

Call to Order / Roll Call

Dental Board Roster

David Nielson, DDS - Board President

Gail Walden RDH, BSDH - Board Secretary

Steven Scheller, DDS

Dominic Wenzell, DMD

Kelly lucas, DDS

Jesse Hronkin, DDS

Timothy “Jon” Woller, DDS

Brittany Dschaak, RDH

Robin Wahto, Public Member

Ethics Report

MEMORANDUM

State of Alaska Department of Law

TO:

DATE:

FILE NO.:

TEL. NO.:

FROM: Angie White
Litigation Assistant
Department of Law
Opinions, Appeals, & Ethics Section

FAX:

SUBJECT: Executive Branch Ethics Act, AS
39.52 Quarterly Report

******SAMPLE LANGUAGE – PLEASE COPY ONLY THE PARTS THAT APPLY
ONTO YOUR BOARD OR COMMISSION’S LETTERHEAD ******

As designated ethics supervisor and chair [executive director] for the _____, I wish to advise you that I have received no notifications of potential violations or requests for ethics determinations under the Ethics Act (AS 39.52) and have made no written determinations for this quarter.

OR

As designated ethics supervisor and chair [executive director] for the _____, I have received ____ notification(s) of a potential violation and ____ requests for ethics determinations under the Ethics Act (AS 39.52). I have attached a copy of the notices and requests along with my written determination(s) for review by the attorney general. I did [did not] receive an advisory opinion from the Attorney General.

AND

Except as addressed above, no other [board member] [commissioner] disclosed a potential conflict of interest at a recorded public meeting during this quarter.

OR

In addition to the above, at the [date] meeting, [Board member] [Commissioner] _____ disclosed a potential conflict with respect to _____ [insert brief description] _____. *Insert disposition:* [S/He refrained from participation.] *or* [I determined s/he could [could not] participate.] *or* [The Board [Commission] members voted to permit [not to permit] participation.]

CONFIDENTIAL

ETHICS SUPERVISOR DETERMINATION FORM

(Board or Commission Member)

Board or Commission: _____

Member Disclosing Potential Ethics Violation: _____

I have determined that the situation described on the attached ethics disclosure form

☐ does or would violate AS 39.52.110 - .190. Identify applicable statute below.

☐ does not or would not violate AS 39.52.110 - .190.

Signature of Designated Ethics Supervisor (Chair)

Printed Name of Designated Ethics Supervisor

Date: _____

COMMENTS (Please attach a separate sheet for additional space):

Note: Disclosure Form must be attached. Under AS 39.52.220, if the chair or a majority of the board or commission, not including the disclosing member, determines that a violation of AS 39.52.110-39.52.190 will exist if the member participates, the member shall refrain from voting, deliberating, or participating in the matter. A member will not be liable under the Ethics Act for action in accordance with such a determination so long as the member has fully disclosed all facts reasonably necessary to the determination and the attorney general has not advised the member, chair, or board or commission that the action is a violation. Forward disclosures with determinations to the State Ethics Attorney as part of your quarterly report. Quarterly reports are submitted to Litigation Assistant, Opinions, Appeals & Ethics, Department of Law, 1031 W. 4th Avenue, Suite 200, Anchorage, AK 99501.

Revised 2012

State of Alaska Department of Law

Who Is My Designated Ethics Supervisor?

Every state public officer, employee or board or commission member, has a designated ethics supervisor.

Executive Agencies

The ethics supervisor for each agency is the Commissioner or a senior manager to whom the Commissioner has delegated the function. The current ethics supervisor for each agency is listed below. The ethics supervisor for a Commissioner is Guy Bell, Director of Administrative Services in the Office of Governor, by delegation from the Governor.

Boards and Commissions

The Chair of each board and commission serves as the ethics supervisor for the other members and any executive director. The ethics supervisor for the Chair is Guy Bell, Director of Administrative Services in the Office of Governor, by delegation from the Governor. If a board or commission employs staff, the executive director serves as the ethics supervisor for these employees.

Public Corporations

The Chair of the board serves as the ethics supervisor for the other members of the board and any executive director. The executive director is the ethics supervisor for employees of the corporation.

Office of the Governor

The ethics supervisor for the Governor and Lieutenant Governor is the Attorney General. By delegation from the Governor, the ethics supervisor for the staff of the offices of the Governor and Lieutenant Governor is Guy Bell, Director of Administrative Services.

University of Alaska

By delegation of the University President, the ethics supervisor for university employees is Associate General Counsel Andy Harrington.

EXECUTIVE BRANCH AGENCIES

Administration: Leslie Ridle, Deputy Commissioner

Commerce, Community & Economic Development: Jon Bittner, Deputy Commissioner

Corrections: April Wilkerson, Director of Administrative Services

Education & Early Development: Les Morse, Deputy Commissioner

Environmental Conservation: Tom Cherian, Director of Administrative Services

Fish & Game: Kevin Brooks, Deputy Commissioner

Health & Social Services: Dallas Hargrave, Human Resource Manager

Labor & Workforce Development: Michael Monagle, Director, Division of Workers Compensation

Law: Jonathan Woodman, Assistant Attorney General

Military & Veterans Affairs: Marty Meyer, Special Assistant to Commissioner

Natural Resources: John Crowther, Inter-Governmental Coordinator

Public Safety: Terry Vrabec, Deputy Commissioner

Revenue: Dan DeBartolo, Administrative Services Director

Transportation & Public Facilities:

- Highways & Public Facilities: Steve Hatter, Deputy Commissioner
- Aviation: John Binder, Deputy Commissioner
- Central Region: Rob Campbell, Regional Director
- Northern Region: Rob Campbell, Acting Regional Director
- Southcoast Region: Acting Regional Director
- Alaska Marine Highway System: Michael Neussl, Deputy Commissioner
- Headquarters: Mary Siroky, Administrative Services Director

Updated April 2015

Department of Law attorney.general@alaska.gov P.O. Box 110300, Juneau, AK 99811-0300
Phone: 907-465-3600 Fax: 907-465-2075 TTY: 907-258-9161
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State of Alaska Department of Law

Ethics Information for Members of Boards & Commissions (AS 39.52)

Introduction

This is an introduction to AS 39.52, the Alaska Executive Branch Ethics Act. This guide is not a substitute for reading the law and its regulations. State board and commission members who have further questions should contact their board chair or staff.

The Ethics Act applies to all current and former executive branch public employees and members of statutorily created boards and commissions.

Scope of Ethics Act (AS 39.52.110)

Service on a state board or commission is a public trust. The Ethics Act prohibits substantial and material conflicts of interest. Further, board or commission members, and their immediate family, may not improperly benefit, financially or personally, from their actions as board or commission members. The Act does not, however, discourage independent pursuits, and it recognizes that minor and inconsequential conflicts of interest are unavoidable.

Misuse of Official Position (AS 39.52.120)

Members of boards or commissions may not use their positions for personal gain or to give an unwarranted benefit or treatment to any person. For example, board members may not:

- use their official positions to secure employment or contracts;
- accept compensation from anyone other than the State for performing official duties;
- use State time, equipment, property or facilities for their own personal or financial benefit or for partisan political purposes;
- take or withhold official action on a matter in which they have a personal or financial interest; or
- coerce subordinates for their personal or financial benefit.
- attempt to influence outcome of an administrative hearing by privately contacting the hearing officer.



Terry knew that a proposal that was before the board would harm Terry's business competitor. Instead of publicly disclosing the matter and requesting recusal, Terry voted on the proposal.



Board member Mick has board staff employee Bob type an article for him that Mick hopes to sell to an Alaskan magazine. Bob types the article on State time.

Improper Gifts (AS 39.52.130)

A board member may not solicit or accept gifts if a person could reasonably infer from the circumstances that the gift is intended to influence the board member's action or judgment. "Gifts" include money, items of value, services, loans, travel, entertainment, hospitality, and employment. All gifts from registered lobbyists are presumed to be improper, unless the giver is immediate family of the person receiving the gift.

A gift worth more than \$150 to a board member or the board member's immediate family must be reported within 30 days if:

- the board member can take official action that can affect the giver, or
- the gift is given to the board member because he or she is on a state board.

The receipt of a gift worth less than \$150 may be prohibited if a person could reasonably infer from the circumstances that the gift is intended to influence the board member's action or judgment. Receipt of such a gift should be disclosed.

Any gift received from another government, regardless of value, must be reported; the board member will be advised as to the disposition of this gift.

A form for reporting gifts is available at www.law.alaska.gov/doclibrary/ethics or from the board or commission staff.

This restriction on gifts does not apply to lawful campaign contributions.



The commission is reviewing Roy's proposal for an expansion of his business. Roy invites all the board members out to dinner at an expensive restaurant. He says it will be okay, since he isn't excluding any of the members.



Jody receives a holiday gift every year from Sam. Jody was recently appointed to a state board, but Sam has no business that is before the board. Jody may accept the gift.

Improper Use or Disclosure of Information (AS 39.52.140)

No former or current member of a board may use or disclose any information acquired from participation on the board if that use or disclosure could result in a financial or personal benefit to the board member (or immediate family), unless that information has already been disseminated to the public. Board members are also prohibited from disclosing confidential information, unless authorized to do so.



Sheila has been on the board for several years. She feels she has learned a great deal of general information about how to have a successful business venture. So she sets up her own business and does well.



Delores has always advised and assisted the other doctors in her clinic on their continuing education requirements. After Delores is appointed to the medical board, she discloses this role to the board and continues to advise the doctors in her clinic.



Jim reviews a confidential investigation report in a licensing matter. He discusses the practitioner's violation with a colleague who is not a board member.

Improper Influence in State Grants, Contracts, Leases or Loans (AS 39.52.150)

A board member, or immediate family, may not apply for, or have an interest in a State grant, contract, lease, or loan, if the board awards or takes action to administer the State grant, contract, lease, or loan.

A board member (or immediate family) may apply for or be a party to a competitively solicited State grant, contract or lease, if the board as a body does not award or administer the grant, contract, or lease and so long as the board member does not take official action regarding the grant, contract, or lease.

A board member (or immediate family) may apply for and receive a State loan that is generally available to the public and has fixed eligibility standards, so long as the board member does not take (or withhold) official action affecting the loan's award or administration.

Board members must report to the board chair any personal or financial interest (or that of immediate family) in a State grant, contract, lease or loan that is awarded or administered by the agency the board member serves. A form for this purpose is available at www.law.alaska.gov/doclibrary/ethics or from the board or commission staff.



John sits on a board that awards state grants. John hasn't seen his daughter for nearly ten years so he figures that it doesn't matter when her grant application comes up before the board.



The board wants to contract out for an analysis of the board's decisions over the last ten years. Board member Kim would like the contract since she has been on the board for ten years and feels she could do a good job.

Improper Representation (AS 39.52.160)

A board or commission member may not represent, advise, or assist a person in matters pending before the board or commission for compensation. A nonsalaried board or commission member may represent, advise, or assist in matters in which the member has an interest that is regulated by the member's own board or commission, if the member acts in accordance with AS 39.52.220 by disclosing the involvement in writing and on the public record, and refraining from all participation and voting on the matter. This section does not allow a board member to engage in any conduct that would violate a different section of the Ethics Act.



Susan sits on the licensing board for her own profession. She will represent herself and her business partner in a licensing matter. She discloses this situation to the board and refrains from participation in the board's discussions and determinations regarding the matter.

Restriction on Employment After Leaving State Service (AS 39.52.180)

For two years after leaving a board, a former board member may not provide advice or work for compensation on any matter in which the former member personally and substantially participated while serving on the board. This prohibition applies to cases, proceedings, applications, contracts, legislative bills, regulations, and similar matters. This section does not prohibit a State agency from contracting directly with a former board member.

With the approval of the Attorney General, the board chair may waive the above prohibition if a determination is made that the public interest is not jeopardized.

Former members of the governing boards of public corporations and former members of boards and commissions that have regulation-adoption authority, except those covered by the centralized licensing provisions of AS 08.01, may not lobby for pay for one year.



The board has arranged for an extensive study of the effects of the Department's programs. Andy, a board member, did most of the liaison work with the contractor selected by the board, including some negotiations about the scope of the study. Andy quits the board and goes to work for the contractor, working on the study of the effects of the Department's programs.



Andy takes the job, but specifies that he will have to work on another project.

Aiding a Violation Prohibited (AS 39.52.190)

Aiding another public officer to violate the Ethics Act is prohibited.

Agency Policies (AS 39.52.920)

Subject to the Attorney General's review, a board may adopt additional written policies further limiting personal or financial interests of board members.

Disclosure Procedures

DECLARATION OF POTENTIAL VIOLATIONS BY MEMBERS OF BOARDS OR COMMISSIONS (AS 39.52.220)

A board member whose interests or activities could result in a violation of the Ethics Act if the member participates in board action must disclose the matter on the public record and in writing to the board chair who determines whether a violation exists. A form for this purpose is available at www.law.alaska.gov/doclibrary/ethics or from the board or commission staff. If another board member objects to the chair's ruling or if the chair discloses a potential conflict, the board members at the meeting (excluding the involved member) vote on the matter. If the chair or the board determines a violation will occur, the member must refrain from deliberating, voting, or participating in the matter. For more information, see Ethics Act Procedures for Boards and Commissions available at the above noted web site.

When determining whether a board member's involvement in a matter may violate the Ethics Act, either the chair or the board or commission itself may request guidance from the Attorney General.

ATTORNEY GENERAL'S ADVICE (AS 39.52.240-250)

A board chair or a board itself may request a written advisory opinion from the Attorney General interpreting the Ethics Act. A former board member may also request a written advice from the Attorney General. These opinions are confidential. Versions of opinions without identifying information may be made available to the public.

REPORTS BY THIRD PARTIES (AS 39.52.230)

A third party may report a suspected violation of the Ethics Act by a board member in writing and under oath to the chair of a board or commission. The chair will give a copy to the board member and to the Attorney General and review the report to determine whether a violation may or does exist. If the chair determines a violation exists, the board member will be asked to refrain from deliberating, voting, or participating in the matter.

Complaints, Hearings, and Enforcement

COMPLAINTS (AS 39.52.310-330)

Any person may file a complaint with the Attorney General about the conduct of a current or former board member. Complaints must be written and signed under oath. The Attorney General may also initiate complaints based on information provided by a board. A copy of the complaint will be sent to the board member who is the subject of the complaint and to the Personnel Board.

All complaints are reviewed by the Attorney General. If the Attorney General determines that the complaint does not warrant investigation, the complainant and the board member will be notified of the dismissal. The Attorney General may refer a complaint to the board member's chair for resolution.

After investigation, the Attorney General may dismiss a complaint for lack of probable cause to believe a violation occurred or recommend corrective action. The complainant and board member will be promptly notified of this decision.

Alternatively, if probable cause exists, the Attorney General may initiate a formal proceeding by serving the board or commission member with an accusation alleging a violation of the Ethics Act. Complaints or accusations may also be resolved by settlement with the subject.

