

Annual Report

Fiscal Year 2019

ALASKA BOARD OF DENTAL EXAMINERS



**Department of Commerce, Community
and Economic Development**

**Division of Corporations, Business
and Professional Licensing**

This annual performance report is presented in accordance with
Alaska statute AS 08.01.070(10).

Its purpose is to report the accomplishments, activities, and the
past and present needs of the licensing program.

**ALASKA BOARD OF DENTAL EXAMINERS
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**ALASKA BOARD OF DENTAL EXAMINERS
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Identification of the Board

Board Member	Duty Station	Date Appointed	Term Expires
David Nielson, DDS Dentist	Anchorage	Mar 01, 2015	Mar 01, 2023
Gail Walden, RDH, BSDH Dental Hygienist	Wasilla	Mar 01, 2013	Mar 01, 2021
Steven Scheller, DDS Dentist	Fairbanks	Mar 01, 2013	Mar 01, 2021
Dominic Wenzell, DMD Dentist	Girdwood	Mar 01, 2018	Mar 01, 2022
Kelly Lucas, DDS Dentist	Wasilla	Jan 25, 2019	Mar 01, 2021
Robin Wahto Public Member	Anchorage	Nov 15, 2017	Mar 01, 2021
Jesse Hronkin, DMD Dentist	Wasilla	Mar 01, 2019	Mar 01, 2023
Jonathan Woller, DMD Board Seat Title	Fairbanks	Mar 01, 2019	Mar 01, 2023
Brittany Dschaak, RDH Dental Hygienist	Dillingham	Mar 01, 2019	Mar 01, 2023

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Identification of Staff

Tracy Wiard – Licensing Examiner

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
Post Office Box 110806
Juneau, Alaska 99811-0806
(907) 465-2542

Joseph Bonnell – Records and Licensing Supervisor

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
Post Office Box 110806
Juneau, Alaska 99811-0806
(907) 465-2691

Jasmin Bautista – Investigator

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
550 West 7th Avenue
Anchorage, Alaska 99501
(907) 465-2550

Billy Homestead – Investigator

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
550 West 7th Avenue
Anchorage, Alaska 99501
(907) 465-2550

Sher Zinn – Regulations Specialist II

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
Post Office Box 110806
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**ALASKA BOARD OF DENTAL EXAMINERS
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Narrative Statement

During the past fiscal year, the State of Alaska Board of Dental Examiners has held 5 board meetings. The meetings were held on August 24, 2018; December 7, 2018; February 15, 2019; March 8, 2019 and April 15, 2019. The board currently has meetings scheduled for August 23, 2019 and December 6, 2019. The board anticipates meeting again in February of 2020, April of 2020, and once between April and July 31, 2020 if warranted.

In January 2019 Dr. Kelly Lucas was appointed and welcomed to the board. On March 1, 2019 the board welcomed three more new members, Dr. Jesse Hronkin, Dr. Jonathan Woller, and Brittany Dschaak, RDH. Out of the nine total members on the dental board, four of the members are new. The new board members have hit the ground running and are seamlessly moving into their roles.

The Dental Board welcomed Tracy Wiard as our fourth Licensing Examiner in the last four years. Tracy has done an admirable job taking on a position that has been extremely hard to keep filled recently and the Board would like to recognize her hard work. Reasons for the turnover have eluded the Board somewhat other than hearing our Examiners have found better opportunities elsewhere. However, the extreme amount of work facing the Dental Board over the last several years including many new permit categories and multiple complicated regulations projects must have factored into their decision to leave. The Dental Board may be getting to the point where an executive position may be more appropriate. The Dental Board would like to thank Sher Zinn who has been a stabilizing influence during all the recent turnover of Licensing Examiners and almost half of the Dental Board members.

After approximately seven years of work, new sedation regulations are complete and now in effect. Only a couple of minor changes for clarification have been introduced and are out for public comment. The Dental Boards goal has always been to help make sedation in the dental office as safe as possible by implementing regulations that mirror current nationally recognized training, equipment and facility standards. As a next step, the Dental Board is working on protocols for implementing the inspection of facilities where sedation permit holders operate.

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FY 2019 Narrative Statement (continued)

In an attempt to allow more dentists who, graduate from accredited US dental schools to qualify for an Alaska dental license, the Dental Board passed regulations that broadened the number of accepted regional licensing exams from only one, to any equivalent regional exam so long as certain criteria are met. This has effectively tripled the available options for new graduates and opened the door to Alaska for nearly every graduate who passes a national hands-on clinical exam. Although there has recently been a push from the American Dental Association to move away from regional hands-on clinical skills exams towards a national multiple-choice exam, the Alaska Dental Board stands firmly against the idea. As a result, the Dental Board joins the large majority of other dental boards across the country sharing the same view.

