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

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**MINUTES OF MEETING
November 9, 2018**

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These minutes were prepared by the staff of the Division of Corporations, Business and Professional Licensing. They have been reviewed and approved by the Board.

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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 meeting of the Board of Dental Examiners was held November 9, 2018, by teleconference.

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The teleconference was called to order by Dr. Paul Silveira, President, at 10:01 a.m.

Agenda Item 1 - Roll Call

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

Dr. Paul Silveira, President – Valdez
Ms. Gail Walden – Wasilla
Dr. David Nielson – Anchorage
Dr. Thomas Kovaleski – Chugiak
Dr. Dominic Wenzell – Girdwood
Ms. Robin Wahto - Anchorage

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

Ms. Amber Treston, Records and Licensing Supervisor – Juneau
Ms. Sher Zinn, Regulation Specialist II - Juneau

Members of the public in attendance via teleconference:

Dr. John Leach
Dr. David Logan
Dr. Kenley Michaud
Dr. Samantha Mize

Agenda Item 2 – Review of Agenda

Agenda reviewed. No recommended changes at this time.

47 **On a motion duly made by Silveira, seconded by Kovaleski, and approved by roll**
48 **call vote, it was**

49
50 **RESOLVED to go in to executive session in accordance with Alaska Statute**
51 **44.62.310(c)(2)(4) for the purpose of discussing Case No. 2017-001070 and**
52 **to discuss the legislative audit. Board staff to remain during this session.**

53
54 **Silveira – yea, Walden – yea, Nielson – yea, Kovaleski – yea, Wenzell - yea**
55 **Wahto – yea.**
56 **6 yeas, 0 nays.**

57
58 **Motion passed.**

59
60 Off the record at 10:05 a.m.

61 On the record at 10:47 a.m.

62 **Roll Call**

63
64 Those present, constituting a quorum of the board, were:

- 65
66 Dr. Paul Silveira, President – Valdez
67 Ms. Gail Walden – Wasilla
68 Dr. David Nielson – Anchorage
69 Dr. Thomas Kovaleski – Chugiak
70 Dr. Dominic Wenzell – Girdwood
71 Ms. Robin Wahto - Anchorage

72
73 In attendance from the Division of Corporations, Business & Professional
74 Licensing, Department of Commerce, Community and Economic Development
75 were:

- 76 Ms. Amber Treston, Records and Licensing Supervisor – Juneau
77 Ms. Sher Zinn, Regulation Specialist II - Juneau
78 Megyn Weigand, AAG – Juneau

79
80 Members of the public in attendance:

- 81
82 Dr. John Leach
83 Dr. David Logan
84 Dr. Kenley Michaud
85 Dr. Samantha Mize
86 Rep. Tammie Wilson
87 Ms. Angela Ramponi

88
89 **Agenda Item 3 – Consent Agreement**

90
91 **On a motion duly made by Nielson, seconded by Wahto, and approved by roll call**
92 **vote, it was**

93 **RESOLVED to accept the Consent Agreement for case No. 2017-**
94 **001070.**

95
96 **Silveira – yea, Walden – yea, Nielson – yea, Kovaleski – yea, Wenzell - yea**
97 **Wahto – yea.**
98 **6 yeas, 0 nays.**

99
100 **Motion passed.**

101
102 Case No. 2017-001070 involved a consent agreement for a dental license for James
103 Wimsatt III, license #DEND1451.

104
105 Dr. Silveira proposed to start a new regulation project regarding the radiology regulation
106 and to open a file with the AAG so a representative from the board can discuss this
107 information and prepare this for the December 7th, 2018 meeting. Zinn will open the file
108 and Dr. Nielson and Dr. Wenzell volunteered to work with the AAG on these regulations.

109
110 **Agenda Item 4 – Regulation Review**

111
112 Reviewed the temporary permit that closed for public comment on 11/5/18. No public
113 comments were received.

114
115 **On a motion made by Nielson, seconded by Wenzel, and approved by roll call**
116 **vote, it was**

117
118 **RESOLVED to adopt the regulation project that was sent out for public**
119 **comment regarding the temporary permit 12 AAC 28.953.**

120
121 **Silveira – yea, Walden – yea, Nielson – yea, Kovaleski – yea, Wenzell - yea**
122 **Wahto – yea.**
123 **6 yeas, 0 nays.**

124
125 **Motion passed.**

126
127 The board reviewed and agree with the temporary permit fees. No changes
128 recommended.

129
130 Discussed 12 AAC 28.360 to remove the language the board will maintain a registry of
131 all board approved courses of instruction for the local anesthetic agents or nitrous oxide
132 sedation.

133
134 Reviewed the language suggested for 12 AAC 28.937(c)(4)(B), 12 AAC 28.937(c)(7), 12
135 AAC 28.951(c)(6)(B) and 12 AAC 28.951 (c)(11) and add *continuous* active clinical
136 practice to each regulation. The board feels this language would be restrictive in case
137 the professional was on maternity or medical leave for an extended period of time.
138 Recommend changing the language in these regulations to be worded as follows: the

139 applicant has been licensed for at least 5 years and in active clinical practice
140 documenting at least 5,000 hours for dentists or 2,500 hours for hygienists.

141
142 Representative Tammie Wilson and Ms. Angela Ramponi joined the meeting at 11:04
143 a.m.

144
145 Walden brings up the National board exams part I and II and these will need to be
146 changed after the effective date 8/1/2020.