CONFIDENTIALITY (AS 39.52.340)

Complaints and investigations prior to formal proceedings are confidential. If the Attorney General finds evidence of probable criminal activity, the appropriate law enforcement agency shall be notified.

HEARINGS (AS 39.52.350-360)

An accusation by the Attorney General of an alleged violation may result in a hearing. An administrative law judge from the state's Office of Administrative Hearings serves as hearing officer and determines the time, place and other matters. The parties to the proceeding are the Attorney General, acting as prosecutor, and the accused public officer, who may be represented by an attorney. Within 30 days after the hearing, the hearing officer files a report with the Personnel Board and provides a copy to the parties.

PERSONNEL BOARD ACTION (AS 39.52.370)

The Personnel Board reviews the hearing officer's report and is responsible for determining whether a violation occurred and for imposing penalties. An appeal may be filed by the board member in the Superior Court.

PENALTIES (AS 39.52.410-460)

When the Personnel Board determines a board member has violated the Ethics Act, it will order the member to refrain from voting, deliberating, or participating in the matter. The Personnel Board may also order restitution and may recommend that the board member be removed from the board or commission. If a recommendation of removal is made, the appointing authority will immediately remove the member.

If the Personnel Board finds that a former board member violated the Ethics Act, it will issue a public statement about the case and will ask the Attorney General to pursue appropriate additional legal remedies.

State grants, contracts, and leases awarded in violation of the Ethics Act are voidable. Loans given in violation of the Ethics Act may be made immediately payable.

Fees, gifts, or compensation received in violation of the Ethics Act may be recovered by the Attorney General.

The Personnel Board may impose a fine of up to \$5,000 for each violation of the Ethics Act. In addition, a board member may be required to pay up to twice the financial benefit received in violation of the Ethics Act.

Criminal penalties are in addition to the civil penalties listed above.

DEFINITIONS (AS 39.52.960)

Please keep the following definitions in mind:

Benefit - anything that is to a person's advantage regardless financial interest or from which a person hopes to gain in any way.

Board or Commission - a board, commission, authority, or board of directors of a public or quasi-public corporation, established by statute in the executive branch, including the Alaska Railroad Corporation.

Designated Ethics Supervisor - the chair or acting chair of the board or commission for all board or commission members and for executive directors; for staff members, the executive director is the designated ethics supervisor.

Financial Interest - any property, ownership, management, professional, or private interest from which a board or commission member or the board or commission member's immediate family receives or expects to receive a financial benefit. Holding a position in a business, such as officer, director, partner, or employee, also creates a financial interest in a business.

Immediate Family - spouse; another person cohabiting with the person in a conjugal relationship that is not a legal marriage; a child, including a stepchild and an adoptive child; a parent, sibling, grandparent, aunt, or uncle of the person; and a parent or sibling of the person's spouse.

Official Action - advice, participation, or assistance, including, for example, a recommendation, decision, approval, disapproval, vote, or other similar action, including inaction, by a public officer.

Personal Interest - the interest or involvement of a board or commission member (or immediate family) in any organization or political party from which a person or organization receives a benefit.

For further information and disclosure forms, visit our Executive Branch Ethics web site or please contact:

State Ethics Attorney
Alaska Department of Law
1031 West 4th Avenue, Suite 200
Anchorage, Alaska 99501-5903
(907) 269-5100
attorney.general@alaska.gov

Revised 9/2013

Department of Law attorney.general@alaska.gov P.O. Box 110300, Juneau, AK 99811-0300
Phone: 907-465-3600 Fax: 907-465-2075 TTY: 907-258-9161
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State of Alaska

Department of Law

Executive Branch Ethics Act

Responsibilities of Designated Ethics Supervisors for Boards and Commissions

Boards and commissions subject to the Ethics Act have designated ethics supervisors. The chair serves as the designated ethics supervisor for board or commission members and the executive director. The executive director is the designated ethics supervisor for staff. The designated ethics supervisor for a chair is the governor, who has delegated this responsibility to Guy Bell, Administrative Director of the Office of the Governor.

Designated ethics supervisors should refer to the Manual for Designated Ethics Supervisors (April 2008), available from the state ethics attorney, regarding their responsibilities under the Ethics Act. Briefly, as designated ethics supervisor, you must --

1. Ensure that members and employees are provided copies of the guides, Ethics Information for Members of Boards and Commissions and Ethics Act Procedures for Boards and Commissions -- and keep a supply of disclosure forms.
 1. These guides, other educational materials, disclosure forms, statutes and regulations are available for review and copying on the Department of Law ethics web site. If access to this page is not available, please contact the Attorney General's office at 269-7195.
2. Review all disclosures, investigate potential ethics violations, make determinations regarding conduct, and take action.
3. Keep member or employee disclosure statements (of potential violations, receipt of gifts, and interests in grants/contracts/leases/loans) on file in your office. Disclosure of a gift received from another government must be forwarded to the Office of the Governor.
4. Submit an ethics report to the Department of Law in April, July, October and January for the preceding quarter. You will receive a reminder. There is a sample report on the ethics web page.
 1. Mail, email or fax to Kim Halstead, Litigation Assistant, Department of Law, Opinions, Appeals & Ethics Section, 1031 W. 4th Avenue, Suite 200, Anchorage, AK, 99501, ethicsreporting@alaska.gov, fax no. 907-279-2834.

You may request ethics advice from your agency's Assistant Attorney General or from the State Ethics Attorney, Jon Woodman, at 269-5100 or jonathan.woodman@alaska.gov. Please direct questions about reporting procedures to Kim Halstead at 269-7195 or kimberly.halstead@alaska.gov.

6/14

Department of Law attorney.general@alaska.gov P.O. Box 110300, Juneau, AK 99811-0300
Phone: 907-465-3600 Fax: 907-465-2075 TTY: 907-258-9161
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Review / Approve Agenda

STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY, AND
ECONOMIC DEVELOPMENT
DIVISION OF CORPORATIONS, BUSINESS AND
PROFESSIONAL LICENSING

BOARD OF DENTAL EXAMINERS AGENDA

May 5th, 2020

Teleconference

**Please email boardofdentalexaminers@alaska.gov
for meeting contact information.**

AGENDA

	<u>TIME</u>	<u>TOPIC</u>	<u>LEAD PERSON</u>
1.	9:00 a.m.	Call to Order/Roll Call	CHAIR
2.	9:05 a.m.	Ethics Report	CHAIR
3.	9:08 a.m.	Review / Approve Agenda	CHAIR
4.	9:11 a.m.	Review / Approve Minutes <ul style="list-style-type: none">• December 6th, 2019• February 11th, 2020• March 3rd, 2020• March 20th, 2020• April 8th, 2020• April 15th, 2020• April 22nd, 2020• April 29th, 2020	CHAIR
5.	9:30 a.m.	Investigative Report	BAUTISTA
6.	10:00 a.m.	Division Update	TBD
7.	10:15 a.m.	Break	CHAIR
8.	10:30 a.m.	Regulation Update: Inspections Regulations <ul style="list-style-type: none">• Public Comments Received for Inspections Regulations	ZINN
9.	11:00 a.m.	Public Comment	CHAIR
10.	11:30 a.m.	Review / Approve Tabled Applications	CHAIR

STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY, AND
ECONOMIC DEVELOPMENT
DIVISION OF CORPORATIONS, BUSINESS AND
PROFESSIONAL LICENSING

BOARD OF DENTAL EXAMINERS AGENDA

May 5th, 2020

Teleconference

**Please email boardofdentalexaminers@alaska.gov
for meeting contact information.**

AGENDA

	<u>TIME</u>	<u>TOPIC</u>	<u>LEAD PERSON</u>
11.	12:00 p.m.	Lunch	CHAIR
12.	1:00 p.m.	PDMP Report	CARRILLO / SHERRELL
13.	1:20 p.m.	Old Business <ul style="list-style-type: none">• Dental Exams for New Graduates• PDMP Dental Penalty Matrix	CHAIR
14.	2:00 p.m.	New Business <ul style="list-style-type: none">• Mandate 15 Committee Report• Annual Report• Task List	CHAIR
15.	3:00 p.m.	Adjourn	CHAIR

**Review / Approve
Past Meeting
Minutes**

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

MINUTES OF MEETING
DECEMBER 6, 2019

These DRAFT minutes were prepared by the staff of the Division of Corporations, Business and Professional Licensing. They have not been reviewed or approved by the Board.

By authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the Board of Dental Examiners was held in Conference Room B in the State Office Building, 333 Willoughby Avenue, 9th Floor, Juneau, Alaska.

Friday, December 6th, 2019

Agenda Item 1 **Call to Order/Roll Call** **Time: 9:09 AM**

The meeting was called to order by Dr. David Nielson, President, at 9:09 a.m.

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

Dr. David Nielson, President – *Via Teleconference*
Ms. Gail Walden – *Via Teleconference*
Dr. Jonathan Woller – *Via Teleconference*
Dr. Kelly Lucas – *Via Teleconference*
Dr. Dominic Wenzell – *Via Teleconference*
Ms. Robin Wahto – *Via Teleconference*
Dr. Jesse Hronkin – *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 – Juneau
Mr. Joseph Bonnell, Records and Licensing Supervisor - Juneau
Ms. Jasmin Bautista, Investigator – Anchorage (*Via Teleconference*)
Ms. Sher Zinn, Regulation Specialist – Juneau
Ms. Marilyn Zimmerman, Paralegal – Juneau

Agenda Item 2 **Ethics Report** **Time: 9:14 AM**

Dr. Nielson addressed the ethics reporting. The board was asked if there were any outstanding ethics issues to report and none were reported.

Agenda Item 3 **Review of Agenda** **Time: 9:16 AM**

There was only change made to the DRAFT 12.06.2019 agenda. Dr. Nielson added sedation inspection regulations under agenda item number 10 to be discussed. Ms. Walden notified the board that she may not be

present after the 3:00pm break. Dr. Lucas also notified the board that he will be away for thirty minutes at noon.

On a motion duly made by Dr. Hronkin, seconded by Wahto, and approved unanimously without any objections, it was

RESOLVED to approve the 12.06.2019 dental board agenda as amended.

Agenda Item 4 Review / Approve Past Meeting Minutes Time: 9:18 AM

The board reviewed the meeting minutes from the August 23, 2019 meeting. Dr. Nielson noted that the word “the” should be changed to “that” on line 333. Ms. Walden does not recall the lines 394-398 to have been “in addition to the 20 hours” and recalled it to be “it could be part of the 20 hours.” Dr. Neilson and Dr. Hronkin recalled it to be “in addition to.” No other changes needed to be made.

On a motion duly made by Walden, seconded by Dr. Neilson, and approved unanimously without any objections, it was

RESOLVED to approve the 08.23.2019 dental board minutes as amended.

Agenda Item 5 Introduce New License Examiner Time: 9:20 AM

Dr. Nielson welcomed new licensing examiner, Christianne Carrillo. Ms. Carrillo introduced herself to the board.

Sher Zinn, Regulation Specialist, entered the board meeting at 9:24 AM.

Agenda Item 6 Regulation Training Time: 9:25 AM

Ms. Zinn was in attendance to provide regulation training for the new board members who are not yet familiar with the regulations process for drafting regulations. Zinn conducted an in depth look at the proper steps in creating a regulation. She offered her help if board members had any questions about the regulation process via email or live during the board meeting. Dr. Nielson asked Ms. Zinn if she could come back and do agenda item number 10, regulations update while they have her in the room. Ms. Zinn agreed and left the room to retrieve the documents necessary for agenda item number 10.

Sher Zinn, Regulation Specialist, left the board meeting at 9:50 AM.

Dr. Nielson sought to skip break, and moved ahead in the agenda to item number 13, moderate sedation program verification revision while Ms. Zinn was absent from the meeting.

Agenda Item 13 Moderate Sedation Program Verification Revision Time: 9:51 AM

Dr. Nielson noticed that the current regulations on the moderate sedation program verification application are not the current regulations in place and should be amended which leads to the necessary removal of sedation forms on page 12. The 60-hour course to get a permit for moderate sedation for patients under the age of 13 is no longer available. The sedation checklist for dental offices under miscellaneous forms will be sent by Dr. Nielson for Ms. Carrillo to revise.

TASK:

Dr. Nielson will scan the edited program verification form for moderate sedation and email it to Ms. Carrillo. Ms. Carrillo will change the outdated regulation and replace it with the current regulation and remove page 12 from the sedation forms.

Sher Zinn, Regulation Specialist, entered the board meeting at 9:53 AM.

Dr. Nielson revisited agenda item number 10.

Agenda Item 10

Regulations Update

Time: 9:55 AM

Dr. Nielson informed the board he was not going to entertain any oral testimonies from this point forward and that the board was only going to review what they had so far. Dr. Nielson notes that none of the public comments had anything to do with lapsed sedation permits and that the comments all had to do with continuing education (CE) and online CE's. His issue with the way 28.010 (g)(c) is written is that the CE part of the regulation would not allow applicants to do their CE at a later date to make up for what they had not yet completed during the concluding licensing period. Dr. Nielson suggested to remove "completed during the concluding licensing period" under 28.010 (g)(c) and 28.015 (l)3(c) throughout the regulation would allow applicants to make up for the CEs required later to make up any shortages that they have. Dr. Nielson asked if taking this section of the regulation out would affect it significantly. Ms. Zinn said no and added that the board can make the regulations less stringent than what your public notice was but cannot make it more stringent.

Sher Zinn, Regulation Specialist, left the board meeting at 10:02 AM.

Jasmin Bautista, Investigator & Ryan Gill, Investigator, entered the room at 10:05 AM.

The board moved back to agenda item number 8 with Jasmin Bautista while Sher Zinn retrieves the necessary documents for agenda item number 10.

Agenda Item 8

Investigative Report

Time: 10:08 AM

Jasmin Bautista handed the board probation reports documents and notified the board that there are three probationers that are active and in compliance and asked if there were any questions on that. Ms. Bautista informed the board that from August through November we have 55 open cases and this quarter we closed 10 cases. Dr. Nielson asked Ms. Bautista to clarify if there is no violation that means that at least two board members agreed that there is no violation. Ms. Bautista answered yes, anything that involves a patient is going to be reviewed by two board members. If it's a technical violation it is reviewed by one board member. Ms. Bautista asked if there were any questions.

The board's chair, Dr. David Nielson, entertained a motion regarding matters discussed in executive session.

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

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, Jasmin Bautista, Christianne Carrillo, Joseph Bonnell, and Ryan Gill remained during the session.

Off Record: 10:13 AM

On record: 11:22 AM

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

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

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

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

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

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

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

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

Dr. Jesse Hronkin – Wasilla (*Via Teleconference*)

Brittany Dschaak – Naknek (*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 – Juneau

Mr. Joseph Bonnell, Records and Licensing Supervisor – Juneau

Dr. Nielson amended the agenda and moved agenda item number 9, consent agreements with Marilyn Zimmerman to after lunch and move on to agenda number 10, regulations update with Sher Zinn.

