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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
December 7, 2018**

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These DRAFT minutes were prepared by the staff of the Division of Corporations, Business and Professional Licensing. They have not been reviewed or 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 December 7, 2018, via Zoom Videoconferencing.

The meeting was called to order by Dr. Paul Silveira, President, at 8:36 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
Ms. Paula Ross – Anchorage
Dr. Thomas Kovaleski – Chugiak
Dr. Steven Scheller – Fairbanks
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. Jasmin Bautista, Investigator – Anchorage
Ms. Sher Zinn, Regulation Specialist – Juneau – Teleconference
Ms. Marilyn Zimmerman, Paralegal – Juneau - Teleconference

Members of the public in attendance:

Dr. Kenley Michaud – Anchorage
Dr. David Logan – Anchorage

Agenda Item 2 – Review of Agenda

Dr. Kovaleski requests to be added to the agenda item #11 to discuss the DERB update report.

49 On a motion duly made by Nielson, seconded by Walden, and approved unanimously by
50 roll call vote, it was **RESOLVED** to approve the agenda with the addition of the DERB
51 update by Dr. Kovaleski.

52

53 **Agenda Item 3 – Review/Approve Minutes**

54

55 Reviewed meeting minutes from the August 24, 2018 Board Meeting.

56

57 On a motion duly made by Silveira, seconded by Ross, and approved unanimously by a roll
58 call vote, it was **RESOLVED** to approve the minutes of the August 24, 2018 Board Meeting.

59

60 Reviewed the meeting minutes for September 17, 2018 Teleconference.

61

62 On a motion duly made by Walden, seconded by Silveira, and approved unanimously by a
63 roll call vote, it was **RESOLVED** to approve the minutes of the September 17, 2018
64 Teleconference.

65

66 Reviewed the meeting minutes for September 28, 2018 Teleconference.

67

68 On a motion duly made by Silveira, seconded by Nielson, and approved unanimously by a
69 roll call vote, it was **RESOLVED** to approve the minutes of the September 28, 2018
70 Teleconference.

71

72 Reviewed the meeting minutes for November 9, 2018 Teleconference.

73

74 On a motion duly made by Walden, seconded by Ross, and approved unanimously by a roll
75 call vote, it was **RESOLVED** to approve the minutes of the November 9, 2018
76 Teleconference.

77

78 Reviewed the meeting minutes for December 9, 2016 Teleconference. Reviewing line 142-
79 143, Walden brings up CODA and said she learned from a recent HERB meeting that Texas
80 had to remove CODA from all their statutes and Regs. Walden will look into this and get the
81 supporting documents for this statement.

82

83 On a motion duly made by Silveira, seconded by Nielson, and approved unanimously by a
84 roll call vote, it was **RESOLVED** to approve the minutes of the December 9, 2016
85 Teleconference.

86

87 **Agenda Item 4 – Ethics Report**

88

89 Dr. Silveira states that it is important that if any board members have a conflict of interest it is
90 important to state that there is a conflict and recuse themselves from voting. No conflicts to report
91 at this time.

92

93 Running ahead of schedule and elected to discuss Agenda Item 15 at this time.

94

95

96 **Agenda Item 15 – Administering IV medication**

97 Discussed dentists or oral surgeons who administer IV medications and if their assistants are
98 qualified to push the medications. There is nothing in statute or regulations to specify and the board
99 does not feel they need to place it in regulation.

100
101 Radiologic Equipment

102
103 AAG Wilson joined the meeting and the board began the discussion of the Radiologic Inspections
104 and if the board can direct this back to the state and have the Radiologic Health Specialist keep track
105 of the dental radiologic equipment. Regulation attorney Steve Weaver had previously addressed this
106 topic and determined the board does not have statutory authority to have regulations for licensing
107 radiologic inspectors without having authority to do so without having regulations in place for the
108 radiologic equipment. The board requests that an employee with the State Division of Public Health
109 attend the next board meeting and discuss Radiological Health.

110
111 The board requests information regarding Smile Direct and she explains that she does not have any
112 new information to provide at this time.

