

**Kansas Dental Board
Minutes of September 15, 2006**

The Kansas Dental Board met on September 15, 2006, in the Landon State Office Bldg, Room 106, Topeka, Kansas.

1. Call to order and welcome.

President Karen Callanan, DDS, called the meeting to order at 10:07 a.m. Other Board members present were, Ms. Jane Criser, RDH; Dr. Robert Henson, DDS; Ms. Korey Hensley, public member; Dr. Richelle Roy, DDS; Ms. Denise Maus, RDH; Dr. Roger Stevens, DDS; and Dr. Richard Darnall, DDS. Others participating were Mr. Randall Forbes, attorney for Board; and Betty Wright, Executive Director. Absent: Dr. Brad Higgerson, DMD, and Dr. Steve Johnson, DDS, investigator/inspector for the Board.

2. Approval of minutes of June 15, 2006 meeting.

Betty Wright reported minor changes on page 2 item 11. Dr. Darnall moved to approve the minutes, Ms. Maus seconded, the motion passed by a consensus.

3. Inspections report.

Dr. Johnson not attending. Written report submitted in advance. Board member, Dr. Henson, requested that Dr. Johnson check with the office in the future before hiring inspectors, to be certain that there are no conflicts or problems with the proposed inspector.

It was discussed that a certificate of inspection could be advisable; board requests a report from Dr. Johnson at the next meeting.

4. Investigations report.

Dr. Henson reported there have been a number of new cases with some improvement in documenting the process and new avenues of opening cases. Complicated hearings may soon take place at the Office of Administrative Hearings. The newsletters will provide the factual basis contained in the administrative actions. Dr. Henson suggested that the newsletter may describe inspection items, and also summarize recent complaints in general.

5. Report of the President, Dr. Karen Callanan

Dr. Callanan provided the latest revision of the renewal forms for dentists for this year. The form at question #12 reflects that a practicing dentist must have malpractice insurance. The board discussed the advisability of providing the name of the carrier on the renewal form. The form will reflect that the CE and malpractice coverage will be randomly audited so some licensees will be required to mail in proof of their malpractice coverage and of their CE.

Dr. Roy moved that the renewal form provided would have a signature line removed at #12 but the dentist would be asked for the malpractice carrier's name, policy number and expiration date, it was seconded by Dr. Darnall. Motion carried.

Ms. Hensley moved that during onsite inspection the inspector check for malpractice insurance coverage is current as described in KSA-68-1468. Ms. Maus seconded. The board voted unanimously to add malpractice coverage to inspection reports. The board discussed if the original motion regarding the description of the carrier is now needed on the renewal forms. Ms. Maus moved to go back to original wording provided, Ms. Criser seconded, and the board voted unanimously to leave the signature line on the renewal form and not require the naming of the carrier.

Dr. Callanan reported her findings in response to the Board's questions about opportunities for foreign trained dentists. Her research found that there are apparently at least 369 dedicated advanced placement slots. The successful graduate would receive a D.D.S. or a D.M.D. degree from an accredited U.S. Dental School. Additional accredited U. S. Dental Schools accept foreign trained dentists for advanced placement into non-dedicated slots. NYU and two Florida Dental schools have continuous training.

6. Report by Dr. Dane, DDS on Truman Medical Center GPR program. Dr. Dane described the General Practice Residency (GPR) program at Truman Medical Center, in Kansas City, Missouri. It is accredited by the ADA and is a one year program.

7.Executive Report, Betty Wright

Next newsletter will have a description of the investigative process in the newsletter. Budget, request of an increase of \$70,080 in the board’s spending authority based on the increase in complaints, need to use attorney in more prosecutions, and to increase amount that HAPN will be billing due to increase in numbers.

Pharmacy got a grant to create a prescription database.

KDHE has proposed several versions of a survey for data on dentists and hygienists, at this point we have declined mailing these 50 question survey with our renewals. The board is interested in data that demonstrates suitability for licensure only. Dr. Stevens moved to deny collection of information that is not relevant to the board’s responsibilities, Dr. Roy seconded. The motion passed, with dissent by Dr. Darnall, and Criser abstaining.

In order to comply with the legislature’s request that the board even out its revenue stream, Betty Wright drafted a revision of the renewal statute KSA 65-1431(a) in order to allow biennial renewal of licensees based on license numbers rather than on profession. It was noted that the “dental hygienist” needs to be added, and the date changed to December 1. Dr. Callanan asked Betty Wright and Randy Forbes to work on the change.

New licensees since last meeting, 27 dentists (3 are by credential) , 30 (4 are by credential) hygienists, listed at attachment A. Dr .Stevens has been reviewing the licensees by credential.