Agenda Item 10

Regulations Update

Time: 11:25 AM

Dr. Nielson made an announcement on record and reiterated that the board was no longer going to be taking more public comments on the regulation changes that when out on public comment but would like to discuss the public comments that are part of the board packet. He asked the board if they had a chance to look at them. Ms. Walden notified the board that she had.

Dr. Nielson acknowledged that the public has had some problems with the online CE requirement and said the public comments seemed confused and explained that the regulation change does not decrease the amount of CE classes done online nor does the regulation disallow CE's to be done online. Dr. Nielson clarified the regulation courses to not be more than 8 hours in a 24-hour period. Addressing a comment said about CE courses online, Dr. Nielson found the public to have a legitimate point about longer courses. He said even when some courses are stamped as one day, they can be 15-hour courses, which he finds to be a legitimate point.

Dr. Woller shared the percentage of CE courses that are more than 8 hours are available is very small and suggested that if a licensee wants to take a CE course that is longer than 8 hours they should contact the board on a case by case basis.

Ms. Walden added that from what she had seen, the CE courses that are longer than 8 hours usually indicate how many days they are and was surprised that the certificate did not show that it was over a period of days. Dr. Woller explained that that is why the number of courses this person showed is very few compared to the thousands of online CE course available. Dr. Nielson expressed his opinion that due to Dr. Woller's point, it does not seem to be a problem and that the public comments seem to have a misconception that the board is reducing the amount of CE's online, which is not the case. He added there is also a misconception that the additional 2 hours for restorative function certificates cannot be done online. Dr. Nielson explained that there

is no stipulation that an applicant will have to travel outside of Alaska to take a class in person. Dr. Hronkin agreed that the board has addressed the public's concern.

Dr. Nielson proposed to remove lines 28.01 (g) 3(c) "completed during the concluding licensing period" and remove 28.01.5(l)3(c) "completed during the concluding licensing period." He continued saying doing this will allow applicants that have a lapsed sedation permit to make up the didactic and CE they're lacking for a license renewal. Ms. Walden asked Dr. Nielson to be read exactly what 28.010 (g-c) should say.

Dr. Nielson recited, page 1 regulation 28.010. (g) 3(c) will read "Evidence on continuing education and documentation of sedation cases required by 12 AAC 28.010 (e) 1, 2, 3, and 5 as applicable. The sedation cases required under this sub paragraph must be completed by holding a deep sedation and general anesthesia permit or while under the supervision of a current deep sedation or general anesthesia permit holder or anesthesiologist or certified registered nurse anesthetist licensed in the state or another jurisdiction."

He continued to page 2, the amendment 28.015 (l) 3 (c), "Evidence of continuing education and documentation of sedation cases required by 12 AAC 28.010. (h) 1, 2, 3, and 5 as applicable. The sedation cases required under this sub paragraph must be completed by holding a current moderate sedation permit or while under the supervision of a current deep sedation or general anesthesia permit holder anesthesiologist or certified registered nurse anesthetist licensed in the state or another jurisdiction."

Dr. Nielson asked if there were any discussion about the changes in the regulation project and entertained a motion to accept the project as amended.

Robin Wahto asked regarding the question if an applicant does a course of 16 CEs and you do it over a three-day period but it shows as only one day. Ms. Wahto asked if there was a discussion on how to resolve that or is it something people would explain or somehow document themselves. Dr. Woller clarified with Ms. Wahto that the board had discussed that the amount of CE online classes that are longer than 8 hours is so miniscule that the applicant should contact the board and it will be handled on a case by case basis by the board. Ms. Wahto further asked about live webinar CEs and if they are considered an online CE since a live webinar is different than just reading something online. Dr. Woller agreed that the applicants should contact the board. Dr. Nielson reminded the board that it does not matter whether the courses are considered in person or online but that you cannot do more than 8 hours in a day. Dr. Nielson asked Ms. Zinn if the way the subsection regulation (i) is now written, leaves any leeway. Ms. Zinn responded with yes, as long as the applicant can provide documentation that they did in fact take longer than 8 hours in a 24 hours period to complete the course, the board can approve it and that the board does not need to change anything in the regulation.

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

RESOLVED to adopt the regulation project as amended.

Board Member	Approve	Deny	Recuse
Dr. David Nielson	X		
Ms. Gail Walden	X		
Dr. Dominic Wenzell	X		
Dr. Kelly Lucas	X		
Ms. Robin Wahto	X		
Dr. Jesse Hronkin	X		
Dr. Jonathan Woller	X		
Ms. Brittany Dschaak	X		

Having finished with the regulation project, the board began discussion of the next bullet point, sedation inspection regulation, which Dr. Nielson explained he wanted to add for the board's next regulation project (which will be in office inspections).

Dr. Nielson asked the board to go to 28.010 (e) 5b on page 16 of the current regulations which reads "...provide documentation that at least 20 of the 50 anesthesia or deep sedation cases were individually managed patients younger than 13." Dr. Nielson expressed his concern that it forces people to put at least 20 children in deep sedation and is okay with it on the moderate side. Dr. Nielson suggested to remove the words 'of 50 anesthesia or deep' from that line to read, "...provide documentation that at least 20 sedation cases were individually managed patients younger than 13." Dr. Nielson explained that this would remove the requirement of putting 13 year old or younger patients into deep sedation. He requested for the board to think about this change and asked for their opinion and if they had any comments.

Ms. Walden stated that regulation had been debated before and does not feel 20 children over 2 years is too many. Dr. Nielson's recollection was that the discussion being referenced by Ms. Walden was referencing is about deep sedation cases in general but once the board later added pediatric cases to ensure someone was doing enough to be current in their practice, the topic was not discussed.

Ms. Wahto asked Dr. Nielson if there is no separation between sedating adults and children to obtain the deep sedation license for the 20 cases within two years to stay current. Dr. Nielson clarified that it does not matter as long as an applicant has a deep sedation or general anesthesia license, an applicant would be authorized to sedate children if they have PALS. Dr. Nielson said further discussion about this matter can continue once it has been added to be the next regulation project.

Dr. Nielson mentioned to the board that there was 15 minutes until lunch and went over the changes on regulation 12AC 28.069, sedation inspection regulation he made after reading comments made by Ashley Brown, Assistant Attorney General. Dr. Nielson reminded the board that according to the board's last meeting, the licensee will be the one responsible to find own inspector. The inspection fee will be paid by licensee. Once through, the board will collect documentation if they pass their inspections. Dr. Nielson thought it was reasonable to require an inspection after 2 years of an initial permit. Dr. Nielson told the board that he did not expect a discussion on his changes during this meeting and asked the board to look over his edits on 12 AC 28.068 to work on in the future. He asked if the rest of the board could be sent his most recent edit of his changes. Mr. Joe Bonnell tasked himself with adding Dr. Nielson's document to the board packet during lunch so the board can have access to it.

Dr. Nielson asked Ms. Zinn if she had addressed any concerns about the 12 AC 28.068 inspection regulation. Ms. Zinn told the board that there was a question by Ms. Brown regarding number five on page 1 about substantially equivalent organizations approved by the board and how she would check with the legislation and regulations attorney to see whether the line was too broad. Ms. Zinn said that Ms. Brown followed up with her and that they did not feel that it was too broad as long as the board can come up with criteria. Dr. Nielson thanked Ms. Zinn and informed the board that the newest version says something to that effect.

There was discussion about how licensees can check the adopted right manual references. The manuals were found to not be readily available. Ms. Walden asked how the board is going to know what is substantially equivalent if they cannot access the requirements easily. Ms. Zinn explained that if the board adopts a reference that is copyrighted material, the board would have to purchase two copies. One will stay with the licensing examiner for reference and the other will go with the regulation project to the department of law. Ms. Walden expressed concern that it was not easily referenced.

Dr. Nielson stated to the board that he had a list of several places and had five substantially equivalent organizations approved by the board that conduct inspections and coordinates with applicable guidelines and when they need to happen. He communicated about how the attorney had some questions about people who

do sedations in more than one office and answered that it was the dental anesthesiologist or CRNA. After further discussion, Dr. Nielson concluded that he was hoping to get the new version out to the board to clear the confusion and get it on the agenda for the next board meeting. Ms. Walden asked if the licensee would have to pay for the airfare of the chosen inspector. Dr. Nielson responded that if they chose one that requires it yes and added that there is an inspector who does it via video conference and warned the board that this information is a place holder and reminded everyone that the new version still needs to be in the board packet to be looked at for the next board meeting.

Dr. Nielson asked Ms. Zinn if there was something that she wanted to add to the next regulation project about CEs. Ms. Zinn told the board yes and that she sent a copy of what the changes are to update their continuing education to include the term “concluding licensing period” so that licensees are aware their continuing education must be completed during that licensing period. She continued saying there are only three programs without that verbiage and it could cause issues if somebody contests a bad CE audit and take it to a hearing. Ms. Zinn would like to make sure every program has the same verbiage about continuing education by adding “concluding licensing period.” Ms. Zinn explained to Dr. Nielson that “concluding licensing period” can be removed for reinstatement of a license but for somebody who is renewing without their license being lapsed, it must have the verbiage “concluding licensing period.” Dr. Nielson asked if a licensee can make up the CE if they did not complete their continuing education during the concluding licensing period. Ms. Zinn answered yes, due to a centralized regulation that allows that. Dr. Nielson had verified with Ms. Zinn that all the boards are cleaning this verbiage up and that it will be part of the next regulation project.

Dr. Nielson called recess for lunch at 12:02 p.m.

Off Record at 12:02 PM

On Record at 1:00 PM

Ms. Carrillo conducted a roll call.

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

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

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

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

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

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

Dr. Jesse Hronkin – Wasilla (*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 – Juneau

Mr. Joseph Bonnell, Records and Licensing Supervisor – Juneau

Ms. Laura Carrillo, Executive Administrator – Juneau

Present from the Public:

Kenley Michand, Member of the Public - Anchorage

Agenda Item 11**Public Comment****Time: 1:01 PM**

There were no public comments.

Dr. Nielson revisited agenda item number .

Agenda Item 09**Review/Approve Tabled Applications****Time: 1:02 PM**

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

RESOLVED to accept CE consent agreement on case number 2019-000229.

Board Member	Approve	Deny	Recuse
Dr. David Nielson	X		
Ms. Gail Walden	X		
Dr. Dominic Wenzell	X		
Ms. Robin Wahto	X		
Dr. Jesse Hronkin	X		
Dr. Jonathan Woller	X		

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

RESOLVED to accept CE consent agreement on case number 2019-000772.

Board Member	Approve	Deny	Recuse
Dr. David Nielson	X		
Ms. Gail Walden	X		
Dr. Dominic Wenzell	X		
Ms. Robin Wahto	X		
Dr. Jesse Hronkin	X		
Dr. Jonathan Woller	X		

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

RESOLVED to accept CE consent agreement on case number 2019-000247.

Board Member	Approve	Deny	Recuse
Dr. David Nielson	X		
Ms. Gail Walden	X		
Dr. Dominic Wenzell	X		
Ms. Robin Wahto	X		
Dr. Jesse Hronkin	X		
Dr. Jonathan Woller	X		

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

RESOLVED to accept CE consent agreement on case number 2019-000561.

Board Member	Approve	Deny	Recuse
Dr. David Nielson	X		
Ms. Gail Walden	X		
Dr. Dominic Wenzell	X		
Ms. Robin Wahto	X		
Dr. Jesse Hronkin	X		
Dr. Jonathan Woller	X		

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

RESOLVED to accept CE consent agreement on case number 2019-000687.

Board Member	Approve	Deny	Recuse
Dr. David Nielson	X		
Ms. Gail Walden	X		
Dr. Dominic Wenzell	X		
Ms. Robin Wahto	X		
Dr. Jesse Hronkin	X		
Dr. Jonathan Woller	X		

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

RESOLVED to accept CE consent agreement on case number 2019-000562.

Board Member	Approve	Deny	Recuse
Dr. David Nielson	X		
Ms. Gail Walden	X		
Dr. Dominic Wenzell	X		
Ms. Robin Wahto	X		
Dr. Jesse Hronkin	X		
Dr. Jonathan Woller	X		

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

RESOLVED to accept CE consent agreement on case number 2019-000837.

Board Member	Approve	Deny	Recuse
Dr. David Nielson	X		
Ms. Gail Walden	X		
Dr. Dominic Wenzell	X		
Ms. Robin Wahto	X		
Dr. Jesse Hronkin	X		
Dr. Jonathan Woller	X		

Agenda Item 14

Updated Professional Fitness Questions

Time: 1:01 PM

Dr. Jonathan Woller guided the board through the questions. Dr. Nielson asked if the board were to adopt the changes to the professional fitness questions, would the need to be reviewed by the Department of Law.

Mr. Joseph Bonnell answered that if the changes were adopted, it would have to go to the division director Ms. Sarah Chambers and regulation specialist Ms. Sher Zinn.

Dr. Nielson was in favor of cleaning up the questions to be less confusing and appreciates the work Dr. Woller put in the questions. Gail Walden finds question number one about approved dental schools confusing as the board does not approve each individual dental school and would lead to more unnecessary questions to the licensing examiner. Dr. Woller added it is two steps removed and agrees it is confusing. The board agreed to remove question number one from the professional fitness questions.

Ms. Walden asked Dr. Woller which questions apply to malpractice and responded with questions numbers four and five. Ms. Walden suggested a malpractice questions to be clear. Dr. Nielson suggested to separate the questions asking about a malpractice complaint. Ms. Wahto asked if a licensee would not have to report a resolved malpractice from seven years ago if question number 5 says "within the past five years immediately preceding application." Dr. Nielson responded saying it would still show up on PBIS but you can check no on the question. The board found a similar question with the State of Oregon to be well written: "Have you ever been named in any civil suit or suffered any civil judgement or in competence, negligence or malpractice in connection with the practice of the health care profession?"

Dr. Nielson suggested the board create a doodle poll for how to word the question. Gail Walden suggested to include Jasmin Bautista's opinion or a chance to review in writing the updated professional fitness questions. Dr. Nielson asked if it was premature to decide on the questions during the meeting if the board would like more information from others. Mr. Bonnell suggested that Director Chambers and Ms. Zinn to look at the questions and that the law office would not need to be included.

Dr. Nielson thanked Dr. Woller and tasked him with editing the questions and using the second part that lists questions 1-9 and sending them off to Ms. Carrillo to send to Mr. Bonnell, to send off to Ms. Zinn and Director Chambers so that the board may revisit and vote on the changes by the next board meeting.

Dr. Nielson communicated to the board that he will conduct a quick announcement about agenda item number 16 since Dr. Jilly is not in the teleconference with the board. Mr. Bonnell spoke through the chair and reminded the board that agenda item number 16 is scheduled for 2:30pm with Director Chambers, Deputy Director Jill Lewis along with Dr. Bernard Jilly, who are scheduled at that time to attend.

