

**Kansas Dental Board
Minutes of April 20, 2007**

The Kansas Dental Board met on April 20, 2007, in conjunction with the KDA Conference in the lower level of the Holiday Inn Select at Manhattan, Kansas.

1. Call to order and welcome.

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

2. Approval of minutes of February 9, 2007.

Dr. Stevens moved to approve the minutes, Ms. Hensley seconded, the motion passed and the minutes were approved.

Approval of the minutes of March 9, 2007.

The board made minor corrections, Ms Maus moved to approve the minutes with corrections, Dr. Roy seconded, the motion passed, the minutes were approved.

3. Inspections report.

Dr. Johnson reported that he is receiving lists from the board office of offices that need inspections. He also described addressing approximately 70 senior dental students at UMKC about the dental practices act.

4. Investigations report.

Dr. Henson reported 35 opened case, 31 closed, and 79 in progress.

5. Dr. Damall wished to proceed with business rather than make a report.

6. Executive Report, Betty Wright.

Ms. Wright reported that legislation to revise KSA 65-1431, 1436, 1444, and 1447 proposed by the board are progressing through the legislature and should become law in July 2007.

KSA 65-1456 is probably going to become law, the bill sponsored by Oral Health Kansas will lessen the requirements to obtain an extended care permit.

Licensee report: the board licensed 9 dentists, 7 hygienists and granted 1 extended care permit since the last board meeting. The following specialty licenses were granted:

Periodontics: Dr. Jonathan Thomas, DDS

Oral and Maxillofacial Surgery: Dr. Joseph Camarata, DMD

There are currently 12 licensees participating in the HAPN program.

Ms. Wright described the outcome of the latest 20 cases of closed malpractice claims reports. Three resulted in letters of concern, 3 are open, 12 were closed with no action, 2 will be reopened if the licensees reapply for licensure. Ms. Hensley requested that there be a breakdown of outcomes of investigations for the board.

The board had several corrections to the proposed newsletter and asked that the HAPN program be mentioned in each newsletter.

7. Open forum – comments from Dr. Jim Trotter, commending the HAPN program

Karla Finnell, director of Kansas Association for the Medically Underserved (KAMU), described that she assists 16 indigent medical clinics where there are positions for 16 dentists or dental students. She said that it is important for the indigent clinics to have UMKC dental externs, so the students can work with and understand the underserved population.

Dr. Hamel asked if there were many insurance fraud cases.

8. The board considered the application by credential of William Gewain from Nebraska. He has an order in Nebraska, but is currently in good standing and has paid his fine. He had an OSHA violation regarding disposal of sharps containers. Dr. Gewain was present and addressed the board. Dr. Roy moved to grant the license, it was seconded by Ms. Hensley, the motion carried and the **license was granted.**

9. Stipulation and Final Agency Orders– Henry Passaro, DDS submitted by Lane Hemsley, attorney. Mr. Hemsley described that the Stipulation addressed that Dr. Passaro did not wish to enter the HAPN program and chose to surrender his license instead. Ms. Hensley moved to accept the Stipulation, Ms. Maus seconded, the motion passed.

Stipulation and Final Agency Orders – Bradley R. Jenkins, DDS Stipulation and Final Agency Order. Mr. Hemsley described that the Stipulation was due to a crown preparation that was below the standard of care. Dr. Jenkins was fined \$500 and is to take 12 hours of CE on the topic of crown and bridge and a minimum of 2 CE hours in risk management. Ms. Hensley moved to accept the Stipulation, Dr. Stevens seconded, **the motion passed.**

10. Committee Reports.

Regulatory Review – Dr. Henson reported that the sedation regulations were discussed by the committee and more revisions were made. The information provided by UMKC regarding externship programs was reviewed and the guidelines appear sound. Ms. Finnell of KAMU told the board that externship programs in the clinic are on hold due to the board's concerns. **Ms. Hensley moved that the board allow the externship to move forward as long as they are using the guidelines presented to the board on 4/22/07.** Dr. Roy requested that the motion be amended to include that UMKC must provide a current list to the KDB listing site locations and address of the clinic locations that will host the dental externs. The motion carried. The board directed Betty Wright and Lane Hemsley to draft regulations that reflect the guidelines provided.

Continuing Education – Ms. Maus reported there may be proposals for statute changes on the issues of CPR for dentists and the need for CE hours for applications by credentials.

Finance Committee – Ms. Hensley reported that all payment vouchers to office staff should be provided with copies of receipts to the finance committee chair for review.

Licensure Committee – Ms. Maus reported that the jurisprudence exam should be ready for the fall semester, they are planning to combine the dentist and hygiene jurisprudence exams in to one exam to be the same for both professions. Ms. Maus described, along with Dr. Stevens the regulation of credentialing applicants in regards to continuing education. **Dr. Stevens moved that the statute and regulations be revised so that incoming applicants must meet the CE requirements of renewing licensees.** Ms. Maus seconded, the motion carried.

Task force on grid – Dr. Roy provided for the board's consideration and review a grid that described tasks and under each level of supervision they can be performed by assistants and hygienists. She requested revisions be sent to her by email and a draft could be ready for consideration by the board at the next meeting.

11. Topics for consideration.

Can a licensed hygienist from another state come to Kansas for continuing education in a clinical hands-on patient care setting? Mr. Hemsley, board attorney said that statute allows a dentist to act as a clinician ...per statute:

KSA 65-1423(a)(5) the practice of dentistry by a licensed dentist of other states or countries at meetings of the Kansas state dental association or components thereof, or other like dental organizations approved by the board, while appearing as clinicians;

Since there is no mention of hygienists, then they could not act as a clinician in that setting. Ms. Hensley moved that statutes be revised to include the same for hygienists, Ms. Maus seconded, the motion carried. Mr. Hemsley pointed out that the hygienist provision would need to be in the statute section describing hygienists.

The board discussed that improper corporate names had been approved by a prior staff member who is no longer with the board. The board agreed that at this time no action would be taken.

12. New business. Ms. Wright raised the issue of statutory authority to request a physical examination on the application of licensees. The board directed that the attorney provide an opinion on the matter and the office is to adjust the application accordingly.

13. Next Meeting Date. The next meeting is June 22, Room 108 LSOB Topeka. Future meeting dates in Topeka are Sept. 21, and Nov. 16, 2007.

14. Executive Session. Ms. Hensley moved for an executive session to discuss matters relating to non-elected personnel to begin at 1:35 p.m. and end at 2:00 pm. Dr. Henson seconded. The board went into executive session at 1:35 p.m. The Board meeting reconvened at 2:00 p.m.

15. Adjournment. Dr. Roy moved to adjourn the meeting at 2:00 p.m., Ms. Maus seconded, the motion passed. The meeting was adjourned at 2:00 p.m.

The following signed as guests of the Dental Board meeting: Kathy Weno, DDS - Office of Oral Health, Dr. Dave Hamel, Steve Johnson, Jim Trotter, William J. Gewain, Kevin Robertson, KDA. Also present were:

Karla Finnell, Dr. Katzer, Dr. Anita Murray-Clary and her associate.

Denise L. Maus 6-22-07
Denise Maus, RDH Secretary date