

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

**MINUTES OF MEETING
FEBRUARY 17-18, 2011**

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 Feb. 17-18, 2011, at the State Office Bldg, Conference Room A, 9th Floor, 333 Willoughby Ave., Juneau, Alaska.

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The meeting was called to order by Dr. David Eichler, Chairman at 9:02 a.m.

Roll Call

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

Dr. David Eichler, President – Fairbanks
Cheryl Fellenberg – Dental Hygienist – Wasilla
Dr. Clifford D. White – Dillingham
Robyn Chaney – Public Member – Dillingham
Dr. Mary Anne Navitsky – Sitka
Dr. Newell Walther – Wasilla
Dr. Arne Pihl – Ketchikan
Deborah Stauffer – Dental Hygienist – Anchorage

Those absent and excused:

Dr. Thomas Wells – Anchorage

Dr. Wells is traveling from Seattle and will arrive later in the morning.

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

Brenda Donohue, Licensing Examiner – Juneau

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Agenda Item 1 – Review Agenda

Dr. Eichler reviewed the Agenda. Ms. Donohue noted additions to the Agenda as follows:

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Item 5 – INVESTIGATIVE REPORT

- Investigator's Report
- Past Dental Board License Actions to use as Examples For Developing Sanction List

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Item 2 – REVIEW APPLICATIONS

- Checklist – Application Packet Review
 - Collaborative Agreement
 - Coronal Polishing Certificate
- Credential Applicant Review
 - Rafal Pytlik, DDS (Eichler)
- Course Approval Applications
 - Wound Care Certification Course
 - Coronal Polishing Certificate Course
 - Dental Sealant Certificate Course
 - Coronal Polishing
 - Understanding the Oral-Systemic Connection
 - Medical Histories & Medical Emergencies

Agenda Item 2 – Review Minutes

Following review of the December 10, 2010 meeting minutes the Board approved the minutes as corrected.

Upon a motion duly made by Dr. Pihl, seconded by Ms. Fellenberg and approved unanimously, it was:

RESOLVED to approve the December 10, 2010 meeting minutes, as corrected.

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Agenda Item 3 – Ethics Report

Dr. Eichler asked if anyone had any possible ethics violations to report. There was no response, indicating no ethics reports were necessary.

Agenda Item 4 – Budget Review

The board reviewed the budget presented as of Feb. 2, 2011, and felt they were on track. They noted for FY2011 to date they had \$129.2K in expenses and \$323.7K in revenue.

Agenda Item 5 – Investigative Report

The Board's Investigator is scheduled to join the meeting at 10:00 a.m. so the Board moved on to discuss other issues under the Investigative agenda item.

Registering and inspecting radiological equipment. Ms. Donohue explained the program allows for input of registration and inspection information, but has no mechanism to generate reports. The only way to determine if an owner of equipment, who has properly registered the equipment, is current on inspections is to review each owner manually in the program. The other significant issue is owners being non-compliant regarding registering the equipment. They either do not register at all, or do not respond to request for follow-up for incomplete registration forms.

As discussed at prior meetings, the Board again expressed their support of a change to statutes to allow for trained staff of the companies who install and repair the equipment to be approved to inspect the equipment.

Dr. Eichler inquired if anyone knows how to go about finding out what the federal requirements are concerning radiological equipment. Dr. White volunteered to research the federal requirements and bring that information back to the next meeting.

The Board then moved on to review of a sanction list they are developing for use by the Investigator in negotiating consent agreements. Elements to be included are failure to disclose, prescribing issues, impairment issues, malpractice, unprofessional conduct, and criminal history. Ms. Chaney, Ms. Fellenberg and Dr. Stauffer will draft a document this evening and bring to the meeting tomorrow for review by the entire Board.

Ms. Peggy Weaver, Investigator, joined the meeting to observe. Ms. Donohue introduced her and explained she is the person who handles applications and renewals with "yes" responses to the professional fitness questions.

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The Board returned to discussion of the sanction list.

Dr. Eichler noted it was 10:00 a.m., so further discussion will be deferred, and he asked Ms. Donohue to connect Investigator Bundick to the meeting.

Investigator Bundick joined the meeting via teleconference for the Investigative Report. Ms. Bundick proceeded to present the Investigative Report noting there are six (6) open complaints, two of which are ready for review by the Board's Discipline Review Panel; nine (9) open investigations, three of which are for one practitioner.