113
114 Agenda Item 14 - Local Anesthetic Certificate

115
116 The board was ahead of schedule and elected to discuss Agenda Item 14. Reviewed the regulation 12
117 AAC 28.320 and determined that an applicant who is applying for their local anesthetic certificate
118 will have to comply with either (a) or (b) of this section. If an applicant took WREB greater than 5
119 years prior to the date of application then they will be required to provide proof of administering
120 local anesthetic on an average of once per week for two years prior to the date of application.

121
122 Agenda Item 5 – Investigative Report

123
124 **On a motion duly made by Silveira, seconded by Nielson, and approved unanimously by roll**
125 **call vote, it was RESOLVED to go in to executive session in accordance with Alaska Statute**
126 **44.62.310(c)(3) for the purpose of discussing investigative matters which by law, municipal**
127 **charter, or ordinance are required to be confidential. Board staff to remain during this**
128 **session**

129
130 Off the record at 9:21 a.m.

131 On the record at 9:54 a.m.

132
133 Roll Call

134
135 Those present, constituting a quorum of the board, were:

136
137 Dr. Paul Silveira, President – Valdez

138 Ms. Gail Walden – Wasilla

139 Dr. David Nielson – Anchorage

140 Ms. Paula Ross – Anchorage

141 Dr. Thomas Kovaleski – Chugiak

142 Dr. Steven Scheller – Fairbanks

143 Ms. Robin Wahto - Anchorage

144

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

147
148 Ms. Amber Treston, Records and Licensing Supervisor – Juneau
149 Ms. Jasmin Bautista, Investigator – Anchorage
150 Ms. Sher Zinn, Regulation Specialist – Juneau

151
152 Members of the public in attendance:

153
154 Dr. Kenley Michaud – Anchorage
155 Dr. David Logan – Anchorage
156

157 Bautista gave the investigative report for the period between August 21, 2018 through December 5,
158 2018 informing the board of the number of cases opened (6), number of cases closed (8), and total
159 number of cases that remain open at this time (24). Bautista explained that the rest of the cases are
160 in the report.

161
162 Jasmin requests that the board continue to check their emails as many of these open cases are ready
163 to be closed but they need to be reviewed by a board member first. The board requests that Jasmin
164 send any emails again as they may not have received these the first time.

165
166
167 **On a motion duly made by Dr. Nielson, seconded by Wahto, and approved unanimously by**
168 **roll call vote, it was RESOLVED to adopt the Consent Agreement with the recommended**
169 **fee change from a civil fine of \$3,000 to \$2,000 suspended for case No. 2018-000465.**

170
171 Case No. 2018-000465 involved a consent agreement for a dental license for Ronald Teel, license
172 #DEND340.

173
174 **On a motion duly made by Walden, seconded by Nielson, and approved unanimously by**
175 **roll call vote, it was RESOLVED to adopt the Consent Agreement for case No. 2018-000026.**

176
177 Case No. 2018-000026 involved a consent agreement for a dental license for Michael Helmbrecht,
178 license #DEND563.

179
180 **On a motion duly made by Walden, seconded by Ross, and approved unanimously by roll**
181 **call vote, it was RESOLVED to adopt the Consent Agreement for case No. 2018-000398.**

182
183 Case No. 2018-000398 involved a consent agreement for a dental license for Lonnie Anderson,
184 license #DEND874.

185
186 Off the record at 10:02 a.m.

187 On the record at 10:17 a.m.

188
189 **Agenda Item 7 - Public Comment**

190
191 Dr. Michaud has a comment about who can safely administer IV medications. He states that he
192 takes his assistants to Las Vegas to the American Dental Society of Dental Anesthesia course where

193 they certify their assistants in administering IV medications. This course specifically states that the
194 assistant is not qualified to push the IV medications and it is the responsibility of the dentist and oral
195 surgeon to stop the procedure and administer the medications as this is what is stated on a National
196 standpoint. No dental assistant is licensed to administer these medications and he does not
197 recommend this being allowed in Alaska. If a dental hygienist is required to obtain a certificate to
198 administer Local Anesthetic then a dental assistant should have to be qualified to push the
199 medications even under direct supervision.

