Meeting Notice

Missouri Dental Board

April 20-21, 2017 at 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.
Open Agenda

Missouri Dental Board
April 20 - 21, 2017

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

Thursday, April 20, 2017

1. 8:00 a.m. Call to Order Dr. Aubert
2. Roll Call Ms. Maus
3. Approval of the Agenda Dr. Aubert
4. Motion to go into Closed Session
   Closed meeting pursuant to Sections 610.021 (1), (3), (5), (7), (11), (13) and (14), RSMo, 324.001.8, RSMo and 324.001.9, RSMo.
   Dr. Wallace

The Board will remain in closed session until
Friday, April 21, 2017

Friday, April 21, 2017

5. 8:00 a.m. Call to Order Dr. Aubert
6. Roll Call Ms. Maus
7. Approval of the Open Minutes
   • January 19-20, 2017 Board Meeting Dr. Aubert
8. Executive Director Report Mr. Barnett
   • Financial Statement
9. Dialogue Dr. Aubert
   • Missouri Primary Care Association
   • Missouri Dental Assistants Educators
   • Missouri Dental Hygienists’ Association
   • Missouri Dental Assistants Association
   • Missouri Dental Association
10. Teledentistry/Patient of Record Definition  
   Dr. Aubert

11. Expanded Function Permit Renewal Discussion  
    Mr. Barnett

12. Discussion Regarding Auditing of Expanded Function  
    Course Providers  
    Dr. Aubert

13. Discussion Regarding Requiring Fingerprint Background  
    Checks for Licensing  
    Dr. Aubert

14. Discussion Regarding Specifying Continuing Education  
    Requirements for Renewals  
    Dr. Aubert

15. Request from Rocky Mountain Sedation for Approval of  
    Enteral Sedation Training Course  
    Dr. Aubert

16. Review of Information from CE Zoom  
    Dr. Aubert

17. Exam Representative Reports  
    Dr. Aubert

18. Review of Task List  
    Dr. Aubert

19. Future Meeting Schedule  
    Dr. Aubert

20. Motion to go into Closed Session  
    Closed meeting pursuant to Sections 610.021 (1), (3), (5),  
    (7), (11), (13) and (14), RSMo, 324.001.8, RSMo and  
    324.001.9, RSMo.  
    Dr. Wallace

Adjournment
OPEN MINUTES
Missouri Dental Board
April 20-21, 2017
Missouri Council of School Administrators
3550 Amazonas Drive
Jefferson City, Missouri 65109

The open meeting of the Missouri Dental Board was called to order by Dr. Eric Aubert, President, at approximately, 8:00 a.m. on Thursday, April 20, 2017, at the Missouri Council of School Administrators, 3550 Amazonas Drive, Jefferson City, Missouri.

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

STAFF MEMBERS PRESENT:
Brian Barnett, Executive Director
Sarah Becker, Processing Technician Supervisor
Josh Fisher, Investigator II
Tracey Pfaff, Investigator II
Rhonda Robinett, Investigator I

LEGAL COUNSEL PRESENT:
Thomas Townsend, 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 8:02 a.m., a motion was made by Dr. Wallace and seconded by Dr. Chapman to move into closed session pursuant to Chapter 610.021, sections (1), (3), (5), (7), (11), (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.
RECESS
At approximately 4:04 p.m., April 20, 2017, the Board recessed for the day.

FRIDAY, APRIL 21, 2017
The Board reconvened in open session at approximately 8:03 a.m. on Friday, April 21, 2017. The meeting was called to order by Dr. Eric Aubert at the Missouri Council of School Administrators, 3550 Amazonas Drive, Jefferson City, Missouri.

