

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

**MINUTES OF MEETING
DECEMBER 7, 2007**

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 December 7, 2007, in Suite 602 of the Atwood Building, 550 W. 7th Ave., Anchorage, Alaska.

The meeting was called to order by Dr. David Eichler, Chairman at 8:33 a.m.

Agenda Item 1 – Roll Call

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

Dr. David Eichler, Chairman – Fairbanks
Mr. Gregory Gurse – Anchorage
Dr. Kevin Gottlieb – Anchorage
Cheryl Fellenberg – Dental Hygienist – Wasilla
Vicki Hauff – Dental Hygienist – Anchorage
Dr. Arne Pihl - Ketchikan
Dr. Rebecca Nesland – Anchorage
Dr. Newell Walther - Wasilla

Those absent and excused were:

Dr. William Gerace – Anchorage

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

Brenda Donohue, Licensing Examiner – Juneau

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Agenda Item 2 – Review Agenda

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

AGENDA ITEM 5 – BUDGET REPORT

Breakdown of Contractual Services Report

AGENDA ITEM 7 – MISC CORRESPONDENCE

- ADA-CODA Meeting
- Letter from Richard Chan re: Specialty License Questions
- Letter from AHSI requesting letter from Board stating their CPR course meets 12 AAC 28.920

AGENDA ITEM 8 – APPLICATION REVIEW

- Deonne Shoemake – DH Renewal of Lapsed License
- Joyce Latham-Hahn – DH Renewal – Mandatory Audit
- Christopher Knodel – DH Renewal – Mandatory Audit
- Chrissie Thornton – Tabled Local Anesthetic Permit Application

AGENDA ITEM 12 – REGULATIONS

Review and adopt changes for 12 AAC 28.105, 500, 910, 935, 940, 951, 952, 960

AGENDA ITEM 13 – ANNUAL NEWSLETTER

Article re: Antibiotics and your Heart

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

RESOLVED to approve the additions to the Agenda.

Agenda Item 3 – Review Minutes

Following review of the September 14, 2007 meeting minutes, where Dr. Pihl noted the word “simply” should be corrected to “simplify” in the third line from the bottom of page 9:

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

RESOLVED to approve the September 14, 2007 minutes as corrected.

Agenda Item 4 – 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 5 – Budget Review

The Board reviewed the budget report presented as of November 29, 2007, and felt they were on track. Ms. Donohue pointed out the itemized breakdown of the \$32K expenditure on line item # 73821 that appeared between the June 7, 2007 and August 30, 2007 budget reports, was included in the Additions to the Board Packet. She advised them that an additional \$11K in expenditures was discovered during the review process. There were no questions regarding the budget.

The Board expressed their appreciation to Ms. Donohue, and the Division staff for providing the itemized breakdown of Dept. of Law's billings. Mr. Gurse will contact Jenny Strickler, Acting Director, to request this breakdown for every meeting.

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

RESOLVED to approve the November 29, 2007 budget as presented.

As they were ahead of schedule, the Board moved on to Agenda Item 7 – Misc. Correspondence until the Investigator joins the meeting at 9:30 a.m.

Agenda Item 7 – Miscellaneous Correspondence

ADA – New ADA Sedation and Anesthesia Guidelines and Policy Statement. Information only.

Joint Commission on National Dental Examinations – Vacancies on National Board Test Construction Committees for 2009. Information only.

AADE – Survey of Examining Community for ADA Task Force on Commission on Dental Accreditation. Information only.

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AADE – AADE General Assembly’s Support of ADA new Guidelines for Use of Sedation and General Anesthesia by Dentists, Guidelines for Teaching Pain Control and Sedation to Dentists and Dental Students and ADA Policy Statement: The Use of Sedation and General Anesthesia by Dentists. Information only.

AADE – 2008 AADE Mid-Year Meeting and Open Forum for Educators. Information only.

Agenda Item 6 – Investigative Report

Susan Winton, Investigator, joined the meeting at 9:30 a.m., to present the Investigative Report.

Ms. Winton asked if the Board had any questions regarding the Investigative Report. The Board proceeded in asking the status of several of the cases. Ms. Winton noted for the record the number of cases in each category. She reported there were seven open investigations, eight open complaints, two closed investigation, and one closed complaint.

The Chairman had questions regarding case 1200-05-002, and Ms. Winton advised the members they must enter Executive Session to discuss confidential information about a case.

