

1 STATE OF ALASKA
2 DEPARTMENT OF COMMERCE, COMMUNITY AND
3 ECONOMIC DEVELOPMENT
4 DIVISION OF CORPORATIONS,
5 BUSINESS & PROFESSIONAL LICENSING
6 BOARD OF DENTAL EXAMINERS
7

8 MINUTES OF MEETING
9 May 5th, 2020
10

11 Teleconference
12

13 Tuesday, May 5th, 2020
14

15 **Agenda Item 1** **Call to Order/Roll Call** **Time: 9:01 AM**
16

17 The meeting was called to order by Dr. David Nielson, President, at 9:01 a.m.
18

19 Board Members present, constituting a quorum of the board, were:
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22 Dr. David Nielson, President – *(Via Teleconference)*
23 Dr. Kelly Lucas – *(Via Teleconference)*
24 Ms. Gail Walden – *(Via Teleconference)*
25 Dr. Dominic Wenzell – *(Via Teleconference)*
26 Ms. Robin Wahto – *(Via Teleconference)*
27 Dr. Jonathan Woller – *(Via Teleconference)*
28 Ms. Brittany Dschaak – *(Via Teleconference)*
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30 In attendance from the Division of Corporations, Business & Professional Licensing, Department of
31 Commerce, Community and Economic Development were:
32

33 Ms. Christianne Carrillo, Licensing Examiner – *(Via Teleconference)*
34 Ms. Sara Chambers, Director – *(Via Teleconference)*
35 Mr. Joseph Bonnell, Licensing Supervisor – *(Via Teleconference)*
36 Ms. Jasmin Bautista, Investigator – *(Via Teleconference)*
37 Ms. Sonia, Lipker, Senior Investigator – *(Via Teleconference)*
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41 **Agenda Item 2** **Ethics Report** **Time: 9:03 PM**
42

43 There were no reports.
44

45 **Agenda Item 3** **Review / Approval of Agenda** **Time: 9:04 AM**
46

47 Agenda item 9 was merged to item 13.
48

49 **On a motion duly made by Dr. Jonathan Woller, seconded by Ms. Gail Walden, and approved**
50 **unanimously without any objections, it was**
51

52 **RESOLVED to approve the 5.5.2020 dental board agenda as amended.**

53
54 **Agenda Item 4** **Review / Approve Minutes** **Time: 9:11 AM**

55
56 There were many changes made on December 6th, 2019 minutes.

57
58 **On a motion duly made by Gail Walden, seconded by Dr. Dominic Wenzell, and approved**
59 **unanimously by a roll call, it was**

60
61 **RESOLVED to approve the 12.6.2019 minutes as amended.**

62

| Board Member | Approve | Deny | Recuse |
|---------------------|---------|------|--------|
| Dr. David Nielson | X | | |
| Ms. Gail Walden | X | | |
| Dr. Kelly Lucas | X | | |
| Britney Dschaak | X | | |
| Dr. Dominic Wenzell | X | | |
| Ms. Robin Wahto | X | | |
| Dr. Jesse Hronkin | | | |
| Dr. Jon Woller | X | | |

63
64 **TASK:**

65 Dr. Nielson tasked himself to send Ms. Carrillo a summarized and concise version of the February
66 11th, 2020 board meeting minutes.

67
68 *Jasmin Bautista entered the teleconference at 9:20 am.*

69
70 There were some changes made on March 3rd, 2020 minutes.

71
72 **On a motion duly made by Gail Walden, seconded by Dr. Dominic Wenzell, and approved**
73 **unanimously by a roll call, it was**

74
75 **RESOLVED to approve the 3.3.2020 minutes as amended.**

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77

| Board Member | Approve | Deny | Recuse |
|---------------------|---------|------|--------|
| Dr. David Nielson | X | | |
| Ms. Gail Walden | X | | |
| Dr. Kelly Lucas | X | | |
| Britney Dschaak | X | | |
| Dr. Dominic Wenzell | X | | |
| Ms. Robin Wahto | X | | |
| Dr. Jesse Hronkin | | | |
| Dr. Jon Woller | X | | |

78
79 There were some changes made on March 20th, 2020 minutes.

