Meeting Notice

Missouri Dental Board

July 28-29, 2016 at 8:00 a.m.

Best Western Hotel
1937 Christy Drive
Jefferson City, Missouri 65101

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.
Open Agenda

Missouri Dental Board
July 28 - 29, 2016

Best Western Hotel
1937 Christy Drive
Jefferson City, Missouri 65101

Thursday, July 28, 2016
1. 8:00 a.m. Call to Order Dr. Wallace
2. Roll Call Dr. Chapman
3. Approval of the Agenda Dr. Wallace
4. 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 29, 2016

Friday, July 29, 2016
5. 8:00 a.m. Call to Order Dr. Wallace
6. Roll Call Dr. Chapman
7. Approval of the Open Minutes Dr. Wallace
   • April 28 -29, 2016 Board Meeting
   • April 8, 2016 Mail Ballot
8. Presentation from The Commission on Dental Competency Assessments (CDCA) Dr. Wallace
9. Executive Director Report Mr. Barnett
   • Financial Statement
   • AADA Meeting
10. Dialogue with Associations Dr. Wallace
    • Missouri Primary Care Association
11. Teledentistry Dr. Wallace
12. Review and Approval of Specialty Committees for FY2017 Dr. Wallace
13. Request from Alan Schwartz, DDS, CRNA for approval of online nitrous monitoring course Dr. Wallace
14. Request from Linda Twehous, CDA for approval as an Expanded Functions Course Provider Dr. Wallace
15. Review of Clinical Competency Exam Components Dr. Wallace
16. Sleep Apnea Dr. Chapman
17. Review of proposal from Dean Pyle, UMKC Dental School, regarding Limited Teaching License statute Dr. Wallace
18. CRDTS and WREB Reports Dr. Wallace
19. Elections Dr. Wallace
   - CRDTS Representatives
   - WREB Representatives
   - ADEX Representatives
   - Well-Being Committee Representative
20. Election of Officers Dr. Wallace
    - President
    - Vice President
    - Secretary
21. Review of Task List Dr. Wallace
22. Future Meeting Schedule Dr. Wallace
23. Motion to go into Closed Session Dr. Aubert
Closed meeting pursuant to Sections 610.021 (1), (3), (5), (7), (13) and (14), RSMo, 324.001.8, RSMo and 324.001.9, RSMo.

Adjournment
OPEN MINUTES
Missouri Dental Board

July 28-29, 2016

Best Western Hotel
1937 Christy Drive
Jefferson City, Missouri 65101

The meeting of the Missouri Dental Board was called to order by Dr. Kevin Wallace, President, at approximately, 8:00 a.m. on Thursday, July 28, 2016, at the Best Western Hotel, 1937 Christy Drive, Jefferson City, Missouri.

BOARD MEMBERS PRESENT:
Dr. Kevin D. Wallace, President
Dr. Eric J. Aubert, Vice President
Dr. Bryan Chapman, Secretary
Ms. Nancy Maus, RDH, Member
Dr. William T. Kane, Member
Mr. Randall Relford, Public Member

STAFF MEMBERS PRESENT:
Brian Barnett, Executive Director
Josh Fisher, Investigator II
Tracey Pfaff, Investigator II
Rhonda Robinett, Investigator I

LEGAL COUNSEL PRESENT:
Sarah Ledgerwood, Division Counsel

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

CLOSED SESSION
At approximately 8:03 a.m., a motion was made by Dr. Aubert and seconded by Ms. Maus to move into closed session pursuant to Chapter 810.021, 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. Chapman, Ms. Maus, Mr. Relford, Dr. Aubert, Dr. Kane and Dr. Wallace. The motion carried 6 to 0.
FRIDAY, July 29, 2016
The Board reconvened in open session at approximately 8:00 a.m. on Friday, July 29, 2016. The meeting was called to order by Dr. Kevin Wallace at the Best Western Hotel, 1937 Christy Drive, Jefferson City, Missouri.

