

Kansas Dental Board
Minutes of January 30, 2009

The Kansas Dental Board met on January 30, 2009, at 9:00 a.m. in Rm 108 Landon State Office Bldg, Topeka, Kansas. The Regulatory Review committee met prior to the meeting.

1. MEETING CALLED TO ORDER: Dr. Richard Darnall, DDS, President called the meeting to order at 9:04 am.

MEMBERS PRESENT: Dr. Richard Darnall, DDS, President; Ms. Jane Criser, RDH, Vice President; Ms. Denise Maus, RDH, Secretary; Dr. Karen Callanan, DDS; Dr. Brad Higgerson, DMD; Dr. Roger Stevens, DDS.

STAFF PRESENT: Mr. Randy Forbes, attorney for the Board; Betty Wright, Executive Director; Dr. Steven Johnson, DDS, Board inspector and Melissa Graham, Admin. Officer.

ABSENT: Robert Henson, DDS; Dr. Richelle Roy, DDS.

2. APPROVAL OF AGENDA: Ms. Wright asked to add the Stipulation of Dr. Wisdom to the agenda. It was moved and seconded to approve the amended agenda. The motion passed.

3. REPORT OF THE PRESIDENT: Dr. Darnall commended Ms. Korey Hensley on her service to the board as the public member. He displayed a plaque that the Board is presenting to Ms. Hensley.

4. ELECTION OF OFFICERS: Dr. Stevens moved to maintain the current officers. Motion passed. For 2009 officers are: Dr. Richard Darnall, President; Ms. Jane Criser, RDH, Vice President; and Ms. Denise Maus, RDH Secretary.

5. APPROVAL OF MINUTES: It was moved and seconded to approve the November 7, 2008 minutes. The motion passed.

6. BOARD ACTIONS: The following Stipulation Order was presented by Randy Forbes:

Brian Ahem, DDS. The action was based upon a Missouri discipline for failing to provide evidence of completion of continuing education hours for his 2006 Missouri renewal. The stipulation presented would mirror the Missouri order to be on probation, provide CE courses, and take a jurisprudence examination, and pay a \$1000 fine, he must complete hours within 60 days or the fine will increase to \$4000. It was moved and seconded to approve the stipulation. The motion passed.

Brian Jenkins, DDS requested a modification of his order to lift the limitation to work exclusively at GraceMed, Wichita. The board heard testimony of Dr. Jenkins. He said he would be able to earn more if he were employed by another dentist. He described his compliance with the HAPN program. It was moved and seconded and passed that the Board go in to executive session for deliberation for 15 minutes. The Board reconvened at 10:02 a.m. It was moved seconded and passed that the Board go in to executive session for deliberation for another 15 minutes. The motion passed. The Board reconvened at 10:18 a.m.

It was moved and seconded to deny Dr. Jenkins's request for a modification of his order, due to the lack of evidence at this time of rehabilitation. The motion passed, his request was denied.

ADJOURNMENT: The Board meeting was adjourned for a break at 10:20 a.m.

RECONVENE: President Darnall reconvened the Board meeting at 10:30 a.m.

Mr. Forbes presented the Stipulation Order for Dr. Eric Wisdom. Dr. Wisdom treated patient MF from April 18, 2001 – June 2, 2004, however, when the patient and the board requested records, he was unable to locate the records of this patient. This is a violation of KSA 65-1436(a)(17) failure to keep

adequate records. He was fined \$500 and must take the Kansas jurisprudence exam within 90 days. It was moved and seconded to accept the stipulation, the motion passed, Dr. Roger Stevens abstained from the vote.

7. INVESTIGATIONS REPORT: Dr. Johnson reported that the list of offices that have not been inspected in a long time has shrunk tremendously. He describes that at times he must balance the time spent on inspections with the time spent on investigations. If he is doing record reviews in offices, he will have less time to devote to inspections. Randy Forbes stated that he would encourage an emphasis on investigations. Dr. Stevens requests that the record reflect that a large load of investigations may require a lightening of the requirement to do inspections.

It was discussed and recommended that fines of \$1000 should be imposed on those who do not provide CE as required within a stipulation, and if the requirement is not met, the license can be suspended until requirements are met.

8. PUBLIC FORUM – Dr. Kathy Weno of the Office of Oral Health noted that they are conducting a telephone survey of dentists and hygienists and are gathering basic demographic information for a workforce recruitment survey.