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81 **On a motion duly made by Dr. Dominic Wenzell, seconded by Gail Walden, and approved**
82 **unanimously by a roll call, it was**

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84 **RESOLVED to approve the 3.20.2020 minutes as amended.**
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| Board Member | Approve | Deny | Recuse |
|---------------------|---------|------|--------|
| Dr. David Nielson | X | | |
| Ms. Gail Walden | X | | |
| Dr. Kelly Lucas | X | | |
| Britney Dschaak | | | |
| Dr. Dominic Wenzell | X | | |
| Ms. Robin Wahto | X | | |
| Dr. Jesse Hronkin | | | |
| Dr. Jon Woller | X | | |

86
87 There were changes made on April 8th, 2020 minutes.
88

89 **On a motion duly made by Dr. Dominic Wenzell, seconded by Gail Walden, and approved**
90 **unanimously by a roll call, it was**

91
92 **RESOLVED to approve the 4.8.2020 minutes as amended.**
93

| Board Member | Approve | Deny | Recuse |
|---------------------|---------|------|--------|
| Dr. David Nielson | X | | |
| Ms. Gail Walden | X | | |
| Dr. Kelly Lucas | X | | |
| Britney Dschaak | X | | |
| Dr. Dominic Wenzell | X | | |
| Ms. Robin Wahto | X | | |
| Dr. Jesse Hronkin | | | |
| Dr. Jon Woller | X | | |

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96 **Agenda Item 5** **Investigative Report** **Time: 9:39 AM**

97
98 Ms. Jasmin Bautista presented the investigative report which listed 49 open cases and 3 which have been
99 closed and in compliance. Ms. Bautista gave chief investigator, Sonia Lipker the floor when Dr. Nielson
100 asked if investigations is in communication with Medicaid when there is an issue with a dentist. Investigator
101 Lipker confirmed that they do have a partnership with Medicaid. They went into a brief discussion on how
102 investigations are conducted.

103
104 The board’s chair, Dr. David Nielson, entertained a motion regarding matters discussed in executive
105 session.

106
107 **On a motion duly made by Gail Walden seconded by Dr. Nielson, and approved unanimously by a**
108 **roll call, it was**

109
110 **RESOLVED to enter into executive session in accordance with the provisions of Alaska**
111 **Statute 44.62.310(c), and Alaska Constitutional Right to Privacy Provisions, for the purpose**
112 **of discussing, subjects that tend to prejudice the reputation and character of any person,**
113 **provided the person may request a public discussion and matters which by law, municipal**

114 character, or ordinance are required to be confidential. Board staff members, Jasmin
115 Bautista, Sonia Lipker, and Christianne Carrillo remained during the session.

116
117 *Off Record: 9:56 AM*

118 *On record: 10:51 AM*

119
120 The board's chair, Dr. David Nielson entertained a motion to a roll call to see who is in attendance and
121 notified the board of one person from the public to be in attendance. Ms. Carrillo conducted roll call.

122
123 Board Members present after executive session, constituting a quorum of the board, were:

124
125 Dr. David Nielson, President – *(Via Teleconference)*

126 Ms. Gail Walden – *(Via Teleconference)*

127 Dr. Jonathan Woller – *(Via Teleconference)*

128 Dr. Kelly Lucas – *(Via Teleconference)*

129 Dr. Dominic Wenzell – *(Via Teleconference)*

130 Ms. Robin Wahto – *(Via Teleconference)*

131 Ms. Brittany Dschaak – *(Via Teleconference)*

132
133 In attendance from the Division of Corporations, Business & Professional Licensing, Department of
134 Commerce, Community and Economic Development were:

135
136 Ms. Christianne Carrillo, Licensing Examiner – *(Via Teleconference)*

137 Mr. Joseph Bonnell, Licensing Supervisor – *(Via Teleconference)*

138 Ms. Sher Zinn, Regulations Specialist – *(Via Teleconference)*

139 Ms. Melissa Dumas, Administrative Officer – *(Via Teleconference)*

140
141 In attendance from public:

142
143 Dr. John Roberson, Oral Surgeon, AAFDO – *(Via Teleconference)*

144
145
146 *The Board skipped to agenda item 7 and planned to back to agenda item 6 later in the meeting.*

147
148 **Agenda Item 7** **Regulations Update: Sedation Regulation** **Time: 10:52 PM**

149
150 The Board looked over the public comment provided by Ms. Zinn. Dr. Nielson asked John from AAFDO,
151 if he believes his organization, AAFDO conduct inspections that follow the applicable guidelines
152 provided in the office anesthesia manual. John notified the board that he believes his organization meets if
153 not supersede the recommendations in the office anesthesia manual.

154
155 The board responded to a public comment about sedation regulations interfering with dental care. The
156 board believed inspections once every four years will not limit care.

