

Annual Report

Fiscal Year 2020

ALASKA BOARD OF DENTAL EXAMINERS



**Department of Commerce, Community
and Economic Development**

**Division of Corporations, Business
and Professional Licensing**

This annual performance report is presented in accordance with
Alaska statute AS 08.01.070(10).

Its purpose is to report the accomplishments, activities, and the
past and present needs of the licensing program.

**ALASKA BOARD OF DENTAL EXAMINERS
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**ALASKA BOARD OF DENTAL EXAMINERS
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Identification of the Board

Board Member	Duty Station	Date Appointed	Term Expires
David Nielson, DDS Dentist-Chair	Anchorage	Mar 01, 2015	Mar 01, 2023
Gail Walden, RDH, BSDH Dental Hygienist	Wasilla	Mar 01, 2013	Mar 01, 2021
Steven Scheller, DDS Dentist	Fairbanks	Mar 01, 2013	Mar 01, 2021
Dominic Wenzell, DMD Dentist	Girdwood	Mar 01, 2018	Mar 01, 2022
Kelly Lucas, DDS Dentist	Wasilla	Mar 01, 2019	Mar 01, 2021
Robin Wahto Public Member	Anchorage	Mar 01, 2017	Mar 01, 2021
Jesse Hronkin, DMD Dentist	Palmer	Mar 01, 2019	Mar 01, 2023
Jonathan Woller, DMD Dentist	Fairbanks	Mar 01, 2019	Mar 01, 2023
Brittiany Schaak, RDH Dental Hygienist	Dillingham	Mar 01, 2019	Mar 01, 2023

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Identification of Staff

Tracy Wiard – Licensing Examiner (7/1/2019- 11/31/2019)

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
Post Office Box 110806
Juneau, Alaska 99811-0806
(907) 465-2542

Christianne Carrillo – Licensing Examiner (12/1/2019- 6/30/2020)

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
Post Office Box 110806
Juneau, Alaska 99811-0806
(907) 465-2542

Joseph Bonnell – Records and Licensing Supervisor

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
Post Office Box 110806
Juneau, Alaska 99811-0806
(907) 465-2691

Jasmin Bautista – Investigator

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
550 West 7th Avenue
Anchorage, Alaska 99501
(907) 269-8026

Sher Zinn – Regulations Specialist II

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
Post Office Box 110806
Juneau, Alaska 99811-0806
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Narrative Statement

During the past fiscal year, the State of Alaska Board of Dental Examiners has held 4 full day and 6 “covid-19 emergency” board meetings. The meetings were held on August 23, 2019; December 6, 2019; February 11, 2020; March 3 and 20, 2019, April 8, 15, 22, 22 and 29, 2020, and May 5 and 13, 2020. The board currently has meetings scheduled for August 7, 2020 and December 4, 2020. The board is willing to meet again as needed throughout the covid-19 emergency.

There were no new members appointed to the Board of Dental Examiners during the fiscal year.

The Dental Board welcomed Christianne Carrillo as our fifth Licensing Examiner in the last five years. Christianne has done a good job taking on a position that has been extremely hard to keep filled recently and the Board would like to recognize her hard work. Reasons for the turnover have eluded the Board somewhat other than hearing our Examiners have found better opportunities elsewhere. However, the extreme amount of work facing the Dental Board over the last several years including many new permit categories and multiple complicated regulations projects must have factored into their decision to leave. The constant change has put a big strain on our budget as the supervisory training has been costly because as each examiner just begins to understand the job and it is time to train a new one. The Dental Board is at the point where an executive position is probably more appropriate. The Dental Board would like to thank Joseph Bonnell and Sher Zinn who have been helpful during all the recent turnover of Licensing Examiners.

The Dental Board’s goal has always been to help make sedation in the dental office as safe as possible by implementing regulations that mirror current nationally recognized training, equipment and facility standards. The Dental Board currently has a regulation project that will require inspections of facilities where sedation permit holders operate once signed into law.

In an attempt to allow dentists who graduate from accredited US dental schools to qualify for an Alaska dental license during the current Covid-19 emergency, the Dental Board has a regulation project out for public comment that allows for an exam done on manikins rather than live patients for the 2020 exam season. Many other state boards are doing the same thing. The Board will evaluate the fidelity of a manikin based exam going forward to see if a permanent change is warranted. The Board also must evaluate the current hygiene exam situation for the same reason and will do so at our next meeting.

The Covid-19 emergency has also brought the additional challenge of giving guidance on how to safely practice dentistry while not letting the public’s dental health go downhill. The Board has been working diligently with the DHSS in this regard using CDC and American Dental Association guidance to navigate how to proceed as the environment of the virus constantly changes.