Dr. Eichler noted that if you compare the current report with the Nov. 24, 2010 report, there are no changes to the open complaints listed, and the only difference for open investigations is the addition of one case. Ms. Bundick responded that even though the lists appear to be the same, in fact there has been activity on many of the cases. She cannot provide specific details so that is why the status appears the same. Dr. Eichler then asked if the cases with Consent Agreement pending had been presented to the licensee, and she responded yes. Then he asked why they were still pending after three months, was there no response from the licensee? She replied that several have attorneys representing them, and if the licensee does not agree with the terms of the Consent Agreement, there is negotiation occurring.

Dr. Eichler then asked why the Division doesn't do a summary suspension if the licensee doesn't agree in a timely fashion. Ms. Bundick responded that she has to work within the structure of the law, and the licensee is allowed due process.

Dr. Eichler then asked about the amount of time complaint # C1200-09-007 has been open, and the status note that a second request for records has been sent. He stated that nearly two years from the opening of this complaint to the sending of a second request is excessive, and if the dentist does not comply promptly, does the Chief feel the division has the tools to impose a more prompt response? Ms. Bundick said she would check with the Chief on that question.

Dr. Pihl asked in reference to that case, is it possible for the Board's review panel to review the complaints prior to receipt of the records. Ms. Bundick responded that the case is not sent to the review panel until the records have been received. Prior to receipt of records the Investigator cannot determine if the complaint is valid, if an actual violation has occurred. Dr. Pihl responded that as a board member, he wants to see the complaint in a timely fashion, even if no records have been received. The complaint may allege a situation or action that is a danger to the public, and the Board may decide it is serious enough to vote on a suspension of the license. When a complaint is two years old, and the Board's discipline review panel has not yet seen it, and standard of care or

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negligence is alleged, the public is not being protected. As a Board, they cannot sit and wait for a licensee to ignore the Investigator's request for records, and the public go unprotected. The lag between a complaint being lodged, the response from the licensee, then the information being forwarded to the Board's discipline review panel is the point of the Board's extreme frustration with the Investigative process.

Dr. Pihl asked if it is possible that the original complaint be forwarded to the review panel members by 60 days regardless if the licensee has responded to the request for records. Ms. Bundick asked the Board to put that in writing to the Chief Investigator.

Dr. Eichler noted that when there is disagreement between the two discipline review panel members regarding a complaint, let them hash it out then reply to the Investigator with their conclusion.

Dr. White inquired if the time spent by an investigator newly assigned to the board to review and get up to speed on cases that have been in the system for years is charged to the Board. Ms. Bundick responded yes, anytime she spends on Dental Board cases is charge to the Dental Board. Dr. White responded the expense of redundant review by each newly appointed board investigator is another concern the Board has with the long-standing cases that are not being completed in a timely fashion.

Dr. Eichler said the board members will review Mr. Warren's written response to several of their questions from the December 2010 meeting, and they will contact him if they need further explanation.

Dr. Eichler thanked Ms. Bundick, and she left the meeting. Dr. Eichler will draft a letter to the Chief Investigator stating the Board's policy where they want a complaint to be sent to the review panel members within 30 days of date complaint is turned in regardless of receipt of records from the respondent.

Ms. Donohue asked that to clarify, Dr. Eichler will send a letter to Mr. Warren stating the board wants to see the complaints within a specific time-frame, do you want to include in that letter that the complaints the board wants to see are the ones that pertain to patient care. If they are clearly statutory violations of an administrative nature, does the board want to see those also? Dr. Eichler said yes, if the respondent is not responding to records request promptly. The board wants to see timely response to record requests, and if this doesn't happen, then the board wants to see the complaint, regardless of what type of complaint.

Ms. Donohue will find out what the process is if a complaint is received that alleges activity that poses a clear and imminent danger to the public, the discipline review panel

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advises the license needs to be suspended, and the entire board needs to meet to take action. Does this process not taint the entire board when it comes time to rule on the findings of a hearing, or a consent agreement?