Kevin Robertson of the KDA said there is a bill in the legislature to create more transparency for health care organizations.

9. Name Request: Dr. Cipra, prosthodontist for “Implant Dentistry Associates of Kansas City, PA”
Motion to grant name, seconded. All in favor, none opposed. Motion passes.

10. The board addressed an inquiry by Katie Schroeder, RDH. The board discussed her question:

She is planning to have ECPs who are employed by Salina Family HealthCare do dental screenings and dental referrals for the parents of Head Start children. Once they have received an exam at Salina Family Healthcare Center (SFHC), they would like to provide prophies on-site at the Head Start/Heartland programs building before and after parent meetings. Services would be billed through SFHC (a FQHC). They will be using remote access on a SFHC laptop to access Dentrix on-site. Their goal is to bring their service to a location that is convenient for the parents. The building houses a dental operator, and sterile instruments will be brought in from SFHC and returned to SFHC for reesterilization.

She wanted to know whether it is legal to provide services for uninsured or underinsured **adults** at a **Head Start** facility under the Kansas Dental Practice Acts.

The board instructed Betty Wright to draft a letter stating “Since the parents of the Head Start children will be enrolled as patients of the local FQHC, and since they will have had an annual examination by a dentist, the question of what portion of care the ECP I or II is needed for is no longer relevant. These parents are patients of the FQHC. They can have their cleanings done at the Head Start Office or other place with such an arrangement with the FQHC by a licensed hygienist who works for the FQHC. In the original program proposal, screenings, oral hygiene education, fluoride treatments were proposed also. These procedures can performed done by any Kansas licensed dental hygienist.”

RECESS: At 12:05 pm President Damall recessed the meeting for lunch.

RECONVENE: President Damall reconvened the Board meeting at 12.20 p.m.

11. EXECUTIVE REPORT: Betty Wright described the budget. The Governor recommends a total of 3% cuts at this time. Board authorizes travel to Chicago April 5-6, 2009 AADE Conference for: Drs. Damall, Stevens, Callanan, Jane Criser, Denise Maus and Betty Wright. Denise will stay for the April 7 Examiner’s Advisory Forum.

It was moved and seconded to approve ADLEX, SRТА, WREB, CRDTS, CITA, NERB exams and state boards, the motion failed.

It was moved and seconded to approve ADLEX, SRТА, WREB, CRDTS, CITA AND NERB regional exams, the motion passed.

It was moved and seconded to accept as approved dental schools and approved dental hygiene schools all dental schools and dental hygiene schools located in the United States and Canada that are accredited by the ADA Commission on Dental Accreditation or the Commission on Dental Accreditation of Canada. The motion passed.

Ms. Wright asked to revise the applications for licensure question that asks for discipline by peer review or associations, since these disciplines are not public. The question may be deleted.

A survey requested by DANB was reviewed, some areas will be left blank as they are not addressed in our law.

It was discussed that Denise Maus can be reimbursed by the board to observe her first WREB exam, since the first exam is not paid for by WREB.

12. COMMITTEE REPORTS: Regulatory Review Committee

Dr. Callanan reported that the teeth whitening regulation is being sent through the AG. The committee was finalizing changes on the sedation regulations, and will address pediatric section at the next meeting. Licensing: Denise Maus reports that she will be editing the JP exam to include new regulations.

13. NEW BUSINESS: Dr. Stevens reported from the WREB Board Meeting. Denise Maus is our representative on the hygiene exam review committee. WREB encourages more examiners, and Betty Wright will place an article in the newsletter about the requirements.

An applicant by credentials was discussed. His dental practice was not in his licensing state, but he was a contract dentist in the military. The board agreed that military standards apply to contract dentists and his out of the country practice could be used to credential into Kansas.

Externship applications are being mailed out to area dental and dental hygiene schools.

14. Next meeting dates: April 10, July 24, October 30, 2009 in Topeka.

15. It was moved and seconded to adjourn at 1:31 p.m. The motion passed. The meeting was adjourned.

The following were guests of the Dental Board meeting: Kathy Weno, DDS, KDHE; Dawn McGlasson, RDH, KDHE; Reenie Olson, KDHA; Connie Hiatt, RDH; Kevin Robertson, KDA.

Denise L. Maus 4-10-09
Denise Maus, RDH Secretary date