Meeting Notice

Missouri Dental Board

August 2-3, 2018 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 MINUTES
Missouri Dental Board

August 2-3, 2018

Best Western Hotel
1937 Christy Drive
Jefferson City, Missouri 65101

The open meeting of the Missouri Dental Board was called to order by Dr. Kevin Wallace, President, at approximately, 8:01 a.m. on Thursday, August 2, 2018 at the Best Western Hotel, 1937 Christy Drive, Jefferson City, Missouri 65109.

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

STAFF MEMBERS PRESENT:
Brian Barnett, Executive Director
Sarah Becker, Processing Technician Supervisor
Rhonda Bullock, Investigator I

LEGAL COUNSEL PRESENT:
Thomas Townsend, Division Counsel

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

CLOSED SESSION
At approximately 8:02 a.m., April 19, 2018, a motion was made by Dr. Kane and seconded by DMs. Maus 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: Ms. Maus, Dr. Aubert, Dr. Kane, Mr. Relford and Dr. Wallace. The motion carried 5 to 0.
JAMES BUNTON, D.D.S. DISCIPLINARY HEARING
At approximately 8:45 a.m., the Board began its disciplinary hearing in the matter of Missouri Dental Board, Petitioner, v. James Bunton, D.D.S., Respondent, Case Number 16-2552. The record will show that Dr. Bunton’s counsel, Joshua Hill, was present. 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 8:50 a.m.

CLOSED SESSION
At approximately 9:00 a.m., August 2, 2018, a motion was made by Dr. Kane and seconded by Ms. Maus 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: Ms. Maus, Dr. Aubert, Dr. Kane, Mr. Relford and Dr. Wallace. The motion carried 5 to 0.

RECESS
At approximately 2:27 p.m., August 2, 2018, the Board recessed for the day.

FRIDAY, AUGUST 3, 2018
The Board reconvened in open session at approximately 7:30 a.m. on Friday, August 3, 2018. The meeting was called to order by Dr. Kevin Wallace at the Missouri Council of School Administrators, 3550 Amazonas Drive, Jefferson City, Missouri 65109.

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

STAFF MEMBERS PRESENT:
Brian Barnett, Executive Director
Sarah Becker, Processing Technician Supervisor

LEGAL COUNSEL PRESENT:
Thomas Townsenc, Division Counsel

GUESTS PRESENT:
Diann Bomkamp, R.D.H, Missouri Dental Hygiene Association
Connie White, D.D.S., UMKC School of Dentistry
David Dear, D.D.S., Missouri Dental Association
Ronald Wilkerson, D.D.S., Missouri Dental Association
Lori Crawford, R.D.H, Missouri Dental Hygiene Association
Ann Vering, R.D.H, Missouri Dental Hygiene 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 19-20, 2018 full board meeting as written. The motion carried unanimously.

A motion was made by Dr. Aubert and seconded by Dr. Relford to approve the open minutes of the April 11, 2018 mail ballot as written. The motion carried unanimously.

A motion was made by Dr. Aubert and seconded by Dr. Relford to approve the open minutes of the June 7, 2018 mail ballot as written. The motion carried unanimously.

EXECUTIVE DIRECTOR REPORT
Financial Statement
Mr. Barnett provided the Board with the following Financial Statement as February 28, 2018.

<table>
<thead>
<tr>
<th>Missouri Dental Board</th>
<th>FY-2018 Financial Statement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>As of May 31, 2018</td>
</tr>
<tr>
<td><strong>Beginning Fund Balance – 7/1/017</strong></td>
<td>$2,697,621.44</td>
</tr>
<tr>
<td>YTD Revenue</td>
<td>$149,440.00</td>
</tr>
<tr>
<td><strong>Fund Balance Sub Total</strong></td>
<td>$2,847,061.44</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><strong>Total Appropriations</strong></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>$257,628.01</td>
</tr>
<tr>
<td>Expense &amp; Equipment</td>
<td>$71,791.86</td>
</tr>
<tr>
<td><strong>Total Appropriation Expenditures</strong></td>
<td>$329,419.87</td>
</tr>
<tr>
<td><strong>YTD Fund Transfers:</strong></td>
<td></td>
</tr>
<tr>
<td>Licensure System Cost</td>
<td>$0.00</td>
</tr>
</tbody>
</table>
Rent $6,703.18  
Refunds $660.00  
DIFP Cost Allocation $4,421.86  
OA Cost Allocation $1,331.00  
PR Transfer $19,412.60  
Fringe Benefits $139,272.25  
Administrative Hearing Comm. $425.66  
Attorney General Cost $0.00  
FY 17 Transfers Carried Over $1,224.34  

