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

**MINUTES OF MEETING
September 28, 2018**

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

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 September 28, 2018, by videoconference via Zoom.

The teleconference was called to order by Dr. Paul Silveira, President, at 10:08 a.m.

Agenda Item 1 – Roll Call

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

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

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

Ms. Amber Treston, Licensing Examiner – Juneau
Ms. Sher Zinn, Regulation Specialist II – Juneau

Agenda Item 2 – Review of Agenda

Agenda has been reviewed by all board members present. No changes recommended.

Agenda Item 3 – Consent Agreement

On a motion duly made by Walden, seconded by Dr. Silveira, and approved by roll call vote, it was

RESOLVED to go in to executive session in accordance with Alaska Statute 44.62.310(c)(3) for the purpose of discussing case No. 2018-001039

47 **Board staff to remain during this session**

48
49 **Silveira – yea, Kovaleski – yea, Walden – yea, Wahto – yea, Wenzell - yea.**
50 **5 yeas, 0 nays.**

51
52 **Motion passed.**

53
54 Off the record at 10:11 a.m.
55 On the record at 10:34 a.m.

56 **Roll Call**

57
58 Those present, constituting a quorum of the board, were:

- 59
60 Dr. Paul Silveira, President – Valdez
61 Dr. Dominic Wenzell – Girdwood
62 Ms. Gail Walden – Wasilla
63 Ms. Robin Wahto - Anchorage
64 Dr. Thomas Kovaleski – Chugiak

65
66 In attendance from the Division of Corporations, Business & Professional
67 Licensing, Department of Commerce, Community and Economic Development
68 were:

- 69
70 Ms. Amber Treston, Licensing Examiner – Juneau
71 Ms. Sher Zinn, Regulation Specialist II – Juneau

72
73 **On a motion duly made by Dr. Silveira, seconded by Dr. Kovaleski, and approved**
74 **by roll call vote, it was**

75
76 **RESOLVED to accept the Consent Agreement for case No. 2018-001039.**

77
78 **Silveira – yea, Kovaleski – yea, Walden – yea, Wahto – yea, Wenzell - yea.**
79 **5 yeas, 0 nays.**

80
81 **Motion passed.**

82
83 Case number 2018-001039 involved a consent agreement for a dental license for
84 Senan Ziadeh, record #132992.

85
86 **Agenda Item 4 – Regulation Review**

87
88 Reviewing the regulation 12 AAC 28.062 (4) the board would like to add the language
89 that if the patient’s behavior prevents being monitored then it needs to be documented
90 in the patient’s record.

91

92 Requested clarification by changing the language from *a moderate* to *an adult moderate*
93 in 12 AAC 28.015 (j)

94
95 The board discussed the 20 individually managed patients and if these should be
96 required to be supervised. Discussion on who would qualify to supervise these cases.
97 The board would prefer these cases be supervised by someone who holds a higher
98 level of sedation permit than the one the applicant is applying for.

99
100 **On a motion made by Dr. Silveira, seconded by Wahto, and approved by roll call**
101 **vote, it was**

102
103 **RESOLVED to adopt the regulation project that was sent out for public**
104 **comment regarding continuing education that is required to renew their**
105 **sedation permits with the changes that were recommended to 12 AAC**
106 **28.015(j) to change a moderate to *an adult* and 12 AAC 28.062 (4) add *and is***
107 ***documented in the patient's record* and remove 12 AAC 28.062 (5).**

108
109 **Silveira – yea, Kovaleski – yea, Walden – yea, Wahto – yea, Wenzell - yea.**
110 **5 yeas, 0 nays.**

111
112 **Motion passed.**

113
114 Reviewed the course work that must be covered in a program or continuing education
115 course. Will place this on the website as a guideline for applicants and start a regulation
116 project to add this into regulation. Also discussed having the 20 individually managed
117 patients supervised by someone who holds a higher level of sedation permit. Will
118 anticipate a subcommittee to discuss this further.

119
120 Dr. Nielson joined the meeting at 11:27 a.m.

121
122 The board requested these course requirements be drafted into regulation and propose
123 a teleconference to review the drafted regulation at the end of October. Will require the
124 regulations to state the approval of course of instruction and requirements for course of
125 instructions. Continued discussion on the sedated cases and how to effectively
126 document these were performed safely if they were not supervised. Dr. Nielson and Dr.
127 Wenzell will work on the language for the supervised cases. The board cannot work on
128 this together unless they public notice this. Only two board members can discuss board
129 business at a time.

130
131 **Agenda Item 5 – Temporary Permit Regulations and FAQ Worksheet**

132
133 Discussed changes to 12 AAC 28.953 (b)(4) to include a form completed by the
134 incapacitated dentist's healthcare provider verifying the dentist is incapacitated and
135 unable to practice. This will provide clarification.

136
137 Discussed 12 AAC 28.953 (b)(6)(A) that has been changed to show documented proof
138 the dentist applying has similar or equivalent credentials as the incapacitated dentist.

139
140 12 AAC 28.953(c) was also updated to include the NPDB report shall be reviewed by
141 the board as part of the application process and the board may deny a temporary permit
142 application based on the contents of the report.

143
144 **On a motion made by Walden, seconded by Dr. Kovaleski, and approved by roll**
145 **call vote, it was**

146
147 **RESOLVED to adopt the drafted regulations for 12 AAC 28.953 regarding**
148 **the temporary permit as amended to go out for public comment.**

149
150 **Silveira – yea, Kovaleski – yea, Walden – yea, Wahto – yea, Wenzell - yea.**
151 **5 yeas, 0 nays.**

152
153 **Motion passed.**

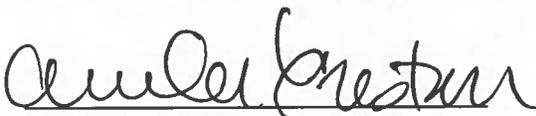
154
155 **Agenda Item 6 – Adjourn**

156
157 Tasks for the board staff to complete for the next teleconference meeting:

- 158
159 1.) Subcommittee to discuss the 20 cases requiring to be supervised
160 2.) Zinn will draft regulations for course requirements for the sedation permits
161 3.) Nielson and Wenzell to assist with drafted regulations and FAQ worksheet
162 4.) Will post the document with course requirements on the dental board website
163 as a guideline for applicants.

164
165 The board adjourned the meeting at 12:05 p.m.

166
167 Respectfully Submitted:

168
169
170 
171 Amber Treston
172 Occupational Licensing Examiner

173
174
175 Approved:

176
177
178 
179 Paul Silveira, DDS, President
180 DMD

181 Date: 7 Dec 2018
182