Mr. Bonnell notified the board that Deputy Director Jill Lewis had asked about the inspections and about her department possibly taking over them. Dr. Bernard Jilly, Director Sarah Chambers and Irene Casares who does inspections for Ms. Lewis' department plan on being in attendance to talk about the inspections to go through their department rather than the dental board having to deal with them.

Dr. Nielson acknowledged that he had skipped agenda item number 14.

Agenda Item 14

Penalty Matrix/PDMP Penalty Matrix

Time: 1:23 PM

Dr. Wenzell presented his penalty matrix notifying the board and asked what they thought of it. Dr. Nielson shared that he thought it was good but that the board should have a separate matrix for the PDMP per Laura Carrillo's request. Dr. Nielson tasked Dr. Wenzell with finishing the penalty matrix whoever he might need to work with to get the matrix figured out. Ms. Walden added that she will continue to work on the dental hygiene penalty matrix and add to the draft she had been working on.

Dr. Neilson moved on to agenda number 17.

Agenda Item 17

Review/Approve Tabled Applications

Time: 1:30 PM

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

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 applications with Board staff members, Christianne Carrillo and Joseph Bonnell to remained during the session.

Off Record: 1:32 PM

On record: 2:20 PM

Dr. Derek Wallin, DDS, entered the public board meeting via teleconference at 2:15 PM

Dr. Nielson asked if the board can speak about Dr. Wallin's application publicly. Mr. Bonnell answered it is fine as long as the applicant consents to the discussion to be on record.

Dr. Wallin asked the board if they wanted a definitive resolution or for more information. Dr. Nielson on behalf of the board confirmed with Dr. Wallin that the board would like some sort of resolution from the Arizona board of dental examiners. The last response the the Alaska board has received from the Arizona board was asking for a response by Dr. Wallin by November 4th, 2019. Dr. Wallin notified the board that he had responded to them and forwarded the correspondence to the Alaska dental board. He continued telling the board that the dental insurance company, TDIC had just responded to him and said everything should have been documented and are concerned that there was not sufficient documentation but expressed no concern that he had done any harm.

Dr. Nielson explained that everything Dr. Wallin has presented to the board is reasonable but would like a resolution from the Arizona dental board about the unresolved investigation against him. He further explained that his application is currently tabled and once the board receives something from Arizona, they can vote on his application as soon as possible.

Dr. Wallin explained that he does not have a time frame and fears he will run out of money before the Arizona board can give him an answer. Dr. Nielson asked Dr. Wallin to send all recent documents to Ms. Carrillo and the board can vote on his application once the information has been added to his record. Mr. Bonnell tasked himself to send Ms. Carrillo's contact to Dr. Wallin.

Dr. Nielson tabled Dr. Wallin's application and referred the application back to investigations for more clarification.

Sarah Chambers, Director, entered the meeting at 2:29 PM

Dr. Derek Wallin, DDS, left the meeting via teleconference at 2:31 PM

Agenda Item 16

Radiologic Equipment Inspection Update

Time: 2:31 PM

Dr. Nielson welcomed Dr. Bernard Jilly, Deputy Director Jill Lewis with the Division of Public Health, and Director Sarah Chambers.

Dr. Nielson started the discussion and shared a quick timeline. Director Chambers kicked off the conversation and shared with the board that she had been in discussion with Deputy Director Lewis about the possibility of Division of Public Health's radiological inspectors to be given the authority to take over inspections and remove the responsibility from the board of dental examiners. They will be proposing

legislation this spring. Director Chambers asked Deputy Director Lewis to describe what she knows so far about that program and where they are in the development.

Deputy Director Lewis, stated that the Division of Public Health includes the public health laboratories and that the state public laboratories have responsibility for all the other radiologic device inspections and certifications. Deputy Director Lewis said they envision that they would operate dental x-ray certifications very similar to the way they do medical equipment inspections now and recalled that the board has heard from Dr. Jilly before about the resources they would need to do this. Their staffing level is just one person who does all the other devices that are not dental and would need to add a second person due to the volume what will be added by dental x-ray as well as some funding for travel. Dr. Nielson recalls that Dr. Jilly had said it must be a self-sustaining program and does not know anything about the numbers.

Dr. Jilly referenced a spreadsheet from the board of dental examiners that contained over 2,200 devices listed. He notified the board that they are in the process of analyzing the numbers to get a better grip on the estimated traveling costs. He reiterated that they would need to have two inspectors due to the volume that would be added. With both medical and industrial x-ray devices, they estimate a yearly cost of \$200,000 for the entire program to run. Based on the number of devices it comes to \$80 a tube which means we would break even. Dr. Jilly reiterated that the program will run much like their medical and industrial inspections; which would be an initial installation of the device and then inspections once every three years thereafter.

Dr. Nielson made a comment about how it would likely take some time to catch up the dental x-ray inspections. He informed the board that in the past, the dentists were paying for their fees but were not getting inspected and hoped that if they pay fees, they get their inspections done. Dr. Jilly responded that this was before he came on board and that it was a perception issue rather than a documented issue and that they are committed to finishing the inspections within the three-year period. Dr. Jilly went on saying that his team had managed to do all the medical and industrial devices within a three-year cycle, adding that the cost of transportation is much better now than it was 25 years ago. Dr. Nielson was happy to hear that the state is willing to look at this issue and asked Dr. Jilly if he had anything more to report before making a motion. Dr. Jilly had nothing further to comment.

On a motion duly made by Dr. David Nielson, seconded by Robin Wahto, and approved unanimously, it was

RESOLVED for the board of dental examiners to request legislation that would transfer responsibility for inspection of dental radiologic equipment to the division of Radiological Health.

Board Member	Approve	Deny	Recuse
Dr. David Nielson	X		
Ms. Gail Walden	X		
Dr. Kelly Lucas	X		
Dr. Dominic Wenzell	X		
Ms. Robin Wahto	X		
Dr. Jesse Hronkin	X		
Brittany Dschaak	X		

Laura Carrillo, Executive Administrator, entered the meeting at 2:45 PM

Director Chambers thanked the board for their support and voiced how they will anticipate advocating for the statute through this year's session. Dr. Nielson asked for clarification if this would get through this year. Director Chambers explained that they are adopting and moving forward a bill that the Governor is sponsoring to reform several areas of professional licensing that is ambitious with a lot of moving parts that

had troubling moving points and this was one of them knowing that the board was interested in this; they saw an opportunity and moved forward with it. She adds that it is possible will not pass and that they will have to reintroduce it next year. They are going to push hard as it is the number one priority within the Department of Commerce legislatively this year.

Agenda Item 18

PDMP Report/Compliance

Time: 2:46 PM

Laura Carrillo, Executive Administrator for the board of pharmacy representing the PDMP apologized she did not have an updated PDMP report for the month of December but had an overview of August's. Ms. Carrillo shared that the compliance rate for dentists for August was 84% which is higher than the four prescribing boards which is good news. She brought to the board's attention that in a past meeting the board had discussed the board of pharmacy's 30-day period for initial licensed pharmacists to register for the PDMP and that the dental board was similarly wanting to go in that same direction: however, was not able to find the minutes reflecting this. Laura Carrillo notified the board that she needs this information as she is compiling information into a disciplinary matrix for each board's grace periods, deadlines and other PDMP related guidance.

Gail Walden and Robin Wahto shared with Ms. Carrillo that the board had written a letter that the former licensing examiner, Tracy Wiard had which was planned to be sent out once she had compiled a list of people who are not and who are in compliance. Ms. Wahto recalled that letter did mention a 30-day period. Ms. Carrillo asked that this 30-day period be ratified on record since it was already included in the letter but not reflected in the minutes. Ms. Walden reminded Ms. Carrillo that the letter was in draft form and was not sent as there was still a lot of work for Tracy Wiard to do before sending it. Dr. Nielson continued with the clarification. Ms. Carrillo suggested that the board can categorize this into two separate issues: the dentists who are potentially not registered and therefore potentially out of compliance and the second category of dentists who haven't yet been issued a license and who should be notified are given guidance as to how long they will have to register with the PDMP. Ms. Wahto asked if there is a section on the dental application that exists which asks if a dentist is registered and if not, they have 30 days to do so. Dr. Nielson asked if the licensing examiner can make a list of those who are already registered with the PDMP and understands that the 30-day grace period is an important thing to know about and asked if a motion should be made for it to be in the minutes. Mr. Bonnell concurred. Ms. Walden asked Ms. Carrillo how the board would know who it's applying to. Ms. Carrillo informed the board that there is a way to identify those providers who are not registered and believed there was some misunderstanding of how to narrow that list down and can certainly assist with that project.

Gail Walden said that she had reviewed the dental application by examination and did not see any information about the PDMP. She asked if the board will be sending information to new licensees. Laura Carrillo offered to send a letter and email template she sends out to newly licensed providers and offer guidance on creating a compliance module to the board of dental examiners' licensing examiner, Christianne Carrillo.

On a motion duly made by Dr. David Nielson, seconded by Dr. Jesse Hronkin, and approved unanimously, it was

RESOLVED for the board of dental examiners to recommend a 30-day grace period upon initial issue of a dental license to sign up for the PDMP.

Board Member	Approve	Deny	Recuse
Dr. David Nielson	X		
Ms. Gail Walden	X		
Dr. Kelly Lucas	X		
Dr. Dominic Wenzell	X		

Ms. Robin Wahto	X		
Dr. Jesse Hronkin	X		
Brittany Dschaak	X		

Dr. Nielson inquired how the compliance module is coming. Ms. Laura Carrillo responded that she did not know off the top of her head the number of dentists who didn't query a patient.

TASK:

Laura Carrillo will send a letter and email template she sends out to newly licensed providers and offer guidance on creating a compliance module to the board of dental examiners' licensing examiner, Christianne Carrillo.

Ms. Laura Carrillo asked if the board had contemplated what type of action they might take or a courtesy warning letter they might issue because of failure to query a patient. Dr. Nielson shared with Ms. Carrillo that it is a work in progress further stating that Dr. Hronkin has put together a document that will be part of the penalty matrix that will address it. Ms. Carrillo shared with the board about another enhancement feature with the PDMP, which is a clinical alert feature and will be setting up many different alerts based on different criteria like dangerous combination threshold, MME (Morphine Milligram Equivalent) thresholds, and supply day alerts. She requested for the board to have a discussion on guidance related to MME thresholds or supply day thresholds. Ms. Carrillo has not found in the dental board's statutes or even guidelines adopted from the ADA a specific number of MME per day is mentioned or a supply date limitation and would like to ask the board to contemplate that amount.

Ms. Laura Carrillo reminded the board that in 2016, members from the prescribing boards and the board of pharmacy convened at the call of the legislature to discuss and adopt prescriptive guidelines. There was a representative from each prescribing board and the board of pharmacy who adopted Washington's prescriptive guidelines with the exception of lowering the 120 mm per day to 90 per day and asked if that's a reasonable threshold. Dr. Nielson did not feel comfortable putting numbers out until the board has sat down to discuss it. Ms. Carrillo did not expect a decision in that moment and suggested to table and to continue to contemplate.

TASK:

Dr. Nielson will contact the ADA and get a morphine milligram equivalent and supply day threshold number.

Laura Carrillo responded to the board's question about whether licensees are required to display their PDMP certificate in their clinic. It's not a requirement to display the certificate and it is just for their records but they can certainly do so if they would like.

Laura Carrillo, Executive Administrator, left the meeting at 3:07 PM.

Robin Wahto reported to Dr. Nielson that she had told Jasmin Bautista about questions the board had for her during an executive session. She was going to be back with a file and suggested the board to ask her the questions if they desired.

Agenda Item 20

Review/Compare Dental Exams

Time: 3:11 PM

Gail Walden warned the board that she would be leaving soon and wanted to share her thoughts about the dental exams and dental hygiene exams for the next agenda item. She expressed that she wanted more representation especially for the dentistry exam as the board is now receiving more examinations. She mentioned the WREB organization and suggested that the board should discuss bringing other examinations to get involved in them so they have more information. Ms. Walden continued saying that dental examiners

have WREB and she has some opinions on the language for it and would like to open it up for the next board meeting. Dr. Nielson agreed and is willing to discuss it later.

Gail Walden, RDH, left the meeting at 3:11 PM.

Dr. Nielson notified the board that he had considered what other boards do for their exams and stated his opinion that currently, no one else has a constructed response treatment plan test. Dr. Nielson tasked Christianne Carrillo to confirm what exams are being taken right now.

TASK:

Ms. Carrillo with gather information from Tracy Wiard, the former licensing examiner about which exams are being taken for each exam season for dental examiners and to find out if they're still covering all the criteria. Ms. Carrillo will send a letter to each person who runs the exam to ask the criteria of each one.

Agenda Item 21

Board Business

Time: 3:15 PM

Specialty License Update

Dr. Nielson recapped that a letter was sent out to the Alaska Dental Society to ask for help to introduce legislation to bring back the specialty license and got a senator to sponsor a bill. The bill is now in the works and is looking for a house sponsor. Dr. Nielson shared with the board the draft of the written bill with the consent of Dr. Logan. The bill gives authority to the board to decide what is best for the state. He added it was up to the board to define what a specialty license is. Mr. Bonnell asked for Dr. Nielson to share the draft of the bill with the licensing examiner so that analysis can be offered when it comes through.

Review Board Interview Process for Credential Applicants

Dr. Nielson asked Mr. Bonnell what Tracy Wiard wanted to talk about in terms of stream lining the review board interview process. Mr. Bonnell did not see the necessity of discussing unless the board would like to make a change. Christianne Carrillo informed the chair that Ms. Wiard had mentioned finding some of the questions in the interview process could be put in the application but did not know more about Ms. Wiard's plans. Dr. Nielson contended that there is information that comes up during the interview process that otherwise would not have been written in the application. Ms. Carrillo let the board know that if they feel that the interview questions are necessary, she would not want to change that. Dr. Nielson shared that he wanted to leave it the same as well.

Agenda Item 22

New Business

Time: 3:15 PM

Ms. Carrillo offered to type up the task list and was asked to read it out:

- 1) The moderate sedation application on the website is not current. Page 12 is not needed.
- 2) Dr. Woller will update the professional fitness questions and send to Mr. Bonnell and Ms. Zinn.
- 3) Work on PDMP template with Laura Carrillo for new licensees after initial issue of license.
- 4) Create a compliance module for the PDMP and figure out the list of those who are not and who are in compliance.
- 5) Dr. Nielson to find the prescribing recommendation for morphine milligram equivalent and supply day threshold.
- 6) Christianne Carrillo to speak with Tracy Wiard about which dental exams are being taking for each exam season.
- 7) Dr. Wenzell will work on the penalty matrix for dentists.
- 8) Gail Walden will continue working on the penalty matrix for dental hygienists.

Jasmin Bautista, Investigator, entered the meeting at 3:26 PM.