The Board reviewed Mr. Warren's response to questions from the Dec. 2010 meeting, as follows:

- Placing reviewing Board member name on Investigator's Report

Putting Board members name on Board Report is "no", because the Board Report is public. If someone was able to recognize the case number, they could easily tie it to the doctor that was doing the review. We need to protect the identity of the reviewing board members, because we do not want Board members to face additional scrutiny or be harassed because of a particular case they were reviewing.

- Summary statement for closed cases on Report

Too much information that could be taken the wrong way. Many investigations require a lot of information to determine if we had enough to prove the allegation. I have seen within various professions the rumor mill runs rampant with a little information. By the time it runs its course, there's lots of evidence supporting the allegation and many would draw the conclusion that the individual should have lost their license, but in reality there was no evidence of a violation; and the person's character was besmirched by rumors. The more information we provide, the less anonymity we provide to those who were the subject of an investigation or complaint. I would think all Board members would appreciate that, because anyone could be the subject of a complaint or investigation.

- Send all complaints to the Board's Discipline Review Panel – can it be done?

All practice related complaints are reviewed by the panel. In fact some panel members are complaining that they have too many complaints to be reviewed. However, if a Dentist commits a crime or violation such as falsifying their application, drug diversion, and clear patient abuse or assault; that does not need to be screened by a panel. A Board member would be consulted for guidance, but not whether we should investigate or not. Ultimately all cases go before the Board prior to final resolution. The Board should give us investigative priorities based on industries standards with emphasis on public protection so that we can blindly investigate every violation that the Board had determined should be investigated.

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- “Sent to Review Panel” and date sent added to Report

Panel review is a service the Board provides. If we have to encourage panel members into quickly reviewing cases it generally is not a problem. However, we do recognize that they are volunteering their time and some cases cannot be reviewed quickly. I rather not put any additional pressure on reviewing Board members, that’s why I don’t support putting the time on the report.

- If Board member terms-out, and they reviewed a case still open on the Report, that case will be assigned to a current Board member.

It should be standard practice to reassign cases due to Board members terming out. If the member is coming to the end of their term they should be thinking about not accepting new cases.

Discussion followed regarding the discipline sanctions list. Ms. Chaney, Ms. Fellenberg and Dr. Stauffer will put together a draft tonight and bring it back to the Board for further review tomorrow. The following six topics will be addressed: failure to disclose; prescribing issues; impairment issues; felony; malpractice; and unprofessional conduct.

Agenda Item 6 – Public Comment

Dr. Eichler noted there were no members of the Public who appeared for Public Comment.

Recess for lunch 11:57 a.m.
Back from lunch 1:00 p.m.

Agenda Item 7 – Goals and Objectives FY 2011

Following discussion the following changes were made to the Goals & Objectives list for FY 2011:

10. removed all wording except “Support on-line license renewal”.
11. added new item to read “Support adding cast gold requirement in clinical exam.

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Agenda Item 8 – Task List

Dr. Eichler assigned Dr. Wells and Dr. White to the Discipline Review Panel for April – June 2011.

Dr. Navitsky relayed that she has three cases from the Investigator currently, and she doesn't know who the second panel member is. Dr. Walther said he hasn't received the last two cases. So, the question is if both members of the current review panel receiving the cases at the same time? Ms. Donohue suggested the panel member contact the Investigator with any questions about cases being sent for review. Ms. Donohue will inquire with Ms. Bundick if a case is being sent to both review panel members at the same time.

Agenda Item 9 – Miscellaneous Correspondence

Arne Pihl – Dr. Pihl reviewed an inquiry he received from Dr. Charlie Schulz, an Alaska licensed dental specialist in Oral and Maxillofacial surgery. Dr. Schulz said he was contacted by the pharmacist at Fred Meyer, telling him he couldn't prescribe Fluconazole to treat yeast infections. Dr. Schulz asked the pharmacist "Am I in trouble with the Board". Response not provided. Dr. Wells added that the pharmacist could be reported to his Board to be reprimanded. Prescribing authority is entirely within the frame of treatment provided by a dentist.

Dr. Eichler said this practice is not a problem with the Dental Board, and Dr. Schulz may need to check with the Pharmacy Board, as it may be a problem with that Board. Dr. Wells added the pharmacist doesn't have the authority to decide which drugs a dentist can prescribe.

Dr. Schulz' second question for clarification is regarding the practice of medication administration, specifically is it acceptable to have someone other than the dentist holding the parenteral sedation permit push iv medication under the direct supervision and direction of the dentist? The Board determined it is within the intent of the regulation to allow for this.