Dr. Darnall raised the issue of dental students doing externships in Kansas. This was in regard to the University of Louisville request at the April 21, 2006 meeting which the board held was unlicensed practice in Kansas. The University of Nebraska had been placing some students with Kansas dentists, and this program is no longer possible due to the board’s interpretation. Kevin Robertson, of KDA, stated that University of Nebraska has been doing this for about 5 years, and this may affect the new AEGD program and the Kansas Mission of Mercy. These programs have been allowing students to practice dentistry, not just observing dentistry. KSA 65-1423 (i) is in question and he felt that the statute would allow the practice of dentistry by a student if in an education program. Discussion was that the method of bringing students could bring dentists in to Kansas. Dr. Roy moved that the board consider letters of inquiry from programs for student externs for consideration and approval by the board, Ms. Hensley seconded, the board voted unanimously for the motion.

8. Approval of specialty certificate

The Board received and considered the recommendation specialty committees.

- Endodontics: John T. Lask, DDS
Kevin P. Cunningham, DDS
Bryce F. McCreary, DDS
- Oral and Maxillofacial Surgery: Craig E. Miller, DDS
- Pediatric Dentistry: Thomas J. Millius, DDS
Crystal R. Walker, DDS

Ms Criser moved that the specialty certificates be approved. Ms. Maus seconded the motion and the board approved the certificates unanimously.

9. Stipulation and Final Agency Order – Michael DeRose submitted by Randall Forbes, attorney –

Mr. Forbes described that the board normally “mirrors” the orders of other state boards. In this case the stipulation is that he agrees to the same order in North Carolina. He is not suspended as long as he complies with the North Carolina Order of 12/8/05. His lawyer reports he does not practice in Kansas. Probation until 12/12/08 for excessive pulpotoomies and crowns by his employees in North Carolina.

Currently he resides in Colorado. Dr. Darnall moved to accept the Stipulation, it was seconded by Dr. Stevens, the board voted unanimously to agree to the Stipulation and Final Order.

10. Inquiry of Shane Tidwell, DDS –

Dr. Tidwell requested permission to place an ad listing an award received. “Awarded Consumers’ Research Council’s “America’s Top Dentists” 2005-2006. He provided the certificate stating the same. Board discussed that the ad would imply superiority. Dr. Stevens moved to decline the advertisement wording, Ms. Maus seconded, the board agreed unanimously to deny the advertisement.

11. Inquiry of Larry Pribyl a general dentist for permission for names: Center for Snoring and Sleep Apnea or Center for TMJ and Sleep Apnea. Board discussed that limiting the practice would imply a specialty; however this is not a specialty. Dr. Pribyl stated that he makes dental appliances for sleep apnea. Dr. Roy moved that the name be denied, Ms. Maus seconded, the motion was passed with 4 votes, with Dr Stevens and Ms Criser voting against, and Ms. Hensley abstaining.

12. Inquiry of Dr. Schloegel – Can a scaling assistant do periodontal probing?

Discussion on this topic was that some schools teach probing by assistants, and some schools do not allow any instrument by an assistant below the gum line. The ramifications are vast on the issue, and Dr. Roy moved to table the issue until the next meeting, Ms. Maus seconded, the vote was unanimous to table the matter until the next board meeting.

13. Committee Reports

Regulatory Review – Dr. Henson reported that the sedation regulations are reviewed and a draft is being prepared.

Continuing Education – Ms. Maus reported the committee is reviewing other state CE statutes and regulations.

Licensure Committee – Ms. Maus reported this committee did not meet since Dr. Higginson was absent.

Finance Committee – Ms. Hensley reported that the new state budget analyst, Brenden Yorkey was present for the committee. He went over the new agency budget. It was requested that the budget be prepared a month earlier than the deadline date next year, for the committee’s review. She would like a more detailed budget to work on so that projections can be made.

Task force on grid – Dr. Roy reports they will be meeting in the future to make a report.

14. Topics for consideration – Ms. Hensley asked that Betty Wright provide the Executive Director position description to the board for the purpose of a performance evaluation. She would like a flow chart for the investigation process. She suggests a detailed budget review, and an orientation packet for new members. Dr. Roy and Dr. Darnall volunteered to meet with Betty Wright to create an orientation process.

15. New business – Ms. Maus reported on the CRDTS steering committee. The examiner reliability was excellent.

Ms. Maus said that CRDTS will fund 2 people from each board dentist and hygienist, to take the test, they don’t have to finish and won’t get score but will see test. Dr. Roy and Ms. Maus volunteered.

Ms Criser reported no major changes in ADEX.

16. Next Meeting Dates

The next meeting is tentatively scheduled for November 17, 2006.. We will also schedule a meeting Friday April 20, 2007 in Manhattan to coincide with the KDA conference.

17. Adjournment.

Dr. Darnall moved to adjourn, Dr. Stevens seconded, and the meeting was adjourned by consensus at 12:50 p.m.

The following signed as guests of the Dental Board meeting: Dawn McGlasson; A. Edward Hage, DDS; Christina Gore, DMD; Reenie Olson, RDH; Kevin Robertson; Janette Delinger; John Dane, DDS; Dr. Rose Gupta; Dr. Larry Pribyl.

Jane Criser, RDH Secretary