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

RESOLVED to enter into executive session in accordance with AS 44.62.310(c)(2), and the Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing Case 1200-05-002.

Entered into Executive Session at 9:32 a.m.

Out of Executive Session at 9:38 a.m.

Board Chairman Request

Dr. Eichler wished to discuss an MOA adopted at the Sept. 14, 2007 meeting. Ms. Donohue advised him Assistant Attorney Gayle Horetski had requested to be teleconferenced into the meeting at this point.

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Ms. Horetski joined the meeting, via teleconference, at 9:45 a.m.

Dr. Eichler explained to the other board members and Ms. Horetski that under Administrative Procedures Act, (APA), Section 44.62.540 Reconsideration, he wanted to reconsider the decision the board made when they adopted an MOA in case 1200-07-002, because of information he has obtained since then and which he thinks is pertinent.

Ms. Horetski identified herself for the record, and noted that Assistant Attorney General Jenna Conley and Records and Licensing Supervisor, Judy Weske were also present. Ms. Horetski advised Dr. Eichler that she was not familiar with the details of the case he wants to discuss, but she does want to advise the Board regarding the administrative process and the requirements of due process. She explained that a Memorandum of Agreement (MOA) is entered into when an agreement between the Division (prosecutor) and the respondent/licensee (defendant) has been reached in regard to suspected misconduct or violation by the licensee, with the benefit of counsel on both sides. This process is used extensively in Occupational Licensing to resolve a case short of prosecution. Once a MOA has been signed by both parties, it is presented to the Board for review and action. The process of using MOAs as a means to resolve pending cases is not addressed under the Administrative Procedures Act. There is no guidance provided by the APA for how a board is to look at a MOA, so it is necessary to fall back on general case law, general notions of due process, which is a Constitutional requirement and applies in board proceedings. This process protects a licensee or an applicant from arbitrary and/or capricious actions by a government entity. Ms. Horetski expressed her concern that the Dental Board did not have the legal authority to reconsider a MOA it has adopted, and which has gone into effect. She explained that, as an example, in criminal law, a prosecutor and a defendant may enter into a plea agreement, and if approved by the court, is binding, that each party reaps the "benefit of their bargain". The parties to a MOA, the Division or the respondent, may reconsider their agreement, however, the jury (Board) does not have that option once they have adopted the MOA. When a MOA is presented to the Board for review and action, the Board has the right to reject the MOA, and send it back to the Investigative Section with their recommendations of what they want to have included in the agreement that would make it acceptable to them. A new MOA can then be negotiated between the Division and the respondent/licensee.

Ms Horetski advised Dr. Eichler that APA 44.62.540 Reconsideration applies to the Board in the case where there has been a hearing in the case, the hearing officer has issued a Proposed Decision, the Board has accepted the Proposed Decision, and then after that decision has been accepted, the agency may order a reconsideration of all or a

portion of a case, on petition of its own motion or on petition by a party. To be considered by the agency a petition for reconsideration must be filed with the agency

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within 15 days after delivery of the decision to the respondent. The power to reconsider the decision expires 30 days after delivery or mailing of the decision to the respondent. Even though the statute does not apply, if we look to it by way of analogy, the time to reconsider this particular MOA expired long ago because more than thirty days have passed, with no request from licensee or her attorney. If the concern of the Chairman, or any board member is the subject matter of the MOA, that is, the appropriate sedation agent to be given a minor child in a non-office setting, or scope of practice, or professional practice in the area of sedation, the Board can discuss this in the abstract, and can even adopt regulations setting practice standards for that aspect of licensee's practice in the State. However, that's a different issue, which is separate from the issue of, does the board have the power to reconsider a MOA they have already adopted, and which has been implemented. Ms. Horetski states she does not think they have that authority.

Dr. Eichler states that when the MOA was presented the Board did not have the opportunity to adequately review it because they had not seen it prior to the meeting. He feels they made a flawed decision based on lack of discussion and knowledge of the details of the case. He further states he filed notice for reconsideration via email to other board members within the proper time frame. He notes that he did get into hot water with Dept. of Law for contacting all the other board members outside a regularly noticed board meeting, therefore violating the Open Meetings laws. He believes by accepting this MOA the Board has adopted a standard of care for pediatric sedation, that the decision almost has the same weight as adopting regulations regarding standard of practice, but without due process and public notice. Nothing in this state's regulations establishes a standard of care for pediatric sedation. Many other jurisdictions do have such regulations pertaining to sedation, however Alaska does not.