The Board is willing to work with the State in order to make improvements to our courtesy license which would allow resident military and public health licensees to volunteer at charitable events and to continue efforts to bring radiological inspections back into the purview of the state. Senate Bill No. 157 & House Bill No. 216 introduced earlier this year had some issues that the Board is willing to address and help correct. The Board needs to understand the State’s goal and objectives with regards to professional licensing.

In 2012, without much notice or reasoning behind it, dental specialty licenses were removed from our dental practice act. This has hampered the Dental Board’s ability to deter misleading advertising generated by general practitioners claiming to be something they are not. Along those same lines, several other state dental boards that lack statutory authority to designate specialty status have lost law suits brought by groups challenging their rulings against misleading advertising. In the coming months, the Dental Board along with the Alaska Dental Society still has the goal to reintroduce the authority to award specialty licenses into statute. Doing so would help us regulate false or misleading advertising thereby helping the public determine the true qualifications of their dental professionals.

I would like to acknowledge Sher Zinn and Sara Chambers, for the help and guidance they have provided during this past year of challenging Covid-19 Board work. Open meeting procedures and protocol, complicated regulations and testifying before the legislature is not something most of us learned in dental school!

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Budget Recommendations for FY 2021

The Budget Recommendations section anticipates the board’s fiscal priorities for the upcoming year. Please complete all parts of this section with details about anticipated meetings, conferences, memberships, supplies, equipment, to other board requests. Meeting expenses that are being funded through third-party reimbursement or direct booking must be identified separately from expenses paid through license fees (receipts supported services or RSS). Be sure to explain any items listed as “other” so they may be tracked appropriately.

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Board Meeting Date	Location	# Board	# Staff
August 7, 2020	Anchorage	9	2
<input checked="" type="checkbox"/> Airfare:			\$1,400.00
<input checked="" type="checkbox"/> Hotel:			\$1,505.00
<input checked="" type="checkbox"/> Ground:			\$440.00
<input checked="" type="checkbox"/> Other:			\$321.00
Total Estimated Cost:			\$3,666.00

Board Meeting Date	Location	# Board	# Staff
December 4, 2020	Video Conference	9	1
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input checked="" type="checkbox"/> Other:			\$350.00
Total Estimated Cost:			\$350.00

Board Meeting Date	Location	# Board	# Staff
TBD	Video Conference	9	1
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input checked="" type="checkbox"/> Other:			\$350.00
Total Estimated Cost:			\$350.00

Budget Recommendations for FY 2021 (continued)

Board Meeting Date	Location	# Board	# Staff
TBD	Video Conference	9	1
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input checked="" type="checkbox"/> Other:			\$350.00
Total Estimated Cost:			\$350.00

Board Meeting Date	Location	# Board	# Staff
TBD	Video Conference	9	1
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input checked="" type="checkbox"/> Other:			\$350.00
Total Estimated Cost:			\$350.00

Travel Required to Perform Examinations			
<input checked="" type="checkbox"/> Not applicable			
Date	Location	# Board	# Staff
Description of meeting and its role in supporting the mission of the Board:			
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input type="checkbox"/> Conference:			\$0.00
<input type="checkbox"/> Other:			\$0.00
Describe "Other" (break out all sections):			
Total Estimated Cost:			\$0.00

Budget Recommendations for FY 2021 (continued)

Out-of-State Meetings and Additional In-State Travel (Rank in order of importance)

#1 Rank in Importance or Not Applicable

Date	Location	# Board	# Staff
October 15-18, 2020	Orlando, FL	1	0

Description of meeting and its role in supporting the mission of the Board:

The American Dental Association is meeting jointly with FDC World Dental Federation. Each association offers unparalleled educational options, emerging trends in dentistry, and keynote speakers.

Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input checked="" type="checkbox"/> Airfare:	\$810.00	\$0.00	\$0.00	\$810.00
<input checked="" type="checkbox"/> Hotel:	\$1,200.00	\$0.00	\$0.00	\$1,200.00
<input checked="" type="checkbox"/> Ground:	\$100.00	\$0.00	\$0.00	\$100.00
<input checked="" type="checkbox"/> Conference:	\$250.00	\$0.00	\$0.00	\$250.00
<input type="checkbox"/> Other	\$0.00	\$0.00	\$0.00	\$0.00
Describe "Other" (break out all sections):				
Net Total:	\$2,360.00	\$0.00	\$0.00	\$2,360.00

Non-Travel Budget Requests

- Not Applicable Resources Examinations
 Membership Training Other

Product or Service	Provider	Cost Per Event
AADB	American Association of Dental Boards	\$5,385.00

Description of item and its role in supporting the mission of the Board:

Nationwide association providing continuing education, information networking and exchange, publications and databases, assessment services, advocacy and representation.