BOARD MEMBERS PRESENT:
Dr. Kevin D. Wallace, President
Dr. Eric J. Aubert, Vice President
Dr. Bryan Chapman, Secretary
Ms. Nancy Maus, RDII, Member
Dr. William T. Kane, Member
Mr. Randall Relford, Public Member

STAFF MEMBERS PRESENT:
Brian Barnett, Executive Director
Rhonda Robinett, Investigator I
Josh Fisher, Investigator II
Tracey Pfaff, Investigator II

LEGAL COUNSEL PRESENT:
Sarah Ledgerwood, Division Counsel

GUESTS PRESENT:
David Perkins, DMD, Commission on Dental Competency Assessments
Diann Bomkamp, RDH, Missouri Dental Hygienist's Association
John Dane, DDS
Alex Vandiver, MBA, Commission on Dental Competency Assessments
Michael Otradovec, DDS, Lake Dental Clinic
Vernon McElwee, DDS, Lake Dental Clinic
Jody Vance, DDS, Missouri Dental Association
Anne Keller, RDH, Missouri Dental Hygienist's Association
Linda Twehous, CDA
Merle Nunemaker, DDS, Missouri Dental Association
Lori Bruce, RDH, Advisory Commission for Dental Hygienists
Samuel Dednam, DMD
Melissa Albertson, Missouri Dental Association
Katie Reichard, Missouri Dental Association
Mandy Lewis, Missouri Dental Association

APPROVAL OF THE MINUTES
A motion was made by Dr. Aubert and seconded by Ms. Maus to approve the open minutes of the April 28-29, 2016 full board meeting as written. The motion carried unanimously.

A motion was made by Dr. Aubert and seconded by Mr. Relford to approve the open minutes of the April 8, 2016 mail ballot as written. The motion carried unanimously.
PRESENTATION FROM THE COMMISSION ON DENTAL COMPETENCY ASSESSMENTS (CDCA)

David Perkins, D.M.D and Alexander Vandiver, MBA, both with the CDCA gave a power point presentation to the Board which will be maintained as permanent part of the record.

EXECUTIVE DIRECTOR REPORT

Financial Statement

Mr. Barnett provided the Board with the following Financial Statement as of May 31, 2016.

Missouri Dental Board
FY-2016 Financial Statement
As of May 31, 2016

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<tr>
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<tr>
<td>Beginning Fund Balance – 7/1/15</td>
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<td>YTD Revenue</td>
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<td>Fund Balance Sub Total</td>
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<td>Total Appropriations</td>
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<td>Year to Date Appropriation</td>
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<tr>
<td>Expenditures:</td>
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<td>Personal Service</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>Rent</td>
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<td>DIFP Cost Allocation</td>
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<td>OA Cost Allocation</td>
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<td>PR Transfer</td>
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<td>Fringe Benefits</td>
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<td>Administrative Hearing Comm.</td>
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<td>Attorney General Costs</td>
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<td>FY 15 Transfers Carried Over</td>
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<tr>
<td>Total Transfers</td>
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Mr. Barnett advised the Board that the fee reduction rule will be in effect tomorrow, July 30, 2016 prior to the renewal notices being sent out. Dr. Aubert asked if there is a chance for a sweep. Mr. Barnett stated that he keeps an eye on it thoroughly so he doesn’t feel that we are in any danger of being swept. If anything changes during the renewal we will speak of it in January 2017 during the meeting.

Mr. Barnett informed the Board that the deadline to resubmit legislation to require AEC’s is today. A motion was made by Dr. Aubert and seconded by Mr. Relford to resubmit the legislation to require ADE’s in dental office. The motion carried unanimously.

Mr. Barnett informed the Board that the annual AADA meeting will be coming up in fall located in Denver. A motion was made by Dr. Aubert and seconded by Mr. Relford to approve Sarah Ledgerwood and Brian Barnett to attend the AADA meeting on October 16-17, 2016. The motion carried unanimously.

Mr. Barnett informed the Board that the annual AADB meeting will be coming up in the fall located in Denver. A motion was made by Dr. Aubert and seconded by Mr. Relford to approve Dr. William Kane to attend the AADB meeting on October 18-19, 2016. The motion carried unanimously.

**DIALOGUE WITH ASSOCIATIONS**

Dr. John Dane, State Dental Director, works under state agencies of Division of Social Services-MO Health Division, Department of Health and Senior Services. Dr. Dane reported that the adult dental services will begin January 1, 2017. Medicaid is moving forward with Managed Care Dental across the state beginning May 1, 2017. Dr. Dane said that will leave the blind, disabled and nursing home residents as fee for service in the State. Dr. Dane said that dentists may have already received brochures in the mail asking to participate in the program. Participation is not mandatory.

Dr. Dane also reported that Delta Dental Foundation will be funding a dental sealant project over the next 5 years providing dental sealants to high risk kids in the State of Missouri; hopefully it will be ready to start January 2017.