In 2012, without much notice or reasoning behind it, dental specialty licenses were removed from our dental practice act. This has hampered the Dental Board's ability to deter misleading advertising generated by general practitioners claiming to be something they are not. Along those same lines, several other state dental boards that lack statutory authority to designate specialty status have lost law suits brought by groups challenging their rulings against misleading advertising. In the coming months, the Dental Board has a goal to reintroduce the authority to award specialty licenses into statute. Doing so would help us regulate false or misleading advertising thereby helping the public determine the true qualifications of their dental professionals.

The Dental Board has much more to accomplish moving forward while we continue to look at everything we do through the lens of public interest.

On behalf of the current Dental Board, I would like to thank Dr. Paul Silveira, Dr. Tom Kovaleski, Dr. Mike Moriarty and Ms. Paula Ross, RDH for their mentorship and devoted service to the board. In addition, I would like to acknowledge Sher Zinn, Amber Treston and Sara Chambers, for the help and guidance they have provided during this past year of change and transition. Open meeting procedures and protocol, complicated regulations and testifying before the legislature is not something most of us learned in dental school!

Sincerely,

David Nielson, DDS
President | Alaska State Board of Dental Examiners

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Budget Recommendations for FY 2020

The Budget Recommendations section anticipates the board’s fiscal priorities for the upcoming year. Please complete all parts of this section with details about anticipated meetings, conferences, memberships, supplies, equipment, to other board requests. Meeting expenses that are being funded through third-party reimbursement or direct booking must be identified separately from expenses paid through license fees (receipt-supported services or RSS). Be sure to explain any items listed as “other” so they may be tracked appropriately.

Board Meeting Date	Location	# Board	# Staff
August 23, 2019	Anchorage	9	1
<input checked="" type="checkbox"/> Airfare:			\$1,400.00
<input checked="" type="checkbox"/> Hotel:			\$1,505.00
<input checked="" type="checkbox"/> Ground:			\$440.00
<input checked="" type="checkbox"/> Other: Per diems and incidentals.			\$321.00
Total Estimated Cost:			\$3,666.00

Board Meeting Date	Location	# Board	# Staff
December 06, 2019	Zoom/Teleconference	9	1
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input checked="" type="checkbox"/> Other: Per diems and incidentals.			\$350.00
Total Estimated Cost:			\$350.00

Board Meeting Date	Location	# Board	# Staff
TBD	Zoom/Teleconference	9	1
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input checked="" type="checkbox"/> Other: Per diems and incidentals.			\$350.00
Total Estimated Cost:			\$350.00

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Budget Recommendations for FY 2020 (continued)

Board Meeting Date	Location	# Board	# Staff
TBD	Zoom/Teleconference	9	1
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input checked="" type="checkbox"/> Other: Per diems and incidentals.			\$350.00
Total Estimated Cost:			\$350.00

Board Meeting Date	Location	# Board	# Staff
TBD	Zoom/Teleconference	9	1
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input checked="" type="checkbox"/> Other: Per diems and incidentals.			\$350.00
Total Estimated Cost:			\$350.00

Travel Required to Perform Examinations			
<input checked="" type="checkbox"/> Not applicable			
Date	Location	# Board	# Staff
Description of meeting and its role in supporting the mission of the Board:			
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input type="checkbox"/> Conference:			\$0.00
<input type="checkbox"/> Other:			\$0.00
Describe "Other" (break out all sections):			
Total Estimated Cost:			\$0.00

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Budget Recommendations for FY 2020 (continued)

Out-of-State Meetings and Additional In-State Travel (Rank in order of importance)

#1 Rank in Importance or Not Applicable

Date	Location	# Board	# Staff
09/4-8/2019	San Francisco	1	0

Description of meeting and its role in supporting the mission of the Board:

The American Dental Association is meeting jointly with FDI World Dental Fedration. These organizaions have not had a jointly hosted meeting since 1996. Each association offers unparalleded educational options, emerging trends in dentistry, ketynote speakers, continuing education, hands on workshops and courses unlikely offered anywhere else in the world. This would greatly benefit board member knowledge.

Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input checked="" type="checkbox"/> Airfare:	\$610.00	\$0.00	\$0.00	\$610.00
<input checked="" type="checkbox"/> Hotel:	\$1,200.00	\$0.00	\$0.00	\$1,200.00
<input checked="" type="checkbox"/> Ground:	\$100.00	\$0.00	\$0.00	\$100.00
<input checked="" type="checkbox"/> Conference:	\$300.00	\$0.00	\$0.00	\$300.00
<input type="checkbox"/> Other	\$0.00	\$0.00	\$0.00	\$0.00
Describe "Other" (break out all sections):				
Net Total:	\$0.00	\$0.00	\$2,400.00	\$2,210.00

Out-of-State Meetings and Additional In-State Travel

#2 Rank in Importance

Date	Location	# Board	# Staff
		0	0

Description of meeting and its role in supporting the mission of the Board:

Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input checked="" type="checkbox"/> Airfare:	\$0.00	\$0.00	\$0.00	\$0.00
<input checked="" type="checkbox"/> Hotel:	\$0.00	\$0.00	\$0.00	\$0.00
<input checked="" type="checkbox"/> Ground:	\$0.00	\$0.00	\$0.00	\$0.00
<input checked="" type="checkbox"/> Conference:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Other	\$0.00	\$0.00	\$0.00	\$0.00
Describe "Other" (break out all sections):				
Net Total:	\$0.00	\$0.00	\$2,210.00	\$0.00

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Budget Recommendations for FY 2020 (continued)

Non-Travel Budget Requests

- Not Applicable Resources Examinations
 Membership Training Other

Product or Service	Provider	Cost Per Event
AADB	American Association of Dental Boards	\$5,385.00

Description of item and its role in supporting the mission of the Board:

Nationwide association providing Continuing Education, Information Networking and Exchange, Publications and Databases, Assessment Services, Advocacy, and Representation.

Non-Travel Budget Requests

- Not Applicable Resources Examinations
 Membership Training Other

Product or Service	Provider	Cost Per Event
NPDB Continuous Query	National Practitioners Databank	\$2,768.00

Description of item and its role in supporting the mission of the Board:

NPDB Continuous Query provides the Board Examiner with a report should any licensee be disciplined in another state. This will increase public protection and give the Board an early warning system.

Non-Travel Budget Requests

- Not Applicable Resources Examinations
 Membership Training Other

Product or Service	Provider	Cost Per Event
Subscription Journal	American Association of Dental Examiners and Healthcare Integrity & Protection Data.	\$380.00

Description of item and its role in supporting the mission of the Board:

The board has two journal subscriptions. One to the American Association of Dental Examiners Journal \$196.00 and one to Healthcare Integrity & Protection Data \$184.00.

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Budget Recommendations for FY 2020 (continued)

Summary of FY 2020 Fiscal Requests

Board Meetings and Teleconferences:	\$5,066.00
Travel for Exams:	\$0.00
Out-of-State and Additional In-State Travel:	\$4,610.00
Dues, Memberships, Resources, Training:	\$8,533.00
Total Potential Third-Party Offsets:	-\$4,610.00
Other:	\$0.00
Total Requested:	\$13,599.00

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Legislation Recommendations Proposed Legislation for FY 2020 (continued)

No Recommendations

The Board has no recommendations for proposed legislation at this time.

Recommendations

The Board has the following recommendations for proposed legislation:

- 1.** The Board of Dental Examiners has found it next to impossible to find a qualified Radiological Health Specialist I who is willing and able to carry out radiologic inspections as required under AS 08.36.075 even though all mention of requiring a Specialist I was removed from AS 08.36.075 in 2012. Therefore, the inspection process has come to a grinding halt for about 5-6 years because the previous inspector retired. Due to the frustration brought on by not having the statutory authority to change the inspector application form in order to attract a larger pool of inspectors, the Dental Board has asked to give the duty of inspecting dental x-ray tube heads back to the State. This would require a legislative statute change.
- 2.** Dental Boards around the country have lost law suits brought by groups of dentists represented by special areas of dentistry wanting specialty status. The reason they have lost the suits is because their respective states have not given them the authority to determine what qualifications should be required for specialty status. When the Board of Dental Examiners is mandated to help protect the public from false or misleading advertising with regard to specialty training, we need that authority re-established. Therefore, the Board will be looking to introduce legislation that would bring back dental specialty licenses and qualification requirements with something similar to AS 08.36.244 and 08.36.246 which were both repealed in 2012 for unknown reasons.
- 3.** Members of the military who have licenses to practice dentistry in another state, are stationed in Alaska and are current "residents" of Alaska are not allowed to get a courtesy license per AS 08.01.062. Therefore, they can not help with pro bono dental events in their communities where underserved civilians are treated. The Board of Dental Examiners is interested in changing that by allowing for military dentists who are licensed in another state and are current residents of Alaska to qualify for a courtesy license either by new statute in chapter 36 or a change to chapter 1 (AS 08.01.062) so that all applicable licensing boards can have a mechanism to allow for resident members of the military to help with charitable events.

**ALASKA BOARD OF DENTAL EXAMINERS
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Regulation Recommendations Proposed Legislation for FY 2020

No Recommendations

The Board has no recommendations for proposed regulations at this time.

Recommendations

The Board has the following recommendations for proposed regulations:

- 1.** Possible further “clean up” regulations to clarify unintended issues or unforeseen consequences of the new sedation regulation sections that recently became active. Regulation changes to clarify lapse and expiration dates of sedation permits and to add continuing education requirements to restorative function certification are currently with the regulations specialist.