ADA CERP – call for written comments. Notification of proposed changes to the ADA CERP Eligibility Criteria. The ADA Council on Dental Education and Licensure and its Continuing Education Recognition Program is proposing that "commercial entities", defined by CERP as companies that produce, market, re-sell or distribute health care goods or services consumed by, or used on, patients should no longer be eligible to apply to come ADA CERP approved providers of continuing dental education.

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Discussion supports the Board's disagreement with this proposed change. Dr. Walther stated that putting it in only the hands of higher learning will provide more quality continuing education. He has received some excellent training provided by suppliers. Dr. Stauffer added that a number of cutting edge courses are offered by the vendors and commercial entities. Dr. Eichler directed Ms. Donohue to forward the Board's opinion to ADA CERP.

ADEX – Copy of Proceedings of the ADEX 6th Annual Meeting. Information only.

HB 28 – Courtesy Licenses. Ms. Donohue supplied copies of HB28 as originally introduced to the Legislature on 1/7/11, and as revised as of 2/9/11. She wants the Board aware of this bill, and advised them to keep an eye on it. It provides for a “military courtesy license” to be issued to the spouse of an active duty member of the armed forces of the US if the spouse applies for a professional license with the department. The temporary courtesy license is to be issued to the applicant, if they meet stated criteria, for 180 days, and another 180 days extension allowed, at the departments discretion, so the applicant can practice their profession while awaiting completion and approval of their application for a full license.

Discussion covered several concerns the members have with the bill, one being what about spouses of government workers who are transferred to different duty stations, or spouses of professors in the education system. What is the impetus behind this legislation? Is there a problem with licensing the spouses of military personnel? The members are not aware of any issues with this Board, and believe if there is an issue with a profession governed by a licensing board, the issue would be better addressed directly with that board rather than enacting blanket legislation.

Dr. Eichler expressed confusion at subsection (d) that refers to “a member of the armed forces of the United State on active duty who is a licensee under this title...” when the legislation is directed to licensing of spouses of active duty military.

Agenda Item 10 – AADB Meeting

Ms. Donohue explained selecting a Board member to attend the AADB Mid-Year and Open Forum meetings of April 2-4, 2011, was again before the Board because Dr. Walther, who was designated at the Dec. 10, 201 meeting, would term-out on March 1, 2011. Following discussion the following action was taken:

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Upon a motion duly made by Ms. Fellenberg, seconded by Dr. White and approved unanimously, it was:

RESOLVED to approve Dr. Navitsky as the Board's Designated Representative to attend the Advisory Forum and the AADB Mid-Year Meeting.

Agenda Item 11 – Office Business

A. Travel Authorizations

Ms. Donohue collected signed TAs and travel receipts.

B. Meeting Dates

May 16, 2011 in Anchorage – Confirmed
Sept. 9, 2011 in Fairbanks - Tentative

C. Sign Wall Certificates

The President and Secretary signed wall certificates.

As it is only 2:00 p.m. the Board decided to keep working and move on to agenda items scheduled for Feb. 18, 2011.

Agenda Item 2 – Application Assignments and Review

Credential Application Review

The board reviewed the dental applications by credentials for the following in preparation for the personal interview:

Rafal Pytlik, DDS

Reviewed by Eichler

The board determined to enter executive session to deliberate the application for Dentist License by Credentials which contains information that may be detrimental to the applicant.

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On a motion duly made by Dr. Wells, seconded by Ms. Chaney and approved unanimously, it was

RESOLVED to enter executive session in accordance with AS 44.62.310(c)(2), and Alaska Constitutional Right to Privacy Provisions, for the purpose of reviewing an application for Dentist License by Credentials that contains information that may be detrimental to the applicant.

Entered into executive session at 2:05 p.m.

Out of executive session at 2:27 p.m.

Dr. Eichler asked if there is a motion.

Upon a motion duly made by Ms. Fellenberg, seconded by Dr. White and approved unanimously, it was:

RESOLVED to deny the application for dental license by credentials for Rafal Pytlik, DDS as he does not meet the qualifications in accordance with AS 08.36.110 (e) & (f) and AS 08.36.234 (e) & (f).

