

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

**MINUTES OF MEETING  
DECEMBER 4, 2009**

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 Dec. 4, 2009, at the Atwood Bldg., Suite 1270, 550 W. 7<sup>th</sup> Ave., Anchorage, Alaska.

The meeting was called to order by Dr. David Eichler, Chairman at 8:32 a.m.

**Roll Call**

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

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

Not present, joined the meeting at 8:37 a.m.:

Dr. Newell Walther – Wasilla

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

Brenda Donohue, Licensing Examiner – Juneau

**BOARD OF DENTAL EXAMINERS  
MINUTES OF MEETING  
DEC. 4, 2009  
PAGE 2**

**Agenda Item 1 – Review Agenda**

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

**Item 5 – INVESTIGATIVE REPORT**

- Report

**Item 7 – MISCELLANEOUS CORRESPONDENCE**

- Joint Commission of National Dental Examinations
- CODA Communicator

**Item 11 – REGULATIONS**

- Restorative Function & Coronal Polishing  
Public Notice
- Request from ASHI regarding ACLS Course

**Item 14 – OLD BUSINESS**

- SOA Job Description for Radiological Health Specialist I
- Draft of Collaborative Agreement Application

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

**RESOLVED to approve the meeting Agenda.**

**Agenda Item 2 – Review Minutes**

Following review of the Sept. 18, 2009 meeting minutes, Dr. Pihl noted a correction to Dr. Hollander's name on page 10, Ms. Fellenberg noted a grammar correction in the last paragraph on page 5, and Dr. White noted a correction of Rockford, MD to Rockville, MD on page 3.

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

**RESOLVED to approve the Sept. 18, 2009 meeting minutes as corrected.**

**BOARD OF DENTAL EXAMINERS  
MINUTES OF MEETING  
DEC. 4, 2009  
PAGE 3**

**Agenda Item 3 – Ethics Report**

Dr. Eichler queried Board members 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 Nov. 18, 2009, and felt they were on track. Ms. Donohue explained that the Budget figures presented at the Sept. meeting were understated as the Division was dealing with a backlog, and they are now current. There were no questions regarding the budget.

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

**RESOLVED to approve the Budget as presented.**

As they were ahead of schedule, the board moved on to Agenda Item 6 – Application Assignments and Review.

**Agenda Item 6 – Application Assignments and Review**

Dr. Eichler proceeded in assigning questions to be asked of the applicants that will be interviewing later in the meeting.

**Credential Application Review**

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

Sheva T. Nickravesh, DDS

Reviewed by Dr. Eichler

The application appears to be in order for meeting the requirements for dental license by credentials.

**Continuing Education Course Applications**

Ms. Donohue noted there are five (5) Course Approval Applications for review.

**BOARD OF DENTAL EXAMINER  
MINUTES OF MEETING  
DEC. 4, 2009  
PAGE 4**

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

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

**New Products: when Do I make The Switch?**, sponsored by AK AGD, for six (6) hours of continuing education;

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

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

**Introduction to The K 7 System And Myomonitor Tens in Dentistry**, sponsored by Kenai Peninsula Dental Hygienists' Association, for four (4) hours of continuing education;

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

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

**Evolution of Dental Implants: How It Affects Patients, Hygienists and Doctors**, sponsored by AK State Dental Hygienists' Association, for two (2) hours of continuing education;

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

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

**2010 Hat-Trick: Periodontitis, Systemic Disease, Bisphosphonates**, sponsored by AK AGD, for six (6) hours of continuing education;

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

**BOARD OF DENTAL EXAMINERS  
MINUTES OF MEETING  
DEC. 4, 2009  
PAGE 5**

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

**Early Orthodontic Treatment – When to Treat and When Not To!**, sponsored by Anchorage Orthodontic Associates, for seven (7) hours of continuing education;

**Agenda Item 7 – Miscellaneous Correspondence**

ADA – Memo from Gene A. Kramer advising of the implementation of DENTPIN (DENTAL Personal Identifier Number) a unique personal identifier for applicants and students involved with the US dental education system and standardized testing programs. DENTPIN will be used in place of the social security number. Information only, no response.

ADA – Letter advising Central Regional Dental Testing Service (CRDTS) is no longer administering the American Dental Licensing Exam (ADLEX) as of June 30, 2009. They are urging state licensing boards who have been accepting CRDTS to continue accepting it. Information only, no response.

AGD – Survey on Interest in Creation of a Universal CE Certificate. The board is supportive of a universal CE certificate, and directed Ms. Donohue to respond to the survey and convey that information. They are also supportive of providing help to AGD in their effort to achieve this.