Mr. Gurse states he feels this discussion is out-of-order because the Board, as a whole, has taken no official action to reconsider this MOA. The subject has not been brought before the Board, nor put on the Agenda. The views expressed in this discussion are strictly the personal views of Dr. Eichler. He doesn't know why the Dept. of Law is even involved at this point.

Ms. Winton, Investigator, explained the Chairman can request a topic be added to the Agenda. However, before this discussion was added to the Agenda, and the Board discussed, the Division felt it was important for the Dept. of Law to inform the Board what it can legally do in reconsidering a MOA that has previously been adopted and implemented. Dept. of Law has advised the Board that they cannot legally reconsider this MOA, as it's a done deal. The Division, in negotiating the MOA, relied on expertise

of the board members who comprised the Discipline Review Panel at the time this case was being investigated.

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Mr. Gursey asked Ms. Horetski, if he understood correctly, that the Dept. of Law's opinion is that the Board cannot legally review an adopted MOA. She stated that is correct. However, if Dr. Eichler wants to discuss the substantive matter contained in an MOA, he may do so. The adopted MOA is a final board order, it was agreed to by the parties, and accepted by the Board.

Ms. Horetski explained that, after a period of time, a respondent can file a petition to have the Board modify an order, and the Board may do so. However, in this case there has been no request from the respondent to have the Board modify the MOA.

Ms. Winton stated that neither the licensee nor the Division has requested any changes or modifications or reconsiderations to the MOA, as adopted.

Dr. Eichler asked Ms. Horetski what recourse he has if he doesn't agree with Dept. of Law's opinion. For the record, he is asking if he disagrees as an individual. Ms. Horetski stated she doesn't know how to respond when a board Chairman chooses to disagree with the opinion of the Attorney General's office. She further stated she can only advise a board, not an individual who sits on a board.

Ms. Fellenberg asked Ms. Horetski if, once a MOA is presented to the Board, does the respondent have the opportunity to appear before the Board to discuss their case. Ms. Winton explained that the whole Board would be tainted if they were involved in the review process. That's why a two-person Discipline Review Panel is in place. Ms. Horetski then explained that a MOA is different than going through a hearing process. As she stated earlier in the discussion, a MOA is used to settle a case prior to the case going to litigation. If the licensee doesn't agree to the MOA, they can choose to go to a hearing to defend why they feel they are not in violation.

Dr. Walther asked Ms. Horetski if by adopting this MOA, the board was setting a precedent for a future standard of care. Ms. Horetski explained to Dr. Walther that it would be a precedent in the sense that if a case substantially the same as the one being referred to in this discussion, was presented to the Board, it would be expected the Board would make substantially the same decision. It's not a precedent in the sense of being a Board decision. If it was in a Proposed Decision of an Administrative Hearing Officer adopted by the Board, and then it was published by the Office of Administrative Hearings, that is like a published decision and would be available to more people and could be consulted more widely by licensees in similar situations.

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To clarify, Dr. Newell asked if future regulations were created regarding the standard of care for pediatric sedation that were less restrictive than the adopted MOA, that would be irrelevant to the situation being discussed. In other words, the Board is not creating legislation by adopting this MOA.

For clarification, Ms. Winton explained that the Board can diverge from past case precedent, as long as they document why they are doing so.

Dr. Eichler then inquired of Dr. Walther, what information he had used to determine this case was a violation of the standard of care. Ms. Winton interjected to state the Board could not talk about this case itself, unless they go into executive session. She explained the adopted MOA is public information, however the investigation behind the MOA is confidential. Dr. Eichler stated that as Dr. Walther was not part of the investigation, he just wanted to know what information Dr. Walther relied on to adopt the MOA. Ms. Winton reiterated, that as the Board's Investigator, she did not believe this was appropriate discussion in a public forum.

Ms. Horetski suggested to Dr. Eichler that a question to the board members might be what factor would make this perceived to be a violation, that the situation can be discussed in the abstract. However, the specifics of the adopted case cannot be discussed in a public forum. She further remarked that the thought processes of any individual board member were not subject to disclosure. Their thoughts were their own, and they are not required to discuss their vote.