200
201 Dr. Logan with the Alaska Dental Society brings up the Radiologic Inspections regulations and
202 trying to get inspectors involved. He feels they are trying to build something to open up a regulation
203 that allows individuals to inspect the radiologic equipment, however, he does not know there are any
204 interested individuals. Dental offices are becoming concerned about being out of compliance with
205 the radiologic equipment as there is no one who can inspect these. He suggests panoramic and cone
206 beam computed tomography machines be inspected by the state and request the state not inspect
207 the tube heads as these either work or they don't and they are not a high level of radiation. Walden
208 requests that a state employee with the Division of Radiology come and talk with the board at the
209 next board meeting.

210
211 **Agenda Item 8 – Sedation Regulations**

212
213 Dr. Nielsen inquired if the board wanted to begin looking at draft changes to regulation 28.010 or
214 28.015 first? Dr. Nielsen went on to explain that Dr. Rhoton may have had confusion at a previous
215 meeting because there was not a clearly understood pathway to obtain a moderate sedation permit
216 on a patient under 13 years of age. Dr. Nielsen stated he believed this would be a main issue that
217 needs to be cleared up by the board.

218
219 Dr. Nielsen then suggested the board focus on the new regulations 28.025, 28.026, and 28.027. He
220 states these new regulations removed the 60-hour course requirement and 20 patient cases option
221 that allowed someone to get a moderate sedation permit for patients younger than 13 years of age.
222 He stated the specified requirements for courses providing moderate sedation to patients under 13
223 years of age do not exist and perhaps that option should be removed altogether from requirements
224 of 28.015.

225
226 Dr. Nielsen then moved to discuss the proposed changes to draft 28.010 (B) suggesting the 20 of
227 the 50 anesthesia or deep sedation cases were individually managed patients under 13 years of age
228 and should include the term, "at least," before 20 of the 50 patients stating there is no need to have
229 an exact number for the renewal if the applicant renewing has performed the required sedation cases
230 on over 20 patients during the renewal cycle. He then referred to the proposed a change in the same
231 regulation to use, "on," instead of individually managed for 28.010(B), but has no problems leaving
232 the wording, "individually managed," if the board decides.

233
234 Discussion then ensued from Ms. Walden regarding proper check boxes on the renewal forms for
235 the deep sedation and general anesthesia permits. There will need to be a check box for ACLS and
236 PALS to check on the renewal. The board also discussed when the applicant will need to submit
237 proof of patient cases and ACLS/PALS certification. Treston addressed the board reminding them
238 they have discussed this previously and are okay with the documentation being requested in the
239 event of an audit which coincides with the same procedure for submission of proof of CE's for
240 renewals. It was stated by Dr. Nielsen that a box could be checked on the affidavit stating the

241 applicant certifies that they completed at least 20 of the 50 anesthesia or deep sedation cases on
242 patients under 13 years of age. Documentation would then be requested in the event of an audit.

243
244 Ms. Walden presented some questions regarding the clarification of 28.010(e)(1)(B) and wonders if
245 there should be an additional (C) added to include some applicants that are neither pediatric or both
246 adult and pediatric deep or general anesthetic permit holders? Dr. Nielsen stated the proposed
247 changes need to go back out for public comment but under 28.010(e)(1)(A) and (B), if you are going
248 to provide deep sedation on both age groups then there is a requirement for 4 contact hours of
249 continuing education related specifically to hands-on advanced airway management for patients
250 under 13 and patients over 13 for a total of 8 hours. There was no recommendation for an addition
251 of (C) to 28.010.

252
253 Dr. Nielsen stated he thought there was a regulation component of 28.010 that made a designation
254 on dental licenses stating if a licensee has the option to deeply sedate patients under 13 and if they
255 check the box on the renewal indicating they have PALS they should be provided the designation
256 indicating the ability to legally provide deep sedation of patients under 13. The board continued
257 discussion of the license endorsement and the certification of PALS completion along with
258 continuing the discussion of proposed changes to 28.010(B) regarding the use of the words, “at
259 least,” and “on.”