The board revisited agenda item 17 and Dr. Nielson announced that Ms. Bautista is present to answer their questions about an application. He warned the board that they may have to go into executive session with the presence of Ms. Bautista and the subject matter. Robin Wahto clarified that she had a general question and that it would not be necessary to go into executive session. The chair consented. Ms. Bautista advised not to name names or circumstances.

Agenda Item 17

Review/Approve Tabled Applications

Time: 3:27 PM

Ms. Wahto asked Ms. Bautista if she remembered this specific email that had six items identified but when she looked at the other page there were additional items that were not addressed in an email. Ms. Bautista apologized that she could not answer that question as she did not have the client's file in front of her but asked if he has been interviewed. Ms. Wahto believed so. Ms. Bautista suggested the board table this item until more information is sent to Mr. Bonnell and Ms. Carrillo. The board shared that they were willing to vote on the application as soon as possible once the information comes in. Ms. Bautista expressed the need for a resolution from the other state in question because once the board clears it, they cannot go back.

Jasmin Bautista, Investigator, left the meeting at 3:31 PM.

Agenda Item 21

New Business

Time: 3:32 PM

Schedule Upcoming Board Meetings

There are no dates set up yet for board meetings in 2020. Mr. Bonnell suggested that the board select the week in the month that they would like to have a board meeting especially in the spring while the legislative session is going. Mr. Bonnell suggested using Doodle Poll to figure out the best time for every personnel who might be tied up in session. Ms. Wahto recalled that Mondays are preferred during session. Mr. Bonnell reminded the board that Thursdays and Fridays are usually busy for the division during this time.

TASK:

Mr. Bonnell and Ms. Carrillo will create a doodle poll as soon as possible and send the board a links to the doodle poll to the board to take.

Agenda Item 22

Adjourn

Time: 3:36 PM

The Alaska Board of Dental Examiners Chair, Dr. David Nielson, adjourned the meeting at 3:37 PM.

Respectfully Submitted:

Christianne Carrillo
Occupational Licensing Examiner

Approved:

David Nielsen, DDS, President

Date:_____

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

MINUTES OF MEETING
FEBRUARY 11, 2020

These DRAFT minutes were prepared by the staff of the Division of Corporations, Business and Professional Licensing. They have not been reviewed or approved by the Board.

By authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the Board of Dental Examiners was held in Conference Room A in the State Office Building, 333 Willoughby Avenue, 9th Floor, Juneau, Alaska.

Tuesday, February 11th, 2020

Agenda Item 1

Call to Order/Roll Call

Time: 1:30 PM

The meeting was called to order by Dr. David Nielson, President, at 1:30 p.m.

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

Dr. David Nielson, President – *(Via Teleconference)*
Dr. Jonathan Woller – *(Via Teleconference)*
Dr. Dominic Wenzell – *(Via Teleconference)*
Ms. Robin Wahto – *(Via Teleconference)*
Brittany Deschaak – *(Via Teleconference)*
Dr. Kelly Lucas – *(Via Teleconference)*
Ms. Gail Walden – *(Via Teleconference)*
Dr. Steven Scheller – *(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 – Juneau
Mr. Joseph Bonnell, Records and Licensing Supervisor – Juneau

Agenda Item 2

Review of Agenda

Time: 1:32 PM

There were no changes to the agenda.

On a motion duly made by Dr. Johnathan Woller, seconded by Dr. Dominic Wenzell, and approved unanimously without any objections, it was

RESOLVED to approve the 2.11.2020 dental board agenda as amended.

Agenda Item 3

Legislative Discussion

Time: 1:33 PM

Dr. Nielson gave a summary about House Bill No. 216 / Senate Bill No. 157 and the stated that the reason for the meeting is to see if the board is on the same page on how to testify about them. The chair asked the board if they listened to Director Sara Chambers present the bill to the senate. Dr. Kelly, Dr. Lucas & Dr. Weller all responded with a yes. A goal of generating a letter based on what the board decided after the meeting to be sent to multiple senators was set.

Section 2. AS 08.01.062 (1) (a), temporary license was the first to be mentioned. Dr. Nielson expressed his concern the processing of applications of those who come from a foreign country who are equivalent in scope that do not use PBIS. Dr. Nielson questioned if the department who would be processing the temporary licenses would be ready to contact the foreign countries or jurisdictions for documents that would be required if the applicant had any disciplinary actions either on going or in the past. It was under the board's understanding that the temporary license would allow dentists from other jurisdictions and countries to be licensed without the board having any say at all for almost a year.

The board moved on to talk about Section 2. AS 08.01.062 (1) (c) which they agreed with which would allow temporary licenses to those who are awaiting the results of an examination required for licensure. Dr. Nielson concluded that (a) and (c) are the only parts of Section 2. AS 08.01.062. He added that Senator Castillo made a good point that she felt it was a heavy lift, the way it's currently written. Dr. Kelly Lucas agreed with the idea of foreign country concerns that were shared and believed it is fraught with problems.

The topic of accreditation process was brought up. Dr. Nielson shared with the board that Saudi Arabia is the only foreign country that has been accredited by CODA and that Mexico has been trying and is currently getting closer to being accredited. He shared that accreditation for dental school matters in contrast, the regulation states that a person who is authorized to do similar things can be licensed. The wording for "substantially equivalent" was not found to not be clear. Dr. Dominic Wenzell agreed and felt the same way as Dr. Nielson and was concerned and disliked the fact that the proposed regulations are taking away the board's ability to review an applicant, to be delegated to an unknown government department.

The chair considered that House Bill No. 216/Senate Bill No. 157 will expedite the procedure for licensing for the military but explained that the military does not train dentists therefor it would not completely apply to the dental board. Dr. Nielson added that the military already has a good mechanism to get licensed in the state of Alaska and if there is a way to make it faster, he would be okay with it.

Dr. Woller made a comment that Senator Castello alluded to the fact that 40 plus professions would be affected under this bill and it does not consider the different needs for each program. Dr. Woller further explained that the bill makes sense in general as a department but when it comes down to areas that are specialized such as physicians and dentists, they have completely different needs as a group in the state of Alaska. Dr. Dominic Woller voiced that he does not feel the bill will work for the vast majority.

Mister Joseph Bonnell, spoke through the chair and added a comment to bear in mind from Director Sarah Chambers that if the bill were to pass, the boards would be putting in regulation to help define what the temporary licensure would need to meet. Dr. Dave Nielson, responded with a question about Section 6 of the bill which is to determine what criminal convictions are disqualifying as well as good moral turpitude does not specify that regulations are going to be referenced. Mister Bonnell restated that he was forwarding words on from Director Sarah Chambers that she wanted to convey the partnership aspect of making regulations to fit each boards' standards. Dr. Nielson thanked Mister Bonnell and expressed that in the bill's current form, he does not see the allowance of regulations written in Section 2. Mister Bonnell confirmed the same.

Dr. Nielson recognized that there is wording that disqualifies applicants based on existing regulations within the programs that apply to temporary licenses but expressed that the department will be the one who will try

to track down the information necessary to complete an investigation. He reminded the board that there are courtesy licenses that would be repealed and added the cost of a courtesy license might be more beneficial to an applicant than a temporary permit, assuming it would cost more. Dr. Woller raised a point that a dental licensure allows for ownership of an office and questioned whether a temporary license would have the same benefit.

A question by Dr. Nielson was asked to Mister Bonnell about Sec. 6 AS 08.01.007 (b) stating the board cannot deny renewal or initial license prior to a criminal conviction but can still do a summary suspension if they need to. Joseph Bonnell confirmed, as it is right now. Dr. Nielson enquired if the board is to determine what disqualifying criminal convictions are with the help of the department or if it is up to each board. Mister Bonnell clarified that the department can provide some guidance but it is up to each board.

Sec. 5. AS 08.01.065 was cited and that the board supports the amended regulation to have the Department of Health and Social Services to take over inspections of dental radiological equipment under AS 08.36.075.

Dr. Nielson requested from the board if there were any other comments. Dr. Wenzell shared with Dr. Nielson that he agreed with everything that was discussed. Gail Walden stated that the bill is not where she'd like it to be, and recognized it being focused on the military benefits but is concerned that an applicant who is awaiting their results can instead get a temporary license to practice under 2. AS 08.01.062 (1)(c), which has its pros and cons. Miss Walden required to see language about the limitations of the temporary license if an applicant is not awarded licensure after their wait as a temporary licensed dentist. Dr. Nielson added to that thought and asked who would revoke the temporary licenses.

Dr. Kelly Lucas supported the military aspect of the bill has real concerns about the broadness of foreign countries, the rest of the board all felt the same way. Dr. Steven Scheller shared he does not feel the temporary license goes well with the health profession.

With the agreement of all the board members, Dr. Nielson informed the board that he will be writing a letter filled with the similar opinions and concerns of the board. He prompted everyone that they must pick a liaison who is willing to testify if asked or has the desire to speak during the hearings and stated it would be nice to have a couple of people who can be present. Dr. Woller and Dr. Nielson volunteered to represent the board; Dr. Woller being the back up.

Agenda Item 4

Specialty License

Time: 1:57 PM

A draft of the specialty license bill was presented to the board by Dr. Nielson. He notified the board that it is sponsored by Senator Wilson and though it does not have a number yet, it does not mean it is dead. He explained that it is still in the works and needs more tweaking and asked for some help from the board to take get a chance to look at it before the next board meeting.

Dr. Nielson tasked Miss Christianne Carrillo, to upload the letter to the senators on OnBoard.com for the board to review once he finishes writing it.

Agenda Item 5

Adjourn

Time: 2:05 PM

The board finished discussing SB157 early.

On a motion duly made by Dr. Johnathan Woller, seconded by Dr. Dominic Wenzell, and approved unanimously without any objections, it was

RESOLVED to adjourn the meeting early.
The Alaska Board of Dental Examiners Chair, Dr. David Nielson, adjourned the meeting at 2:06 PM.

Respectfully Submitted:

Christianne Carrillo
Occupational Licensing Examiner

Approved:

David Nielsen, DDS, President

Date: _____

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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
March 3, 2020

These DRAFT minutes were prepared by the staff of the Division of Corporations, Business and Professional Licensing. They have not been reviewed or approved by the Board.

By authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the Board of Dental Examiners was held in Conference Room A in the State Office Building, 333 Willoughby Avenue, 9th Floor, Juneau, Alaska.

Tuesday, March 3rd, 2020

Agenda Item 1

Call to Order/Roll Call

Time: 9:03 AM

The meeting was called to order by Dr. David Nielson, President, at 9:03 a.m.

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

Dr. David Nielson, President – *(Via Teleconference)*
Dr. Kelly Lucas – *(Via Teleconference)*
Ms. Gail Walden – *(Via Teleconference)*
Dr. Steven Scheller – *(Via Teleconference)*
Dr. Dominic Wenzell – *(Via Teleconference)*
Ms. Robin Wahto – *(Via Teleconference)*
Dr. Jesse Hronkin – *(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. Tracy Wiard, Licensing Examiner – Juneau
Mr. Joseph Bonnell, Records and Licensing Supervisor - Juneau
Ms. Jasmin Bautista, Investigator – Anchorage *(Via Teleconference)*
Ms. Sher Zinn, Regulation Specialist – Juneau
Ms. Karina Medina, Probation Monitor – Anchorage

Agenda Item 2

Review / Approval of Agenda

Time: 9:04 AM

The board reviewed the DRAFT agenda for the 3.3.2020 Board Meeting. There were no changes made to the DRAFT 3.3.2020 agenda for the 3.3.2020 Board Meeting.

On a motion duly made by Dr. Dominic Wenzell, seconded by Dr. Jesse Hronkin, and approved unanimously without any objections, it was

RESOLVED to approve the 12.06.2019 dental board agenda with no changes.

Agenda Item 3 **Review / Approve Past Meeting Minutes** **Time: 9:05 AM**

Dr. Nielson found the minutes from 12.6.2019 to be inaccurate and would like to change line 97 among many other edits. Licensing examiner, Ms. Tracy Wiard suggested that the licensing examiner could send the minutes via e-mail and designate someone to revise the minutes and e-mail the corrections back to the licensing examiner. Dr. Nielson asked for the minutes to be voted on in OnBoard.com and planned on making corrections with Dr. Wenzell on the 7.11.2020 minutes and 12.6.2019 and uploading them on to OnBoard.com when they are finished.

On a motion duly made by Dr. Nielson, seconded by Dr. Wenzell, and approved unanimously without any objections, it was

RESOLVED to revise the minutes for the 12.06.2019 and 2.11.2019 dental board meetings for completion to be approved at the next board meeting.

RESOLVED to approve the 08.23.2019 dental board minutes as amended.

Agenda Item 4 **Ethics Report** **Time: 9:14 AM**

Dr. Nielson advised the board there have not been any disclosures of potential violations or requests for determinations under the Ethics Act AS 39.52 and there have been no written determinations for this quarter. The board was asked if there were any outstanding ethics issues to report and none were reported.

Jasmin Bautista, Investigator entered the room at 9:15 AM.

Agenda Item 5 **Investigative Report** **Time: 9:15 AM**

Karina Medina, Probation Monitor entered the room at 9:18 AM.

Ms. Jasmin Bautista listed 8 closed cases from the last period. Case number 0000352 – 2018 000827 are related cases to be discussed during executive session. Additionally, the cases on page 2 that are under monitor are also all related.

Karina Medina notified the board about 4 licensees who are on probation.

The board's chair, Dr. David Nielson, entertained a motion regarding matters discussed in executive session.

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

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, Jasmin Bautista, Karina Medina, and Tracy Wiard remained during the session.

Off Record: 9:22 AM

On record: 10:55 AM

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

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

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

Dr. Steven Scheller – *(Via Teleconference)*

Dr. Jonathan Woller – *(Via Teleconference)*

Dr. Kelly Lucas – *(Via Teleconference)*

Dr. Dominic Wenzell – *(Via Teleconference)*

Ms. Robin Wahto – *(Via Teleconference)*

Dr. Jesse Hronkin – *(Via Teleconference)*

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

Ms. Tracy Wiard, Licensing Examiner – Juneau

Ms. Karina Madena, Probation Monitor – Juneau

Kenley Michand, Member of the Public – Anchorage

Agenda Item 6

Review / Approve Tabled Applications

Time: 10:57 AM

On a motion duly made by Dr. Nielson, seconded by Dr. Scheller, and approved unanimously by a roll call.

RESOLVED to deny the release from probation of Dr. Ness in case 211000163.

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

RESOLVED to accept the consent agreement for case 2019-00096 for Dr. Mann.

On a motion duly made by Dr. Wenzell, seconded by Dr. Hronkin, and approved unanimously by a roll call, it was

RESOLVED to approve Dr. Derek Wallin's application for dental licensure pending, a signed consent agreement that includes 8 hours of medical emergency CE, local anesthesia CE, 8 hours hands on endodontics CE, all in person except for 8 hours of ethics CE can be online based on 08.36.110 (1)(e).

