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

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**MINUTES OF MEETING  
November 9, 2018**

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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.

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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 November 9, 2018, by teleconference.

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45  
46

The teleconference was called to order by Dr. Paul Silveira, President, at 10:01 a.m.

**Agenda Item 1 - Roll Call**

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

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

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

Ms. Amber Treston, Records and Licensing Supervisor – Juneau  
Ms. Sher Zinn, Regulation Specialist II - Juneau

Members of the public in attendance via teleconference:

Dr. John Leach  
Dr. David Logan  
Dr. Kenley Michaud  
Dr. Samantha Mize

**Agenda Item 2 – Review of Agenda**

Agenda reviewed. No recommended changes at this time.

47 **On a motion duly made by Silveira, seconded by Kovaleski, and approved by roll**  
48 **call vote, it was**

49  
50 **RESOLVED to go in to executive session in accordance with Alaska Statute**  
51 **44.62.310(c)(2)(4) for the purpose of discussing Case No. 2017-001070 and**  
52 **to discuss the legislative audit. Board staff to remain during this session.**

53  
54 **Silveira – yea, Walden – yea, Nielson – yea, Kovaleski – yea, Wenzell - yea**  
55 **Wahto – yea.**  
56 **6 yeas, 0 nays.**

57  
58 **Motion passed.**

59  
60 Off the record at 10:05 a.m.

61 On the record at 10:47 a.m.

62 **Roll Call**

63  
64 Those present, constituting a quorum of the board, were:

- 65  
66 Dr. Paul Silveira, President – Valdez  
67 Ms. Gail Walden – Wasilla  
68 Dr. David Nielson – Anchorage  
69 Dr. Thomas Kovaleski – Chugiak  
70 Dr. Dominic Wenzell – Girdwood  
71 Ms. Robin Wahto - Anchorage

72  
73 In attendance from the Division of Corporations, Business & Professional  
74 Licensing, Department of Commerce, Community and Economic Development  
75 were:

- 76 Ms. Amber Treston, Records and Licensing Supervisor – Juneau  
77 Ms. Sher Zinn, Regulation Specialist II - Juneau  
78 Megyn Weigand, AAG – Juneau

79  
80 Members of the public in attendance:

- 81  
82 Dr. John Leach  
83 Dr. David Logan  
84 Dr. Kenley Michaud  
85 Dr. Samantha Mize  
86 Rep. Tammie Wilson  
87 Ms. Angela Ramponi

88  
89 **Agenda Item 3 – Consent Agreement**

90  
91 **On a motion duly made by Nielson, seconded by Wahto, and approved by roll call**  
92 **vote, it was**

93 **RESOLVED to accept the Consent Agreement for case No. 2017-**  
94 **001070.**

95  
96 **Silveira – yea, Walden – yea, Nielson – yea, Kovaleski – yea, Wenzell - yea**  
97 **Wahto – yea.**  
98 **6 yeas, 0 nays.**

99  
100 **Motion passed.**

101  
102 Case No. 2017-001070 involved a consent agreement for a dental license for James  
103 Wimsatt III, license #DEND1451.

104  
105 Dr. Silveira proposed to start a new regulation project regarding the radiology regulation  
106 and to open a file with the AAG so a representative from the board can discuss this  
107 information and prepare this for the December 7<sup>th</sup>, 2018 meeting. Zinn will open the file  
108 and Dr. Nielson and Dr. Wenzell volunteered to work with the AAG on these regulations.

109  
110 **Agenda Item 4 – Regulation Review**

111  
112 Reviewed the temporary permit that closed for public comment on 11/5/18. No public  
113 comments were received.

114  
115 **On a motion made by Nielson, seconded by Wenzel, and approved by roll call**  
116 **vote, it was**

117  
118 **RESOLVED to adopt the regulation project that was sent out for public**  
119 **comment regarding the temporary permit 12 AAC 28.953.**

120  
121 **Silveira – yea, Walden – yea, Nielson – yea, Kovaleski – yea, Wenzell - yea**  
122 **Wahto – yea.**  
123 **6 yeas, 0 nays.**

124  
125 **Motion passed.**

126  
127 The board reviewed and agree with the temporary permit fees. No changes  
128 recommended.

129  
130 Discussed 12 AAC 28.360 to remove the language the board will maintain a registry of  
131 all board approved courses of instruction for the local anesthetic agents or nitrous oxide  
132 sedation.

133  
134 Reviewed the language suggested for 12 AAC 28.937(c)(4)(B), 12 AAC 28.937(c)(7), 12  
135 AAC 28.951(c)(6)(B) and 12 AAC 28.951 (c)(11) and add *continuous* active clinical  
136 practice to each regulation. The board feels this language would be restrictive in case  
137 the professional was on maternity or medical leave for an extended period of time.  
138 Recommend changing the language in these regulations to be worded as follows: the

139 applicant has been licensed for at least 5 years and in active clinical practice  
140 documenting at least 5,000 hours for dentists or 2,500 hours for hygienists.

141  
142 Representative Tammie Wilson and Ms. Angela Ramponi joined the meeting at 11:04  
143 a.m.

144  
145 Walden brings up the National board exams part I and II and these will need to be  
146 changed after the effective date 8/1/2020.

