



# KANSAS DENTAL BOARD

## ***Kansas Dental Board Members***

Karen Callanan, DDS, President  
Roger L. Stevens, DDS, Vice President  
Jane Criser, RDH, Secretary

Korey Hensley, Public Member  
Denise Maus, RDH, Member  
Richelle Roy, DDS, Member

Robert Henson, DDS, Member  
Brad Higgerson, DDS, Member  
Richard Darnall, DDS, Member



Summer 2006

## **Betty Wright's, Executive Director's Message**

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I am pleased to have the honor of being Executive Director of the Kansas Dental Board. I began my career with the board on December 20, 2005. The previous director, Larry Williamson, moved out of state due to his wife's career path.

My background is in administrative law. I graduated from Washburn University School of Law in 1991 and was a staff attorney for the Kansas Department of Health and Environment for five years. I was the first attorney to do administrative prosecutions of nurse aides for abuse, neglect and exploitation of residents of nursing homes. I had a private general practice, and worked in bankruptcy law. I have been a right of way agent for KDOT, and most recently served as disciplinary counsel for the Board of Nursing under Attorney General Phill Kline. I prosecuted nurses for violations of the Nurse Practice Act, and so am very familiar with the disciplinary process. I am married, with two adult children.

The job of assisting the dental board has been an interesting learning experience so far. The board members have been very helpful and supportive. The office staff, Melissa Graham and Rebekah (Bekah) Gonzales are a dream to work with. I had the pleasure of working with Melissa previously, because she had been my legal assistant at the Board of Nursing. She began working for the Dental Board in June 2005. She brings youth, intelligence and a very logical mind to our varied tasks. Melissa works as our human resources person and bookkeeper. She also coordinates the complaints and investigations. Bekah has been with the board since November 2003, and since she is the "old timer" here, she is the office historian. She processes the applications, verifies licensure for other boards, updates our website, answers the phone, keeps track of deadlines, and coordinates procedures in the office. Together, we are the board staff and we all enjoy helping the board and the public.

### **New Board Member Appointed**

On May 25, 2006, Governor Kathleen Sebelius announced the appointment of Dr. Richard Darnall, DDS to the Board. Dr. Darnall has a specialty in Oral and Maxillofacial Surgery and practices in Topeka. The Governor also reappointed Ms. Jane Criser, RDH and Ms. Korey Hensley, our public member. All three terms expire April 30, 2010. We are pleased with all of these appointments and welcome Dr. Darnall, and are glad to keep Ms. Criser and Ms. Hensley.

### **A fond farewell to Dr. Haught as he leaves the board**

Dr. Darnall replaces board member Stephen Haught, DDS, an orthodontist from Emporia. Dr Haught has served on the board for many years. He served for a time as president of the board, and was very active and worked very hard as the Investigative Member. He helped to create a system for reviewing and investigating complaints, and was tireless in these efforts. His energy and good cheer have been a great asset to the board. His enthusiasm and personality were greatly enjoyed. Thank you Dr. Haught, your service to the profession is an inspiration to the board.

### **Practicing dentistry the longest in Kansas – Congratulations!**



I thought it would be fun for my first newsletter to interview the dentist who has the longest active dental license in Kansas. On July 13, 2006 I called him at home and he cheerfully agreed to chat with me. He is Dr. Paul Kincaid, DDS of Lawrence. He was licensed in 1945 (the picture is from his dental license application) and has been practicing for 61 years. He works half-days, four days a week. He enjoys it too much to quit and would miss the hugs from his patients. He describes himself as a spiritual person who is very grateful to have had wonderful teachers and professors. He enjoys practicing with his son and staff in their friendly, casual office. One of his employees has been with him for 40 years. He has treated five generations of patients. His wife was home when I called, she wanted me to say that he is a handsome man who looks like the actor Robert Young, and people used to call him Dr. Welby (For those of you under 45, Marcus Welby, MD was a very popular doctor show on television; Robert Young played a wise, kindly, and handsome doctor the whole country loved).

I asked him what has changed in dentistry. He said that the profession is more respected than when he was a new dentist. What has not changed? He thinks the friendly and caring attitude towards patients is still the same. What advice would he give to new dentists? Be grateful to be able to serve in the profession of dentistry.

We had the most delightful conversation, and agreed that we were each the highlight of the other's day. About 15 minutes later, his office called to tell me there is one special thing he does--before he leaves the office they give him the names and phone numbers of his patients with procedures that day. He calls them in the evening to see how they are doing and to ask if they are comfortable.