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

150 **RESOLVED to accept the application for Dr. Uldrickson pending a signed consent agreement**
151 **that includes a probationary period up until the end of the next renewal period and fined**
152 **based on 08.36.315 (1) for misrepresentation to obtain a license.**

153
154 *Ms. Jasmin Bautista and Ms. Karina Medina left the room at 11:05am.*

155
156 **Agenda Item 8**

Public Comment

Time: 11:06 AM

157
158 Dr. Nielson asked if there were any member of the public present for public comment. There were none.

159
160 Dr. Nielson called for a recess at 11:06 a.m.

161
162 **Off record on 11:06 a.m.**

163 **Back on record at 11:17 a.m.**

164
165 Ms. Wiard conducted roll call.

166
167 Board Members present after break, constituting a quorum of the board, were:

168
169 Dr. David Nielson, President – *(Via Teleconference)*

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

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

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

173 Britney Dschaak – *(Via Teleconference)*

174
175 In attendance from the Division of Corporations, Business & Professional Licensing, Department of
176 Commerce, Community and Economic Development were:

177
178 Ms. Tracy Wiard, Licensing Examiner – Juneau

179 Ms. Melissa Dumas, Administrative Officer – Juneau

180
181 **Agenda Item 10**

Division Update

Time: 11:17 AM

182
183 Ms. Melissa Dumas presented the FY19's total revenue for the year was \$636,660 with \$127 dollars of
184 third party reimbursements for a total of \$636,787 in revenue. There was a total of \$117,120 in non-
185 investigative expenditure cost which includes OLE payments, regulations costs, healthcare etc. Travel costs
186 was \$5,862 which covers employee and board travel, and in state and out of state travel. Services such as
187 memberships, postage, advertising and things that are directly attributed to the dental program was at
188 \$62,383 for the year a bulk of it was the board's interagency legal is at \$66,987 which is what the board
189 paid to the Department of Law which is more than double from previous years. There was \$309 in
190 commodity costs for a total of \$ 185,574. \$115,538 was spent in personal services for investigations which
191 is more than double than the previous year. There was no investigative travel or expert witness. \$146,476
192 in investigative costs for a total of \$332,050 in direct expenditures.

193
194 *Sher Zinn entered the room at 11:29am.*

195 *Melissa Dumas left the room at 11:37am.*

196
197 **Agenda Item 11**

Sedation Inspector Regulations

Time: 11:37 AM

198
199 Dr. Nielson started to discuss 12 AAC 28.058 On-site inspections. Dr. Nielson addressed questions that the
200 attorney had. He noted that the board uses substantially equivalent organizations to inspect and a manual

that they can go through to make sure it is substantially equivalent. Dr. Nielson asked Ms. Sher Zinn's opinion on the way the regulation is currently written. Sher Zinn shared that she had made minor tweaks to conform with the standards of drafting for regulations but are very minimal but does not see any problems with the way it is currently written.

Dr. Nielson asked the board if it was clear according to the written regulation how long applicants should turn an inspection form in. He added it would give current holders until the end of the next full renewal period which would be 2023. It would give new permit holders 2 years to get their equipment inspected. Dr. Nielson believes this regulation would give people a fair amount of time. He voiced that his concern is the ability of the licensing examiner to track the applications based on what happened in the past.

A change to deep sedation renewal requirements has been made to remove the requirement of 20 deep sedation cases on patients younger than 13 years old. Dr. Nielson stated the board that he expects a pushback from the public. He explained the purpose of removing the 20 deep sedation cases on patients younger than 13 years of age is to try to decrease the number of times a dentist wants to deeply sedate a child and the requirement of it.

Ms. Zinn informed the board that the project has clean up to be done. She noted that in 2012, when the specialty license was removed, they also removed the CPR requirements out of AS 0836.070. Ms. Zinn suggested that the two statutes citations 400 (a)(2) and 400 (b)(2) to be removed as they no longer apply. Ms. Zinn added 400 (a)(f) where it refers to the Drug Enforcement Administration member having to do CE in the concluding licensing period which was recommended by the paralegal. Dr. Nielson agreed.

The words calendar year under 405 (a)(1) and 405 (b)(1) was found and was removed as The Board of Dental Examiners no longer issues licenses for calendar years but issues them every odd number years of February 28. 405 (a)(2) and 405 (b)(2) was also removed as the statute is no longer in existence. Ms. Zinn notified the board that she performed clean-up regulation changes which would not cost the board more money. She then suggested a motion be made for the inspections regulations to be sent out with the corrections for public comment to save money.

On a motion duly made by Dr. Nielson, seconded by Dr. Dominic Wenzell, and approved unanimously, it was

RESOLVED to send changes to 28.010 (e)(5)(b) for public comment and the repeal & re-adoption of 2806(8) and all the clean-up proposed by Sher Zinn.

TASK:

Dr. Nielson will write up the frequently asked questions for the inspections regulations.

Item 12

Specialty License, SB190

Time: 11:49 AM

Dr. Nielson asked if the board had read the regulation and shared that it has a sponsor from the Senate side and that it might be coming up in a senate hearing in a week or two. He stated that believes he will be around to attend and that Dr. Wenzell is the back up if Dr. Nielson cannot make it.

Dr. Nielson shared that the specialty license regulation would give The Board of Dental Examiners authority to issue licensed for dental anesthesiologists, oral medicine, and other ones that the board is used to. Dr. Nielson was happy to hear that the fiscal note is minimal and would not cost much to add this designation. Dr. Nielson inquired with Ms. Zinn if it was a designation to their dental license. Ms. Zinn replied that it appears to be a separate license but is required to obtain a regular dental license to obtain a

specialty license which would be different than the prior specialty license and asked why it was so. Ms. Zinn stated that it is not specific in the regulation if a specialty license would require applicants to keep their regular dental license and that is something to think about by the board. Dr. Nielson explained that the reason the board wanted to reinstate the specialty license is so that they may determine when a specialist is not using the ADA designation of what a specialist is and be able to use this new certifying board. He shared that his vision for the specialty license would be that an applicant has a dental license and then have a designation on it specifying being a specialist within that dental license. The board members agreed that it would be a great idea to be able to specify the specialties of all dentists. The chair notified the board that he will need to speak to Dr. Logan of the Alaska Dental Society about this subject.

A suggestion was made by Dr. Wenzell that an applicant keeps two licenses, keep the general license and then pay an additional fee for a specialty license. Dr. Nielson explained that the way it's currently written, it limits their practice to the specialty license. Ms. Zinn added that that is the problem. Dr. Nielson went on saying the board would then have to define the scope of practice for each specialist.

The chair broke down how the regulation would function, the way it is written right now. A dental license would allow an applicant to do what a general dentist can do and the specialty license would give an applicant the legitimacy of having that extra training and the residency that allows you extra stuff. Dr. Nielson added that it would take care of false misleading advertising. Dr. Nielson asked Ms. Zinn if the way it is written currently, says that an applicant would give up their dental license for a specialty license. Ms. Zinn responded that it is confusing due to it being a specialty license and not a designation making it not a designation on a general dentistry license but a separate specialty license. She explained that if the board would like to create a designation they would have to call it something to that effect.

Feedback was requested from the board whether the board would like to have a designation or a separate specialty license. The board was in agreement.

TASK:

Dr. Nielson will contact ADS and Dr. David Logan and get their opinion.

Dr. Nielson inquired with Ms. Zinn whether the fiscal note would be minimal with this regulation change. Ms. Zinn said that the only extra work would be through the IT section for adding the new permit into the database. She added that she noticed there is no effective date on this legislation and suggested to make sure to at least have a six-month effective date in advance date so that the board would have time to make their regulations as well as the authority work on regulations.

Sher Zinn left the meeting at 12:00pm.

The Board recessed for lunch.

The meeting was called to order by Joseph Bonnell, at 1:02 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)*
Dr. Jesse Hronkin – *(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:

Mr. Joseph Bonnell, Records and Licensing Supervisor - Juneau
Ms. Laura Carrillo, Executive Administrator – Juneau
Ms. Lisa Sherrell, PDMP Manager – Juneau

Agenda Item 14

PDMP Report/Compliance

Time: 1:00 PM

Laura Carrillo, Executive Administrator for the board of pharmacy introduced herself and Lisa Sherrell, the new PDMP Manager of the board of dental examiners. Ms. Carrillo and Ms. Sherrell did not have a PDMP report prepared for the board however they had prepared an annual legislative report for 2020. Ms. Carrillo prefaced that when they talk about the compliance rate for registrations, it is a best estimate of the proportion of licenses who are registered that are required to register due to many variables that can skew the data. There was information on a data clean-up project that has been going on for several months that would keep users in the database once the PDMP goes live with their PDMP license integration.

Ms. Carrillo reported that 88% of all dentists are registered with the PDMP. 645 dentists are registered under the user role of 800 dentist licensees; and 62 are registered under a federal user role. Ms. Carrillo added that 93 licensees are not registered and explained that it could be because they do not have DEA registration numbers, in the process of renewing or might have surrendered or purposefully allowed it to expire. There's been a 9.9% decrease in prescription reviewing from 2018-2020. While the registrations are increasing, the reporting has decreased. Ms. Carrillo notified the board that dentists are required to register, query and report it they are directly dispensing more than three days of supply. Dr. Nielson had a question about how these numbers are impacting the overall prescription rates and asked for confirmation that not reviewing is part of the penalty matrix that is in the works. Ms. Carrillo said yes, that it should be. The chair inquired with Dr. Hronkin if he was still working on the penalty matrix. There was a mix up on who would be completing the project.

The attention was given back to Ms. Carrillo who continued to tell the board about the overall impact of opioids. There has been a steady decrease of opioids dispensed which coincides with an inverse relationship of patient reviews increasing sharply especially in July which is the mandatory date to register and to review. Ms. Carrillo said as the reviews increased, there has been a decrease in opioids dispensed but it is not to say it is because of the numbers and that there are many other factors such as continuing education specifically related to opioid abuse addiction.

Dr. Nielson that he has been working on MME thresholds for the dental board and asked Ms. Carrillo if she was looking for that number. Ms. Carrillo responded yes, that HB242 was heard last week which is a bill that proposes that all boards establish MME's. The PDMP has an expectation that they provide some sort of notification to a provider from the board when a provider is not prescribing within the safe standards of practice. She cited that in 2016 there was a committee made up of a board member from each prescribing board and the board of pharmacy that convened and talked about setting some sort of standard which was based off the state of Washington apart from their 120 MME per day prescriptive guidelines; it has been brought down to 90 by the joint committee. The CDC recommends a 0-50 range. Dr. Nielson named that 50 MME's is equivalent to about 10 Vicodin's per day, 10 Hydrocodones, 7 Percocets, Oxycodones or 11 Tylenols. He added that most of the time dentists do not prescribe more than that. Ms. Carrillo advised that the board adds HB242 to the PTMF.

Dr. Nielson said 60 MMEs per day to be high and suggested 60 MMEs per day. The board was in agreement. Ms. Sherrell asked the chair for clarification whether 60 MMEs per day was too high or a good amount. Dr. Nielson explained that it was a standard amount and would like the daily threshold to not exceed it.

On a motion duly made by Dr. David Nielson, seconded by Dr. Jesse Hronkin, and approved unanimously, it was

RESOLVED for the board of dental examiners to suggest a morphine milligram equivalent threshold of 60 MMEs and not to exceed 60 MMEs per day limit for the dental board.

Board Member	Approve	Deny	Recuse
Dr. David Nielson	X		
Ms. Gail Walden	X		
Dr. Kelly Lucas	X		
Dr. Dominic Wenzell	X		
Ms. Robin Wahto	X		
Dr. Jesse Hronkin	X		
Brittany Dschaak	X		

There was discussion on whether the board was going to include information on the threshold for MMEs in the disciplinary matrix. The board notified Ms. Carrillo that there would be once it is written. Ms. Carrillo made the board aware of a new feature in the PDMP that allows providers to look up the patients that they may have forgotten to query before prescribing.

Laura Carrillo and Lisa Sherrel exited the room at 1:29 PM.

Agenda Item 15

Old Business

Time: 3:11 PM

Dental Exams

It was not clear as why dental examinations were on the agenda. The chair suggested for the regulations to be cited if there were any confusion on what is equivalent to the WREB Exam for the licensing examiner who was not present. It was decided that if examinations would like to be considered completely equivalent, the board would need to see their exams to be able to judge if they meet regulation standards.

TASK:

Gail will evaluate and gather information on dental hygiene exams.

Professional Fitness Questions

Professional fitness questions were viewed and were deemed good to send off to the proper channels to make changes in the future.

Dental Hygiene Advanced Practice Permit

Dr. Nielson reminded the board about the concerns the board had with the original House Bill No.127. The new version was adjusted to the board's preference after expressing their concern, excluding one detail about reporting deaths within 48 hours that should be in the dental hygiene section of the bill.

Dr. Barry Uldrikson entered the room at 1:55 PM Agenda item number 6 was revisited.

Agenda Item 6

Review / Approve Tabled Applications

Time: 1:56 PM

The board notified Dr. Uldrikson that his application had been discussed earlier in the meeting with Ms. Jasmin Bautista and a decision had already been made. Dr. Nielson was asked to contact Jasmin for the information.

The board returned to discussing agenda item 15.

Agenda Item 15 **Old Business** **Time: 1:57 PM**

Moderate Sedation Program Verification Form Revision

Mr. Joe Bonnell updated the board that the changes to the application are in the process of being processed by the publication specialist for changes.

The board revisited agenda item 3.

Agenda Item 3 **Review / Approve Past Meeting Minutes** **Time: 2:00 PM**

Dr. Nielson and Dr. Wenzell asked Ms. Walden if she found any necessary changes to the December 12th, 2019 or February 11th, 2020 minutes. Ms. Walden found some spelling mistakes. The board chose not to approve any minutes and decided to approve them once changes have been made at their next board meeting on May 5th, 2020.

Agenda Item 22 **New Business** **Time: 2:02 PM**

A task list was created:

- 1) Gail Walden will continue to research dental hygiene examinations with Britney Dschaak.
- 2) Dr. Wenzell will work on the PDMP disciplinary matrix.
- 3) Dr. Nielson will check on SB190 with the Alaska Dental Society.
- 4) Dr. Nielson will check on SB127.
- 5) Dr. Nielson will work on corrections on the last two board meeting minutes.
- 6) Christianne will work on the Moderate Sedation Application Forms

There was discussion of problems with glitches on OnBoard.com. Mr. Bonnell insured that the problems are being addressed.

Board Meeting Schedule

The board would like to have an in-person meeting. A doodle poll will be sent to the board for the May meeting.

Agenda Item 22 **Adjourn** **Time: 2:16 PM**

On a motion duly made by Dr. Jesse Hronkin, seconded by Dr. Dave Nielson and approved unanimously, it was

RESOLVED to adjourn the meeting at 2:16 PM.

