

***Annual Report***  
***Fiscal Year 2014***

**BOARD OF DENTAL EXAMINERS**

***July 2014***



**DIVISION OF CORPORATIONS, BUSINESS  
AND PROFESSIONAL LICENSING**

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This Annual Performance Report is presented in accordance with Alaska Statute 08.01.070(1) and Alaska Statute 37.07.080(b). Its purpose is to report the accomplishments, activities, and the past and present needs of the licensing program.

**ALASKA STATE BOARD OF DENTAL EXAMINERS  
FY 2014 ANNUAL REPORT**

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**ALASKA STATE BOARD OF DENTAL EXAMINERS  
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IDENTIFICATION OF BOARD**

<b><u>Board Member</u></b>	<b><u>Date Appointed</u></b>	<b><u>Term Expires</u></b>
<b>Robyn Chaney Public</b>	<b>March 1, 2009</b>	<b>March 1, 2017</b>
<b>Cheryl Fellenberg, R.H.D. Hygienist</b>	<b>March 1, 2007</b>	<b>March 1, 2015</b>
<b>Thomas J. Kovaleski, D.D.S. Dentist</b>	<b>March 1, 2011</b>	<b>March 1, 2015</b>
<b>Mary Anne Navitsky, D.D.S. Dentist</b>	<b>March 1, 2009</b>	<b>March 1, /2017</b>
<b>Steven E. Scheller Dentist</b>	<b>March 1, 2013</b>	<b>March 1, 2017</b>
<b>Paul J. Silveira Dentist</b>	<b>March 1, 2011</b>	<b>March 1, 2015</b>
<b>Gail L Walden Hygienist</b>	<b>March 1, 2013</b>	<b>March 1, 2017</b>
<b>Robert E. Warren, D.D.S. Dentist</b>	<b>March 1, 2011</b>	<b>March 1, 2015</b>
<b>Thomas J. Wells, D.D.S., M.S. Dentist</b>	<b>March 1, 2010</b>	<b>March 1, 2018</b>

**ALASKA STATE BOARD OF DENTAL EXAMINERS**  
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**IDENTIFICATION OF STAFF**

**Debbie Kunow, Licensing Examiner**

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Department of Commerce, Community and Economic Development  
P.O. Box 110806  
Juneau, AK 99811-0806  
Work: (907) 465-2542  
Fax: (907) 465-2974

**Sher Zinn, Licensing Supervisor**

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**Angela Birt, Investigator**

Division of Corporations, Business & Professional Licensing  
Department of Commerce, Community and Economic Development  
550 West 7<sup>th</sup> Avenue, Suite 1500  
Anchorage, AK 99501-3567  
Work: (907) 269-4964  
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**ALASKA STATE BOARD OF DENTAL EXAMINERS**  
**FY 2014 ANNUAL REPORT**  
**NARRATIVE STATEMENT**

This year the Alaska Board of Dental Examiners held meetings on September 6<sup>th</sup> and December 5<sup>th</sup>, 2013, and February 7<sup>th</sup>, 2014. A teleconference was held on June 8<sup>th</sup>, 2013.

After discussing the regional examining boards, ADEX, NERB and WREB the board voted to continue recognition of WREB as the licensing exam for the State of Alaska.

The number of continuing education hours for dentists has been increased from 28 hours to 32 hours every year,

In December 2012 investigative reports there were 27 open complaints or investigations. The oldest was nine years old (2003). As of the May 2014 investigative report there are 11 open complaints or investigations. Four cases are from 2013 and seven from 2014. The oldest case is a complaint received in March 2013. We had three providers under investigation surrender their license to practice dentistry in Alaska.

I would like to thank Angela Birt and the board members who have worked diligently to expedite the complaints presented to the board. In protecting the public we owe a timely response to the patients to assure them we have evaluated their concerns and taken action.

The Dental Mission of Mercy is to be commended for their organization and treatment of over two thousand dental patients this past April in Anchorage. This activity demonstrates the true concern the dental community has for the citizens in the State of Alaska.