### **If you have not been filing your income tax returns – do it now**

Take note: the Kansas Department of Revenue has been provided social security numbers and addresses of all Kansas dentists and licensees. All professional boards were required to provide this data pursuant to KSA 74-139. The KDOR will use data on the dentists and hygienists to identify non-filers of state income taxes. They have estimated that 10% of all licensees are non-filers, meaning, they do not file tax returns as required by law. The KDOR will identify them and send out a warning letter telling them to file their past year/s tax returns. Once the returns are filed, the taxpayer can arrange to make payments if money is owed. If the letter is ignored, the non-filer will eventually receive a tax warrant for an estimated income, because the KDOR will do a computation of what they think the licensee owes.

The KDOR wanted the non-filers to be warned in this newsletter, because you will not receive a warning letter if you file your late returns now. They will do a social security number match in August and send warning letters out.

### **New statutes and regulations**

#### **Branches of Dentistry**

On December 15, 2005 new permanent regulation for the Branches of Dentistry **KAR 71-2-2** became effective. It lists the recognized branches for which application can be made for a specialist's certificate; the branches are: endodontics, oral and maxillofacial pathology, oral and maxillofacial radiology, oral and maxillofacial surgery, orthodontics, pediatric dentistry, periodontics and prosthodontics.

#### **Mobile Dentistry**

On February 17, 2006 the regulations pertaining to mobile dentistry became effective. The statutes and regulations are designed to ensure the public is protected concerning the competency and integrity of these facilities. We recently mailed out applications to those dentists who may have mobile facilities. The statute **KSA 65-1469** describes requirements for the operator of a mobile facility. The regulations **KAR 71-8-1** through **71-8-9** can be found on the website. The cost to register a mobile operation is \$500, and biennial renewal is \$350. If you have a mobile operation, but have not completed an application, call the office and request that we mail an application. These operations will be inspected for sanitation compliance by the board investigator or his authorized agents.

### **Board Actions since last newsletter (Winter 2005)**

Bobette Allen, RDH, of Wichita, Kansas was disciplined by the Board imposing a fine of \$250.00. (Final Order 11/18/2005)

Kelly Henrichs, DDS, of Dodge City, Kansas was disciplined by the Board entering an order assessing him an administrative fine of \$500.00. (Final Order 11/18/05)

The Board entered an order fining Harold A. Krueger II, DDS of Overland Park, Kansas \$5,000.00. (Final Order 9/9/2005)

The Board entered an order requiring William C. Strutz, DDS, of Shawnee Mission, Kansas to pay an administrative fine. (Final Order 4/21/2006)

The Board issued an order placing a restriction on the license of Paul Wright, DDS, of Wichita, Kansas. (Final Order 4/1/2005)

The Board entered an order requiring William R. Zagar, DDS, of Overland Park, Kansas to pay an administrative fine of \$500.00. (Final Order 4/1/2005)

### **Keep the KDB Informed of Your Address**

Kansas Statutes require that every licensed dentist and hygienist must inform the Board of a change of their practice and home location within 30 days of such a change. There is a \$50 fine for failure to notify the Board.

### **BOARD INTERPRETATIONS**

#### **Board meeting November 18, 2005**

##### **What is the policy on equipment ownership in relation to Extended Care Permits?**

A non-dentist may not own dental equipment and provide it to a dentist or hygienist. However, the board determined that in the case of performing procedures in public schools, Headstart programs, state correctional institutions, local health departments or indigent health care clinics, and adult care homes, hospital long-term care units, and state institutions, these entities can own dental equipment and make it available to a dental hygienists with extended care permits.

##### **Can a dentist or hygienist be paid directly from the "sponsoring organization?"**

Yes, with the extended care permit the sponsoring dentist and the dental hygienist with extended care permit can both be paid directly by the sponsoring organization.

##### **In order to qualify for an extended care permit, must the 1800 hours of dental hygiene care be within the recent three years?**

Yes, the board decided to qualify for an ECP the hygienist should have meaningful current experience since they will be providing hygiene services without the supervision of a dentist.

#### **Board meeting January 13, 2006**

##### **Continuing approval is allowed for ongoing continuing education**

A continuing education course will have continuing approval as long as the board office is notified when the course is being held and the content remains the same.

##### **Hygienist can have more than one supervising dentist**

A hygienist can be supervised by more than one dentist, as long as the patient's care is being supervised.

##### **Can a hygienist use a laser?**

A hygienist can use the laser for functions allowed to do by a hygienist.

##### **Can a hygienist apply a lidocaine gel if the dentist is not in the office?**

No, a hygienist who has certification for anesthesia may apply a localized anesthesia only under direct supervision of a dentist.