Respectfully Submitted:

Christianne Carrillo
Occupational Licensing Examiner

Approved:

David Nielsen, DDS, President

Date: _____

DRAFT

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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
March 20th, 2020

These DRAFT minutes were prepared by the staff of the Division of Corporations, Business and Professional Licensing. They have not been reviewed or approved by the Board.

Teleconference

Wednesday, March 20th, 2020

Agenda Item 1

Call to Order/Roll Call

Time: 1:32 PM

The meeting was called to order by Dr. David Nielson, President, at 1:32 p.m.

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

Dr. David Nielson, President – *(Via Teleconference)*
Dr. Steven Scheller – *(Via Teleconference)*
Dr. Kelly Lucas – *(Via Teleconference)*
Ms. Gail Walden – *(Via Teleconference)*
Dr. Dominic Wenzell – *(Via Teleconference)*
Ms. Robin Wahto – *(Via Teleconference)*
Dr. Jesse Hronkin – *(Via Teleconference)*
Dr. Jon 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 – Juneau
Mr. Joseph Bonnell, Records and Licensing Supervisor – Juneau

In attendance from the member of the public were:

Dr. Dane Laneker
Susan Suri

Agenda Item 2

Ethics Report

Time: 1:34 PM

There were no reports.

Agenda Item 3

Review / Approval of Agenda

Time: 1:39 PM

The chair of the board made an announcement that the focus of the meeting had changed based on the actions taken by the Governor. The board's goal was to be granted statutory authority to help direct how dentistry is handled during emergency situations.

Ms. Gail Walden asked that public comment should be added to the agenda. Dr. Nielson notified the members of the meeting that he was willing to hear public comment after the discussion.

On a motion duly made by Dr. David Nielson, seconded by Gail Walden, and approved unanimously without any objections, it was

RESOLVED to approve the 5.20.2020 dental board agenda as amended.

Agenda Item 4

ADA Guidance

Time: 1:40 PM

The chair shared a letter he drafted to Governor Dunleavy and read it out loud. The letter thanked the Governor for deferring all elective and non-essential procedures and asked him to use all possible measures to preserve PPE and supplies and allow the Alaska Board of Dental Examiners, The American Dental Association and the Alaska Dental Society to provide input and guidance and customize their response to emergencies.

There was discussion about the wording being good and the letter being necessary. Dr. Nielson shared a draft statement for the Alaska Board of Dental Examiners website. It provided guidance on defer non-essential and elective procedures, updates on trying to gain statutory authority and provide guidance to dental examiners. Dr. Jon Woller shared his research on creating a questionnaire modified for Alaska based on a study created in China for screening patients when they come into the dental office. It provides guidance on whether or not a dental office should treat the patient and what to do if the patient is sick.

The board suggested following the guidelines that the ADA has set being a widely followed association. A correction was made to the draft statement for licensees which read "On April 8, 2020 will have a meeting. Shortly thereafter the board will give an update on current recommendations."

Dr. Nielson shared with the board that they were given a list of all deep sedation and general anesthesia providers from the state. Dr. Jason Deshaw is coordinating a list to aid hospitals in cases needed.

On a motion duly made by Dr. David Nielson, seconded by Dr. Dominic Wenzell, and approved unanimously, it was

RESOLVED to accept the letter as written to Governor Dunleavy.

Board Member	Approve	Deny	Recuse
Dr. David Nielson	X		
Ms. Gail Walden	X		
Dr. Kelly Lucas	X		
Dr. Steven Scheller	X		

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

On a motion duly made by Dr. David Nielson, seconded by Dr. Dominic Wenzell, and approved unanimously, it was

RESOLVED to accept the statement which will include a link to the COVID-19 information site to be posted on the Alaska Board of Dental Examiners' website as amended.

Board Member	Approve	Deny	Recuse
Dr. David Nielson	X		
Ms. Gail Walden	X		
Dr. Kelly Lucas	X		
Dr. Steven Scheller	X		
Dr. Dominic Wenzell	X		
Ms. Robin Wahto	X		
Dr. Jesse Hronkin	X		
Dr. Jon Woller	X		

On a motion duly made by Dr. David Nielson, seconded by Dr. Dominic Wenzell, and approved unanimously, it was

RESOLVED to include the ADA guidance for what constitutes a dental emergency and the article which describes the COVID-19 virus with guidelines for screening patients for dental offices as a start for the state's COVID-19 website with the understanding that the board may add or subtract information within a two-day period.

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

Agenda Item 4

Public Comment

Time: 2:15 PM

Dr. Dane Laneker let the board know that as a licensee he would appreciate receiving announcements via email from the board.

124
125
126 **Agenda Item 7**

127 **Adjourn**

128 **Time: 2:25 PM**

129 The board planned to schedule an emergency board meeting on April 8th, 2020 from 1:30PM – 2:30PM

130 **On a motion duly made by Dr. David Nielson, seconded by Ms. Gail Walden and approved**
131 **unanimously, it was RESOLVED for the meeting to adjourn at 2:26 PM.**
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137 Respectfully Submitted:

138 _____
139 Christianne Carrillo
140 Occupational Licensing Examiner

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142 Approved:

143 _____
144 David Nielsen, DDS, President

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146 Date: _____
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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 April 8, 2020
10

11 These DRAFT minutes were prepared by the staff of the Division of Corporations, Business and
12 Professional Licensing. They have not been reviewed or approved by the Board.
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14 Teleconference
15

16 Wednesday, April 8th, 2020
17

18 Agenda Item 1
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Call to Order/Roll Call

Time: 1:42 PM

20 The meeting was called to order by Dr. David Nielson, President, at 1:42 p.m.
21

22 Board Members present, constituting a quorum of the board, were:
23

24 Dr. David Nielson, President – *(Via Teleconference)*
25 Dr. Kelly Lucas – *(Via Teleconference)*
26 Ms. Gail Walden – *(Via Teleconference)*
27 Dr. Dominic Wenzell – *(Via Teleconference)*
28 Ms. Robin Wahto – *(Via Teleconference)*
29 Dr. Jesse Hronkin – *(Via Teleconference)*
30 Dr. Jonathan Woller – *(Via Teleconference)*
31 Ms. Brittany Dschaak – *(Via Teleconference)*
32

33 In attendance from the Division of Corporations, Business & Professional Licensing, Department of
34 Commerce, Community and Economic Development were:
35

36 Ms. Christianne Carrillo, Licensing Examiner – Juneau
37 Ms. Sher Zinn, Regulation Specialist – Juneau
38
39
40

41 Agenda Item 2
42

Review / Approval of Agenda

Time: 1:47 PM

43 The board reviewed the DRAFT agenda for the 4.8.2020 Board Meeting. Changes were made to the
44 DRAFT 4.8.2020 agenda for the 4.8.2020 Board Meeting. Public comment was added and moved to be the
45 4th agenda item. Agenda item 9 and 10 were merged as one item and moved as item 5. Item 4 and 5 were
46 moved down as 6 and 7. Agenda 8, Procedure for Filing a Report Due to Travel was removed.
47

48 On a motion duly made by Dr. Dominic Wenzell, seconded by Dr. Jesse Hronkin, and approved
49 unanimously without any objections, it was
50

51 RESOLVED to approve the 4.8.2020 dental board agenda as amended.

Agenda Item 3

Ethics Report

Time: 1:52 PM

There were no reports.

Agenda Item 4

Public Comment

Time: 1:55 PM

- Dr. David Logan suggested to consider emailing licensees for notices and new health mandates.
- Mary Ellen Murphy from the ADA checked in to see if there were any changes in continuing education and renewal requirements or deadlines in leu of COVID-19.
- Dr. Jessie Blanco wanted to discuss teledentistry. Dr. Blanco is worried about cross contamination and would like for regulations to be created for teledentistry to be covered by Medicaid.
- Dr. Bergeron wanted to see official notice by the board as well as teledentistry.
- Dane Laneker echoed the earlier comments and added that telemedicine would be valuable with regulations.
- Dr. Dominic Wenzell asked who is discussing within the department to discuss the codes that Medicaid is going to be reimbursing. Kenley Michaud answered that Dale Burke has been working on the list and threw out basic guidelines and they are not static.
- Kenley Michaud wanted to voice his support for meetings not being very well broadcasted and would like more transparency and teledentistry. Mr. Michaud believes that the AHA has taken good care of ALS and PALS by having guidelines that extend the due date.
- Brent Tingey from ASSO would like to talk about the letter from the ASSO to The Board of Dental Examiners.

Agenda Item 5

Letters

Time: 2:05 PM

The chair shared the Joint Statement on Medications to Treat COVID-19 from The Board of Pharmacy, The Alaska State Medical Board and The Board of Nursing and asked the board if he should sign it.

On a motion duly made by Dr. Kelly Lucas, seconded by Dr. Jesse Hronkin, and approved unanimously by a roll call, it was

RESOLVED for the board to adopt and sign The Joint Statement on Medications to Treat COVID-19 by the Alaska Board of Pharmacy, The Alaska State Medical Board, The Alaska Board of Nursing.

The statement from the ADA on page 36 of the board packet was presented by the chair which had to do with the recommendation that dentistry to stay with emergency procedures until April 30th. Dr. Nielson believes this will change. The letter from the ADS was presented from their meeting last Monday 4.6.2020. Dr. Nielson gave the board a chance to read it. Dr. Nielson state that it is similar to what the board has sent to the governor.

Dr. Nielson presented his draft of a letter he would like the board to send to the Governor in anticipation of some guidelines on what dentists can do with the mandates. Dr. Nielson shared with the board that he had emailed Commissioner Krum and asked if he thought mandate 6 is going to mirror mandate 5 and extend emergency procedures and extend to June 15 and he said yes. Dr. Nielson asked what the board's thought are on the June 15th extension. Dr. Wenzell inquired when SB241 is anticipated to be signed. Ms. Sher Zinn responded that she does not know the answer to that but knows that the bill is due back from the Governor by April 17th and that there is a clause in there to be retroactive to April 10th if it's signed after April 10th.

Dr. Nielson believes the mandate will extend to June 15th and that the letter should be edited to address that fact. He asked how the board what should be in the letter. Dr. Nielson asked Ms. Zinn who the board should contact to listen to what the Dental Board or Dental Society has to say. Ms. Zinn suggested to contact Dr. Zink, collectively as Dr. Krum is very busy with the flood of information that is being sent to them.

Ms. Gail Walden shared her thoughts and asked what the goal of the letter would be as the decisions made were most likely gathered from data that is researched from the statistics, analysis from the community and does not think that the words in the letter is telling them anything they don't already know. Dr. Nielson agreed and added that the board has never been asked for their opinion. Dr. Woller responded that it's good to provide feedback and provide a voice on the table as a goal. Dr. Nielson and Dr. Woller both voiced that they do not know what data is being looked at and is something that is important as trained dentists. There was discussion on whether the board felt the letter is asking the questions that many licensees have. The board agreed it was. It was decided that the letter will be voted on, on Onboard.com.

Agenda Item 6

Alternative Pathways to Licensure

Time: 2:22 PM

The chair shared that exams have been on hold which is a problem for new graduates and that it was time to start the discussion on how the board may want to change the licensure by exam requirements. Dr. Nielson does not believe it's an emergency as dentists are not working right now however, is looking into getting a courtesy provisional license. Ms. Zinn had contacted law on whether it was possible to create a provisional exam and shared that the board does not have any statutory authority under their own statutes to create a courtesy provisional license. It was found that SB241 will not work for the board either as it deals with the emergency crisis and for those who can assist in the health care field for the emergency crisis. Dentists are not one of those health care fields. The Board of Dental Examiners must come up with a good explanation that a change in licensure requirements is necessary in an emergency. Dr. Nielson said that the licensure of dentists is not necessary in an emergency.

Dr. Woller asked Ms. Carrillo how many have contacted her office regarding licensure. She answered around 8 students waiting to graduate and 3 actual dental applicants. Ms. Zinn continued with her report from the board's attorney and added that the only way the board can remove the exam requirement is by requesting the Governor's office to suspend the requirement temporarily but the board would then have to make their case to the Governor as to why it would be necessary to do with the current crisis that is happening. Dr. Nielson and Dr. Woller do not find it necessary or a good idea to wave the exam requirements for licensure by examination for just 3 dental applicants.

Dr. Woller enquired with Ms. Zinn what the Medical Board is doing about their initial licensure requirements. Ms. Zinn shared that they are currently working on emergency regulation to allow for an emergency courtesy license for doctors to come up to Alaska and assist with this health care emergency. They are working on waving notarized applications and waving requirements of records more recent than 6 months. Ms. Zinn shared that the Medical Board has a courtesy license in their regulations which allows for them to issue courtesy licenses based on a Governor's mandated emergency for people who are already licensed not for new graduates or those who are finished with their residency. Dr. Nielson saw that the board is not able to create a temporary license and moved on to ADEX's exam which has 3D models and comprehensive exam that deals with clinical exams and mannequin tests.

Dr. Nielson has asked ADEX for a model for the board to look at so the board can decide if it's an option the board would allow. Ms. Walden was asked if there are any good mannequin tests for dental hygienists. Ms. Walden does not know of any testing agencies that uses mannequins currently.

PBIS was contacted by Dr. Nielson and was told they have the question of waving notaries. It was stated that no one is currently having trouble finding notaries. Dr. Nielson made a statement that the board can instruct PBIS to keep collecting notarized forms and that applications will be on hold until the exams start up again.

Agenda Item 7

Continuing Education Classes

Time: 2:36 PM

Page 22 on the board packet was shown on the screen displaying 12 AAC 28.065. Dr. Nielson talked about expiring ACLS, PALS, and CPR cards and how licensees cannot renew them currently but perhaps adding a (b) section to it. The change would say: “(b) During or because of a declared State or National Emergency and for the purpose of maintaining or renewing a sedation permit issued under 12 AAC 28.010 or 12 AAC 28.015, the board may (1) extend the expiration date of existing ACLS, PALS and CPR certification for up to 180 days; and (2) temporarily reduce or modify the required number of documented sedation cases necessary for permit renewal under 28.010 and 28.015(h).”

Dr. Wenzell reminded the board does not have the authority to extend expiration dates and suggested to allow for licensees to take re-certifications online. Dr. Nielson asked for the advice of Bill Bergeron and Kenley Michaud. A member of the public Bill Bergeron notified the board that there are parts of the certification that cannot be done online. Mr. Kenley Michaud added that completing the certification online is only half of the training of where the board need licensees to be. Dr. Wenzell summarized that if the AHA is extending the CPR certifications for 120 days and the board’s job is that licensees are in compliance, it sounds like the board does not need to do anything.

Gail Walden shared what SB241 has areas that mention waving requirements for renewal for safety of the public’s health during a health emergency and asked if that helps the situation. Dr. Nielson asked if the board finds number 1 to be necessary at all. Suggestions were made to send a recommendation memo from the board to notify licensees to at least make sure they have completed their online portion while the country is social distancing and follow the AHA guidelines. Dr. Wenzell noted that the licensees do not renew until February of 2021 and have 7 months to achieve their requirements for renewals.