Issues to be addressed in FY 2015 include truth in advertising and fee splitting. Section 08.36.367 needs evaluation and clarification that only licensed dentists, LIVING IN THE STATE OF ALASKA, may own, operate or maintain a dental practice, office or clinic in the State of Alaska.

I would like to thank the members of the Alaska Board of Dental Examiners for their dedication and support. Our meetings would not be organized nor productive without the efforts of Debbie Kunow, Angela Birt and the investigators and support staff both in Juneau and Anchorage.

Sincerely,

Thomas J. Wells  
President, Alaska Board of Dental Examiners

**ALASKA STATE BOARD OF DENTAL EXAMINERS**

**FY 2014 ANNUAL REPORT**

**BUDGET RECOMMENDATIONS FOR FY 2015**

**TRAVEL REQUESTS:** ranked in order of the board’s priority. Provide the best estimates based on past actuals and seasonal trends in travel, such as summer hotel rooms or increased fuel costs. Calculate on full costs and note any third-party fiscal offsets. Expand the tables below as needed.

**Board Meetings**

Date	Location	# of Board Members	# of Staff	Total Estimated Cost (total of airline, hotel, mileage, M&IE, parking, rental car, taxi, etc.)
09/05/14	Anchorage	9	2	\$3,600.00
12/05/14	Anchorage	9	2	\$3,600.00
Feb 2015	Anchorage	9	2	\$3,600.00
May 2015	Anchorage	9	2	\$3,600.00

**Travel Required to Perform Examinations**

Date	Location	# of Board Members	# of Staff	Total Estimated Cost (total of airline, hotel, mileage, M&IE, parking, rental car, taxi, etc.)
N/A				
Description of meeting and its role in supporting the mission of the board:				

**Out-Of-State Meetings and Additional In-State Travel**

Rank in order of the board’s priority. “Reimbursement” refers to payment to cover travel costs. “Direct” refers to an offer by a company to secure travel arrangements on behalf of the board member.

Rank	Date	Location	# of Board Members	# of Staff	Total Estimated Cost		Total Potential Third-Party Offset
					(total of airline, hotel, mileage, M&IE, parking, rental car, taxi, etc.)	Conference Fee	<input type="checkbox"/> Reimbursement <input type="checkbox"/> Direct
1	Oct. 7-8, 2014	San Antonio, TX	1	0	\$2,100.00	\$435.00	0
	Description of meeting and its role in supporting the mission of the board: American Association of Dental Boards’ mid-year meeting. To serve as a resource by providing a national forum for exchange, development and dissemination of information to assist dental regulatory boards with their obligation to protect the public.						
2	Spring 2015	unknown	1	0	\$2,400.00		0
	Description of meeting and its role in supporting the mission of the board: American Association of Dental Boards’ mid-year meeting. To serve as a resource by providing a national forum for exchange, development and dissemination of information to assist dental regulatory boards with their obligation to protect the public. These estimates are based on last meeting location (Chicago, IL).						

**NON-TRAVEL BUDGET REQUESTS**

**Dues/Memberships/Resources/Online Training/Teleconferences/Examination Contracts**

Provide details of the budgetary request. Break down into specific events, where applicable.

Product or service:	Provider:	Cost per event:
Memberships	American Association of Dental Boards	\$4,654.00
Description of item and its role in supporting the mission of the board: AADB provides a national forum for exchange, development and dissemination of information to assist dental regulatory boards with their obligation to protect the public.		
Product or service:	Provider:	Cost per event:
Teleconferences		
Description of item and its role in supporting the mission of the board:		

**ALASKA STATE BOARD OF DENTAL EXAMINERS  
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 BUDGET RECOMMENDATIONS FOR FY 2015 CONTINUED**

**Other Items with a Fiscal Impact:**

<b>Product or service:</b> <b>Legal Fees</b>	<b>Provider:</b> <b>Dept. of Law</b>	<b>Cost per event:</b> <b>\$90,000.00</b>
Description of item and its role in supporting the mission of the board: Legal fees involved in regulation projects and appeals hearings.		
<b>Product or service:</b> <b>Sedation Equipment Inspections</b>	<b>Provider:</b> <b>Board Investigator</b>	<b>Cost per event:</b> <b>\$5,000.00 for year</b>
Description of item and its role in supporting the mission of the board: Per 12 AAC 28.630(b), sedation permit holders may have their office equipment inspected to insure patient safety.		