Dr. Eichler directed Ms. Donohue to contact Dr. Pytlik to advise the Board will not be calling him for an interview tomorrow.

Agenda Item 4 – Regulations

Dr. Eichler initiated a discussion about requiring a cast gold component in the clinical exam. WREB provides one if asked for, and Wyoming requires this element be included. He urged the Board to consider making this element a requirement. To do so will require a change in regulation, and Ms. Donohue suggested this be included in the next project they initiate if they decide to make this change. They will pursue this further during Regulations agenda item tomorrow.

Agenda Item 2 – Application Assignments and Review (continued)

Collaborative Agreement Application

Discussion ensued pertaining to the Collaborative Agreement termination between Dr. Polis and Tamra Dowdy, effective 1/1/2011. Ms. Dowdy has submitted a second application with Dr. Kerry Kennedy as the collaborating dentist.

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The Board has the following questions about the second application. First, Dr. Kennedy is the subject of adverse disciplinary action under the Alaska Practice Act, and as stated in 12 AAC 28.956(c)(3) the board may not approve a collaborative agreement if “the applicant or affiliated dentist is the subject of adverse disciplinary action under AS 08.32-08.36 or this chapter, or a similar provision of another jurisdiction. They don’t believe the wording “may not” is discretionary as the same wording is used in subsection (c)(1) and is clearly not discretionary.

Second question is concerning the practice locations listed in the contract, specifically “private dental clinic” and “Public health clinics”. The intent of the collaborative agreement is not to allow for a dental hygienist to practice in her employer’s “regular place of practice” when the employer is not there, but rather to increase access to care by allowing a dental hygienist in a collaborative agreement to go out into schools, retirement homes, health fairs, etc., to provide the services stated in the approved contract, and that are within the dental hygiene scope of practice. Upon further discussion, and review of Ms. Dowdy’s application letter, the Board assumes the location “Public health clinics” does not refer to public health clinics associated with Indian Health Service. Patients qualified to go to IHS clinics would not be the population targeted by a collaborative agreement. Questions remain regarding the listing of “private dental clinic”. In accordance with the intent of the collaborative agreement statutes and regulations to increase access of care out into the community, seeing patients in a private clinic is not appropriate.

The Board directed Ms. Donohue to bring a copy of the contract from the terminated Agreement between Ms. Dowdy and Dr. Polis so they can compare to the contract in the current application. Upon review of the two contracts, one big difference is the statement in the second contract that states “The Collaborative hygienist agrees to practice to the standards of care, presented by the American Dental Hygienists’ Association, in regards to patient assessment, diagnostics, hygiene services planned, treatment provided, patient education. The statement in the terminated contract is “The collaborative hygienist agrees to practice within the Alaska state statues (statutes) of dentistry. Dr. Eichler noted the Board has not adopted the standards of clinical dental hygiene care presented by the ADHA.

The Board directed Ms. Donohue to contact Dr. Polis to see if she would agree to the Board contacting her tomorrow to obtain more details explaining the termination of her Collaborative Agreement with Ms. Dowdy.

The Board recessed at 3:35 p.m. until Friday, Feb. 18, 2011 at 9:00 a.m.

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The meeting was called to order by Dr. David Eichler, Chairman at 9:02 a.m.

Roll Call

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

Dr. David Eichler, President – Fairbanks
Cheryl Fellenberg – Dental Hygienist – Wasilla
Dr. Clifford D. White – Dillingham
Robyn Chaney – Public Member – Dillingham
Dr. Mary Anne Navitsky – Sitka
Dr. Newell Walther – Wasilla
Dr. Arne Pihl – Ketchikan
Deborah Stauffer – Dental Hygienist – Anchorage
Dr. Thomas Wells – Anchorage

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

Brenda Donohue, Licensing Examiner – Juneau

Agenda Item 1 – Review Agenda

Dr. Eichler reviewed the Agenda. Ms. Donohue noted there were no additions to the Agenda.

Agenda Item 3 – Personal Interview for Dental Applicants by Credentials

Dr. Eichler proceeded in assigning questions to be asked of the applicants who will be interviewing. The applications appear to be in order for meeting the requirements for dental license by credentials.

The Board continued on to review of other applications until time to interview the dentists.