260
261 Dr. Nielsen suggested the board review 28.015(e)(1)(B) which was the next suggested change in the
262 regulations and add a reference to the new regulations 28.026 after the word, paragraph. Dr.
263 Nielsen then directed the board to the proposed changes under 28.015(e)(2)(A) to discuss adding a
264 reference to 28.027(b). Next Dr. Nielsen directed the board to look at 28.015(e)(2)(B) to discuss the
265 addition of the following wording after the word, age: “while under the supervision of a sedation
266 provider holding a current moderate or deep sedation permit in good standing for patients under 13
267 years of age or a Certified Registered Nurse Anesthetist (CRNA) with a valid license under AS 08.68
268 and 12 AAC 44 from the Board of Nursing.” Ms. Walden asked if it would make a difference if the
269 nurses were certified in a state other than AK? Dr. Nielsen stated they can take the CRNA out of
270 the regulations but the board is attempting to be inclusive of all sedation options. Ms. Walden also
271 believes that being a, “sedation provider,” would include an anesthesiologist, nurse anesthetist, and
272 deep or moderate sedation provider. It was recommended that the regulation wording to
273 28.015(e)(2)(B) include, “under the supervision of a sedation provider holding a current moderate or
274 deep sedation permit in good standing in this state or another jurisdiction that is valid for patients
275 under 13 years of age or hold a valid CRNA license of good standing in this state or another
276 jurisdiction.”

277
278 Dr. Nielsen then directed the board to 28.010 (f) stating that licensees issued a deep sedation permit
279 do have the designation noted for patients under 13 years of age. This is in opposition to the
280 previously held opinion that there was no need to make a distinction based on the level of training.
281 The distinction to deep sedation permits is included on the license and was incorrectly believed to
282 not be listed.

283
284 Dr. Nielsen directed the board to review the current regulations 28.015(f)(1) and (2) and suggests
285 removing (1) and all references to the 60 hour CE course in pediatric moderate sedation and say,
286 “provide documentation that applicant has completed a commission on dental accreditation
287 (CODA) accredited residency in pediatric dentistry and proof of administration of sedation for at
288 least 20 individually managed patients younger than 13 years of age to establish competency and

289 clinical experience in management of a compromised airway.” There was discussion this change
290 would eliminate all pathways to the moderate sedation permit for pediatric patients without the
291 residency in pediatric dentistry. Dr. Nielsen stated that there are no specific courses for moderate
292 sedation in pediatric dentistry aside from a residency in pediatric dentistry. There was discussion
293 that if a 60-hour course that covers the required content comes into existence the board could
294 discuss changing the regulation at that time.

295

296 The board discussed the fact that a moderate sedation permit for adult patients is in existence and it
297 requires an instructor verifying competency of students and complies with ADA guidelines. There
298 currently is no course like that for moderate sedation of pediatric patients so it is safer and follows a
299 more stringent standard of care to require the pediatric dentistry residency.

300

301 Dr. Nielsen directed the board to the next draft regulation change 28.015(h)(5)(B) that adds the
302 words, “at least,” before 10 of the 25 moderate sedation cases and stated to leave, “individually
303 managed.” Moving on to proposed draft change to 28.015(j), Dr. Nielsen noted that the change has
304 already been made. There was discussion to add reference to 28.027(b) under 28.015(j)(1) for
305 clarification. Under the proposed change to 28.015(j)(2) Dr. Nielsen suggested the exact same
306 language used before for regulation 28.015(e)(2)(B): “under the supervision of a sedation provider
307 holding a current moderate or deep sedation permit in good standing in this state or another
308 jurisdiction that is valid for patients under 13 years of age or hold a valid CRNA license of good
309 standing in this state or another jurisdiction.”

310

311 Dr. Nielsen directed the board to the new regulations 28.025, 28.026, and 28.027. Dr. Nielsen stated
312 he had no major suggestions to changes to the regulations but indicated the comma in the heading
313 of 28.025 makes a huge difference which may be confusing to some applicants. Other than the
314 placement of the comma in the title of the regulation there were no other proposed changes to
315 28.025.