157
158
159 **On a motion duly made by Dr. Nielson, seconded by Dr. Woller, and approved unanimously by a**
160 **roll call, it was**

161
162 **RESOLVED for the board to adopt the entire regulation project for 12 AAC. 28.068 with**
163 **the withdrawal of Section 28.010 (e)(5)(b) with the correction to number 4, page 2.**

Board Member

Approve

Deny

Recuse

| | | | |
|----------------------------|----------|--|--|
| Dr. David Nielson | X | | |
| Ms. Gail Walden | X | | |
| Dr. Kelly Lucas | X | | |
| Britney Dschaak | X | | |
| Dr. Dominic Wenzell | X | | |
| Ms. Robin Wahto | X | | |
| Dr. Jesse Hronkin | | | |
| Dr. Jon Woller | X | | |

164

165 *Melissa Dumas entered the room at 11:30am.*

166

167 **Agenda Item 6**

Division Update

Time: 11:30 AM

168

169 Ms. Dumas presented the 3rd quarter financial report. She shared that the State of Alaska is providing
 170 payment plans for applicants who are having difficulty paying their licenses. The State is working on a
 171 fee analysis for the program. There was a large jump in indirect expenditures and investigations. Ms.
 172 Dumas explained that the number has gone up because the number of licensees has gone up along with
 173 the cost of the department as whole. Dental is growing in contrast to other divisions that are shrinking.
 174 There was further discussion on the way the division pays each employee of the state that is involved
 175 indirectly.

176

177 *Melissa Dumas left the room at 11:56am.*

178

179 **Agenda Item 7**

Review / Approve Tabled Applications

Time: 11:58 AM

180

181 Rebecca Richardson’s local anesthetic certificate application was discussed by the board. Ms.
 182 Richardson’s application does not meet the required experience to acquire a local anesthetic certificate.
 183 Her employer, Dr. Lee voiced that he believes Ms. Richardson has the correct certifications to qualify for
 184 the local anesthetic certificate. The board spoke about specific education requirements in regulation in
 185 order to qualify for a permit and the dental board cannot allow for exceptions. Ms. Richardson decided to
 186 keep her application in process and take the required WREB exam to complete her application.

187

188 *The Board recessed for lunch.*

189

190 *Off record: 12:24pm*

191 *On record: 1:30pm*

192

193 The meeting was called to order by Dr. Nielson, at 1:26 p.m.

194

195 **Board Members present, constituting a quorum of the board, were:**

196

Dr. David Nielson, President – *(Via Teleconference)*

197

Dr. Kelly Lucas – *(Via Teleconference)*

198

Dr. Dominic Wenzell – *(Via Teleconference)*

199

Ms. Robin Wahto – *(Via Teleconference)*

200

Ms. Gail Walden – *(Via Teleconference)*

201

Dr. Jonathan Woller– *(Via Teleconference)*

202

Ms. Brittany Dschaak – *(Via Teleconference)*

203

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

- 207
- 208 Ms. Christianne Carrillo, Licensing Examiner - (Via Teleconference)
- 209 Mr. Joseph Bonnell, Records and Licensing Supervisor - (Via Teleconference)
- 210 Ms. Laura Carrillo, Executive Administrator – (Via Teleconference)
- 211 Ms. Lisa Sherrell, PDMP Manager – (Via Teleconference)
- 212

213 *The board skipped voting on consent agreements and wanted to wait until more people were present in the*
214 *meeting.*

215

216 **Agenda Item 12** **PDMP Report** **Time: 1:37 PM**

217

218 Lisa Sherrell did not have a report to view. She notified the board about enhancements features for the
219 PDMP AWARe. Dental is close to being caught up compared to the other boards with the PDMP. Dentists
220 make up about 10% of the prescribers that are using the PDMP. 60% of dentists have written a dangerous
221 combination of drugs. Ms. Carrillo asked the Dental Board to develop a disciplinary matrix for the PDMP
222 and clarified with that the Board must make a change in regulations rather than a board motion. Dr. Nielson
223 asked if it's a requirement by the state to do so. Ms. Carrillo explained that it would help improve the
224 effectiveness of the data base and improve the public health and safety but it is not a mandate.