#### **Board meeting April 21, 2006**

##### **Dental students externship denied**

The board had a request from a Kentucky dental school to place a dental student in an office of a private dentist, in order to practice dentistry with supervision as an extern of their dental school. Even though the school would verify that the dentist was in good standing, the board held that this would violate the act pursuant to:

***KSA 65-1423. Act inapplicable to certain practices, acts and operations; definitions. (a) Nothing in this act shall apply to the following practices, acts and operations:***

***(9) the practice of dentistry by a dental student, the practice of dental hygiene by a dental hygiene student or the performance of duties permitted under the dental practices act to unlicensed persons by a dental assisting student, provided that (i) the procedures are performed as part of the educational program of dental, dental hygiene or dental assisting that has been approved by the board and in a facility operated or overseen by the approved program and (ii) the student is under the supervision of a dentist or dental hygienist who is either licensed in the state of Kansas or who is eligible to be licensed in Kansas and has an application to be licensed in Kansas pending, serving as a faculty member of the program;...***

The board held that a student would not be in a "facility operated or overseen by the approved program."

##### **Corporate name denied**

A certification for a corporate name, "First Choice Dental Care, LLC" was denied by the board. The name implied to pick this dentist first and the board held this was a statement of "professional superiority."

### **Dentists Renewals this year**

Please be aware that all dentists will need to **renew your licenses before December 1, 2006**. The renewal fee will be \$300 for two years, an increase from your previous renewal fee. The renewal notice will be mailed in October, and only one reminder notice will be mailed to those who do not renew before Dec. 1. Your license will automatically be cancelled and there is a fine of \$500 if the renewal is not received timely. If you have not updated the board with a new address and you fail to get your renewal notice in October, mail or fax the office your new address and we will update our data base and mail you a renewal application.

### **Regulation highlight – recordkeeping**

**K.A.R. Dental recordkeeping requirements.** For the purposes of K.S.A. 65-1436 and amendments thereto, each licensee shall maintain for each patient an adequate dental record for 10 years after the date any professional service was provided. Each record shall disclose the justification for the course of treatment and shall meet all of the following minimum requirements:

- (a) It is legible.
- (b) It contains only those terms and abbreviations that are comprehensible to similar licensees.
- (c) It contains adequate identification of the patient.
- (d) It indicates the date any professional service was provided.
- (e) It contains pertinent and significant information concerning the patient's condition.
- (f) It reflects what examinations, vital signs and tests were obtained, performed or ordered and the findings and results of each.
- (g) It indicates the initial diagnosis and the patient's initial reason for seeking the licensee's services.
- (h) It indicates the medications prescribed, dispensed or administered and the quantity and strength of each.
- (i) It reflects the treatment performed or recommended.

### **Website**

The Kansas Dental Board's website address is **[www.kansas.gov/kdb](http://www.kansas.gov/kdb)**. Please visit the site when you have a chance. Staff has tried to make the site user friendly. All forms and applications are online, as well as the most current newsletter, and the dental board statutes and regulations. Our newest application is online license verification. Anyone can go to the website, click on License Verifications, and verify any dentist or dental hygienist licensed in Kansas by either license number or name for free!

*The mission of the Kansas  
Dental Board is to protect the  
public .*



### **Kansas Dental Board Staff**

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### **Kansas Well Being Program**

#### What is the Kansas Well Being Program?

Dentists and dental hygienists have problems that are experienced by our society as a whole. Mental and physical illness, including alcohol and other drug addictions, can potentially impair practice and health. Alcohol and other drug addictions, as well as mental and physical illnesses, are often treatable. By being pro-active, the dentist or dental hygienist can get professional help before it is too late. This is a professional assistance program that is *overseen by a committee of your peers*.

#### How are Referrals Made?

Anyone - family, client, colleague of the professional-can contact the committee for assistance. Anonymous referrals are not accepted, but the identity of the person making the referral will be kept confidential. You can call for information or advice without giving your name. The committee reviews the reports, refers the professional for an evaluation and monitors the recovery process.

#### Is the Program Confidential?

Yes, as long as the dentist or dental hygienist cooperates, his/her name will not be known outside the committee. The Kansas Dental Board supports this program financially and philosophically.

*The Board will not be involved or notified unless the dentist or dental hygienist does not cooperate with the program.*

#### Who Do I Call?

You may contact either:

Mary Carder, PhD

OR

Greg Hill, Program Director

Heart of America Professional Network

Kansas Dental Association

6405 Metcalf, Suite 205

5200 SW Huntoon

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