316

317 Dr. Nielsen directed the board to review 28.026 which covers the requirements for moderate
318 sedation of patients over 13 years of age. He mentioned the requirements include ADA required
319 courses, PACE courses, and an instructor signing off on the competency of the applicant. There
320 were no questions or suggested changes from the board regarding 28.026.

321

322 Next the board was prompted to review 28.027. Dr. Nielsen had some suggested changes to the
323 heading of 28.027 regarding the use of a comma. He thinks it should be, “requirements for
324 continuing education courses in moderate sedation for patients under age 13.” He is not sure of a
325 need for the word minimal sedation or the use of the comma. Dr. Kovaleski was in agreeance about
326 not using the term, “minimal sedation.” It was suggested by other members to remove the comma
327 and include the word and. The regulation would read, “Requirements for continuing education
328 courses in moderate sedation and minimal sedation for patients younger than 13 years of age.” It
329 was stated that the approval of these moderate sedation permits for patients under 13 will be
330 determined on a case by case basis.

331

332 Regulations specialist Zinn stated she would prepare a draft of the proposed changes and e-mail to
333 the board. Once the board has reviewed the newly drafted regulations with their suggested changes,
334 a motion could be made to approve or deny the regulation changes and submit them for public
335 comment. The board members were enthusiastic about moving to adopt the new regulations. The
336 board decided to take a lunch.

337 Off Record: 11:58 A.M.
338 On Record: 1:03 P.M.

339
340
341

Roll Call

342 Those present, constituting a quorum of the board, were:
343

- 344 Dr. Paul Silveira, President – Valdez
- 345 Ms. Gail Walden – Wasilla
- 346 Dr. David Nielson – Anchorage
- 347 Ms. Paula Ross - Anchorage
- 348 Dr. Thomas Kovalski – Chugiak
- 349 Dr. Steven Scheller – Fairbanks
- 350 Ms. Robin Wahto - Anchorage

351

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

354

- 355 Ms. Amber Treston, Records and Licensing Supervisor – Juneau
- 356 Ms. Marylene Wales, Accountant III - Juneau
- 357 Ms. Sher Zinn, Regulation Specialist – Juneau

358

359 Public Members in attendance:

- 360 Dr. David Logan – ADS President, Juneau

361 **Agenda Item 10 – Division Update**

362

DEN	EOY FY 2018
Licensing Revenue	179,011
Personal Services	<u>164,638</u>
Travel	9,189
Contractual	<u>50,681</u>
Supplies	493
Total Direct Expenditures	225,001
Indirect Expenditures	188,796
Total Expenses	413,797
Annual Surplus (Deficit)	(234,786)
<u>Beginning Cumulative Surplus (Deficit)</u>	<u>182,802</u>
Ending Cumulative Surplus (Deficit)	(51,984)

363

364 Division Accountant III Marylene Wales presented the board with the end of year Division report
365 for 2018. During FY 2018 the Dental Board acquired less license revenue than odd numbered years
366 because 2018 is a non-renewal year. During FY 2017, the Dental Board acquired more licensing
367 revenue due to licensing renewals.

368

369 Division Accountant III Marylene Wales directed the board to the additional pages of the Division
370 report and discussed indirect expenditures. She noted a 14,800.00 charge for the Dental Boards use

371 of an expert witness for approximately 8 hours. The board would like a breakdown of the charges
372 for the expert witness. The dental board is requesting a breakdown of the cost.

373
374 There was a total of 25,864.14 paid for interagency legal services. It was noted that 8011.41 of the
375 25,864.14 was for an investigation. 17,852.73 of the 25,864.14 was for professional services. Dr.
376 Nielsen inquired if the Dental Board was responsible for the cost of an investigation of a Dentist in
377 Alaska and it was determined that the dental board was responsible for that fee. A request from the
378 Board was made for the breakdown of the expert witness fees, the breakdown of the 25,864.14
379 investigative fees, the breakdown of the 21,468.09 on personal services transfer and the cost to the
380 board for every case number in FY 2018. The board asked Ms. Wales to recap the information to be
381 provided and it was stated that more detailed information would be obtained for 1970 (Personal
382 Service Transfer), 3023 (Expert Witness), and 3088 (Inter Agency Legal).