Budget Recommendations for FY 2021 (continued)

Non-Travel Budget Requests

- Not Applicable Resources Examinations
 Membership Training Other

Product or Service	Provider	Cost Per Event
NPDB Continuous Query	National Practitioners Databank	\$2,768.00

Description of item and its role in supporting the mission of the Board:

NPDB Continuous Query provides the board examiner with a report should any licensee be disciplined in another state. This will increase public protection and give the Board an early warning system.

Non-Travel Budget Requests

- Not Applicable Resources Examinations
 Membership Training Other

Product or Service	Provider	Cost Per Event
Subscription Journal	American Association of Dental Examiners	\$380.00

Description of item and its role in supporting the mission of the Board:

The board has two journal subscriptions. One to the American Association of Dental Examiners Journal \$196.00 and one to Healthcare Integrity & Protection Data \$184.00.

Other Items with a Fiscal Impact

Cost Per Event: \$0.00

- Not Applicable

Number of Events: 0

Product or Service	Provider	Total Cost
		\$0.00

Description of item and its role in supporting the mission of the Board:

Budget Recommendations for FY 2021 (continued)

Summary of FY 2021 Fiscal Requests

Board Meetings and Teleconferences:	\$5,066.00
Travel for Exams:	\$0.00
Out-of-State and Additional In-State Travel:	\$2,360.00
Dues, Memberships, Resources, Training:	\$8,533.00
Total Potential Third-Party Offsets:	-\$0.00
Other:	\$0.00
Total Requested:	\$15,959.00

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Legislation Recommendations Proposed Legislation for FY 2021

No Recommendations

The Board has no recommendations for proposed legislation at this time.

Recommendations

The Board has the following recommendations for proposed legislation:

- 1) The Board of Dental Examiners has found it next to impossible to find a qualified Radiological Health Specialist I who is willing and able to carry out radiologic inspections as required under AS 08.36.075 even though all mention of requiring a Specialist I was removed from AS 08.36.075 in 2012. Therefore, the inspection process has come to a grinding halt for about 5-6 years because the previous inspector retired. Due to the frustration brought on by not having the statutory authority to change the inspector application form in order to attract a larger pool of inspectors, the Dental Board has asked to give the duty of inspecting dental x-ray tube heads back to the State. This was addressed with the introduction of Senate Bill No. 157 & House Bill No. 216. The Board would like to continue working towards that goal.
- 2) Dental Boards around the country have lost law suits brought by groups of dentists represented by special areas of dentistry wanting specialty status. The reason they have lost the suits is because their prespective states have not given them the authority to determine what qualifications should be required for specialty status. When the Board of Dental Examiners is mandated to help protect the public from false or misleading advertizing with regard to specialty training, we need that authority re-established. Therefore, the Board will be looking to introduce legislation that would bring back dental specialty licenses and qulification requirements with something similar to AS 08.36.244 and 08.36.246 which were both repealed in 2012 for unknown reasons.
- 3) Members of the military who have licenses to practice dentistry in another state, are stationed in Alaska and are current "residents" of Alaska are not allowed to get a courtesy license per AS 08.01.062. Therefore, they can not help with pro bono dental events in their communities where underserved civilians are treated. The Board of Dental Examiners is interested in changing that by allowing for military dentists who are licensed in another state and are current residents of Alaska to qualify for a courtesy license either by new statute in chapter 36 or a change to chapter 1 (AS 08.01.062) so that all applicable licensing boards can have a mechanism to allow for resident members of the military to help with charitable events. Senate Bill No. 157 & House Bill No. 216 introduced earlier this year addressed this issue but in a way the Board felt gave to much sweeping authority to the Division. We are willing to continue work on this with the State.

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Regulation Recommendations Proposed Legislation for FY 2021

No Recommendations

The Board has no recommendations for proposed regulations at this time.