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

STAFF MEMBERS PRESENT:
Brian Barnett, Executive Director
Sarah Becker, Processing Technician Supervisor
Tracey Pfaff, Investigator II
Josh Fisher, Investigator II
Rhonda Robinett, Investigator I

LEGAL COUNSEL PRESENT:
Thomas Townsend, Division Counsel

GUESTS PRESENT:
Diann Bomkamp, RDH, Missouri Dental Hygienists Association
Vicki Wilbers, Missouri Dental Association
Katie Reichard, Missouri Dental Association
Melissa Albertson, Missouri Dental Association
Ashton Frank, RDH, Advisory Commission for Dental Hygienists
Janet Sell, Ozark Technical College
Rebecca Caceres, Ozark Technical College
Lori Bruce, RDH, Advisory Commission for Dental Hygienists
Nathan Suter, DDS, COMTREA
Merle Nunemaker, DDS, Missouri Dental Association
Prabu Raman, DDS, Missouri Dental Association

APPROVAL OF THE MINUTES
A motion was made by Dr. Chapman and seconded by Ms. Maus to approve the open minutes of the January 19-20, 2017 full board meeting as written. The motion carried unanimously.
# EXECUTIVE DIRECTOR REPORT

## Financial Statement

Mr. Barnett provided the Board with the following Financial Statement as of February 28, 2017.

## Missouri Dental Board

**FY-2017 Financial Statement**

**As of February 28, 2017**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beginning Fund Balance – 7/1/016</td>
<td>$2,314,729.89</td>
</tr>
<tr>
<td>YTD Revenue</td>
<td>$889,389.51</td>
</tr>
<tr>
<td>Fund Balance Sub Tctal</td>
<td>$3,204,119.40</td>
</tr>
<tr>
<td><strong>Appropriations to Board:</strong></td>
<td></td>
</tr>
<tr>
<td>Personal Service</td>
<td>$394,642.00</td>
</tr>
<tr>
<td>Expense &amp; Equipment</td>
<td>$237,475.00</td>
</tr>
<tr>
<td>Total Appropriations</td>
<td>$632,117.00</td>
</tr>
<tr>
<td><strong>Year to Date Appropriation Expenditures:</strong></td>
<td></td>
</tr>
<tr>
<td>Personal Service</td>
<td>$193,333.51</td>
</tr>
<tr>
<td>Expense &amp; Equipment</td>
<td>$77,828.47</td>
</tr>
<tr>
<td>Total Appropriation Expenditures</td>
<td>$271,161.98</td>
</tr>
<tr>
<td><strong>YTD Fund Transfers:</strong></td>
<td></td>
</tr>
<tr>
<td>Licensure System Cost</td>
<td>$0.00</td>
</tr>
<tr>
<td>Rent</td>
<td>$3,993.68</td>
</tr>
<tr>
<td>Refunds</td>
<td>$60.00</td>
</tr>
<tr>
<td>DIFP Cost Allocation</td>
<td>$3,153.18</td>
</tr>
<tr>
<td>OA Cost Allocation</td>
<td>$6,136.00</td>
</tr>
<tr>
<td>PR Transfer</td>
<td>$22,119.93</td>
</tr>
<tr>
<td>Fringe Benefits</td>
<td>$97,638.23</td>
</tr>
<tr>
<td>Administrative Hearing Comm.</td>
<td>$368.25</td>
</tr>
<tr>
<td>Attorney General Costs</td>
<td>$0.00</td>
</tr>
<tr>
<td>FY 16 Transfers Carried Over</td>
<td>$(3,612.88)</td>
</tr>
<tr>
<td>Total Transfers</td>
<td>$129,865.39</td>
</tr>
<tr>
<td><strong>Total Fund Expenditures</strong></td>
<td>$401,017.37</td>
</tr>
<tr>
<td><strong>Ending Fund Balance as of February 28, 2017</strong></td>
<td>$2,893,102.03</td>
</tr>
</tbody>
</table>
Mr. Barnett informed the board that the fund balance is in good shape. The legislature has been looking at the Division of Professional Registration to sweep funds. There was an amendment to one of the budget bills that started in House of Representatives. That amendment was defeated. The budget is currently in the Senate.

Mr. Barnett commended the Board for having done a tremendous job on managing the Boards funds and how it has cut expenses. The Board has reduced license renewal fees for the past several years. The Division has also worked very hard in trying to address some of these issues. Mr. Barnett indicated that the board may need to have some strategic meetings to discuss fund balances.