225

226 *The board revisited agenda item 5 to vote on consent agreements.*

227

228 **Agenda Item 5** **Investigative Report** **Time: 1:47 PM**

229

230 **On a motion duly made by Dr. Nielson, seconded by Robin Wahto, and approved unanimously by a**
231 **roll call, it was**

232

233 **RESOLVED for the board to approve case number 20-000024 Consent Agreement.**

234

| Board Member | Approve | Deny | Recuse |
|---------------------|---------|------|--------|
| Dr. David Nielson | X | | |
| Ms. Gail Walden | X | | |
| Dr. Kelly Lucas | X | | |
| Britney Dschaak | X | | |
| Dr. Dominic Wenzell | X | | |
| Ms. Robin Wahto | X | | |
| Dr. Jesse Hronkin | | | |
| Dr. Jon Woller | X | | |

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236 **On a motion duly made by Dr. Nielson, seconded by Gail Walden, and approved unanimously by a**
237 **roll call, it was**

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239 **RESOLVED for the board to approve case number 20-2000298 Consent Agreement.**

240

| Board Member | Approve | Deny | Recuse |
|-------------------|---------|------|--------|
| Dr. David Nielson | X | | |
| Ms. Gail Walden | X | | |
| Dr. Kelly Lucas | X | | |
| Britney Dschaak | X | | |

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| Dr. Dominic Wenzell | X | | |
| Ms. Robin Wahto | X | | |
| Dr. Jesse Hronkin | | | |
| Dr. Jon Woller | X | | |

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Agenda Item 13

Old Business

Time: 1:50 PM

Public Comment:

Public comment about Mandate 015 was shared. The board clarified that they are not requiring people to go back to work. The board stated that dental professionals often must make difficult decisions on a case by case basis reminding licensees that they have always had risks in their professions that they must manage best to their ability.

Sher Zinn entered the room at 2:10 pm.

Dental Exams for New Graduates:

The board presented two ideas to create regulation changes on 12 AAC 28.940 so new graduates may qualify for licensure during an emergency such as the COVID-19 pandemic. Dr. Nielson explained that Ms. Zinn has defined an emergency regulation as a regulation that helps deal with the COVID-19 emergency. The licensing of dentists is not a solution needed for COVID-19 so changes may not be done under an emergency regulation. The board discussed the option of allowing mannequin based exams and the Dental Licensure Objective Structured Clinical Examination (DLOSCE).

The Board recessed for break.

Off record: 2:58 PM

On record: 3:04 PM

The meeting was called to order by Dr. Nielson, at 3:00 p.m.

Board Members present, constituting a quorum of the board, were:

- Dr. David Nielson, President – *(Via Teleconference)*
- Dr. Kelly Lucas – *(Via Teleconference)*
- Dr. Dominic Wenzell – *(Via Teleconference)*
- Ms. Robin Wahto – *(Via Teleconference)*
- Ms. Gail Walden – *(Via Teleconference)*
- Dr. Jonathan Woller– *(Via Teleconference)*
- Ms. Brittany Dschaak – *(Via Teleconference)*

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

- Ms. Christianne Carrillo, Licensing Examiner - *(Via Teleconference)*
- Mr. Joseph Bonnell, Records and Licensing Supervisor - *(Via Teleconference)*
- Ms. Sher Zinn, Regulations Specialist – *(Via Teleconference)*

On a motion duly made by Gail Walden seconded by Dr. Nielson, and approved unanimously by a roll call, it was

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RESOLVED to enter into executive session in accordance with the provisions of Alaska Statute 44.62.310(c), and Alaska Constitutional Right to Privacy Provisions, for the purpose of discussing, subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion and matters which by law, municipal character, or ordinance are required to be confidential. Board staff members, Christianne Carrillo remained during the session.

Off Record: 3:05 PM

On record: 3:59 PM

Annual Report:

Dr. Nielson said he would go over the annual report on his own time.

Agenda Item 14

New Business

Time: 2:02 PM

Task List:

- **Dr. Wenzell:** Disciplinary Matrix for PDMP
- **Dr. Nielson:** Send February minutes.
- **Christianne:**
 1. Finish edits on minutes.
 2. Forms to be updated online
 3. Look for PDMP Disciplinary Matrix for Dental by Dr. Hronkin
- **Gail:** Dental Hygiene penalty matrix.
- Teeth mannequin exam models from ADEX.
- MME recommendation for regulation project.

Agenda Item 15

Adjourn

Time: 4:08 PM

On a motion duly made by Gail Walden, seconded by Dr. Woller and approved unanimously, it was

RESOLVED to adjourn the meeting at 4:08 PM.

Respectfully Submitted:



Christianne Carrillo
Occupational Licensing Examiner

Approved:



David Nielson, DDS, President

Date: Oct. 7th, 2020