**Summary of FY15 Fiscal Requests**

Board Meetings	<b>\$14,400.00</b>
Travel for Exams	<b>n/a</b>
Out-Of-State and Additional In-State Travel	<b>\$4,500.00</b>
Dues/Memberships/Resources/Online Training/Teleconferences	<b>\$6,154.00</b>
Total Potential Third-Party Offset	<b>n/a</b>
Other	<b>\$95,000.00</b>
<b>Total Requested:</b>	<b>\$120,554.00</b>

**Additional information:**

**ALASKA STATE BOARD OF DENTAL EXAMINERS**  
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**RECOMMENDATIONS FOR PROPOSED LEGISLATION FOR FY 2015**

**Focus Area (Check all that apply)**

- Economic Development
- Government Within Our Means
- National Regulatory/Industry Changes
- Enhance Public Protection

**1. Subject and Proposed Language (include intent and statutory reference)**

Recommend repeal AS 08.36.075, Dental Radiological Equipment and request inspections and registration move to Health and Social Services

**2. Explain the benefits the proposed legislation would provide.**

The Board of Dental Examiners has limited staff.

Repealing AS 08.36.075 would eliminate the Board's expense and time in regulating dental radiological equipment.

**3. Explain the consequences, if any, of not implementing the proposed statutory change.**

The board would continue to be involved in regulating dental radiological equipment and the expense and time associated with it.

**4. Describe any potential negative impacts of this legislation and how they would be minimized.**

Not aware of any potential negative impact.

**5. Who do you anticipate will support the bill and why? Include municipalities, groups, etc...**

Expect the Alaska Dental Society will support this legislation.

**6. Who do anticipate will oppose the bill and why?**

Do not anticipate any opposition to this legislation. Expect to have discussions on public safety and federal regulations.

**7. What other state departments will be affected by this legislation? Have you discussed the impact with the affected departments, and if so who and do they support this bill?**

Not aware of other state departments that would be affected.

**8. Identify and describe any previous state or federal legislation or similar efforts in other states which affect or relate to this proposal.**

Other state boards do not regulate dental radiological equipment; they rely upon federal guidelines and regulations. The Board has only briefly discussed this legislation at the May 16, 2014 and will be gathering more information.

**9. Has this bill topic been previously introduced in the legislature? If so, what was the final outcome and why?**

Not aware of any prior legislation to repeal Alaska statute 08.36.075. It was revised with Senate Bill 92 a few years ago.

**10. In the event questions should be raised during review of this request, please indicate below which board member should be contacted:**

Dr. Paul Silveira or Gail Walden.

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**REGULATION RECOMMENDATIONS FOR FY 2015**