Mr. Barnett spoke about the Executive Order Number 3 which pertains to the rules review process. The Division’s legal counsel will be in contact with Governor’s office and will receive more input on completing the process of the review of rules. The Governor’s office has provided good guidance on this process. The purpose of the hearings is to allow for the public to provide input on rules. The Governor’s office has reported that it is acceptable to conduct the required public hearings during the Boards regular meetings. They don’t expect the Boards to be engaged in any debate, only to allow someone to speak and provide their input. The hearing is not expected to be an open, back and forth debate pertaining to any particular rules. The Governor’s office has provided a format to the Board regarding what needs to be on the reports and what information we need to submit to the Governor’s office by May 2018. Mr. Barnett recommends that the Board plan extra time to allow for public comments during the July and October meetings. We will also provide a way to submit public comments on line.

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

Missouri Dental Assistants Educators (MDAE)
Ms. Janet Sell representing the MDAE. Ms. Sell informed the board that the MDAE has not met formally for a long time. The MDA has provided some EFDA training along with Ozark Technical College having a representative there. Ozark Technical College has SRTA coming in for the Dental Hygiene clinical exam with 54 students in the area coming in to take the exam.
Rebecca Caceres, Ozark Technical College reported that a lot of students are involved with the upcoming MOMOM.

Missouri Dental Hygienists’ Association (MDHA)
Ashton Frank, RDH representing the MDHA. Ms. Frank informed the Board that the MDHA will have a board meeting on April, 23, 2017. Ms. Frank stated she had nothing new to report to the Board at this time.

Missouri Dental Assistants Association (MDAA)
There were no representatives for the MDAA at this meeting.
Missouri Dental Association (MDA)
Prabu Raman, DDS, representing the MDA.

Dr. Raman informed the Board that MOMOM will be June 9-10, 2107 in Joplin. He hopes for a great turn out.

Dr. Raman informed the Board that the next MDA Board meeting will be held at ATSU-MOSDOH- St. Louis Clinic on April 28, 2017.

Dr. Raman wanted to speak to the Board regarding auditing of expanded function training programs. They have in the past asked the Missouri Dental Board to audit our EFDA program and hopes the Board will do so.

There has been ciscussion regarding fund sweeps by the legislature. The MDA sent out an alert to all members regarding the appropriations of the Missouri Dental Board funds, and there was a great turn out of MDA members calling their senators letting them know how they opposed the idea of taking money away from the Dental Board for other purposes. At this point, Dr. Raman believes it was effective.

The next item Dr. Raman wanted to speak to the Dental Board about is the Comfort Dental franchise ‘ee legislative proposal. Comfort Dental has reached out to the MDA regarding the proposal they had dealing with franchise fees. The MDA worked with them and put some language in that would basically make sure that it wouldn’t interfere with the clinical judgement of the dentist. They agreed with the MDA and it was moving along until the dental service organizations tried to add some language that would exclude them from the oversight of the Dental Board. The discussions on the legislation are on hold at this time.

The MDA is pursuing a legislative change again this year to change the requirements that cone beam radiographic equipment be inspected every year. There is data showing that with all of those yearly inspections, it has not shown the increase of patient safety and the inspections causes an unnecessary cost that is ultimately passed on to the patients as the cost of yearly inspections typically run $1800.00.

UMKC School of Dentistry
Marsha Pyle, DDS, representing UMKC. Dean Pyle reported that UMKC dental school has recently had their clinical licensure exam and reported that there was a pass rate of 97.5 %, which is well above the national average.

UMKC is still currently working on its accreditation. They will have a site visit in October this year.

The ADA has made a decision to develop an OSCE and what that might mean in the future. Dean Pyle indicated that she serves on the ADA’s task force for licensure. The ADA is planning on having the OSCE available in 2019.
Dr. Wallace asked if this is similar to the OSCE that is being used in Canada.

Dean Pyle responded that could be one piece, depending on what the states are wanting. It will be patterned after the Canadian OSCE but won’t be exactly the same. At this time there are a lot of unanswered questions so hopefully the taskforce will be able to answer questions after further discussions.

Missouri State Dental Director
There were no representatives for the Missouri State Dental Director at this meeting.

TELEDENTISTRY/PATIENT OF RECORD DEFINITION
Merle Nunemaker, DDS, representing the Missouri Dental Association regarding the combined draft language, Dr. Nunemaker said that the MDA sees no reason to not agree with the proposed language.

Nathan Suter, DDS also added that being involved with this early on, this new language makes it real clear on what we can and cannot do relating to teledenistry.