Total Transfers $173,450.89

<table>
<thead>
<tr>
<th>Total Fund Expenditures</th>
<th>$502,870.76</th>
</tr>
</thead>
</table>

Ending Fund Balance as of May 31, 2018 $2,344,190.68

Mr. Barnett spoke to the Board regarding the financial report. The Board's fund balance is typically where it is this point of the cycle as we are getting ready for a renewal. Mr. Barnett indicated that he just received the end of the year revenue financial statement and our spending was a down a bit this year, so the fund balance is bit higher than he likes. As you know, the Board did lower the renewal as a one-time fee reduction for Dental and Dental Specialist, reduced by $50.00 for the 2018-2020 renewal, which makes the renewal fee $100.00. Reducing the renewal fee, it should reduce our fund balance to 2.5 percent of our appropriations. Mr. Barnett's target is at 2.5 times the appropriation.

**DISCUSSION REGARDING LOWERING INITIAL LICENSE FEES**
Mr. Barnett worked on proposed language for the reduction for initial licenses. For a Dentist and Dental Specialist lower to $150.00, Dental Hygiene lower the fee to $100.00 and Limited Teaching License $150.00.

A motion was made by Dr. Aubert and seconded by Dr. Kane to promulgate a rule change on the initial licensure fee reduction. The motion carried unanimously.

**DIALOGUE WITH ASSOCIATIONS**
Missouri Dental Assistants Educators (MDAE)
There were no representatives for the MDAE at this meeting.

Missouri Dental Hygienists' Association (MDHA)
Linda Hoffman, R.D.H., President of Missouri Dental Hygiene Association. They will have their annual meeting October 19-20, 2018 at Springfield. MDHA is 60 years old this year.
Missouri Dental Assistants Association (MDAA)
There were no representatives for the MDAA at this meeting.

Missouri Dental Association (MDA)
Ronald Wilkerson, D.D.S., representing the Missouri Dental Association. Missouri Mission of Mercy event is going on right now, we have over 700 volunteers and 150 dentist, still going strong with these events.

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

Missouri Primary Care Association (MPCA)
Karen Dent representing the MPCA. Not a lot to report getting ready for our annual conference scheduled for October 25-26, 2018 in Branson, Missouri. September 7, 2018 we will be proving dental care for the developmentally disabled. Our clinical committee met on July 23, 2018 and some discussion about what constitutes dental records and what needs to be kept for 7 years. The dental directors asked for clarification if stone models or impressions need to be kept for 7 years. The statue states that the dentist shall maintain an adequate and complete patient record. Ms. Dent will tell her directors that it is their interpretation of what an adequate and complete patient record. Ms. Dent wanted to thank Mr. Barnett with his assistance and responds very quickly and it is appreciated.

UMKC School of Dentistry
Connie White, DDS, UMKC. Wanted to thank the Board with the passing of the Limited Teaching License Permits.

MDHA REQUEST FOR REVIEW OF 20 CSR 2110-2.130-DENTAL HYGIENISTS-LOCAL ANESTHESIA UNDER GENERAL SUPERVISION
A motion was made by Ms. Maus and seconded by Dr. Kane to table until the October 25-26, 2018 meeting in order for the Board to review OTC's course. The motion carried unanimously.

MDHA REQUEST FOR REVIEW OF 20 CSR 2110-2.001 DEFINITIONS-VERBAL AUTHORIZATION FOR GENERAL SUPERVISION
The Board tabled until the October 25-26, 2018 meeting.

