opportunity to attend a dental care workshop in Kirksville, MO on December 6-7, 2013 that MPCA will be hosting for the developmentally disabled. Mr. Barnett said the cost is one hundred dollars $100.00 per dental team (each team is up to six (6) members) if anyone is interested they can contact Ms. Dent for further information.

Missouri Dental Assistants Educators (MDAE)
There were no representatives for the MDAA at this meeting.

Missouri Dental Hygienists’ Association (MDHA)
Ms. Sharon Powell, President of the MDHA stated the Missouri annual session will be held on November 1, 2013 at Camden on the Lake in which they will be offering twenty-eight (28) continuing education hours.

Missouri Dental Assistants Association (MDAA)
Ms. Mary Lou Young, MDAA stated they are going to be getting a basic skills review course at the Mid Continent in Saint Charles, Missouri in November 2013. Ms. Young stated that Ms. Janet Sell will be giving a morning review and then giving the examination in the afternoon. Ms. Young also said it is a short course and applicants are supposed to be studying on their own; she stated thus far there are ten (10) people enrolled.

Missouri Dental Association (MDA)
Lynn Barbour, President of MDA stated they are still waiting to be approved by the Missouri Dental Board to be a course provider. She also stated that they have been in contact with the dental board counsel regarding the EFDA and sedation rules and said counsel has been very helpful. Ms. Barbour stated they are hoping to present restorative II by the end of March 2014, she stated videos are being put together and curriculum is being worked on at the present time. Ms. Barbour stated they are working on this project diligently and it is a possibility it might be done sooner than the end of March. Ms. Melissa Albertson stated the MDA is hoping to be able to host a course in spring 2014.

Dr. Kwai Lum Young asked the Board to consider offering continuing education hours to dentists who volunteer to perform dental screenings in schools as Dr. Young feels this would encourage dentists to volunteer to help schools. Dr. Wallace informed Dr. Young that the board will take his request and place it on the next board agenda for discussion.

REQUEST FROM ALLEN SCHWARTZ, D.D.S. FOR APPROVAL OF ENTERAL MODERATE SEDATION COURSE
A motion was made by Dr. Saladin and seconded by Dr. Titterington to table this request and contact Dr. Schwartz for further clarification regarding how he is going to comply with the ADA guidelines 20 CSR 2110-4.030 (13) (A) (17, 18, and 19) and clinical experience with airway management. The motion carried unanimously.

REVIEW OF 20 CSR 2110-2.210 NOTICE OF INJURY OR DEATH RULE
A motion was made by Dr. Titterington and seconded by Dr. Saladin to approve the proposed rule change as amended below. The motion carried unanimously.

20 CSR 2110-2.210 Notice of Injury or Death
PURPOSE: This rule monitors injuries or deaths occurred by the care and treatment provided by persons licensed or regulated by Chapter 332, RSMo.

(1) A dentist who practices in this state shall submit a report to the board within thirty (30) days of any mortality or any injury requiring [hospitalization within the dentist's knowledge] medical attention and/or treatment from a licensed healthcare provider which occurs to a patient during or within twenty-four (24) hours of [administration of local anesthesia, nitrous oxide inhalation analgesia, conscious sedation with parenteral or enteral drugs, deep sedation, or general anesthesia, while] having received treatment under the care of the dentist.
(2) The report shall include detailed responses to the following:

(A) Description of dental procedure;

(B) Description of pre-operative physical condition of patient;

(C) List of drugs, dosage, and route of administration;

(D) Description of adverse occurrence which shall include:

1. Onset and type of signs and symptoms;
2. Treatment instituted;
3. Response to treatment; and

(E) Description of the patient’s present condition following medical intervention.

(3) The report required by this rule shall be submitted on a form obtained from the Missouri Dental Board by the treating dentist.


REQUEST FROM MISSOURI COLLEGE FOR APPROVAL OF DETAIL ASSISTANT NITROUS MONITORING COURSE
A motion was made by Dr. Aubert and seconded by Dr. Titterington to approve the dental assistant nitrous monitoring course of Missouri College as it meets criteria as outlined in Board Rule. The motion carried unanimously.