Dr. Dane added that there are still significant issues regarding access to care. There are still 5 counties that have no dentists and a shortage of dentists in 18 other counties. Dr. Wallace said that moving the entire Medicaid section into a managed care system is a huge cost issue, he asked Dr. Dane if he has a position on this and if it will hurt or help access care as opposed to fee for service.

Dr. Dane indicated that they are hoping it doesn’t hurt access. Currently, a lot of practices do not take any managed care. There is some concern that the number of
providers may go down, but there is no way of knowing until we get closer to May 1, 2017 to know what the impact will be.

**Missouri Primary Care Association (MPCA)**
There were no representatives for the MPCA at this meeting.

**Missouri Dental Assistants Educators (MDAE)**
Linda Twehous representing the MDAE stated there is nothing to report.

**Missouri Dental Hygienists’ Association (MDHA)**
Ann Keller, RDH representing the MDHA. Ms. Keller informed the Board that the MDHA has on-going concerns regarding access to care. MDHA is moving forward with their legislative agenda and still have not be able to come to terms with the MDA on this issue.

Ms. Keller said that they are excited about teledentistry and the impact that it could have for Missouri patients and dental hygienists.

Ms. Keller asked the question about being approached by an organization called Lift Up for volunteering services as Dental Hygienist; however, there is not a Dentist on staff. Mr. Barnett directed Ms. Keller to Statute 332.311, which states that a dental hygienist has to work under the supervision of a dentist with the exception of a public health setting. The Board we cannot provide an interpretation of the statute, unless it is done through a rule or the courts.

Ms. Keller informed the Board that the MDHA annual meeting will be coming up in October and would like to invite all to attend.

Ms. Keller also announced that the Greater St. Louis Dental Hygienist Association will be having a 5 K run/walk on August 6 to raise awareness of access oral healthcare.

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

**Missouri Dental Association (MDA)**
Dr. Jody Vance, representing the Missouri Dental Association thanked Mr. Brian Barnett and the Board for lowering the licensure renewal fees.

Dr. Vance spoke regarding the Lift Up Program, the MDA has concerns with some of these problems, for example the follow up treatment for patients, even just being a volunteer, as dentist we still need follow up with these patients.

Dr. Vance congratulated Dr. Kane on being appointed to the Dental Board and said that it is great to have him as a part of the Board.
Dr. Vance reported that he is very pleased that they were able to get the Fluoride Bill passed, but unfortunately the Cone Beam legislation was stopped in the Senate. They will resubmit again during the next legislative session.

Dr. Vance said that they will be hosting the Mid State Dental Conference, which will be in the next 3 weeks.

MOMOM will be held in two weeks and will be in Independence, Missouri this year. We have 1,100 community volunteers, over 200 dentist and many dental hygienists signed up to help and offer free dental care.

Dr. Vance reported that they had their board of trustees meeting at UMKC in April. It went very well and was nice to interact with the students. Next year it is planned to be in Kirksville, Missouri.

UMKC DENTAL SCHOOL
Dr. Connie White represented the UMKC Dental School. Dr. White reported that everything seems to be going well at the dental school. Dr. White said they have been in session all summer and will be breaking for the fall in a couple of weeks. Coming up will be an orientation of 110 new dental students for the fall. Dr. White feels that this is one of the most diverse classes that they have had and are excited to get started again.

The Dean did announce at a meeting this week that the Joplin satellite program is moving forward. Dr. White said that have received some funding so they are able to start renovation on the laboratories so they will be updated.

Dr. Aubert asked how many applicants the school has. Dr. White reported that she thinks it is around 850-900 applicants for 100 spots.

Dr. White said they are up for an accreditation site visit in 2017 and are planning on having a mock site visit this fall. This means that some examiners will be coming into the school and looking at what we have put together so far. There are some new standards this year. Dr. White said that they have to show diversity, inclusion, an a humanistic culture which is to show initiatives that we are providing an environment that is conducive to learning.

Dr. Wallace asked if Dr. White thought the accreditation is necessary. Dr. White said she absolutely thinks accreditation is necessary. She feels ultimately it makes all of the schools better. It’s an opportunity to improve and provides a way for us to look inward and make sure that we are providing good education, that we have competent graduates and to look at the curriculum to make sure all of the material is being clearly covered in all of our courses.