147  
148 **Agenda Item 5 – Sedation Permit Course Requirement**

149  
150 Dr. Silveira recommended that the board skip Agenda Item 5 and return after discussing  
151 Agenda Item 6.

152  
153 **Agenda Item 6 – WREB Equivalent Exams**

154  
155 The board reviews alloy materials and why it is important to the board that this be tested  
156 before an applicant is issued a dental license in Alaska. The board discussed some  
157 research showing that composite resin restorations could be considered cariogenic and  
158 may be contraindicated in certain high risk populations. Cariogenic populations prefer  
159 amalgam restorations because they will last longer and the board feels it should be  
160 tested as it is used more frequently in Alaska. Dental schools are not teaching students  
161 how to place an amalgam/alloy routinely and it is not required at testing sites as  
162 students have the option during their test to choose between composite and  
163 amalgam/alloy.

164  
165 Megayn Weigand, AAG, joined the meeting approximately 11:30 a.m.

166  
167 Rep. Wilson addresses the board with concerns about the current regulation requiring  
168 that the applicant complete an amalgam and a composite in their regional exam. She  
169 feels this will be an issue for military dentists who relocate more frequently than typical  
170 dentists and they may not know at the time of their exam that will eventually relocate to  
171 Alaska and would have been required to be tested on both materials. Rep. Wilson asks  
172 the board if a practicing dentist places amalgam routinely can they be evaluated by their  
173 supervisor and have this be accepted opposed to flying down south to a testing center  
174 to be tested on amalgam. She also brings up the applicants who apply by Credentials  
175 and have been practicing for 5 years and have never placed an amalgam and they  
176 qualify with a generally equivalent exam to WREB and never have to prove competency  
177 with amalgam. Rep. Wilson also address the military courtesy license in Alaska and  
178 would like the board to adopt regulations that will allow military applicants to obtain a  
179 license.

180  
181 Rep. Wilson and Ramoponi left the meeting approximately 11:45 a.m.

182  
183 The board considered Rep. Wilson's concerns and would like to see amalgams taught  
184 in more schools as they last longer and are preferred for anti-cariogenic populations.

185 The board is willing to allow the applicant to choose between amalgam and composite  
186 materials. Walden would like to reach out to CODA and express their concern about  
187 dental schools no longer teaching amalgam.

188  
189 **On a motion made by Nielson, seconded by Wahto, and approved by roll call**  
190 **vote, it was**

191  
192 **RESOLVED to amend regulation 12 AAC 28.940(b)(8)(B)(vi) to read patient**  
193 **based operative examination that includes one class II posterior alloy or**  
194 **composite and one additional operative procedure, either anterior class III**  
195 **or posterior class II.**

196  
197 **Silveira – yea, Walden – yea, Nielson – yea, Wenzell - yea Wahto – yea.**  
198 **5 yeas, 0 nays.**

199  
200 **Motion passed.**

201  
202 Zinn clarifies for the record that the current regulation 12 AAC 28.940(b)(8)(B) states the  
203 February 1, 2019 date only applies to applicants who have taken the WREB exam.  
204 Allowing applicants to be aware that when they take the exam after February 1, 2019  
205 they will be required to comply with components (i)-(vi) after that date. Applicants who  
206 are applying with an equivalent exam are currently required to comply with these  
207 components at this time.

208  
209 **Agenda Item 4 – Regulation Review**

210  
211 Kovalkesi left the meeting at 12:00 p.m.

212  
213 The board discussed the Courtesy license and defining who qualifies as a nonresident.  
214 The board would like to allow military applicants who live in Alaska to be able to qualify  
215 for this license.

216  
217 **On a motion made by Walden, seconded by Silveira, and approved by roll call**  
218 **vote, it was**

219  
220 **RESOLVED to approve the addition of regulation 12 AAC 28.955 (i) and add**  
221 **(3) “non-resident” means individuals with permanent residence outside**  
222 **Alaska or members of the military stationed in Alaska, to go out for public**  
223 **comment.**

224  
225 **Silveira – yea, Walden – yea, Nielson – yea, Wenzell - yea Wahto – yea.**  
226 **5 yeas, 0 nays.**

227  
228 **Motion passed.**

229

230 Next item on the agenda is to return to the drafted regulations for the course  
231 requirements for sedation permits. Will table this for December 7, 2018 meeting as time  
232 is limited for today.

233  
234 Zinn clarifies with the board when the public comments should be sent out from this  
235 meeting since the sedation regulations have been tabled for the December 7, 2018. The  
236 board would prefer these regulations wait to be sent out for public comment when the  
237 public comments are sent out in December.

238

239 **Agenda Item 7 – Adjourn**

240

241 Tasks for the board staff to complete for the December 7, 2018 board meeting:

242

- 243 1.) Zinn to open a file with Dept. of Law for Radiology regulation  
244 2.) Radiology regulation to be worked on by Dr. Nielson and Dr. Wenzell  
245 3.) Treston to set up a poll for upcoming board meeting in February 2019  
246

247 The board adjourned the meeting at 12:54 p.m.

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249

Respectfully Submitted:

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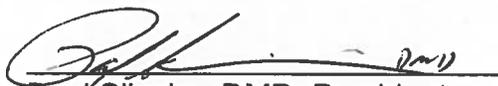
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Amber Treston  
Records and Licensing Supervisor

Approved:



Paul Silveira, DMD, President

Date: 7 Dec 2018