A motion was made by Dr. Wallace and seconded by Dr. Kane to move forward with the drafted language and rule change. Those voting yes: Dr. Aubert, Dr. Wallace, Dr. Kane, Dr. Chapman, Mr. Relford and Ms. Maus. The motion passed 6-0.

EXPANDED FUNCTION PERMIT RENEWAL DISCUSSION
Brian Barnett informed the Board March 1, 2018 all expanded function permits will be coming up for renewal. Mr. Barnett said his goal is to make it as easy as possible to have these permits renewed. Mr. Barnett said that it is great that we have this population working and we need to keep them working. Mr. Barnett said that there are a little over 6,000 current permits, he expects at renewal time there may be closer to 7,000 permits. They are legally obligated to have the permits in order to practice and are required to complete continuing education.

Mr. Barnett recommends that we do not charge a fee to renew these permits since a specific fee has not yet been established in the rule.

A motion was made by Dr. Wallace and seconded by Ms. Maus to waive the renewal fee for the expanded function permits for the upcoming renewal. Those voting yes: Dr. Aubert, Dr. Wallace, Dr. Kane, Dr. Chapman, Mr. Relford and Ms. Maus. The motion passed 6-0.

Mr. Barnett asked the Board to possibly prorate the continuing education for the expanded function permits renewals. Mr. Barnett requested the board to review the added language of “For any permits that are issued twelve (12) months or less from the expiration date of that permit, the permit holder shall only be required to obtain four (4) hours of board-approved continuing education to renew those permits.”
A motion was made by Dr. Wallace and seconded by Dr. Kane to prorate the continuing education and to adopt the suggested language. Those voting yes: Dr. Aubert, Dr. Wallace, Dr. Kane, Dr. Chapman, Mr. Relford and Ms. Maus. The motion passed 6-0.

**DISCUSSION REGARDING AUDITING OF EXPANDED FUNCTION COURSE PROVIDERS**

Dr. Wallace would like to see if we can audit every provider once a year. He believes by sending 2 (two) Board members to each audit, Dr. Wallace suggested putting together a committee to find volunteers to do evaluations. He believes under Board guidance with objective criteria. To have the committee set the criteria.

Mr. Barnett suggested the Board set up a specialty committee of volunteers to provide the audits of these courses. The committee will still be under the supervision of the Board, but this will allow the audits to be completed. Mr. Barnett said that there is an issue of manpower and to be realistic to get the audits done, there needs to be help outside of the Board.

A motion was made by Dr. Wallace and seconded by Mr. Relford to direct Mr. Barnett to set up the objective criteria of the committee, put together and bring back to the Board with potential committee members that will be willing to work on this project. Those voting yes: Dr. Aubert, Dr. Wallace, Dr. Kane, Dr. Chapman, Mr. Relford and Ms. Maus. The motion passed 6-0.

**DISCUSSION REGARDING REQUIRING FINGERPRINT BACKGROUND CHECKS FOR LICENSING**

Mr. Barnett brought to the board the potential rule change language that requires initial fingerprint background checks for new applicants.

(H) Proof of submission of fingerprints to the Missouri State Highway Patrol's approved vendor for both a Missouri State Highway Patrol and Federal Bureau of Investigation fingerprint background check. Any fees due for fingerprint background checks shall be paid by the applicant directly to the Missouri State Highway Patrol or its approved vendor; and [(H)]!(I) A form provided by the board verifying licensure in other state(s), if applicable. Verification forms must be sent directly to the board from the licensure board(s) from which the applicant currently holds or has ever held a dental license; and [(I)] [(J) Each application form and documentation must be completed within one (1) year from the date of submission to the board, including the taking and passing of the jurisprudence examination. If not completed within one (1) year, an application becomes invalid and a new application process must begin.

The Board directed the staff to add this item to the task list and to visit at a later time. Ms. Maus will be the Discussion leader.

Discussions only, no motions made.
DISCUSSION REGARDING SPECIFYING CONTINUING EDUCATION REQUIREMENTS FOR RENEWALS
The Board directed staff to keep this item on the task list and visit at a later time. Discussions only, no motions made.