DISCUSSION REGARDING CREATING AN OPIOID RULE
The Board reviewed the draft of a new rule regulating the way that opioids are prescribed. Mr. Barnett explained that the language in the proposed draft is taken from the CDC guidelines and American Dental Association policy for the use of opioids. Mr. Barnett suggested that it would be a good idea to include language in paragraph 5 explaining what Morphine Milligram Equivalents (MME) are and also include that the Board will maintain a MME conversion chart on its website to assist licensees with
Dr. Dear said he was concerned that the proposal might not allow him to write an opioid prescription exceeding the MME limit if it was necessary. Mr. Barnett pointed out that in all of the restrictions in the proposed draft, there was language that enabled the treating dentist to exceed the limit if the dentist felt it necessary as long as the dentist documented the justification in the patient’s record. Ms. Dent stated that she has seen other healthcare providers overprescribing opioid medications and almost forcing the patients to take the prescriptions even when the patient indicated that they did not want the prescription. Dr. Wallace stated that while dentistry could not do much to impact the opioids being written by other healthcare professions, dentists do have a responsibility to do what they can do to protect their patients. Dr. Wilkerson stated that he feels there is a need to limit opioid prescripitions, however, he is concerned that without a prescription monitoring program in Missouri, patients would just find a way to go around the limits. Mr. Barnett pointed out that the proposed rule isn’t necessarily designed to target what are commonly referred to as drug seeking patients, but rather attempting to prevent opioid naïve patients from developing opioid dependency problems by being prescribed unneeded quantities of opioids. The goal of this proposed rule is to prevent patients from potentially becoming drug seeking patients later on. Ms. Smith voiced concern that the rule didn’t define how medical history information is to be collected, verbal, written, etc. She also voiced concern about needing to define what constitutes a thorough medical history. She said that the MDA did not have any issues for or against the language. Mr. Barnett asked if the ADA had any recommendations for what constitutes a thorough medical history. Dr. Wallace said that they did. Mr. Barnett asked if this would be the standard applied for any situation regardless of whether or not opioids were being prescribed. Dr. Aubert stated that it would be. Dr. Wallace voiced concerns about trying to put into rule how the medical history information was being collected, verbally, written, etc. He said that it while the Board would likely prefer that it be written, it would be difficult to require it to be written. Dr. Dear voiced concern that the patients who are going to be seeking drugs are going to lie on their health history information. Mr. Barnett acknowledged that there would be a percentage of the population that would look for ways to get around the regulations, but again stated that the target of the proposal is more towards the opioid naïve patient than the drug seeking patient. Mr. Barnett said that although Missouri does not have a prescription monitoring program to verify the information collected during opioid screenings, that is not an excuse for the appropriate questions to not be asked. A motion was made by Dr. Aubert and seconded by Dr. Kane to approve the draft for rule promulgation with the addition of incorporating CDC’s definition of what the MME is and their guidelines along with an example and to also include a statement that the Board will maintain resources on their website that will assist in determining what the MME equivalent is. The motion carried unanimously.

**DISCUSSION REGARDING CREATING A MILITARY SPOUSE LICENSE BY CREDENTIALS RULE**
The Board reviewed the proposal to create a license by credentials rule for military spouses. A motion was made by Ms. Maus and seconded by Dr. Kane to accept the non-resident military spouse credential rule. The motion carried unanimously.
DISCUSSION REGARDING RULE PROMULGATION FOR NEW DENTAL FACULTY PERMIT
Mr. Barnett reported that the only thing the Board needed to do as far as rule making to implement the issuing of the new dental faculty permits was set the application fee. A motion was made by Dr. Aubert and seconded by Dr. Kane to set the application fee for new dental faculty permit at $100.00. The motion carried unanimously.

DENTAL CAREERS INSTITUTE-REQUEST FOR BOARD APPROVAL OF EXPANDED FUNCTIONS
A motion was made by Ms. Maus and seconded by Dr. Aubert to table this proposal. The motion carried unanimously.

REVIEW AND APPROVAL OF SPECIALTY COMMITTEES FOR FY2019
A motion was made by Dr. Aubert and seconded by Dr. Kane to leave the Specialty Committee list as is. The motion carried unanimously.

EXAM REPRESENTATIVE REPORTS
Ms. Maus reported that CRDTS Dental Hygiene Examination Review Committee met on July 7, 2018. The calibration committee broke in to 3 different groups with assigned tasks to discuss local anesthesia exam, on site retake protocol for unsuccessful candidates and occupation analysis and feedback forms.

Dr. Kane indicated that the WREB DERB meeting will be October 12, 2018.

Dr. Aubert indicated that the CDCA will meet in January 2019.

ELECTIONS
A motion was made by Dr. Kane and seconded by Ms. Maus to keep the representatives as is. The motion carried unanimously.

ELECTION OF OFFICERS
A motion was made by Dr. Aubert and seconded by Mr. Relford to nominate Dr. Kane as Board President. The motion carried unanimously.

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

A motion was made by Dr. Aubert and seconded by Mr. Relford to nominate Mr. Relford as Board Secretary. The motion carried unanimously.

REVIEW OF TASK LIST
The Board directed staff to remove Sedation Rules from the task list.

The Board directed staff to remove Supervision of Dental Assistants.
Review of Clinical Competency Exams to be brought to the meeting in October, Dr. Wallace will be the lead.

Dr. Aubert requested that AED discussion is added back on the task list to review possibly in January 2018.

FUTURE MEETING SCHEDULE
The Board set a meeting date for August 1-2, 2019.

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 Ms. Maus to adjourn. The motion carried unanimously. The meeting adjourned at approximately 9:49 a.m. Friday, August 3, 2018.

Respectfully submitted,
Sarah Becker, Processing Technician Supervisor

[Signature]
Brian Barnett, Executive Director

Approved by the Board on: October 25, 2018