383
384 During the end of year report the board did inquire how to obtain an Executive Administrator as
385 many other states have Executive Administrators for the Dental Boards. The board is curious how
386 other boards in CBPL obtain and Executive Administrators.

387

388 **Agenda Item 11 – AADB and HERB Reports**

389

390 Dr. Kovaleski addressed the board informing them that he would not spend time going over all the
391 information as it was like the information they covered with DERB. Dr. Kovaleski announced that
392 Mike Moriarty has been elected to the WREB executive board which represents Alaska very well.
393 Dr. Kovaleski announced he would be terming out of the DERB board and is recommending that
394 Dave Nielsen take the vacancy pending his re-appointment to the Alaska Dental Examiners Board.

395

396 Dr. Nielsen provided a report for the board to read through. He asked if there were any actions in
397 the report that the board would like to look at. He discussed the 2-year residency training for
398 licensure requirement and was curious if the board wanted to consider a Post Graduate Year 1
399 avenue for licensure? There was discussion amongst the board members and it was believed if the
400 school was CODA approved it would be appropriate for licensure. There was a discussion for a
401 motion to be made to add after, “dental school,” in 12 AAC 28.938, “Or a 2 year or more post-
402 graduate residency program that at the time of graduation a CODA approved residency.”

403

404 There was also a discussion by Dr. Nielsen regarding 12 AAC 28.940(8)(B) stating the only reason
405 this is in the regulation is so an applicant who has a specialty in pediatrics or oral surgery, etc. does
406 not have to take the WREB exam. Dr. Nielsen is asking the board if they feel graduation from a
407 CODA approved school of dentistry and a 1-year residency is enough to give an applicant a license
408 in lieu of the WREB. The other board members were not in agreement with this. It was stated a 1-
409 year residency program and 2-year residency program are vastly different and does not qualify as a
410 substitute for the WREB exam.

411

412 The board discussed adding statutes for specialty licenses to the current statutes. It was stated the
413 board had a previous creation of a subcommittee to make a list of all Alaska dental statutes that need
414 to be reviewed and possibly changed. There was discussion if the board would like to continue this
415 subcommittee or dismantle it since it has not been active since the motion to create the
416 subcommittee passed 12/8/2017.

417

418 **On a motion duly made by Walden, seconded by Nielsen, and approved unanimously, it**
419 **was RESOLVED to dissolve the subcommittee formed at the 12/8/2017 Dental Examiners**
420 **Board Meeting.**

421 Dr. Nielsen brought the topic of sedation inspection from his report from the AADB conference.
422 There is an AAFDO Sedation Anesthesia Medical Emergency Readiness Inspection Program
423 (SAMERI) and the inspections can be completed remotely. He stated this sounds like a decent way
424 to provide sedation inspections for the State of Alaska. The program includes mock drills and can
425 be tailored to suit the user. The program can put together a proposal. Dr. Nielsen states he does
426 not know another way to perform the sedation inspections required for Alaska.

427
428 Sher Zinn addressed the board. It was explained that the sub-committee was having trouble meeting
429 due to the open meetings act and they were not able to get tasks completed. Dr. Logan had
430 proposed the dental society and hygiene society talk amongst themselves to develop some
431 recommendations and present them at a board meeting. It was stated by Regulation Specialist Zinn
432 that the board can utilize this option if they choose. It was then asked if only 1 board member could
433 be a member of the group and Regulations Specialist Zinn stated even if 1 board member were in
434 that group it would be considered a subcommittee and the meetings would require public notice.