REQUEST FROM ROCKY MOUNTAIN SEDATION FOR APPROVAL OF ENTERAL SEDATION TRAINING COURSE
A motion was made by Dr. Wallace and seconded by Dr. Kane to invite a representative of Rocky Mountain Sedation to a future board meeting to discuss the clinical aspect of their training. Those voting yes: Dr. Aubert, Dr. Wallace, Dr. Kane, Dr. Chapman, Mr. Relford and Ms. Maus. The motion passed 6-0.

REVIEW OF INFORMATION FROM CE ZOOM
Mr. Barnett brought back more information as the board wanted to know the cost. There will not be a cost to the board but there is potentially a cost to the licensee. Mr. Barnett stated that if the Board is interested in having a company track continuing education, then the Board will have to accept bids.

The Board instructed Mr. Barnett to put together the information he has already received, speak with the Board Legal Counsel and then bring back that information back to the Board at a future meeting.

Discussion only, no motions made.

EXAM REPRESENTATIVE REPORTS
Verbal report from Ms. Maus and discussions, no motions were made.

Mr. Barnett informed the Board that there are changes that need to be done regarding representative assignments.

CRDTS has a term limit of 6 years for representatives. Dr. Wallace and Ms. Polc has served their 6 years, therefore, cannot be the Boards representatives.

Deb Polc, RDH will now be the DHY exam representative of HERB.
Nancy Maus, RDH will be representative of steering committee and the DHY exam representative for CRDTS.

Kevin Wallace, DMD will assume the position on ADEX exam review and Board of Directors, which use to be held by Dr. Bryan Chapman.

Ashton Frank, RDH will be appointed as the ADEX Dental Hygiene Representative.

Mr. Randall Relford will be appointed as the public member for ADEX.

Paul P. Titterington, DDS will be appointed as CRDTS exam representative. Mr. Barnett will contact Dr. Titterington to verify if he is interested in being appointed.
William Kane, DCS will be dental exam representative for WREB.

ADEX will allow the Board to appoint an educator position. Mr. Barnett asked if anyone who is interested to send him an email and he will verify the specifics.

**REVIEW OF TASK LIST**
Required fingerprint background checks for licensing have been added to the task list. Discussion leader will be Ms. Maus.

There will be a meeting for sedation rules on May 19, 2017.

Remove teledentistry from the task list.

Specifying Continuing Education Requirements tabled for a future meeting.

Review of Clinical Competency Exams tabled for a future meeting.

Faculty Teaching License tabled for a future meeting.

Review of Expanded Function Delegable Duties will be discussed October 2017.

Supervision of Dental Assistants tabled for a future meeting.

**FUTURE MEETING SCHEDULE**
The Board set a meeting date for April 19-20, 2018.

**Missouri State Dental Director**
Dr. Dane submitted an email to Mr. Barnett apologizes that he wasn’t able to be in attendance to give a presentation to the Board. Dr. Dane wanted to inform the Board that the Governor’s office along with Dr. Williams, Director of Department of Health will be sending a letter to all physicians and dentist regarding the opioids crisis. Dr. Dane wanted to ask the Board if they were interested in helping them with this project in sending out communication via email and post office. Mr. Barnett indicated that it could be a cost around $900.00.

A motion was made by Dr. Kane and seconded by Ms. Maus to have the Board send out the correspondence to all licensees regarding the opioid crisis. Those voting yes: Dr. Aubert, Dr. Wallace, Dr. Kane, Dr. Chapman, Mr. Relford and Ms. Maus. The motion passed 6-0.

**CLOSED SESSION**
At approximately 11:01 a.m., Friday, April 21, 2017, a motion was made by Dr. Wallace and seconded by Mr. Relford to move into closed session pursuant to Chapter 610.021, sections (1), (3), (5), (7), (11), (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.

**ADJOURNMENT**

There being no further open business to be brought before the Board at this time, a motion was made by Dr. Chapman and seconded by Dr. Wallace to adjourn. The motion carried unanimously. The meeting adjourned at approximately 1:33 p.m. Friday, April 21, 2017.

Respectfully submitted,
Sarah Becker, Processing Technician Supervisor

[Signature]
Brian Barnett, Executive Director

Approved by the Board on: August 3-4, 2017