Dr. Pihl asked Ms. Horetski if it is allowed for the Chairman to voice what his concerns are, on the record, why he wants to reconsider the MOA. Mr. Gurse asked why, as there is nothing the Board can do. Before Ms. Horetski could answer Dr. Pihl's question Dr. Walther added that this is very instructional for him as a new board member, and that the issue may be for the Board to more carefully review cases presented to them because of their ramifications.

Dr. Eichler asked if there were any more questions for the Attorney General's Office. Mr. Gurse asked at what level can the Board scrutinize a MOA, at what point should the Board stop asking questions.

Ms. Horetski responded that the board members should have enough information so they are comfortable voting on the MOA, that they are not required to vote in the dark, they are not required to take it on the face of the Investigator. They are allowed to ask

questions. If they take a look at the language in the MOA, it states something similar to "this Memorandum of Agreement is between the Parties, however it doesn't take affect

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until and unless it is accepted by the Board". It goes on to say that if the Board rejects this MOA the parties agree that none of the factual admissions in the agreement are any good any more, and further, the Board's consideration of the MOA will not be grounds for arguing that the Board has had ex-parte communication, or has considered matters outside the record. She further explained that Ms. Winton was doing a very good job of keeping the Board, her jury, from becoming tainted. As a legal matter, if the licensee has signed the MOA, and the MOA is coming before the Board for consideration, the Board does have the right to know enough information to decide whether to accept, reject or modify the MOA. And further, the licensee has agreed, in writing, that they cannot challenge the Board as being biased solely on their consideration of the MOA. In other words, if the MOA is not approved, the Board still has the legal authority to hear the Proposed Decision that comes from the Hearing Officer after the case goes to a hearing.

Ms. Winton noted for the record, that there had been 22 minutes of discussion concerning this case, in executive session, and that previously, with her as their Investigator, this board has rejected and modified MOAs. She wants to encourage the board members to continue this process.

Dr. Eichler asked if there were any further questions for Ms. Horetski, and there being none he thanked her for her time, and she left the meeting.

Dr. Eichler went on to explain that he was not comfortable with the decision the board had taken on the MOA adopted at the Sept. 14, 2007 meeting. He said he assumed that when you draft a MOA it is the correct thing to do. Ms. Winton stated that both parties' positions were stated in the MOA. He further explained that he had spoken with the respondent after the last board meeting and it was his opinion that she had signed the MOA under duress, because of her health. Ms. Winton cautioned Dr. Eichler that they were still on the record. He acknowledged her caution and continued.

He went on to explain that he had made further investigation into pediatric sedation by going on-line and "googling" pediatric dental sedation, halcyon, the drug used in the case being discussed. At this point Ms. Winton excused herself from the meeting stating she did not believe this was appropriate discussion on the record. Dr. Eichler continued to explain that his search produced guidelines adopted in 2006 for monitoring and managing pediatric sedation that are adopted by the American Academy of Pediatrics and the American Academy of Pediatric Dentistry. He noted the guidelines recognize all pediatric patients are those patients aged through 21 years of age, and that he doesn't agree with that. He feels this is a power-grab, but be that as it may, the guidelines

contain a statement that no sedative agents are to be administered at home, that they are to be administered in the medical personnel office. He then stated that you don't find any of those requirements in the material provided by the drug manufacturers. Dr. Eichler

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stated he then contacted Dr. Weston Heringer, the head of the graduate program in Pediatric Dentistry at Oregon Health and Science University.

At this point Dr. Neslund and Dr. Gottlieb stated they do not want to discuss this topic further, that the Board has adopted the MOA, and they want to move on to the rest of the Agenda. Dr. Eichler then stated that this has been the standard of care and if that is what is being used to establish one according to the grad pedo dept, that's not what this is meant to be. He then stated that he violates this standard of care all the time. That he prescribes sedatives to pediatric patients to be administered at home.

The other members of the board stated this was inappropriate discussion on the record, and insisted on getting back to the Agenda. Mr. Gurse stated this is not included in the Agenda the Board has approved.

The Board decided to take a break then move on to Agenda Item 7, Miscellaneous Correspondence.

Recess: 10:26 a.m.

Back from Recess: 10:38 a.m.

Dr. Eichler appointed Dr. Neslund and Dr. Walther to serve on the Discipline Review Panel for the Jan-March 2008 quarter.