- 2.** Possible further regulations will be needed to clarify and help regulate the prescribing practices of licensees with a DEA number once the Department and the PDMP activate their prescribing module or introduce further requirements into statute. Some regulations may be necessary to deal with “habitual” offenders who routinely prescribe opiates over and above the recommended levels, fail to consult the data base or give verbal consultation or list alternative options for pain control.

- 3.** Possible companion regulations for any specialty license section(s) added into the dental practice act.

- 4.** If we determine that an issue where resident military members are unable to qualify for a courtesy license can be handled by regulation instead of by statute change, we will pursue that method instead.

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Goals and Objectives

Part I

FY 2019's goals and objectives, and how they were met:

- 1.** Be involved in the implementation of prescription the prescription drug monitoring program (PDMP). The Board has passed regulations that require signing up for the PDMP and has drafted a letter of support and contributed to the Joint Statement.
- 2.** Evaluate clinical examination options available to dental and dental hygiene candidates. Board met with ADEX, SRTA, CRDTS and WREB. New regulations have been implimented to allow for ALL generally equivelant regional licensing exams to be accepted for intial licensure as of the 2019 exam season.
- 3.** Hold licensees accountable to practice ownership statutes and the guidelines of the ADA code of Ethics regarding advertising. Working with department to find ways for the board to communicate concerns with licensee. Expolring bringing back the Specialty License. Beginning to explore Specialty Licenses now.
- 4.** Finalized sedation regulations. New regulations are complete and in effect. Now working toward implementing onsite inspections. Awaiting public comment on some "clean-up" regulations to clairfy renewal timelines of sedation permits.
- 5.** 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. The board works with the division at all meetings to work toward efficient investigations. Currently we are working on a spreadsheet to establish consistency amongst various disciplinary actions (A penalty matrix)
- 6.** Continue to pursue a better relationship with the legislative branch of the state government for the purpose of improving communications on issues affecting the health of the public. Board actively reviews proposed legislations and communicates with the legislators involved.

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Goals and Objectives (continued)

Part I (continued)

- 7.** Inform dental professionals in our state of current issues before the board that impact practice and public safety. Public comment is encouraged during the regulation process.
- 8.** Review current radiology regulations and make recommendations for changes to improve process. Frustration with not having the statutory authority to change the radiologic inspector form to increase the applicant pool of inspectors has caused the DEN Board to request this duty be turned back over to the State.
- 9.** Establish a processing fee to hold a contract between a dentist and a CRNA. We believe this still needs to be addressed.
- 10.** Establish a penalty/violation matrix for board members to reference. The matrix will help board members be more consistent making decisions on discipline/penalties. This goal is an ongoing project.
- 11.** Utilize the Dental Exchange Continuing Education Tracker when performing audits of dental and dental hygiene licensees at renewal. This goal seemed to have dropped off the radar as the Board has undergone numerous changes in members and examiners.
- 12.** Utilize the NPDB Continuous Query to monitor adverse reports or action taken on a licensee in Alaska or other states. This has been implimented.

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Goals and Objectives

Part II

FY 2020's goals and objectives, and proposed methods to achieve them.

Describe any strengths, weaknesses, opportunities, threats and required resources:

Please refer to the Legislative and regulation goals.

The only threats the DEN Board seems to have would be a continuous turn over in the Licensing Examiner position making continuity challenging and member turnover prior to their term dates. The DEN Board may be getting to the point where an executive position may be in order.

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Sunset Audit Recommendations

Date of Last Legislative Audit: April 26, 2018
Board Sunset Date: June 30, 2019

Audit Recommendation:	The board president should take steps to correct a regulation error regarding who is authorized to conduct inspections on dental radiological equipment.
Action Taken:	The board has requested DHSS Lab Chief Bernard Jilly at recent board meetings to discuss the possibility for DHSS to have a radiologic equipment inspector for dental equipment.
Next Steps:	CBPL management has requested the board table this discussion until the August 23, 2019 board meeting when more information will be available to the board.
Date Completed:	Further discussion at August 23, 2019 meeting.

Audit Recommendation:	DCBPL's chief investigator, in consultation with the board, implement controls to ensure the appropriate entities are notified when a licensee's prescription authority is suspended or revoked.
Action Taken:	The board was informed by the Executive Director of the Pharmacy Board they are not required to notify The Board of Pharmacy of DEA revocations or suspensions. The PDMP program has a DEA Status Change Form DEA holders should use when there is a DEA status change.
Next Steps:	Implement a tracking process and procedure for reporting suspended or revoked dental DEA licenses. Schedule Chief Francois at August 23, 2019 meeting.
Date Completed:	Further discussion at August 23, 2019 meeting.