REQUEST FROM MDHA TO CONSIDER A RULE CHANGE TO ALLOW DENTAL HYGIENISTS TO ADMINISTER LOCAL ANESTHESIA UNDER GENERAL SUPERVISION
A motion was made by Dr. Aubert and seconded by Dr. Titterington to refer to board legal counsel for research then place on the next closed agenda to consult with legal counsel, and then place on an open agenda to hear from MDA and MDHA. The motion carried unanimously.

REQUEST FROM MISSOURI DENTAL ASSOCIATION TO BE APPROVED AS AN EXPANDED FUNCTION TRAINING COURSE PROVIDER
A motion was made by Dr. Titterington and seconded by Dr. Aubert to approve the MDA as an expanded function training course provider as they meet the criteria outlined in Board Rule. The motion carried unanimously.

REQUEST FROM BRENT KINKAID, D.D.S. FOR APPROVAL OF ANESTHESIA MONITORING COURSE
A motion was made by Dr. Saladin and seconded by Ms. Polc to table as it does not yet meet the criteria outlined in Board Rule as Dr. Kincaid has not provided a test to the Board as of yet. The motion carried unanimously.

REQUEST FROM MICHAEL HOFFMANN, D.D.S. FOR APPROVAL OF ENTERAL MODERATE SEDATION COURSE
A motion was made by Dr. Titterington and seconded by Dr. Saladin to the enteral moderate sedation course of Dr. Hoffman as it meets criteria outlined in Board Rule. The motion carried unanimously.

REQUEST FROM SAINT LOUIS UNIVERSITY TO CONSIDER A CHANGE TO THE LIMITED TEACHING LICENSE STATUTE
A motion was made by Dr. Saladin and seconded by Ms. Polc to draft a letter stating the Board can not support requested proposals. The motion carried unanimously.

CRDTS AND WREB REPORTS
Ms. Polc stated she has a steering meeting for CRDTS in November 2013. Ms. Polc also stated that she will attend an examination review board meeting in March 2014 for WREB. Dr. Saladin stated that he will be attending a dental exam review in February 2014.

FUTURE MEETING SCHEDULE
Ms. Polc requested the Board change the board meeting scheduled for July 25-26, 2014 as she and Dr. Saladin will be out attending WREB. The Board decided to change the meeting date to either the week before or the week after July 25-26, 2014 and left the final date decision up to Mr. Barnett to decide as he will research the meeting agendas time nears to see if possibly the Board can do part of the meeting via conference call on a Thursday afternoon.

The Board also set a meeting for October 23-24, 2014.

BERNARD TELLEZ, D.D.S. PROBATION VIOLATION HEARING
At approximately 1:00 p.m., the Board began its disciplinary violation hearing in the matter of Missouri Dental Board, Petitioner, v. Bernard Tellez, D.D.S., Respondent, Case Number 2012-005373 DB. The record will show that Dr. Tellez was present and was represented by counsel; Amanda Miller. 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 2:27 a.m.

TYURIA WILLIAMS, R.D.H. PROBATION VIOLATION HEARING
The 2:00 p.m. probation violation hearing of Ms, Williams was cancelled.

CORAL STEGEN, R.D.H. PROBATION VIOLATION HEARING
The 2:30 p.m. probation violation of Ms. Stegen was cancelled.

CLOSED SESSION
At approximately 2:34 p.m., a motion was made by Dr. Saladin and seconded by Ms. Polc 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. Aubert, Dr. Saladin, Ms. Polc, Dr. Wallace, Mr. Relford and Dr. Titterington. The motion carried 6 to 0.

**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. Titterington that this meeting adjourn. The motion carried unanimously. The meeting adjourned at approximately 3:05 p.m.

Respectfully submitted,

Rhonda Robinett-Fogle, Processing Technician Supervisor

________________________________
Brian Barnett, Executive Director

Approved by the Board on: ____________