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**STATE OF ALASKA  
DEPARTMENT OF COMMERCE, COMMUNITY AND  
ECONOMIC DEVELOPMENT  
DIVISION OF CORPORATIONS,  
BUSINESS & PROFESSIONAL LICENSING  
BOARD OF DENTAL EXAMINERS**

**MINUTES OF MEETING  
December 5, 2014**

By authority of AS 08.01.070(2) and AS 08.36.040 and in compliance with the provisions of Article 6 of AS 44.62, a scheduled meeting of the Board of Dental Examiners was held December 5, 2014, at 550 W. 7<sup>th</sup> Ave, Suite 1270, Anchorage, Alaska.

The meeting was called to order by Dr. Thomas Wells at 8:29 a.m.

**Roll Call**

Those present, constituting a quorum of the board, were:

Dr. Thomas Wells, President – Anchorage  
Gail Walden – Dental Hygienist – Wasilla  
Dr. Steven Scheller- Dentist - Fairbanks  
Dr. Mary Anne Navitsky –Dentist - Sitka  
Dr. Thomas Kovaleski – Dentist - Chugiak  
Dr. Paul Silveira – Dentist – Valdez  
Dr. Steven Scheller- Dentist – Fairbanks, excused

Absent:

Cheryl Fellenberg – Dental Hygienist - Wasilla, excused  
Robyn Chaney- Public Member – Dillingham, excused  
Dr. Robert Warren – Dentist – Anchorage, joined meeting at 8:32 a.m.

In attendance from the Division of Corporations, Business & Professional Licensing, Department of Commerce, Community and Economic Development were:

Stacia Erkenbrack, Licensing Examiner – Juneau  
Sara Chambers, Director – Juneau  
Colleen Kautz, Operations Manager - Juneau

47 Jasmin Bautista, Investigator – Anchorage  
48

49 **Agenda Item 1- Agenda**  
50

51 Dr. Warren will be giving a report on the AADE meeting this afternoon. Old/New  
52 Business will be at 11:15 due to the AJL coming in.  
53

54 **On a motion duly made by Warren, seconded by Walden and approved**  
55 **unanimously, it was**  
56

57 **RESOLVED to approve the Agenda for December 5, 2014 with**  
58 **amendment.**  
59

60 **Agenda Item 2- Minutes**  
61

62 The Board reviewed the minutes from the October 6, 2014 teleconference was  
63 corrected to the correct date of October 6, 2014. May 16, 2014 minutes were  
64 corrected. There is no renewal fee for CE courses on the September 5, 2015 minutes.  
65 All corrections are noted and made.  
66

67 **On a motion duly made by Warren, seconded by Wells and approved**  
68 **unanimously, it was**  
69

70 **RESOLVED to approve the minutes of the September 5, 2014 Board**  
71 **meeting, October 6, 2014 teleconference and October 29, 2014**  
72 **teleconference with amendments.**  
73

74 **Agenda Item 3- Ethics**  
75

76 There were no ethics violations to report.  
77

78 **Agenda Item 4- Investigative Report**  
79

80 Investigator Jasmin Bautista distributed the investigative report to Board members  
81 and introduced herself. She had previously been with the Board of Nursing for 12  
82 years . There are five cases open as of February 1, 2014, 8 (Eight) remaining  
83 matters that are active and 10 (ten) closed cases. It was determined to go into  
84 executive session to discuss a couple of pending matters.  
85

86 **On a motion duly made by Chaney, seconded by Silveira, and approved**  
87 **unanimously, it was**

88           **RESOLVED to go into executive session in accordance with AS**  
89           **44.62.310(c)(2), for the purpose of discussing investigative matters.**

90

91    Board staff to remain during executive session.

92

93    Off the record at 8:49 a.m.

94    On the record at 9:26 a.m.

95

96    The Board thanked Ms. Bautista and she left.

97

98    **Agenda Item 5 – Public Comment**

99

100    Brynn Moe, Dental Hygienist, addressed the Board regarding an audit and a course  
101    that was not approved for CE. Ms. Moe presented her concern and explained that  
102    the Board did not approve a course in 2013 because it was not considered direct  
103    patient care for clinical hours. She is asking that Board reconsider. Ms. Walden  
104    explained the difference between communication and direct patient care. Dr.  
105    Kovaleski explained why the course does not meet the statute and regulation  
106    regarding direct patient care for clinical hours for 2013. Ms. Walden explained it  
107    looks like a great course but did not meet the qualification for that renewal period,  
108    but that it would now. Ms. Moe left feedback with the licensing examiner regarding  
109    her experience with the auditing process. The Board thanked Ms. Moe and she left.