Agenda Item 2 – Application Assignments and Review

Collaborative Agreement Application

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Ms. Donohue advised she had conferred with an Assistant Attorney General, who was in her office on other business, and he interpreted the wording in 12 AAC 28.956(c) “may not” as removing discretion from the Board.

The board determined to enter executive session to deliberate the application for Collaborative Agreement which contains material that may be detrimental to parties of the Agreement.

On a motion duly made by Ms. Chaney, seconded by Dr. White and approved unanimously, it was

RESOLVED to enter executive session in accordance with AS 44.62.310(c)(2), and Alaska Constitutional Right to Privacy Provisions, for the purpose of reviewing the Collaborative Agreement application.

Entered into executive session at 9:10 a.m.

Out of executive session at 9:50 a.m.

Following review by the Board of the application for Collaborative Agreement Dr. Eichler asked if there was a motion on this application.

Upon a motion duly made by Ms. Fellenberg, seconded by Dr. Navitsky and approved unanimously, it was:

RESOLVED to deny the Collaborative Agreement application for Tamara Dowdy, Dental Hygiene License #2026 with collaborating dentist Kerry Kennedy, DDS, Dentist License #495 because it does not meet the requirements of 12 AAC 28.956(c)(3) as Dr. Kennedy is the subject of adverse disciplinary action on his Alaska dental license.

**Agenda Item 3 – Personal Interview for Dental Applicants by Credentials
(continued)**

Mitchell R. Wilkinson, DDS

Applicant Mitchell R. Wilkinson, DDS joined the meeting in person for the personal interview.

Dr. Eichler welcomed the applicant to the meeting and explained the interview process.

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Dr. Pihl reviewed the application for Dr. Wilkinson, and the board proceeded in asking the standard interview questions.

Upon a motion duly made by Dr. Pihl, seconded by Ms. Fellenberg and approved unanimously, it was:

RESOLVED to approve Mitchell R. Wilkinson, DDS for dental licensure by credentials.

Paul E. Roeh, DDS

Applicant Paul E. Roeh, DDS joined the meeting via teleconference for the personal interview.

Dr. Eichler welcomed the applicant to the meeting and explained the interview process.

Dr. Navitsky reviewed the application for Dr. Roeh, and the board proceeded in asking the standard interview questions.

Upon a motion duly made by Dr. Navitsky, seconded by Dr. Stauffer and approved unanimously, it was:

RESOLVED to approve Paul E. Roeh, DDS for dental licensure by credentials.

Continuing Education Course Applications

Ms. Donohue noted there are eight (8) Course Approval Applications for review.

Review and discussion of the applications ensued, and the Board took the following action:

Upon a motion duly made by Dr. Stauffer, seconded by Dr. Navitsky, it was:

RESOLVED to deny the following continuing education course as it contains material teaching procedures beyond what is allowed by dental assistants AS 08.36:

Wound Care Certification Course, sponsored by Maniliq Health Center, for three (3) hours of continuing education.

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Upon a motion duly made by Dr. Walther, seconded by Dr. Stauffer and approved unanimously, it was:

RESOLVED to approve, pending inclusion of an aerosol production component to the following continuing education course, as meeting the requirements in accordance with 12 AAC 28.410:

Coronal Polishing Certificate Course, sponsored by Maniliq Health Center, for three (3) hours of continuing education.

Upon a motion duly made by Dr. Walther, seconded by Dr. White and approved unanimously, it was:

RESOLVED to approve, pending change in title of course removing “Certificate” and presenting for continuing education only, to the following continuing education course, as meeting the requirements in accordance with 12 AAC 28.410:

Dental Sealant Certificate Course, sponsored by Maniliq Health Center, for three (3) hours of continuing education.

Upon a motion duly made by Dr. White, seconded by Dr. Walther and approved unanimously, it was:

RESOLVED to approve, pending inclusion of an aerosol production component to the following continuing education course, as meeting the requirements in accordance with 12 AAC 28.410:

Coronal Polishing, sponsored by Dr. Paul Anderson, for seven (7) hours of continuing education.

Upon a motion duly made by Ms. Fellenberg, seconded by Dr. Stauffer and approved unanimously, it was:

RESOLVED to approve the following continuing education course, as meeting the requirements in accordance with 12 AAC 28.410:

Medical Histories and Medical Emergencies: An Interactive, Hands-On Approach, sponsored by the Alaska State Dental Hygienists' Association, for two (2) hours of continuing education.