147
148 **Agenda Item 5 – Sedation Permit Course Requirement**

149
150 Dr. Silveira recommended that the board skip Agenda Item 5 and return after discussing
151 Agenda Item 6.

152
153 **Agenda Item 6 – WREB Equivalent Exams**

154
155 The board reviews alloy materials and why it is important to the board that this be tested
156 before an applicant is issued a dental license in Alaska. The board discussed some
157 research showing that composite resin restorations could be considered cariogenic and
158 may be contraindicated in certain high risk populations. Cariogenic populations prefer
159 amalgam restorations because they will last longer and the board feels it should be
160 tested as it is used more frequently in Alaska. Dental schools are not teaching students
161 how to place an amalgam/alloy routinely and it is not required at testing sites as
162 students have the option during their test to choose between composite and
163 amalgam/alloy.

164
165 Megayn Weigand, AAG, joined the meeting approximately 11:30 a.m.

166
167 Rep. Wilson addresses the board with concerns about the current regulation requiring
168 that the applicant complete an amalgam and a composite in their regional exam. She
169 feels this will be an issue for military dentists who relocate more frequently than typical
170 dentists and they may not know at the time of their exam that will eventually relocate to
171 Alaska and would have been required to be tested on both materials. Rep. Wilson asks
172 the board if a practicing dentist places amalgam routinely can they be evaluated by their
173 supervisor and have this be accepted opposed to flying down south to a testing center
174 to be tested on amalgam. She also brings up the applicants who apply by Credentials
175 and have been practicing for 5 years and have never placed an amalgam and they
176 qualify with a generally equivalent exam to WREB and never have to prove competency
177 with amalgam. Rep. Wilson also address the military courtesy license in Alaska and
178 would like the board to adopt regulations that will allow military applicants to obtain a
179 license.

180
181 Rep. Wilson and Ramoconi left the meeting approximately 11:45 a.m.

182
183 The board considered Rep. Wilson's concerns and would like to see amalgams taught
184 in more schools as they last longer and are preferred for anti-cariogenic populations.

185 The board is willing to allow the applicant to choose between amalgam and composite
186 materials. Walden would like to reach out to CODA and express their concern about
187 dental schools no longer teaching amalgam.

188
189 **On a motion made by Nielson, seconded by Wahto, and approved by roll call**
190 **vote, it was**

191
192 **RESOLVED to amend regulation 12 AAC 28.940(b)(8)(B)(vi) to read patient**
193 **based operative examination that includes one class II posterior alloy or**
194 **composite and one additional operative procedure, either anterior class III**
195 **or posterior class II.**

196
197 **Silveira – yea, Walden – yea, Nielson – yea, Wenzell - yea Wahto – yea.**
198 **5 yeas, 0 nays.**

199
200 **Motion passed.**

201
202 Zinn clarifies for the record that the current regulation 12 AAC 28.940(b)(8)(B) states the
203 February 1, 2019 date only applies to applicants who have taken the WREB exam.
204 Allowing applicants to be aware that when they take the exam after February 1, 2019
205 they will be required to comply with components (i)-(vi) after that date. Applicants who
206 are applying with an equivalent exam are currently required to comply with these
207 components at this time.

208
209 **Agenda Item 4 – Regulation Review**

210
211 Kovalkesi left the meeting at 12:00 p.m.

212
213 The board discussed the Courtesy license and defining who qualifies as a nonresident.
214 The board would like to allow military applicants who live in Alaska to be able to qualify
215 for this license.

216
217 **On a motion made by Walden, seconded by Silveira, and approved by roll call**
218 **vote, it was**

219
220 **RESOLVED to approve the addition of regulation 12 AAC 28.955 (i) and add**
221 **(3) “non-resident” means individuals with permanent residence outside**
222 **Alaska or members of the military stationed in Alaska, to go out for public**
223 **comment.**

224
225 **Silveira – yea, Walden – yea, Nielson – yea, Wenzell - yea Wahto – yea.**
226 **5 yeas, 0 nays.**

227
228 **Motion passed.**

229

230 Next item on the agenda is to return to the drafted regulations for the course
231 requirements for sedation permits. Will table this for December 7, 2018 meeting as time
232 is limited for today.

233
234 Zinn clarifies with the board when the public comments should be sent out from this
235 meeting since the sedation regulations have been tabled for the December 7, 2018. The
236 board would prefer these regulations wait to be sent out for public comment when the
237 public comments are sent out in December.

238

239 **Agenda Item 7 – Adjourn**

240

241 Tasks for the board staff to complete for the December 7, 2018 board meeting:

242

- 243 1.) Zinn to open a file with Dept. of Law for Radiology regulation
244 2.) Radiology regulation to be worked on by Dr. Nielson and Dr. Wenzell
245 3.) Treston to set up a poll for upcoming board meeting in February 2019
246

247 The board adjourned the meeting at 12:54 p.m.

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Respectfully Submitted:

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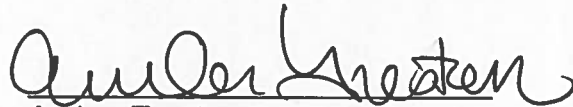
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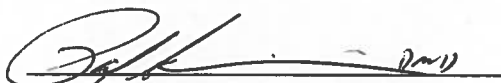
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Amber Treston
Records and Licensing Supervisor

Approved:



Paul Silveira, DMD, President

Date: 7 Dec 2018