Agenda Item 7 – Miscellaneous Correspondence

Joint Commission on National Dental Examinations – National Dental Examiners' Advisory Forum. Request for Designated Representative and sign up materials.

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

RESOLVED to approve Dr. Newell Walther as the Designated Representative for the National Dental Examiner's Advisory Forum.

WREB – Request for nominees for board position beginning in 2008 for a consumer representative. Information only.

WREB – Examiner Assignments for WREB's 2008 exam season. Information only.

Dental Assisting National Board – A National Overview of Dental Assisting Job Titles. Information only.

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ADA – Notice of CODA meeting Feb. 1, 2008, and housing materials. Information only.

Richard W Chan, DDS – Letter to the board asking for clarification on Dental Specialty License requirements. The Chairman directed Ms. Donohue to respond that an applicant for license may not advertise prior to obtaining the license, and they must provide all documentation to verify they have met the requirements for licensure. A letter from a specialty board stating that the applicant will be eligible at a future date is not sufficient documentation.

Elizabeth Salvaterra, American Safety & Health Institute – Ms. Salvaterra has requested the board issue a written statement that the ASHI CPR course is acceptable to meet the requirements of 12 AAC 28.920. The board Chairman directed Ms. Donohue to respond to Ms. Salvaterra's request that the Board does not issue letter approving any CPR courses. The course must stand on its own merit to comply with the regulation.

Agenda Item 8 – Application Assignments and Review

Assign Questions for Credential Candidates

Dr. Eichler assigned credential review interview questions to the board members.

Credential Application Review

The Board reviewed the credential application of the following in preparation for the personal interview:

Dr. Thomas G. Dwyer, DDS

Reviewed by Dr. Walther

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

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Continuing Education Course Applications

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

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

A Potpourri of Oral Pathology or I've Always Wondered About that Stuff, sponsored by the Anchorage Dental Society, for seven (7) hours of continuing education.

Local Anesthetic Permit Application

Ms. Donohue sent the board members, on a mail ballot, an application for Local Anesthetic Permit for Chrissie D. Thornton, who holds Dental Hygiene License #1067. Two members of the board returned a vote to table the application to the next scheduled board meeting as they did not believe the anesthesia course Ms. Thornton took contained the required elements outlined in 12 AAC 28.340.

Following review and discussion the board took the following action:

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

RESOLVED to deny Ms. Chrissie Thornton's application for a Local Anesthetic Permit as the course she took did not meeting the requirements of 12 AAC 28.340 in that the course did not include training that included the inferior alveolar.

Dental Hygiene License Renewal

Following review of a renewal application for Deonne Shoemake, holding Dental Hygiene License #584, which has been lapsed since 1/1/06 the Board took the following action:

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

RESOLVED to approve renewal of Dental Hygiene License #584 for Deonne Shoemake.

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Dental Hygiene Renewal – Mandatory Audit

The Board reviewed continuing education documentation, in accordance with the stipulation of a current MOA, and approved renewal for each of the following licensees:

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

RESOLVED to approve renewal of Dental Hygiene License #892 for Christopher Knodel; Dental Hygiene License #686 for Cara Shirk.

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

RESOLVED to approve renewal of Dental Hygiene License #841 for Joyce Latham-Hahn upon receipt of her current CPR certification.

Agenda Item 14 – CE Audit Review

Mr. Winker, Paralegal, prepared a Stipulated Agreement for the Board to review in case #1202-07-002. Following discussion the Board took the following action in this case:

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

RESOLVED to approve the Stipulated Agreement, Proposed Decision and Order in case #1202-07-002.

It was noted for the record the licensee in case #1202-07-002 is Angelina Maria Caterinichio.

Agenda Item 9 – Public Comment

Dr. David Logan, Legislative Chairman for the Alaska Dental Society, and Dr. Pete Higgins, current President of the Alaska Dental Society, were present for public comment.

Dr. Higgins and Dr. Logan presented a draft of proposed changes to the Dental statutes for Dental Assistant Expanded Duty functions the Alaska Dental Society will be presenting to the Legislature, and asked for the Board's support of these changes.

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Following discussion and review of the documents, which will become an integral part of the minutes, the Board moved to support the requested changes.

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

RESOLVED to support the Alaska Dental Society's proposed changes to the Alaska Dental Statutes for Dental Assistant Expanded Duty functions.