Institute of Medical Emergency Preparedness – letter soliciting the Board sign up for medical emergencies & preparedness CEs offered by this company. Board directed Ms. Donohue to respond by advising they obtain a CE Course Approval Application from the Board's web site, and submit if they want the Board to act on their request.

American Academy of Pediatric Dentistry – Letter advising advertising requirements for members of AAPD and allowing that state boards should have the power to enforce applicable advertising laws and regulations that prohibit general dentists from advertising as pediatric dentists. Information only, no response.

Joint Commission On National Dental Examinations – Survey regarding New Delivery Method for Reporting National Board Performance. Changes in Joint Commission policies allow score reports to be made available through a secure website. They are considering a project where they will make this available to state boards to be able to access the National Board scores of candidates who have requested their scores be sent to

**BOARD OF DENTAL EXAMINERS  
MINUTES OF MEETING  
DEC. 4, 2009  
PAGE 6**

the boards. The Board is supportive of this change and directed Ms. Donohue to respond to the survey, relaying that position.

CODA Communicator – Electronic newsletter. Information only, no response.

As the Board is ahead of schedule, they moved to Agenda Item 11, Regulations, until Ms. Williamson joins the meeting for Investigative Report.

**Agenda Item 11 – Regulations**

Ms. Donohue directed the Board to review of the Approval and Effective Date of Regulations where the Collaborative Agreement regulations have been signed by the Lt. Governor, and will become effective Dec. 5, 2009.

In discussion of the Collaborative Agreement application Ms. Donohue provided for their review, they reiterated these applications will not be reviewed through mail ballot, but will be brought to a regularly scheduled board meeting for review and action. This procedure may change once there has been time to determine how this process is going to work.

Next, the Board reviewed the Statement of Understanding between the American Heart Association and the American Red Cross, wherein courses presented by each entity are outlined as being equivalent, or not. There is no Red Cross course equivalent to the American Heart Association's Advanced Cardiac Life Support certification. The Board has recently changed the parenteral sedation permit regulations, and now requires a permit holder have a current Advanced Cardiac Life Support (ACLS) certification from the American Heart Association. This differs from the CPR regulation where any CPR certification course that is based upon training equivalent to that required by the American Heart Association or the American Red Cross. Ms. Fellenberg added that she has contacted the American Red Cross and they advised they do not offer an ACLS course.

Ms. Fellenberg added that she also discovered that the AHA ACLS courses are only offered through a hospital setting, and there are only a few hospitals in the State that offer the course. She suggested that parenteral permit holders be sent an advisory letter prior to next year's renewal advising of the new requirement, and the shortage of classes offered.

Ms. Donohue inquired if the Board had intended to include general anesthesia permit holders in the change requiring ACLS. Upon review, they determined they do want to

**BOARD OF DENTAL EXAMINERS  
MINUTES OF MEETING  
DEC. 4, 2009  
PAGE 7**

include general anesthetic permit holders, and will include that in the next regulation project they initiate. The Board is considering if they also need to include a section in the general anesthetic permit regulation that states the permit is renewed biennially in conjunction with the renewal of the permittee's dentist license, and a section stating the permit will be automatically suspended or revoked upon suspension or revocation of the permittee's dentist license.

Marybeth Schmobert from Health & Safety Institute (HSI) has requested the Board grant a waiver to 12 AAC 28.610, and allow for ACLS certification offered by American Safety and Health Institute (ASHI). Ms. Donohue queried the American Heart Association (AHA) regarding the equivalency of ASHI's ACLS course with the AHA course. Robin Crawford responded on behalf of AHA, stating the ASHI courses are not equivalent to AHA courses, and are not recognized by AHA. She further stated that while ASHI claims to follow the official AHA Guidelines for CPR and ECC, this claim has not been validated by the AHA.

Ms. Williamson and Mr. Howes are present to present the Investigative Report. The Board will return to this discussion following this agenda item.

**Agenda Item 5 – Investigative Report**

JoAnna Williamson joined the meeting at 9:15 a.m. to present the Investigative Report. Chief Investigator, Brian Howes, was also in attendance to meet the Board, and answer any questions.

Ms. Williamson asked if the board had any question regarding the Investigative Report. There being none, she noted the following updates: there are eight open investigations and thirteen open complaints. She also advised the Board that Ms. Winton is still working on several of the open complaints, but that Ms. Williamson will be taking over on those as soon as possible.

Dr. Eichler asked if there were any questions. There being none, Ms. Williamson left the meeting.