110

111    Blaire Lewis addressed the Board regarding her application not being approved for  
112    Dental Hygiene license. The licensing examiner explained that she had not been  
113    eligible to apply by credential and her application should have not reached the  
114    Board but the examiner was new and did not know. The Board has left her  
115    application tabled so that Ms. Lewis has the option of applying by exam or waiting  
116    until the time frame is up for her five years to apply by credential. Ms. Walden  
117    explained to Ms. Lewis why she is not eligible by credential due to statute and  
118    regulation. It was discussed that the examiner will her file until May and we will  
119    update her information so she will be eligible to apply by credential at that time. Ms.  
120    Lewis and the examiner will be in touch closer to May to see what is needed to  
121    proceed. PBIS will also be contacted to see what is needed to update background  
122    report. The Board thanked Ms. Moe and she left. It was determined Ms. Lewis  
123    should renew her SC license.

124

125    Captain Courtney Burrill, DH addressed the Board regarding change in licensing fee  
126    for courtesy licenses for Missions of Mercy. Cpt. Burrill stated that even though fees  
127    are reimbursed, the fees may prohibit some from participating. Just wanted to make  
128    a statement regarding waiving fees for Missions of Mercy.

129 Sheila Jensen addressed the Board regarding nurse anesthetics and changing  
130 language in regulations so that nurse anesthetics can practice under their own  
131 license rather than under the license of their dentist. She has examples she gave to  
132 Ms. Walden a list of three states that does this already if we want to use those for  
133 reference, if the Board would like to use them for reference. The Board thanked Ms.  
134 Jensen and she departed.

135  
136 Frank Thomas-Mears presented paperwork for approval for 3 CE's.

137  
138 **On a motion duly made by Scheller, seconded by Warren, and approved**  
139 **unanimously, it was**

140  
141 **RESOLVED to approve course presented by Frank Thomas-Mears for 3**  
142 **CE credits pending receipt of course application fee.**

143  
144 The Board requests a quick break.

145  
146 Off the record at 10:05 a.m.

147 On the record at 10:21 a.m.

148  
149 **Agenda Item 6 -Budget Review**

150  
151 Sara Chambers, Director, currently in Anchorage, addressed the Board, starting with  
152 introduction of herself and Colleen Kautz, Operations Manager on teleconference  
153 from Juneau. Ms. Chambers began with the end of year 2014/2015 first quarter  
154 fiscal report, including budget deficit, pointing out this is just before the renewal  
155 cycle. Ms. Chambers explained the direct, indirect, contractual and personal  
156 services. Ms. Chambers presented an annual budget report that showed how the  
157 budget works and covered the highlights of the report.

158  
159 Ms. Chambers brought up the problems we are having with the delays with  
160 renewals. New fees that were implemented will not be effective until December 15,  
161 2014, which means we cannot accept money for fees until this date. With this  
162 perfect storm of current problems, it was remembered that the Board had discussed  
163 changing the renewal date some time ago. It is now presented to the Board to  
164 change the renewal date to February 28<sup>th</sup> and continue to have the renewal date be  
165 February 28<sup>th</sup> of odd number years from here on out. We will extend the licenses  
166 until that date now and provide the licensees with licenses reflecting this date and  
167 the renewal forms will be mailed December 15 with time to renew. CE courses  
168 taken during the December – February time can be used toward this renewal period  
169 of February 28, 2015.

170

171 **On a motion duly made by Warren, seconded by Navitsky, and approved**  
172 **unanimously, it was**

173

174 **RESOLVED to permanently extend all Dental renewal dates to February**  
175 **28 of odd numbered years.**

176

177 Dr. Warren thanked Ms. Chambers for the fantastic job she is doing and making  
178 everything Board friendly. The Board thanked Ms. Chambers for attending the  
179 meeting and all the wonderful work she has done. Ms. Chambers departed.

180

181 The ALJ Kathleen Frederick signed in and the Board requests to go into executive  
182 session.

183

184 **On a motion duly made by Warren, seconded by Walden, and approved**  
185 **unanimously, it was**

186

187 **RESOLVED to go into executive session in accordance with AS**  
188 **44.62.310(c)(2), for the purpose of discussing case number 14-0874-**  
189 **DEN.**

190

191 Off the record at 11:18 a.m.

192 On the record at 11:38 a.m.

193

194 **On a motion duly made by Walden, seconded by Walden, and approved**  
195 **unanimously, it was determined to adopt the Final Decision of the ALJ**  
196 **regarding Dr. Lockwood.**

197

198 Dr. Wells called for discussion. There was no discussion.

199

200 Roll call- Navitsky, yea- Warren, yea - Chaney, absent - Silveira, yea- Fellenberg,  
201 absent- Scheller, yea - Kovaleski, yea - Walden, yea- Wells- yea -7 yeas, 0 nays, -  
202 motion passed.

