

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

**MINUTES OF TELECONFERENCE MEETING
OCTOBER 17, 2012**

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 teleconference of the Board of Dental Examiners was held October 17, 2012, at 333 Willoughby Ave., Room A, Juneau, Alaska.

The purpose of the meeting was to adopt regulations.

The meeting was called to order by Dr. Thomas Wells, President at 10:34 a.m.

Roll Call

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

Dr. Thomas Wells, President – Anchorage
Dr. Mary Anne Navitsky – Sitka
Dr. Paul Silveira - Valdez
Dr. Thomas Kovaleski - Chugiak
Deborah Stauffer – Dental Hygienist – Anchorage
Dr. Clifford D. White – Dillingham
Cheryl Fellenberg – Dental Hygienist –Wasilla

Absent:

Dr. Robert Warren
Robyn Chaney

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

Sher Zinn, Records & Licensing Supervisor – Juneau
Jun Maiquis, Regulation Specialist- Juneau

In attendance from the Department of Law:

Dan Branch, Assistant Attorney General

Visitors present:

Dawn Hannasch, Licensing Examiner- observing
Holly Kuhn, Licensing- observing

Regulation Project

The board drafted new regulations at its meeting September 7, 2012 to address the lack of transitioning specialty licenses when SB 92 went into effect August 29th. The legislation that was passed repealed the dental specialty license but made no provision for grandfathering of the licenses to a dental license. This meeting was to review the public comments received and adopt the regulation project.

Dr. Wells spoke in regards to the public comments received regarding the regulation project. He noted that many of those who commented blamed the Board for the legislation which repealed the specialty license. Dr. Wells went on the record noting the legislation was not from the board and the board had done all it could to make the transition as "painless" as could be. It was also noted a couple of comments were positive in that they appreciated the board and the manner in which they addressed the problematic issue.

Ms. Stauffer asked why the specialists had to re-apply when they already had a specialty license. Dan Branch responded stating that SB 92 repealed the license, therefore they must be licensed under the dental license statute which requires they apply for the license. He further noted that if the specialty license was just changed to a dental license as recommended by one of the comments received, it would be in conflict with the current statutes and would not be approved by the Department of Law. Statutes allow two ways to be licensed as a dentist, by exam or by credentials and the board must work within the statutory authority. Mr. Branch also noted that some of the fees mentioned in the public comment do not apply to this regulation.

Ms. Stauffer asked if the Board could waive the \$400 application fee since the licensee had already paid it once. Mr. Branch said the fees are set by the department. The Board could pass a resolution asking the department to waive the application fee.

For the record, Ms. Zinn read what the licensing requirements would be when the new regulation took effect including; fees, affidavit by the applicant stating the applicant is not an impaired practitioner, statement from the applicant certifying the applicant will adhere to the ethical standards specified by regulation; authorization for release of records form, list all states where they have ever held a license and the license number, copy of CPR card. Ms. Zinn noted all of the information required would be on the application itself, and the dentist would provide the copy of the CPR card.

Ms. Stauffer noted it would be a stop gap method for those who had to apply.

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

RESOLVED to petition the department to waive the application fee for dental specialists who must apply for a dental license.

Roll Call: Navitsky- yea, Stauffer- yea, Kovaleski- yea, Silveira- yea, Fellenberg- yea, White- yea, Wells- yea.

No nay votes.

Ms. Stauffer clarified that the only fee they would pay is the regular license fee which all licensees must pay to renew their license by the end of the renewal period. The board wanted to make it very clear the applicant would not have to obtain a PBIS report. Ms. Zinn noted the applicant would also have to provide the certificate of exam. However, the applicant already submitted the exam information for the specialist license which would be taken from the specialist license file and be placed in the new application file.

On a motion duly made by White, seconded by Fellenberg, and approved unanimously by roll call vote, it was

**RESOLVED to adopt after consideration of public comment and the cost to the public, the addition of a new sub section to 12 AAC 28.940 to read:
(f) Notwithstanding other provisions of this section, the board will issue a license to practice dentistry to an applicant who (1) held an active Alaska Dental Specialty license in 2012; (2) meets the requirements of AS 08.36.110 and paragraphs (1) – (7) of (b) of this section; and (3) provides a copy of the applicant's certificate of examination from the American Dental Association Joint Commission on National Dental Examinations that the applicant has successfully passed the written examinations given by the Commission.**

Roll call: Navitsky- yea, Stauffer- yea, Kovaleski- yea, Silveira- yea, Fellenberg- yea, White- yea, Wells- yea.

No nay votes.

Ms. Zinn will notify the board if the application is waived by the department. Mr. Branch noted the Commissioner would be the person who could waive the fee with the recommendation of the director.

Jun Maiquis noted that Dr. Wells would need to sign the adoption order and send to Mr. Maiquis.

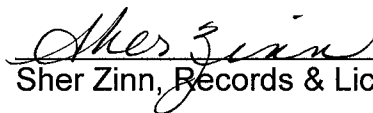
Ms. Stauffer recommended the draft minutes be sent to the Alaska Dental Society. Ms. Zinn will do so.

Mr. Maiquis stated the adoption order along with the regulations would be sent to the Department of Law for approval, then on to the Lt. Governor's office for signature. The regulation would go into effect 30 days after the Lt. Governor signs it.

**On a motion duly made by White, seconded by Silveira, and approved unanimously it was,
RESOLVED to adjourn the meeting.**

The meeting adjourned at 11:06 a.m.

Respectfully submitted:



Sher Zinn, Records & Licensing Supervisor

Approved:



Thomas Wells, DDS, President

Date: 12/17/12