TELEDENTISTRY
Dr. Wallace said that now that the law has passed and he is not sure how much it changes actually changes anything.
Diann Bomkamp, RDH stated that she wonders if we could have a separate supervision level for teledentistry supervision. If you are going to have a dental hygienist at another site getting information about the patient, such as taking radiographs or probing, that requires the patient to be a patient of record, meaning that patient has to be examined first by the supervising dentist. That would seem to defeat some of the intent of teledentistry as it pertains to increasing patients’ access to care. So the MDHA is looking at maybe having a separate definition of teledentistry supervision, so that it would be clear that these things can be done without the patient of record provision in there, if you’re collecting data on that patient.

Dr. Wallace agreed that Ms. Bomkamp brought up an important issue. What is the definition of a patient of record and how does it pertain specifically to a dental hygienist and what they can and can’t do. Dr. Wallace asked Ms. Bomkamp if her concern is that a hygienist couldn’t see a patient prior to the dentist, to gather information for the dentist to use for a diagnosis. Ms. Bomkamp said that is correct. Ms. Bomkamp also brought up another issue that it will be tough for dental assistants to do things under teledentistry because the statue didn’t change the requirement that dental assistants have to work under direct supervision.

Dr. Wallace said as far as dental assistants, it does not change their scope of practice so he doesn’t feel that this affects them in any way.

Dr. Wallace said he would like to begin by looking at the patient of record issue and whether or not the dental hygienist can gather the initial information for the patient that the dentist will use to conduct the exam to create the diagnosis and treatment plan, such as radiographs, using telehealth technology.

Dr. Wallace asked if the MDA had any concerns in this area. Merle Nunemaker, DDS representing the MDA committee on teledentistry stated there are some concerns they would like to address. Dr. Nunemaker stated that teledentistry has a lot of potential, but as far as the exam goes, he was hoping to get some direction from the Board about its definition of an exam. Dr. Nunemaker stated that the definition of an exam seems pretty straightforward; with a little tweaking a dental hygienist can take photos and radiographs and then through teledentistry could be forwarded that information directly to the dentist. One of our recommendations is, to put a 72 hour limit within which a diagnosis has to be rendered. Record keeping could be done by the record taker on site, the dentist could do the examination through those records, and at that point the patient would become the patient of record and they could come up with a diagnosis and treatment plan.

Dr. Nunemaker understands the concern that Ms. Bomkamp has, so the supervision may need adjusting and agrees that patient of record and examination issues need to be clarified. Once those records are taken and the dentist then has a virtual examination, then they become the patient of record then at that time the dentist can authorize the treatment within the scope of practice of the dental hygienist.
Dr. Wallace stated that he sees nothing that states that the dentist has to have physical contact so that may require a rule change.

Ms. Bomkamp is concerned with the diagnosis, as a good diagnosis must include probing and probing cannot be done without the dentist.

Dr. Wallace would like to table this and put on the next agenda and have the Board consult with its legal counsel regarding current law. Dr. Wallace asked the MDA to do some more research and bring back ideas to the next meeting.

**REVIEW AND APPROVAL OF SPECIALTY COMMITTEES FOR FY2017**

A motion was made by Dr. Aubert and seconded by Ms. Maus to approve the FY2017 Specialty Examining Committee. The motion carried unanimously.

Mr. Barnett asked the Board to try to recruit Specialty Examiners for the Committees and then bring information for the Board to review.

**REQUEST FROM ALAN SCHWARTZ, DDS, CRNA FOR APPROVAL OF ONLINE NITROUS MONITORING COURSE**

A motion was made by Dr. Aubert and seconded by Ms. Maus to approve the online nitrous monitoring course. The motion carried unanimously.

**REQUEST FROM LINDA TWEHOUS, CDA FOR APPROVAL AS AN EXPANDED FUNCTIONS COURSE PROVIDER**

Ms. Twehous informed the board that she will no longer be associated with State Technical College as of August 15, 2015; Kathy Jeffries will be taking over the position.

Dr. Wallace asked Ms. Twehous to submit more information before a decision can be made by the Board regarding this. The Board will need to review the curriculum and copy of the contract with Missouri College; Ms. Twehous will submit the information to the Board.

Dr. Wallace also stated another concern he has is the faculty issue, the way he reads it, the intent is to use the staff of the office being trained as part of the faculty. Dr. Wallace asked Ms. Twehous to send another list of more independent faculty.