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Upon a motion duly made by Ms. Fellenberg, seconded by Dr. Stauffer and approved unanimously, it was:

RESOLVED to approve the following continuing education course, as meeting the requirements in accordance with 12 AAC 28.410:

Understanding the Oral-Systemic Connection: From Intensive Care to Long-term Care, sponsored by the Alaska State Dental Hygienists' Association, for three (3) hours of continuing education.

Upon a motion duly made by Dr. White, seconded by Ms. Fellenberg and approved unanimously, it was:

RESOLVED to approve the following continuing education course, as meeting the requirements in accordance with 12 AAC 28.410:

Cone Beam Technology – From Implants to Periodontal Diagnosis, sponsored by the Kenai Peninsula Dental Hygiene Association, for two (2) hours of continuing education.

Upon a motion duly made by Ms. Fellenberg, seconded by Ms. Chaney and approved unanimously, it was:

RESOLVED to approve the following continuing education course, as meeting the requirements in accordance with 12 AAC 28.410:

Temporary Anchorage Devices and Their Use in Modern Orthodontic Treatment, sponsored by the Alaska State Society of Orthodontists, for eight (8) hours of continuing education.

Agenda Item 4 – Regulations

The Board then discussed what they want to include in a regulation project, as follows:

- Add requirement for ACLS in 12 AAC 28.010, for general anesthetic permit
- Strike the word “undergraduate” from 12 AAC 28.010(5)
- Add sub section stating no need to hold Parenteral Sedation Permit if hold General Anesthetic Permit
- Strike “a permit to administer Parenteral sedation does not authorize a dentist to administer general anesthetic agents” from 12 AAC 28.600(c)

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- Review 12 AAC 28.600-640 and be prepared to present any changes at next meeting
- Add cast gold requirement to clinical exam – 12 AAC 28.940(b)(8)
- Review 12 AAC 28.951(e) for possible language change re: “must include at least six of the following subject areas as their components or characteristic”.
- Add sub section to 12 AAC 28.956 to address billing arrangements by the collaborative dentist in a collaborative agreement with a dental hygienist.

The Board will plan to review these items at the next meeting with the intent to initiate a regulation project at that time.

Agenda Item 5 – Investigative Report (continued)

The Board returned to review of the disciplinary sanctions list drafted by Ms. Chaney, Ms. Fellenberg and Dr. Stauffer from the discussion yesterday.

A copy of the approved list is listed at the end of these minutes.

Agenda Item 5 – Election of Officers

Upon a motion duly made by Dr. Stauffer, seconded by Dr. Navitsky and approved unanimously, it was:

RESOLVED to approve Dr. Thomas Wells to serve as Board President for the next year.

Upon a motion duly made by Ms. Fellenberg, seconded by Dr. White and approved unanimously, it was:

RESOLVED to approve Dr. Stauffer to serve as Board Secretary for the next year.

The Board determined to change the term of officers from February to February each year.

Agenda Item 11 – Office Business

**BOARD OF DENTAL EXAMINERS
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Ms. Donohue asked permission to present Certificates of Appreciation to Drs. Eichler, Pihl and Walther, thanking them for their service on the Board, and to the dental profession in Alaska.

Discussion followed regarding if a member is willing to volunteer to be the Board's representative to WREB. The suggestion was made to ask new board member Dr. Thomas Kovalski if he is willing to take on that position, and if he agrees, advise WREB.

Agenda Item 17 - Adjourn

There being no further business Dr. Eichler called to adjourn the meeting.

The board adjourned the meeting at 11:38 a.m.

Respectfully Submitted:

Brenda Donohue, Licensing Examiner

APPROVED:

Thomas J. Wells, DDS
President
Board of Dental Examiners

Date:_____

**BOARD OF DENTAL EXAMINERS
TASK LIST FROM FEB. 17-18, 2011 MEETING**

Ms. Fellenberg

- Dental Hygiene CE Audit Review

Dr. Navitsky

- Discipline Review Committee
- Dentist CE Audit Review

Dr. Walther

- Discipline Review Committee

Dr. Stauffer

- Dental Hygiene CE Audit Review

Dr. White

- Dentist CE Audit Review

Ms. Chaney

Licensing Examiner

- Work on board's Web site – updating/adding information