203

204 Dr. Wells signed the adoption order. The Board thanked Ms. Frederick and she  
205 departed.

206

207 Ms. Walden presented a memo from Dr. Joe Zaya, President of WREB, regarding the  
208 discontinuation of the Process of Care examination and responses to the memo. The  
209 Board is very disappointed this is happening, especially when WREB had just  
210 implemented one of the best POC's and it is very much needed. The Board would

211 like to write WREB and let them know their disappointment. It is discussed that  
212 Walden will write a letter to WREB and Kovalski will attend the WREB meeting  
213 with his own money in January.

214

215 **On a motion duly made by Warren, seconded by Scheller, and approved**  
216 **unanimously, it was**

217

218 **RESOLVED that Walden will write a letter regarding the Board's**  
219 **disappointment and Kovalski will attend the January WREB Board**  
220 **meeting to represent the State of Alaska Dental Board.**

221

222 Dr. Wells brings up discussion for online CE courses.

223

224 The Board recessed for lunch.

225 Off the record at 12:03 p.m.

226 On the record at 12:58 p.m.

227

228

229 **Agenda Item 9 - Personal Interview for Applicants by Credentials**

230

231 Dr. Walden welcomed Dr. Julie K. Addis to the Board meeting and explained the  
232 interview process. Dr. Addis appeared telephonically. The Board asked the  
233 standard interview questions.

234

235 **On a motion duly made by Walden, seconded by Scheller, and approved**  
236 **unanimously, it was**

237

238 **RESOLVED to approve the application for a dental license for Dr. Julie K.**  
239 **Addis.**

240

241 Dr. Wells welcomed Dr. Jeffrey Bowman to the Board meeting and explained the  
242 interview process. Dr. Bowman appeared in person. The Board asked the standard  
243 interview questions.

244

245 **On a motion duly made by Kovalski, seconded by Walden, and approved**  
246 **unanimously, it was**

247

248 **RESOLVED to approve the application for a dental license for Dr. Jeffrey**  
249 **Bowman.**

250 Dr. Silveira welcomed Dr. Thomas Chanez to the Board meeting and explained the  
251 interview process. Dr. Chanez appeared telephonically. The Board asked the  
252 standard interview questions.

253

254 **On a motion duly made by Silveira, seconded by Walden, and approved**  
255 **unanimously, it was**

256

257 **RESOLVED to approve the application for a dental license for Dr.**  
258 **Thomas Chanez.**

259

260 Dr. Scheller welcomed Dr. Jared Lee to the Board meeting and explained the  
261 interview process. Dr. Lee appeared telephonically. The Board asked the standard  
262 interview questions.

263

264 **On a motion duly made by Scheller, seconded by Silveira, and approved**  
265 **unanimously, it was**

266

267 **RESOLVED to approve the application for a dental license for Dr. Jared**  
268 **Lee.**

269

270 **Agenda Item 8 – Old/New Business**

271

272 The Board decided to schedule future Board meetings while waiting for next  
273 applicant, Joshua Kennedy. It is determined that February 20, 2015, May 15, 2015  
274 and September 22, 2015. The December Board meeting will be determined at a  
275 later date.

276

277 Dr. Kennedy arrived and Dr. Wells welcomed Dr. Joshua Kennedy to the Board  
278 meeting and explained the interview process. Dr. Kennedy appeared in person, with  
279 friend and attorney, Evan Barrickman. The Board had additional questions for the  
280 Exam applicant. Ms. Walden asked about treatment and results of treatment were  
281 taken after the DUI the applicant had received in the past. Dr. Kennedy does not  
282 have documentation with him. Ms. Walden asked why Dr. Kennedy did not report  
283 the charges on application. Dr. Kennedy stated he did not know to report the minor  
284 chargers since he only thought of the DUI as an adult. Dr. Kennedy stated he made  
285 bad choices when he was young and has since grown up and is making better  
286 choices and has had no trouble since he attended Dental school. Ms. Walden  
287 explained that the Board could deny his application for not disclosing and wanted to  
288 be sure he understood how serious this was. Ms. Walden stated his letter does not  
289 reflect remorse or that this has affected him in anyway. Dr. Kennedy explained he  
290 had no intention of deceiving the Board and that he only thought of the DUI when he

291 was completing the application. Dr. Warren explained that the background checks  
292 show ALL past actions and applicants need to disclose everything because the Board  
293 will find out about any infractions. Dr. Kennedy doesn't really remember much  
294 about the substance abuse classes other than going and meeting the counselor. He  
295 will send the paperwork regarding completion of the course and send it to the Board  
296 when he finds it.