- 12 AAC 28.340(1)—changes classroom lecture to didactic instruction
- 12 AAC 28.340(4)(F)(i)—deletes redundant word
- 12 AAC 28.630(b)—states that the board may require on-site inspections and updates Anesthesia Manual to current edition.
- 12 AAC. 28.770(8)—changes classroom to didactic
- 12 AAC. 28.905—updates references to current ethical standards
- 12 AAC 28.906—new section for disciplinary sanctions
- 12 AAC 28.915—amends the application deadline to 30 days before an interview
- 12 AAC 28.920—adds a waiver for CPR requirement for physically disabled individuals
- 12 AAC 28.937(b)—adds dental hygiene CE requirements for licensure by credentials
- 12 AAC 28.937(c)(4)—amends affidavit requirements
- 12 AAC 28.937(c)(7)—amends affidavit requirements
- 12 AAC 28.951(b)—adds dentist CE requirements for licensure by credentials
- 12 AAC 28.951(c)(3)—specifies examination documentation and requirements
- 12 AAC 28.951(c)(6)—amends affidavit requirements for licensure by credentials
- 12 AAC 28.951(c)(7)—repeal
- 12 AAC 28.951(c)(11)—amends affidavit requirements for licensure by credentials
- 12 AAC 28.951(d)—updates jurisprudence examination language
- 12 AAC 28.951(f)—updates language
- 12 AAC 28.955(c)(1)—repeals courtesy license fee
- 12 AAC 28.956(a)(7)(B)—corrects statute reference
- 12 AAC 28.960(a)—corrects statute reference
- 12 AAC 28.960(b)—repeal
- 12 AAC 28.960(c)—repeal
- 12 AAC 28.965(b)(3)—updates reference
- 12 AAC 28.965 (c)—repeal
- 12 AAC 28.965(d)—repeal
- 12 AAC 28.965(e)—permits an inspector to issue an inspection seal for radiological equipment instead of the board
- 12 AAC 28.965(f)—updates statute reference and adds language for board access to records
- 12 AAC 28.965(g)—repeal
- 12 AAC 28.965(h)—requires inspectors of dental radiological equipment to complete and submit forms.

- 12 AAC 28.970—updates registration and inspection forms and requirements for radiological equipment

### **Anesthesia/Sedation Regulations (being drafted and finalized by the board):**

#### Article 1 Revisions

- 12 AAC 28.005—new section that covers general provisions for anesthesia and sedation permits
- 12 AAC 28.010—permit requirements for deep sedation and general anesthesia
- 12 AAC 28.015—new section that covers permit requirements for moderate conscious sedation
- 12 AAC 28.030—amends section to allow CRNA's to provide anesthesia services by meeting outlined requirements
- 12 AAC 28.040—repeals section; language included under 12 AAC 28.005
- 12 AAC 28.050—repeals section; language included under 12 AAC 28.005
- 12 AAC 28.060—repeals section; language included under 12 AAC 28.010
- 12 AAC 28.065—new section covering expiration and renewal of anesthesia/sedation permits
- 12 AAC 28.070—amended to include all permits for anesthesia/sedation
- 12 AAC 28.075—new section covering on-site inspections for anesthesia/sedation providers
- 12 AAC 28.990—definitions are updated

#### Article 6 Revisions

- Rename to “Nitrous Oxide Sedation by Dental Hygienists”
- 12 AAC 28.600—application requirements
- 12 AAC 28.610—course approval
- 12 AAC 28.620—course requirements for nitrous
- 12 AAC 28.630—expiration and renewal of certification
- 12 AAC 28.640—registry

Regulation for mandatory reporting of death or complication during or immediately after dental treatment; currently unassigned (include in either Article 7 or 10).

**ALASKA STATE BOARD OF DENTAL EXAMINERS  
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GOALS AND OBJECTIVES FOR FY 2014**

**List the board's FY14 goals and objectives and how they were met:**

1. Continue communications with the Department of Law and work closely with the Attorney General's office to improve procedures for investigations, disciplinary actions and licensing.

**CBPL Investigations has streamlined its process for handling investigations.**

2. Continue to pursue a better relationship with legislative branch of state government for the purpose of improving communications on issues affecting the health of the public.

**Report of Contact process in effect.**

3. Support a cooperative relationship with dental education institutions so that they continue to supply an adequate number of quality-trained allied health professionals.

**The Board continues to be a member of American Association of Dental Boards and follows the American Dental Association and American Dental Hygienists Association guidelines.**

4. Assist the division to monitor fines commensurate with costs incurred for investigations, hearings, and disciplinary actions.