A motion was made by Dr. Aubert and seconded by Ms. Maus to participate and observe any courses that are providing Board approved training for assistants in Missouri. Every board member will attend at least one, and then bring back information and report to the Board. The motion carried unanimously.

Mr. Barnett will get a list of upcoming courses from all approved course providers and bring to the October meeting and then divide between board members. There will need to be a minimum of 2 board members to attend each of the courses.
REVIEW OF CLINICAL COMPETENCY EXAM COMPONENTS
A motion was made by Dr. Aubert and seconded by Dr. Chapman for the Board to apply for membership of the CDCA. The motion carried unanimously.

SLEEP APNEA
Dr. Wallace requested to table this issue until the next meeting.

REVIEW OF PROPOSAL FROM DEAN PYLE, UMKC DENTAL SCHOOL, REGARDING LIMITED TEACHING LICENSE STATUTE
Dr. White spoke on the letter that Dean Pyle presented to the Board and stated they would like to see a reasonable means for a dentist in a teaching capacity in a DDS and DMD program within the school of dentistry, to obtain dental licensure for Dental Educations in the State of Missouri.

Mr. Barnett stated that one of the problems that may be coming up is difference in understanding of what those term teaching means. An employee of the dental school going into the school’s practice and providing dental care to patients for compensation at that point wouldn’t seem to be teaching but would in fact be an employee dentist of the school. Is it accurate to refer to that as being something that could be done under the authority of a teaching license? Mr. Barnett then had a follow up question, is it legal for the dental school to employ dentists for the purpose of practicing dentistry on the public for compensation in a situation that did not involve instructing students? Mr. Barnett said the Board may want to talk to its legal counsel to research that and come up with a definite answer.

Dr. Wallace said what we are discussing is considered a law change, so it will be a long process.

Dr. Wallace said that he sees major differences that have been presented regarding changes in the current law. He said he is unclear if the proposal requires the applicant to complete an CODA approved specialty program or be certified by the applicable specialty board. Dr. White explained that an applicant would have to sit for the licensure exam for their specialty. Another suggestion was allowing something like reciprocity for applicants having a teaching license in other states. Dr. Wallace said he has a lot of concerns about that because of all the different requirements that other states have. Dr. Wallace also stated that he has a hard time agreeing to waive competency exam requirements if every other dentist has to complete a competency exam to get a license.

Dr. Wallace will encourage the Board to go back through the documents that Dr. Hyle and UMKC Dental School have provided to the board.

ADEX/CRDTS/WREB REPORTS
Verbal report from Dr. Aubert and Ms. Maus and discussions, no motions were made.
ELECTIONS
A motion was made by Dr. Aubert and seconded by Dr. Kane to keep all representatives the same for CRDTS. The motion carried unanimously.

A motion was made by Dr. Aubert and seconded by Dr. Chapman to keep Nancy Maus as the Dental Hygienist representative and nominate Dr. Kane as the dentist representative for WREB. The motion carried unanimously.

A motion was made by Dr. Chapman and seconded by Mr. Relford to keep representatives the same for ADEX. The motion carried unanimously.

A motion was made by Dr. Aubert and seconded by Ms. Maus to nominate Dr. Kane as the Board’s well-being committee representative. The motion carried unanimously.

ELECTION OF OFFICERS
A motion was made by Dr. Wallace and seconded by Ms. Maus to nominate Dr. Aubert as Board President. The motion carried unanimously.

A motion was made by Dr. Aubert and seconded by Ms. Maus to nominate Dr. Wallace as Board Vice President. The motion carried unanimously.

A motion was made by Dr. Aubert and seconded by Mr. Relford to nominate Ms. Maus as Board Secretary.

REVIEW OF TASK LIST
The Board reviewed the items on its task list. The Board will have the topics of Research from WREB, CRDTS and CDCA, Teledentistry, Sleep Apnea, Faculty Teaching License placed on the October agenda for Board discussion.

FUTURE MEETING SCHEDULE
The Board added another day to the October meeting, Wednesday October 26, 2016. The Board set a meeting date for July 27-28, 2017.

ADJOURNMENT
There being no further open business to be brought before the Board at this time, a motion was made by Ms. Maus and seconded by Dr. Aubert to adjourn. The motion carried unanimously. The meeting adjourned at approximately 12:20 a.m.

Respectfully submitted,
Sarah Becker, Processing Technician Supervisor
Brian Barnett, Executive Director

Approved by the Board on: \( \text{December 26, 2014} \)