Recess for lunch 11:55 p.m.
Back from lunch 1:05 p.m.

Agenda Item 11 – Personal Interview for Dental Applicants by Credentials

Applicant Dr. Thomas G. Dwyer, DDS joined the meeting for the personal interview with the Board.

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

Dr. Thomas G. Dwyer, DDS

Dr. Walther reviewed the application of Dr. Dwyer. The board members proceeded in asking the standard interview questions.

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

RESOLVED to approve Dr. Thomas G. Dwyer for dental licensure by credentials.

Agenda Item 15 – New/Old Business

Ms. Judy Bachman, Assistant Attorney General with Dept. of Law, joined the meeting to conduct newly developed training for the new Ethics Law passed by the Legislature in May 2007. Presentation of the new training materials commenced this week, and the Dental Board is the first board to receive it.

The training proceeded for approximately one-and-a-half hours. Ms. Bachman asked if there were any questions, and there being none, left the meeting at 2:45 p.m.

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Agenda Item 12 – Regulations

Ms. Donohue advised the Board that Mr. Maiquis, Regulation Specialist, had drafted language for changes to 12 AAC 28.105, 500, 910, 935, 940, 951, 952, and 960 that the Board had requested at their Sept. 14, 2007 meeting. The draft of the changes was being submitted to the Board for their review and action to approve for public notice.

Ms. Donohue explained the draft language repeals 12 AAC 28.105 Examinations, 12 AAC 500 Dental Hygienist Examination, as the material these two regulations is currently stated in statutes. The remaining regulations are amended to include the new language.

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

RESOLVED to approve for public notice the changes to 12 AAC 28.105, 500, 910, 935, 940, 951, 952, and 960.

Agenda Item 16 – Goals and Objectives

The Board reviewed the Goals and Objectives for FY 2008, and felt they were on track for accomplishing these goals.

Agenda Item 17 – Office Business

A. Travel Authorizations

Ms. Donohue collected signed TAs and travel receipts.

B. Meeting Dates for 2008

The Board confirmed the following scheduled meeting dates:

February 7-8, 2008 in Juneau
June 27, 2008 in Anchorage

C. Sign Wall Certificates

The Chairman and Secretary signed wall certificates.

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D. Board Member Task List

Ms. Donohue will send out a new Task List with assignments. A copy of the list will be included at the end of these minutes.

E. Annual Newsletter

Mr. Gurse will work on a rough draft of the Newsletter, which will include the suggested articles reviewed at the Sept. 14, 2007 meeting. He will work with Ms. Donohue and a final draft will be presented to the Board at the Feb. 7-8, 2008, then it will be posted on the web-page.

Agenda Item 18 – Unfinished Business

There was no unfinished business to discuss.

Agenda Item 19 - Adjourn

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

Upon a motion by Ms. Hauff, seconded by Dr. Gerace and approved unanimously, it was:

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

The Board adjourned the meeting at 2:54 p.m.

Respectfully Submitted:

Brenda Donohue, Licensing Examiner

APPROVED:

David Eichler, DMD

Chairman
Board of Dental Examiners

Date: _____

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TASK LIST FROM DECEMBER 7, 2007 MEETING**

Ms. Fellenberg

- Dental Hygiene CE Audit

Dr. Gerace

- Review Course Approvals for continuing education.

Dr. Eichler

Dr. Arne Pihl

Dr. Newell Walther

- Discipline Review Panel Jan-Mar 2008

Dr. Kevin Gottlieb

Along with Dr. Neslund, review regulation 12 AAC 28.952 Dental Specialty License and bring suggestions to clarify subsections (b)(4) and (5) to the Feb. 7-8, 2008 meeting.

Vicki Hauff

- Backup person for reviewing Course Approvals when needed.
- Dental Hygiene CE Audit

Gregory Gursev

Annual Newsletter

Contact Acting Director regarding breakdown of Dept. of Law's bill

Dr. Neslund

- Discipline Review Panel Jan-Mar 2008
- Along with Dr. Gottlieb, review regulation 12 AAC 28.952 Dental Specialty License and bring suggestions to clarify subsections (b)(4) and (5) to the Feb. 7-8, 2008 meeting.

Licensing Examiner

- Work on board's web site – updating/adding information.
- CE Course approval letters to applicants.
- Remove CRDTS from list of questions for credential dental applicants