Dr. Nielson concluded that changes to the CPR regulations are not needed. Dr. Wenzell would like to potentially continue discussion about basic CPR as an online course with hands on compression components in the future.

Agenda Item 8

ASSO Request for Patient Care

Time: 2:52 PM

The Alaska State Society of Orthodontists would like to be included in emergency only procedures. Dr. Nielson wrote a response to their letter to the board. There was discussion about the ASSO wanting reassurance that they can see their patients with out getting in trouble with the mandate and found the letter in response to be appropriate.

Brent Tingey clarified that they would like to prevent future emergencies and not bring any new cases in.

On a motion duly made by Dr. Kelly Lucas, seconded by Dr. Jesse Hronkin, and approved unanimously by a roll call, it was

RESOLVED for the board to adopt and send the letter written by Dr. Nielson on behalf of the board to the Alaska State Society of Orthodontists.

Agenda Item 8

Teledentistry

Time: 2:52 PM

Dr. Nielson asked the board to consider teledentistry especially during times like this to help patients the way they haven't before. Dr. Wenzell shared that new patients under teledentistry are going to be difficult to help with the same standards as in office patients. The chair asked if a regulation for teledentistry should be an emergency regulation or a regulation so dentists may bill Medicaid for their service in teledentistry. Dr. Jessy Blanco presented her position on teledentistry, sharing that people will be paying attention to themselves more under this pandemic. There patients might think something minor is an emergency, which is where teledentistry would be helpful to have especially for Alaska's geographic characteristics especially now.

Gail Walden shared that there are no regulations preventing teledentistry at the moment. Dr. Nielson asked the board if anyone was willing to take on the task to compare states that have teledentistry in their regulations. Dr. Woller believes this could be a regular regulation project rather than emergency. Dr. Blanco kindly disagreed and finds it to be an emergency regulation and would like regulations made during the closure of offices so dentists may help people who have Medicaid and be compensated for their service. Dr. Blanco added that her letter mentions that supporting teledentistry as a regulation would provide care for many who have Medicaid.

Dr. Nielson asked Ms. Sher Zinn if teledentistry qualifies as an emergency or purely something of a reimbursement situation as teledentistry is something that can be done now. Ms. Zinn stated that if the board finds the lack of teledentistry regulations as an emergency in the fact that people are flooding the ER rather than their dentists, the board can do that. She suggested there could be a policy posted in the meantime. She added that it can be an emergency regulation but cautioned it should be well thought out. The board decided that there should be regulations for teledentistry that are well thought out.

Gail Walden asked if the board can state in a letter to Medicaid that teledentistry is an option for dentists in the state might help. Dr. Nielson agreed and would like to make regulations in the future. Ms. Zinn suggested to let dental licensees know that teledentistry is allowed. Dr. Nielson tasked Dr. Wenzell to write up a statement about teledentistry in Alaska to get the ball rolling.

Agenda Item 9

Adjourn

Time: 3:34 PM

Dr. Nielson shared that the board would like to meet weekly, every Wednesday at 1:30pm starting 4.15.2020. The board scheduled a meeting with Ms. Carrillo for next week and would like to cancel it if there is nothing on the agenda. The chair tasked Dr. Jon Woller, Dr. Jesse Hronkin and Dane Laneker with creating a statement for teledentistry. The board addressed Dr. Nordstrom's email that the board received and agreed no one is happy with the date and would like to see going forward what happens with the date.

Britney Dschaak shared her thoughts about the lack of transparency from the board and asked for emails from the board to all dental licensees. Ms. Zinn suggested the board to send just one email a week and direct the licensing examiner what they would like to send out to the approximately 1600 licensees. The board further expressed the frustration of the public with the lack of communication from the board and shared the updates from other states where they receive email updates. Dr. Nielson concluded that the board will work on getting emails out once a week.

On a motion duly made by Dr. David Nielson, seconded by Dr. Dominic Wenzell and approved unanimously, it was

RESOLVED for the meeting to adjourn at 3:36 PM.

Respectfully Submitted:

Christianne Carrillo
Occupational Licensing Examiner

Approved:

David Nielsen, DDS, President

Date: _____

BREAK TIME

Investigative Report

Review Tabled Applications

Regulations Update

Zinn, Sher K (CED)

From: Sandy Guenther <SGuenther@aaoms.org>
Sent: Tuesday, April 7, 2020 7:56 AM
To: Regulations and Public Comment (CED sponsored)
Cc: Eric Nordstrom; Mark A. Egbert; Karin Wittich
Subject: Regulatory comments from AAOMS
Attachments: 12 AAC 28.068 Comment Letter 4-7-20.pdf

Ms. Zinn:

On behalf of the American Association of Oral and Maxillofacial Surgeons, I would like to submit the attached letter providing comment on the proposed changes to 12 AAC 28.068. Please do not hesitate to reach out with any questions or concerns.

Sandy Guenther
Manager, State Government Affairs

American Association of Oral and Maxillofacial Surgeons
9700 W. Bryn Mawr Ave., Rosemont, IL 60018
Office: 800-822-6637, ext. 4388 | Fax: 847-678-4619
sguenther@aaoms.org | AAOMS.org | MyOMS.org

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American Association of Oral and Maxillofacial Surgeons

9700 W. Bryn Mawr Ave.
Rosemont, IL 60018-5701

847-678-6200
800-822-6637
fax 847-678-6286

AAOMS.org

Victor L. Nannini, DDS, FACS
President

Scott Farrell, MBA, CPA
Executive Director

VIA Email: RegulationsAndPublicComment@alaska.gov

April 7, 2020

Sher Zinn
Regulations Specialist
Division of Corporations, Business and Professional Licensing
PO Box 110806
Juneau, AK 99811-0806

RE: Proposed Changes to 12 AAC 28.068. On-site inspections.

Dear Ms. Zinn:

On behalf of the 18 members of the American Association of Oral and Maxillofacial Surgeons (AAOMS) practicing in Alaska, we appreciate the opportunity to provide comment on the regulatory amendments before the Board of Dental Examiners, specifically the amendments to 12 AAC 28.068 related to on-site inspections. While we fully support on-site inspections of facilities providing anesthesia, we are concerned about the Board's proposal to utilize a third party for the inspections, particularly accreditation organizations and organizations that are not recognized by any other state dental board.

For more than 45 years, the AAOMS office anesthesia evaluation (OAE) has served as a requirement for all AAOMS members' offices. Indeed, this very inspection process has served as the basis for state inspections across the country, including for the state of Alaska. During an AAOMS OAE, OMS offices are inspected to ensure they meet minimum standards, maintain appropriate drugs and equipment and that staff are appropriately trained in emergency drills and procedures.

While we appreciate the need for the state to consider third party evaluators for office anesthesia inspections, the additional organizations proposed through the revision of 12 AAC 28.068 are accreditation organizations who serve as more than merely anesthesia inspectors. The American Association of Accreditation of Ambulatory Surgery Facilities (AAAASF) and the American Association of Ambulatory Health Care (AAAHC), while they do look for many of the same anesthesia-based safety measures as the OAE, are whole facility accreditation processes that incorporate infection control, staffing, hospital privileging and anesthesia operations – just to name a few – in a complex and intensive application and whole-practice review process. To require a dental practice to submit to accreditation by one of these organizations is not simply the equivalent of paying an additional fee for a third party OAE and the Board should be fully aware of the financial, time and administrative burden implications it would place on dentists in the state, especially in light of the COVID-19 pandemic and full practice stop order by Gov. Dunleavy. Such a requirement will likely negatively affect the ability for offices to reopen and offer anesthesia services following the pandemic.

In addition, the Board includes the Accreditation Association for Dental Offices (AAFDO) as an approved inspector in the proposed revision. It should be noted that no state currently recognizes this organization as an approved inspector. In addition, this group – while calling itself an accreditation organization – is not of the same caliber as the AAAASF or AAAHC. We do not believe AAFDO should be included in this list of organizations.

Given the ongoing COVID-19 pandemic, already taxed Alaska dental care system due to the governor's order and lack of significant incidents surrounding the current process, we ask the state to maintain the current inspection process or institute a state-based program that can be monitored, calibrated, and controlled by state officials, as is the charge and purview of the dental board. Such a method would both meet the board's goal of patient safety without unfairly burdening dental offices in these uncertain and unprecedented times.

We thank you for the opportunity to comment on these regulations. Please contact Sandy Guenther, manager, state government affairs, at 800-822-6637 or sguenther@aaoms.org for questions or additional information.

Sincerely,

A handwritten signature in black ink that reads "Victor L. Nannini DDS FACS". The signature is written in a cursive, flowing style.

Victor L. Nannini, DDS, FACS
AAOMS President

CC: Eric M. Nordstrom, DDS, MD, FACS, President, Alaska Society of OMS
Mark A. Egbert, DDS, FACS, District VI Trustee, AAOMS
Karin K. Wittich, CAE, Associate Executive Director, Practice Management & Government Affairs,
AAOMS

APR 06 2020

CBPL

Alaska Board of Dental Examiners,

As a practicing dentist in Alaska I represent the needs of the people I serve. My patients require uninhibited access to the best care available. Changing facility sedation regulations again puts another enormous undue strain on facilities providing sedation while not improving patient care or access to care. A sedation problem does not currently exist. Why are we wasting time on such frivolous matters? We should be petitioning for better Medicaid benefits for the impoverished and needy.

I routinely provide moderate conscious sedation to patients with extreme dental apprehension, severe pain and infection or any other ailment that inhibits their ability to receive care. I provide both oral conscious and IV administered medications. Both modalities are proven safe and effective. We have existing protocols in place to safeguard our patients, staff and doctors. We have many years of experience providing sedation and have not once had an issue. THIS IS BECAUSE THERE IS NOT A PROBLEM TO SOLVE.

I strongly oppose changing the rules and regulations for facilities providing moderate conscious sedation in Alaska. I am happy to discuss further and in more detail my sentiments regarding this topic.

Sincerely,

Ernest Sorensen DDS

RECEIVED
Juneau

MAR 31 2020

Board of Dental Examiners,

CBPL

I would like to express opposition to the proposed changes to the sedation regulations. Sedation in Alaska has been extremely successful and safe. The program under the board's regulations has been running smoothly and there is no current issue regarding safety. Increasing the regulations and changing the CE requirements will not positively effect safety or the status and perception of dentistry in Alaska. It will however limit access to care for patients. These changes and those made in the recent past have only created road blocks limiting Alaska dentist's ability to treat our residents in need.

I believe it is the duty of the board to create as much access as possible while keeping everyone safe. The proposed changes do not accomplish either of these goals.

Thank you for your consideration, I look forward to further discussion on the matter.

Andrew Anderson DMD
(928)420-6225

To the Alaska Board of Dental Examiners:

This letter addresses two of the proposed regulation changes.

Case requirements for permit renewal:

Case requirements are beneficial to the dental public. I understand if the board decides to change the language from deep sedation to sedation which allows a deep sedation permit holder to decide which anesthetic plan best addresses the patients' needs. A recent study published in August of 2019 stated that "anesthesiologists who perform fewer than 100 pediatric cases on infants and young children per year are five times more likely to experience complications compared with anesthesiologists who do more than 200 cases per year." Current guidelines require that a deep sedation permit holder do approximately 10 pediatric deep sedation/ general anesthesia cases per year to maintain pediatric privileges. That is far less than the 100 cases studied in the anesthesia group that was five times more likely to experience complications and even further less than the 200 cases done by the sample of anesthesiologists less likely to experience complications. I do not believe it is unwarranted to require 10 pediatric deep sedation cases a year when studies indicate patient safety is far greater when cases are completed on a more frequent and consistent basis. While it is imperative to maintain yearly case number requirements, I do understand the board's concerns. I believe the most important factor involved is that pediatric cases are completed in a frequent and consistent manner. I see the pros and cons to the proposed regulations as follows:

Pro:

- a) With the proposed regulations, providers who perform deep sedation on adults and primarily moderate sedation on children may continue to perform moderate sedation and refer pediatric deep sedation cases to offices which consistently provide those services. They will not be obligated to perform deep sedations on children in order to maintain their eligibility to perform moderate sedations on children.
- b) Providers that mostly perform deep sedation will not be compelled to provide additional deep sedations just to meet requirements.
 - a. Ex: 19 deep sedations and 1 moderate sedation will be acceptable. Theoretically, the proposed update allows one patient to receive a lesser level of sedation in an office that frequently provides and is capable of providing a deeper level of sedation. The amount of risk mitigated in this situation is minimal since the office is already routinely seeing pediatric patients under deep sedation.

Con:

- c) Providers that primarily perform moderate pediatric sedations with an occasional, infrequent deep sedation will be accepted for permit renewal in the proposed regulation.
 - a. Ex: 19 moderate sedations and 1 deep sedation will be acceptable. Risk would theoretically be higher and regulation does not mitigate the risk for a patient receiving deep sedation in an office that does not routinely perform pediatric deep sedation.

While respecting the inherent risk associated with sedation and anesthesia, there is strong evidence to require routine deep sedation cases from those that are licensed to provide deep sedation on children. At a minimum there is evidence to maintain yearly case number requirements even if the board decides that the depth of sedation is not relevant in the yearly case number requirements.

To summarize, current guidelines allow the possible risk that a child may be deeply sedated in an office that does not routinely perform pediatric deep sedations where a moderate sedation would have been adequate.

Onsite Inspections:

I believe moving the responsibility of on-site inspection outside of the responsibility of the dental board and into the responsibility of the permit holder is a sound decision. It would allow for greater flexibility and updates as sedation evolves in the dental office.

Kenley Michaud, DDS

From: [REDACTED]
To: [Board of Dental Examiners \(CED sponsored\)](#)
Subject: Opinion: DELAY elective procedures.
Date: Friday, May 1, 2020 8:09:57 AM

Good morning,

I'd like to voice my concerns regarding dental professionals returning to work. I understand a subcommittee is currently working with public health officials to draft a new mandate specific to dental.

Is this to correct outlet? If not, any forwarding information would be appreciated. Thank you!

Reba Trani RDH

If able, please forward:

To Who It May Concern:

I work as a Dental Hygienist in Sitka, Alaska. I support a DELAY in allowing elective/routine procedures (BOTH non-aerosol and aerosol-producing).

Our responsibility to protect both staff and patients is the highest priority. Staff are well-protected if following recommendations outlined by both ADA and CDC. Currently, we are unable to offer patients a guarantee of protection while receiving dental care.

Emergency dental care is the priority, and these procedures by nature generally produce aerosols. In the meeting 4/29/20, there was NO unified opinion on:

- 1) how long these particles are airborne
- 2) how far they travel
- 3) how that would relate to potential COVID-19 transmission

Until these questions are answered, it is irresponsible to potentially put patients at risk in our offices.

Thank you so much for the opportunity to provide input. I appreciate all the effort that is going into keeping Alaskans safe during these uncertain times.

Sincerely,

Reba Trani RDH



Lunch Time

PDMP Report

Old Business

New Business

Adjourn