Dr. Eichler appointed Dr. Pihl and Dr. Walther to the Discipline Review Panel for Jan.-March 1020.

Recess: 9:50 a.m.

Back from Recess: 10:10 a.m.

**Agenda Item 11 – Regulations (continued)**

**BOARD OF DENTAL EXAMINERS  
MINUTES OF MEETING  
DEC. 4, 2009  
PAGE 8**

The Board returned to review of the Collaborative Agreement draft application Ms. Donohue provided. They debated developing a template for the collaborative agreement, and determined not to do so at this time. They may choose to do so as time goes by, and they become more familiar with reviewing the applications.

The Board returned to the discussion of ASHI's ACLS course. Dr. Eichler directed Ms. Donohue to contact Dept. of Health & Social Services, Division of Public Health to request a template of the ASHI ACLS course they accept for EMT-III Instructors or Instructor candidates.

Ms. Donohue relayed that she'd had a call from a pediatric dentists asking if the Board was considering requiring PALS for pediatric specialists. Dr. Eichler suggested that rather than name AHA or any course provider in regulation, reword the regulation to "a course approved by the board." The board agreed to include this change in a regulation project.

Dr. Eichler moved on to discussion of the requirements to be approved for radiological equipment inspector. The following discussion highlighted their feeling that the requirements are too stringent. The people who install and repair the equipment do not apply to become approved inspectors because they cannot meet the requirements stated in statutes. The Board feels these people are qualified to inspect the equipment if they have the expertise and training to install and repair the equipment. Ms. Donohue pointed out the requirements an approved inspector must meet are required by statute, included in AS 36.075(a). Unless that statute is changed, the Board cannot change this requirement.

Dr. Pihl feels the equipment inspection requirement should be deleted and made the following motion:

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

**RESOLVED to delete the requirement for inspection of radiological equipment, and only required an owner/lessee register the equipment.**

Following discussion, and recognition that the inspection requirement is a statute and can only be deleted by the Legislature, Dr. Pihl withdrew his motion.

Dr. Stauffer added to her list for revamping the Practice Act, deletion of AS 36.075, and noted the Board will draft regulations to administer this program.



**BOARD OF DENTAL EXAMINERS  
MINUTES OF MEETING  
DEC. 4, 2009  
PAGE 9**

Dr. Eichler suggested they move to the next agenda item.

**Agenda Item 8 – Public Comment**

There were no members of the public present for this portion of the meeting.

**Agenda Item 9 – New Business**

There were no items of new business presented.

**Agenda Item 14 – Unfinished Business**

Ms. Donohue gave an update on the radiological equipment program. She relayed that she has contacted the three companies in Alaska who install equipment to advise them the federal form they submit to her office is not the registration form a licensee is required to complete and submit. She told them there is a prevalent misconception in many dental offices that the federal form being submitted by the supplier is all that is required. The contacts she has talked with agreed to help educate dental offices on this matter.

Practice Act Update Committee – Dr. Stauffer reported she had just received notification from the dental hygienist association providing names of two hygienists willing to be on the committee. They wanted to know if they could have a third member. The Board decided the committee composition would include two hygienists, two dentists (names supplied by the dental society, and two Board members. The two dental hygienists are Gail Walden and Sandra Pence. Dr. Eichler noted that he had contacted Dr. David Logan with the Dental Society and asked for the names of two dentists interested in working on this committee. Dr. Eichler will follow-up with Dr. Logan.

Dr. Walther gave a report on the AADE meeting he attended in Hawaii Sept. 30-Oct. 1. The first big news is that AADE has changed its name to AADB, American Association of Dental Boards. Another important topic he covered was a report on dental health aide therapist practice in Minnesota.

Another topic presented was qualifying and clinical exams required by specialty boards for applicants to become board certified. Board certification is voluntary. It used to be that once a practitioner became board certified, there was no requirement for continuing education to maintain the certification. The specialty boards are beginning to impose changes where continuing education and chart review are being required in order to maintain the certification.

**BOARD OF DENTAL EXAMINERS  
MINUTES OF MEETING  
DEC. 4, 2009  
PAGE 10**

AADB has finalized a guideline for dental patient record. When Dr. Walther asked about obtaining a copy of the guideline, he was told the committee had put in so many hours of work developing it that they had decided to sell copies of it for \$75. Ms. Donohue said she has not seen a complimentary copy of this document yet. As long as the Board is not prescribing standards for recordkeeping, they don't want to spend money to obtain a copy at this time.