297

298 **On a motion duly made by Warren, seconded by Silveira, and approved**  
299 **unanimously, it was**

300

301 **RESOLVED to approve the application for a dental license for Dr.**  
302 **Kennedy pending receipt of completion of substance abuse counseling**  
303 **and courses.**

304

305 The Board thanked Dr. Kennedy for coming in and he departed. Dr. Kennedy will  
306 email the requested documentation to the licensing examiner.

307

308 **Agenda Item 7 – Miscellaneous Correspondence**

309

310 The Board discussed the letter from Representative Reinbold regarding sedation. I  
311 explained that our Director, Sara Chambers, had already responded to the  
312 Representative, letting her know that the Board is in the process working on  
313 regulation changes for sedation.

314

315 The Board discussed the correspondence regarding the Smile Care Club.

316

317 **On a motion duly made by Scheller, seconded by Walden, and approved**  
318 **unanimously, it was**

319

320 **RESOLVED that Dr. Silveira will write a letter to Smile Care Club and**  
321 **Identical Consulting regarding ethical violations for practicing dentistry**  
322 **in the State of Alaska without an Alaskan license.**

323

324 Correspondence regarding sedation permit was discussed and determined that  
325 these are the regulations the Board is working on.

326

327 Dr. Warren discussed the AADE meeting he attended. He stated it included a sleep  
328 apnea course, surgery and oral appliances. He reports that NC has been on an  
329 ongoing battle with non-approved dental whitening issues and that Alaska is one of  
330 the states that did not support NC in none dentists whitening teeth. Thirty eight  
331 states filed cease and desist orders. He also discussed that the Supreme court is



332 certain states are determining if asking applicants if there is a physical or mental  
333 disorder that prevents them from working may be in violation of the ADA. The  
334 Board thanked Dr. Warren for the information and report.

335

336 **Agenda Item 10 – Regulations**

337

338 I verified with Ms. Walden that the Board does still have a regulation project in the  
339 pending. Ms. Walden wants to finalize and get these to Department of Law, although  
340 they do not need to go to Department of Law, the Board feels it should. Ms. Walden  
341 made some changes to the nitrous part section to reflect it is a permanent  
342 certification. Currently there is nothing to show whether a hygienist is certified in  
343 nitrous. Ms. Walden will make the change and email to the examiner upon  
344 completion. Questions were discussed, changes included, page 3, 12 AAC 28.903.  
345 also, 12 AAC 28.010, Department of Law will need to include language to  
346 grandfather those already that have moderate and general sedation permits.  
347 It is determined that reporting of death or hospitalization should be changed to  
348 show evidence of contact within 24 hours rather than 48 hours, report of contact  
349 can be written or electronic.

350

351 If a dental patient dies or requires hospitalization immediately after a dental  
352 procedure the provider shall, that day, provide a written or electronic report of the  
353 incident to the Board within 24 hours of obtaining knowledge of death or  
354 hospitalization. The report must include: changes will be emailed to examiner once  
355 they are done. Examiner will forward to regulation specialist, who will forward to  
356 Department of Law for approval and additional language necessary for previous  
357 mentioned permits.

358

359 Dr. Warren leaves 2:58

360 Dr. Warren returns 3:03

361

362 Radiological fees were discussed. It is agreed that radiological license fee will be  
363 \$20.00

364

365 **On a motion duly made by Walden, seconded by Kovaleski, and approved**  
366 **unanimously, it was**

367

368 **RESOLVED that the licensing fee for registering radiological equipment**  
369 **will be established as \$20.00.**

370

371

372

373 **Agenda Item 10 – Office Business**

374

375 Wall certificates were signed, travel receipts were collected. Dr Warren signed in  
376 the absence of Ms. Chaney.

377

378 Dr. Natvisky leaves 3:15

379 Dr. Natvisky returns 3:21

380

381 **On a motion duly made by Scheller, seconded by Walden, and approved**  
382 **unanimously, it was**

383

384 **RESOLVED to adjourn the meeting.**

385

386 **Meeting adjourned 3:25 p.m.**

387

388

Respectfully submitted:

389

390

391



392

Stacia Erkenbrack

393

Licensing Examiner

394

395

Approved:

396

397



398

Thomas Wells, DDS, President

399

400

Date: 9/15/2015