**The Board is aware of budget reports, license fees collected, investigative costs and legal costs.**

5. Create one page newsletter flyer for insert at license renewal.

**The board will have an insert with the next license renewal that covers important topics related to the practice of dentistry in Alaska.**

6. Request an itemized statement of charges from the Dept. of Law.

**This item is on the September, 2014 Board agenda.**

7. Support on-line license renewal.

**The board has stated on record support of online renewal.**

8. Formulate check sheet for on-site inspections of licensees holding moderate sedation permits.

**A check list has been completed for moderate sedation permits.**

9. Formulate sedation regulation language.

**Work on this will continue at the September, 2014 meeting and December, 2014 meeting if needed.**

**List the board's FY15 goals and objectives. Include any strengths, weaknesses, opportunities, and threats, as well as any resources needed:**

1. Continue communications with the Department of Law and work closely with the Attorney General's Office to improve procedures for investigations, disciplinary actions and licensing.
2. Continue to pursue a better relationship with legislative branch of state government for the purpose of improving communications on issues affecting the health of the public.
3. Support a cooperative relationship with dental education institutions so that they continue to supply an adequate number of quality-trained allied health professionals.
4. Assist the division to monitor fines commensurate with costs incurred for investigations hearings, and disciplinary actions.
5. Create one page newsletter flyer for insert at license renewal.
6. Inform dental professionals in our state of current issues before the board that impact practice and public safety...i.e. regular newsletters.
7. Request an itemized statement of charges from the Department of Law.
8. Continue any unfinished regulation changes from FY 2014.
9. Implement on-site inspections for sedation/anesthesia providers.
10. Pursue legislation to repeal AS 08.36.075, Dental Radiological Equipment.

**ALASKA STATE BOARD OF DENTAL EXAMINERS  
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SUNSET AUDIT RECOMMENDATIONS**

Date of last Legislative Audit: September 30, 2010

Board sunset date: June 30, 2019

**Audit Recommendation #1:  
The Dept. of Commerce, Community and Economic Development, Division of Corporations,  
Business and Professional Licensing's chief investigator should take steps to ensure complaints  
and cases are investigated timely.**

Action taken:

Angela Birt is filling in as Acting Chief Investigator, replacing Acting Chief Investigator, John Clark, who was appointed upon departure of Quinton Warren.

Next Steps:

Hire permanent Chief Investigator

Date completed:

Ongoing

# FISCAL YEAR 20\_\_\_\_ STATISTICAL OVERVIEW

Program: \_\_\_\_\_

AS 08. \_\_\_\_\_

12 AAC \_\_\_\_\_

Name of Individual Completing Report: \_\_\_\_\_

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

FY14 LICENSEES	NEW-ISSUED FY 20____	TOTAL AS OF 6/30/____

**A. Current Active Licenses, Endorsements, Permits**

List type and if issued by examination or credential, as applicable.

LICENSE TYPE & PROGRAM CODE	Lic. Type Code	Status Code	NEW-ISSUED FY 20____	TOTAL AS OF 6/30/____	LICENSURE BASIS
Example: Civil Engineer - AEL	C	AA	10	250	Exam: 6 Credentials: 4
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					
<b>TOTAL</b>					

**B. Temporary Licenses**

LICENSE TYPE & PROGRAM CODE	Lic. Type Code	Status Code	NEW-ISSUED FY 20____	TOTAL AS OF 6/30/____	NOTES
Example: Physical Therapist - PHY	R	AA	4	24	
1. N/A					
2.					
3.					
<b>TOTAL</b>					

**C. Current Licenses Issued as Inactive (not lapsed licenses)**  
 (Only Medical, Chiropractic, CPA, and Real Estate)

LICENSE TYPE & PROGRAM CODE	Lic. Type Code	Status Code	TOTAL AS OF 6/30/____
Example: Salesperson - REC	S	II	64
1.			
2.			
3.			
4.			
<b>TOTAL</b>			

**D. Retired Licenses**

CATEGORY & PROGRAM CODE	Lic. Type Code	Status Code	RETIRED DURING FY 20____	TOTAL AS OF 6/30/____	NOTES
Example: Osteopath - MED	O	RR	1	8	
1.					
2.					
3.					
<b>TOTAL</b>					

**E. Examination Detail**

(List each examination administration separately. Write "See Attached" and attach a separate sheet if necessary.)

EXAM TYPE	LOCATION	DATE	CANDIDATES	NO. PASSED	NO. FAILED
<b>Number of Postponed Exams</b>					
<b>Number of Exam Reviews</b>					