Miscellaneous information:

MT dental board has collaborated with their cosmetology board to educate licensees that teeth whitening falls under the scope of practice of a dentist;

When the board revokes a license, be sure to state on the record that the licensee is not able to reapply for a specific number of years, and under completion of specific requirements.

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

**RESOLVED to approve Dr. Walther to attend the AADB mid-year meeting in Chicago, IL as the Board's representative.**

Dr. Eichler directed Ms. Donohue to advise AADB that Dr. Walther is the board representative, not Dr. Pihl.

Ms. Donohue reported that Dr. Harold Crossley presented the entire first day of the AADA meeting on the pathophysiology of addiction. Another topic of discussion was the impact of the current economy on licensing boards. She reported that many states have "swept" all the funds from the licensing boards budget and placed them into the general budget to be used at the discretion of the governor or legislature. In some states, the state government is "sweeping" 110% of the board's funds. The economy is also spurring the use of mid-level practitioners. Following her report she asked if there were any questions, and there were none.

Ms. Donohue gave an update on the Board's request to capture email addresses from licensee. She explained that there is no statutory authority to collect this information, and that if it is collected, it will become public information, in accordance with state law. In addition, if it were to become statutorily mandated, the project would then be placed on the Department's information technology priority list. She suggested the Board may wish to set up a list-serve link on their web site, however signing onto it would have to be

**BOARD OF DENTAL EXAMINERS  
MINUTES OF MEETING  
DEC. 4, 2009  
PAGE 11**

initiated by a licensee. Once signed on, they would receive any blast broadcasts generated.

Dr. White inquired about the status of closing down the teeth whitening kiosks in the Dimond Center. He remarked he observed several still operating yesterday when he was in the mall. Dr. Eichler directed Ms. Donohue to advise Ms. Williamson the Board would like an update at the February meeting.

Recess for lunch 12:07 p.m.  
Back from lunch 12:10p.m.

The Board decided not to take lunch as they have very few agenda items left to cover. They will work through lunch, interview the once applicant applying for dental license by credentials, then adjourn the meeting.

**Agenda Item 12 – Goals and Objectives FY 2010**

**Agenda Item 15 – Office Business**

A. Travel Authorizations

Ms. Donohue collected signed TAs and travel receipts.

B. Meeting Dates

The board confirmed the following scheduled meeting date:

**Upon a motion duly made by Ms. Chaney, seconded by Dr. Navitsky, it was:**

**RESOLVED to approve the next meeting to be a full day Thursday, February 4, 2010 convening at 8:00 a.m., and a half day on Friday, February 5, 2010 adjourning at 12:00 p.m.**

**Yeas – 4  
Nays - 4**

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

**RESOLVED to approve the next meeting as a one-day meeting on Thursday, February 4, 2010 convening at 8:00 a.m.**

**BOARD OF DENTAL EXAMINERS  
MINUTES OF MEETING  
DEC. 4, 2009  
PAGE 12**

Feb. 4, 2010 in Juneau

June 18, 2010 in Anchorage – Tentative-Will be confirmed at Feb. meeting.

C. Sign Wall Certificates

The Chairman and Secretary signed wall certificates.

**Agenda Item 11 – Personal Interview for Dental Applicants by Credentials**

**Sheva T. Nickraves, DDS**

Applicant Sheva T. Nickraves, joined the meeting in person for the personal interview.

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

Dr. Eichler reviewed the application for Dr. Nickraves, and the board proceeded in asking the standard interview questions.

**Upon a motion duly made by Dr. Eichler, seconded by Dr. Gottlieb and approved unanimously, it was:**

**RESOLVED to approve Dr. Sheva T. Nickraves for dental licensure by credentials.**

**BOARD OF DENTAL EXAMINERS  
MINUTES OF MEETING  
DEC. 4, 2009  
PAGE 13**

**Agenda Item 17 - Adjourn**

There being no further business Dr. Eichler called for a motion to adjourn.

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

**RESOLVED to adjourn the meeting of the Board of Dental  
Examiners.**

The board adjourned the meeting at 1:10 p.m.

Respectfully Submitted:

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Brenda Donohue, Licensing Examiner

APPROVED:

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David Eichler, DMD  
Chairman  
Board of Dental Examiners

Date: \_\_\_\_\_

**BOARD OF DENTAL EXAMINERS  
TASK LIST FROM DEC. 4, 2009 MEETING**

**Ms. Fellenberg**

- Dental Hygiene CE Audit

**Dr. Pihl**

- Discipline Review Committee

**Dr. Walther**

- Discipline Review Committee

**Licensing Examiner**

- Work on board's Web site – updating/adding information
- CE Course approval letters to applicants