Recommendations

The Board has the following recommendations for proposed regulations:

- 1) Possible further “clean up” regulations to clarify unintended issues or unforeseen consequences of the new sedation regulation sections that recently became active or other regulations that may need to be addressed due to the Covid-19 emergency.
- 2) Regulations will be needed to clarify and help regulate the prescribing practices of licensees with a DEA number once the Department and the PDMP activate their prescribing module or introduce further requirements into statute. Some regulations may be necessary to deal with “habitual” offenders who routinely prescribe opiates over and above their commended levels, fail to consult the data base or give verbal consultation or list alternative options for pain control. A regulation project has been introduced and is out for comment at this time.
- 3) Possible companion regulations for any specialty license section(s) added into the dental practice act.
- 4) If we determine that an issue where resident military members are unable to qualify for a courtesy license can be handled by regulation instead of by statute change, we will pursue that method instead.

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Goals and Objectives

Part I

FY 2020's goals and objectives, and how they were met:

- 1)** Be involved in the implementation of prescription the prescription drug monitoring program(PDMP). The Board has passed regulations that require signing up for the PDMP and hasdrafted a letter of support and contributed to the Joint Statement and has regulations giving a timeline to sign up for PDMP and maximum dossage limits are out for public comment.
- 2)** Evaluate clinical examination options available to dental and dental hygiene candidates.Board met with ADEX, SRТА, CRDTS and WREB. New regulations have been implimented toallow for ALL generally equivelant regional licensing exams to be accepted for intial licensureas of the 2019 exam season. Also, new regulations are out for comment that wil allow for initial licensure during the Covid-19 crisis.
- 3)** Hold licensees accountable to practice ownership statutes and the guidelines of the ADA code of Ethics regarding advertising. Working with department to find ways for the board tocommunicate concerns with licensee. Expolring bringing back the Specialty License. Beginningto explore Specialty Licenses now.
- 4)** Finalized sedation regulations. New regulations are complete and in effect. Implementing onsite inspections will be coming soon as a regulation project is waiting signature by the governors office.
- 5)** Continue communications with the Department of Law and work closely with the AttorneyGeneral's office to improve procedures for investigations, disciplinary actions, and licensing.The board works with the division at all meetings to work toward efficient investigations.Currently we are working on a spreadsheet to establish consistency amongst variousdisciplinary actions (A penalty matrix)
- 6)** Continue to pursue a better relationship with the legislative branch of the state governmentfor the purpose of improving communications on issues affecting the health of the public.Board actively reviews proposed legislations and communicates with the legislators involved.
- 7)** Inform dental professionals in our state of current issues before the board that impactpractice and public safety. Public comment is encouraged during the regulation process. Including multiple emergency Coid-19 meetings where public comment was taken.
- 8)** Continue to work with the State to address the Board's frustration with not having the statutory authority to change the radiologic inspector form to increase the applicant pool of inspectors. The Board continues to request this duty be turned back over to the State.
- 9)** Establish a processing fee to hold a contract between a dentist and a CRNA. We believe this still needs to be addressed.
- 10)** Establish a penalty/violation matrix for board members to reference. The matrix will helpboard members be more consistent making decisions on discipline/penalties. This goal is anongoing project.
- 11)** Utilize the Dental Exchange Continuing Education Tracker when performing audits of dentaland dental hygiene licensees at renewal. This goal seemed to have dropped off the radar asthe Board has undergone numerous changes in members and examiners.
- 12)** Utilize the NPDB Continuous Query to monitor adverse reports or action taken on a licenseein Alaska or other states. This has been implimented.

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Goals and Objectives

Part II

FY 2021's goals and objectives, and proposed methods to achieve them.

Describe any strengths, weaknesses, opportunities, threats and required resources:

Please refer to the Legislative and regulation goals.

The only threats the Dental Board seems to have would be a continuous turn over in the Licensing Examiner position making continuity challenging and member turnover prior to their term dates. The Dental Board may be getting to the point where an executive position may be in order.

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Sunset Audit Recommendations

**Date of Last Legislative Audit: April 26, 2018
Board Sunset Date: June 30, 2027**

Audit Recommendation:	The board president should take steps to correct a regulation error regarding who is authorized to conduct inspections on dental radiological equipment.
Action Taken:	The board has discussed this at several board meetings, including special guests from DHSS for their input.
Next Steps:	The board along with the division and DHSS are working to propose legislation that would move the inspections back to DHSS, who are better equipped to manage these.
Date Completed:	Requires legislation to complete.

Audit Recommendation:	DCBPL’s chief investigator, in consultation with the board, implement controls to ensure the appropriate entities are notified when a licensee’s prescription authority is suspended or revoked.
Action Taken:	The board was informed by the Executive Director of the Pharmacy Board they are not required to notify the Board of Pharmacy of DEA revocations or suspensions. The PDMP program has a DEA Status Change Form DEA holders should use when there is a DEA status change.
Next Steps:	N/A
Date Completed:	FY 2020