435
436 **Agenda Item 12 – Regulation Review**

437
438 **Clean Up**

439
440 The board reviewed the regulation changes discussed on agenda item 8 earlier in the day.
441 Regulations Specialist Zinn had provided the revised sedation regulations that the board had revised.
442 It was asked if the wording, “individually managed,” was okay to leave in and the board was okay
443 with the regulation revisions as she had drafted.

444
445 Dr. Nielsen asked if the board had made a previous motion to add in, “Or a 2 year or more post-
446 graduate residency program that at the time of graduation is a CODA approved residency,” after the
447 words, “dental school.” There was no motion made previously to include this to the current
448 regulations project.

449
450 **On a motion duly made by Nielsen, seconded by Wahto, and approved unanimously, it was**
451 **RESOLVED to revise 12 AAC 28.938, to add “Or a 2 year or more post-graduate residency**
452 **program that at the time of graduation a CODA approved residency,” after the words,**
453 **“dental school.”**

454
455 **On a motion duly made by Nielsen, seconded by Walden, and approved unanimously, it**
456 **was RESOLVED to approve new regulations drafted by Regulations Specialist Zinn 28.025,**
457 **28.026, 28.027 and proposed changes to 28.010 and 28.015 be submitted for public comment.**

458
459 **Military Licenses**

460
461 Dr. Nielsen brought up the fact that the board did not automatically approve a military licensee and
462 made the applicant take the WREB exam without accepting the military training. Zinn addressed
463 the board through the chair and explained that, “notwithstanding another provision of law, the
464 board shall accept military education, training, and service for some or all of the qualifications
465 otherwise required of an applicant for a license or certificate issued under this chapter if.” She went

466 on to explain that (a) is accepting military training and (b) is providing the temporary license. She
467 asked the board if they were considering a regulation regarding the lack of acceptance of military
468 training.

469 The board clarified that they accept military training but the applicant in question had less than 5
470 years of experience. The board also noted the regulation requires the training to be substantially
471 equivalent to the required training for non-military personnel licensure. Regulations Specialist Zinn
472 then addressed the board through the chair and mentioned the term service for some or all the
473 qualifications required. One of the questions brought to the board was why an applicant's military
474 service was not considered when the board was making their decision regarding licensure. The
475 board noted they did not have the exact application in front of them to review.

476
477 It was stated by Regulations Specialist Zinn for the board to keep in mind their obligation to
478 consider military experience and training in lieu of the listed regulations. Treston mentioned the she
479 reached out to everyone in the Department and asked if she could submit the application or if it
480 would be denied due to not meeting the new regulations. Treston was instructed not to submit the
481 application to the board because the board had the authority to deny the application based on the
482 inability to meet the new regulations. The applicant and the applicant's representative asked Treston
483 not to submit the application to the board in case it is denied. Board discussed this process at length
484 and decided the applicant could document the number of alloys completed and a supervisor could
485 provide an affidavit stating the applicant met the treatment planning portion of the requirements.
486 The application could be submitted to the board for voting after requested information was
487 provided.

488
489 Regulations Specialist Zinn clarified to the board on the record that this statute is about military
490 training, education and experience only. The provisions of this statute cannot be utilized by non-
491 military applicants who do not meet the minimum requirements for licensure under the Board of
492 Dental Examiners jurisdiction.

493
494 **Agenda Item 13 – PDMP – Unsolicited Notifications**

495
496 **On a motion duly made by Silveira, seconded by Wahto, and approved unanimously by, it**
497 **was RESOLVED to go in to executive session in accordance with Alaska Statute**
498 **44.62.310(c)(4) for discussing unsolicited notifications.**

499
500 Off Record at: 3:18 P.M.

501 On record at: 3:33 P.M.

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Roll Call

504

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

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507 Dr. Paul Silveira, President – Valdez

508 Ms. Gail Walden – Wasilla

509 Dr. David Nielson – Anchorage

510 Ms. Paula Ross - Anchorage

511 Dr. Thomas Kovaleski – Chugiak

512 Dr. Steven Scheller – Fairbanks

513 Ms. Robin Wahto - Anchorage

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

517 Ms. Amber Treston, Licensing Examiner – Juneau

518
519 Public Members in attendance:

520
521 Dr. David Logan – ADS President, Juneau

522
523 **Agenda Item 16 – CE Course Approval Application Review**

524
525 **BLS for Healthcare Providers**

526
527 There was a tabled application for course approval. The Course Approval Application was
528 requesting more hours for CPR portion of the BLS than what is standard. The board discussed if
529 the application was approved for 6 hours only 4 hours of CPR could be accepted in the renewal.
530 OLE Treston noted an applicant could take 10 hours of CPR but the board would still only accept 4
531 hours for this topic. The board discussed adding a notation stating the course would only cover 4
532 hours of CPR CE's for renewal.

533
534 The board discussed accepting the 4 hours of CPR and then 2 additional hours for the other
535 required CE renewals. The board stated the course seems more comprehensive than a standard
536 BLS. The board discussed the contents and how the hours should be counted at length. The board
537 decided only 4 hours will count to the required CE's for renewal,

538
539 **On a motion duly made by Silveiria (Silveira), seconded by ?, and approved unanimously, it**
540 **was RESOLVED approve the BLS for Healthcare Providers course for 4 hours of continuing**
541 **education.**

542
543 **Opioid Crisis**

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545 The course, "Opioids: The Path to Addiction, The Climb to Recovery," was tabled to discuss at the
546 board meeting. The board discussed the requested CE hours and the contents of the course. There
547 are several CE courses offered and the board is deciding what content of the different courses
548 would be accepted by the board for CE's. The board decided the applicants taking the course need
549 to provide proof of the topics that are included in the application or each course should be
550 submitted separately for approval.

551
552 **BTY – Study Club**

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554 Dentists have previously submitted this course for CE's on renewals but the course was never
555 approved so the applicants could not obtain credit. Applicant is requesting a course approval and
556 the board thinks it may be worth approving if the course is opened for anyone to take and not his
557 employees. The board believes the course needs separate accreditation (like Pace.) Dr. Nielsen
558 suggested the course be approved for the entire state as it sounds like a great course. He would like
559 to see the presentation. The board continued the discussion regarding course approval and called
560 the applicant to speak with him directly.

561

561 to see the presentation. The board continued the discussion regarding course approval and called
562 the applicant to speak with him directly.

563
564 The board questioned what the actual hours for CE's would be received. The applicant stated it
565 should be 10 hours per course but 8 hours would be acceptable if that is all the board will accept.
566 The applicant stated they meet 2-3 hours every week then 10 hours once per month on Sunday. The
567 board asked if they had ever considered getting the courses accredited and if the course was available
568 outside the doctor's organization. The applicant stated that they had not done either. Dr. Nielsen
569 advised the course to become accredited by PACE, etc. and to apply for course approval for the
570 Wednesday study clubs that do not involve the implant instruction.

571
572 Off Record at: 4:26 P.M.

573
574 TASKS to be placed at end of meeting Adjourned

575 Treston to request via the Director to contact the radiologic department with the state:
576 Clyde Pearce.

577 Walden to get supporting documents for use of CODA in Statutes and Regulations
578 OLE Wiard to request a report from Accountant III Marylene Wales to supplying a
579 breakdown of the charges for the expert witness, the 25,864.14 investigations fee, the
580 personal services transfer, as well as cost to the board of every investigative case number.
581 Dr. Nielsen to contact AAFDO regarding use of SAMERI and report back to the board at
582 the 2/15/19 board meeting.

583 OLE Treston to upload Military application to on board.

584 OLE Treston to contact BTY Study Club Applicant and let applicant know the status and
585 offer a refund or apply to a new application.

586 Determine how a board obtains an Executive Administrator.

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588 Respectfully Submitted:

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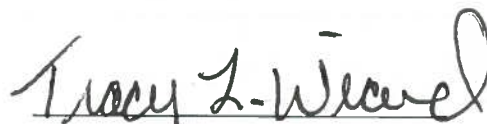
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Tracy Wiard

Occupational Licensing Examiner

Approved:



Paul Silveira, DMD, President

Date: 15 Feb 2019