

**MINUTES**  
**NC STATE BOARD OF DENTAL EXAMINERS**  
**BOARD MEETING**  
**Morrisville, North Carolina**  
**July 12-14, 2018**

**THURSDAY, JULY 12, 2018**

The North Carolina State Board of Dental Examiners convened at 6:30 p.m., Thursday, July 12, 2018 at the Board's offices in Morrisville for the purposes of conducting a public Rule Making Hearing involving proposed rule changes to 21 NCAC 16H .0203. Dr. Merlin Young presided over the hearing and Mr. Douglas Brocker appeared on behalf of the Board as legal counsel. All members of the Board were present. The public hearing concluded at 6:35 p.m., at which time Dr. Young called the business meeting to order.

**I. CALL TO ORDER & ESTABLISHMENT OF QUORUM** **Dr. Young**

A. Call to Order

Dr. Merlin Young, President of the Board, called the business meeting to order at 6:35 p.m., Thursday, July 12, 2018, at the Board's offices in Morrisville, North Carolina. Dr. Young read the following statement regarding conflicts of interest as a reminder to all Board members:

In accordance with General Statute 138A-15(e), it is the duty of every Board member to avoid both conflicts of interest and appearances of conflict.

Does any Board member have any known conflict of interest or appearance of conflict with respect to any matters coming before the Board this weekend?

If so, please identify the conflict or appearance of conflict and refrain from any undue participation in the particular matter involved.

If, as agenda items are discussed, any Board member learns of a conflict or appearance of a conflict, he or she should notify the Chair and take appropriate action to recuse him or herself.

B. Roll Call

All members of the Board were present. The members included Dr. Merlin W. Young, Dr. Millard Wester, III, Dr. Clifford O. Feingold, Dr. Catherine Watkins, Dr. Kenneth M. Sadler, Dr. William Litaker, Ms. Nancy St. Onge, R.D.H. and Mr. Dominic Totman, Esq. Mr. Bobby D. White, Chief Executive Officer, Ms. Casie S. Goode, Deputy Operations Officer, and Mr. Douglas Brocker Legal Counsel for the Board were also present.

C. Declaration of Quorum

With all eight members of the Board present, Dr. Young declared a quorum for the purposes of conducting the business of the Board.

**II. APPROVAL & ORDER OF AGENDA** **Dr. Young**

Dr. Wester moved, which was seconded by Dr. Litaker, to accept the agenda as presented and to allow the President of the Board to determine the order of business. The motion passed by general consent.

**III. APPROVAL OF MINUTES**

- A. Minutes of June 7-10, 2018 **[Item #1] Dr. Young**  
Following a review of the June 7-10, 2018 Minutes, Dr. Feingold moved to approve the Minutes as amended. Ms. St. Onge seconded the motion, which passed by general consent.

**IV. REPORT FROM PRESIDENT**  
[No Report]

**Dr. Young**

**V. REPORT FROM CHIEF EXECUTIVE OFFICER**

**Mr. White**

- A. Financial Report (June) **[Item #2]**  
Following a review of the June Financial Report, Dr. Wester moved to accept the report for informational purposes. Dr. Sadler seconded the motion, which passed by general consent.

- B. Personnel Matters  
[None]

C. Miscellaneous

- ✚ CITA Mid-Year Meeting  
Dr. Wester moved to approve any expenses for Board Members and necessary staff to attend the upcoming CITA Mid-Year meeting which will be held on July 21, 2018, in Asheville, North Carolina. Dr. Watkins seconded, motion carried.

- ✚ Board Room AV Upgrades  
Dr. Wester made a motion to approve an upgrade/update to the current AV system in the Board room. Dr. Litaker seconded the motion, motion carried.

- ✚ Dental Opioid Action Plan **[Item #3]**  
In response to the NC Division of Public Health's creation of a NC Dental Opioid Action Plan, Dr. Wester made a motion that the Board will take the "lead" on the topics of: safe prescribing policies, CSRS utilization, electronic prescribing, and patient education. Dr. Feingold seconded, motion carried.

- ✚ Legislative Update  
Mr. White informed the Board that the general statute pertaining to licensure by credentials for dentists has changed and effective, October 1, 2018, dentists will no longer be required to establish a practice in NC within one year or limit his/her practice to North Carolina.

- ✚ Re-examination Rules  
The current rules for dental hygienists require remediation when an applicant fails the written or clinical examination three times. The course of remedial study should be in the areas of deficiency exhibited on the examination. The rules for dentists

however, were amended in 2013 and no longer require remediation of the clinical examination. Dr. Sadler made a motion to table the discussion until the August meeting. Dr. Litaker seconded the motion. The motion carried.

**VI. REPORTS OF STANDING COMMITTEES**

- A. Executive Committee  
[No Report]
- B. Finance Committee  
[No Report]
- C. Sedation/General Anesthesia Committee  
Dr. Sadler reminded the Board that the sedation advisory committee will meet, on Friday, July 27, 2018 at the Grandover Resort in Greensboro beginning at 8:00 am. The committee will work to generate back-up questions for the purposes of creating alternative versions of the written examinations.

**VII. OLD BUSINESS**

**VIII. NEW BUSINESS**

- A. Approve Radiology Course **[Item #4] Ms. Goode**  
Accelerated Dental Assisting Academy submitted a dental radiology course for approval. Upon review of the documentation submitted, Dr. Wester made a motion to approve the course. Dr. Feingold seconded the motion. The motion passed by general consent.
- B. Approve Rotation Sites - ABTech **[Item #5] Ms. Goode**  
AB Tech Community College submitted three dental hygiene rotation sites for approval. The proposed sites are: NC Baptist Men's Medical/Dental Buss Ministry, NC MOM Clinics, and Oral Cancer Foundation Screening Teams.

Upon review of the documentation submitted, Dr. Litaker made a motion to approve all three sites. Dr. Watkins seconded the motion. The motion passed by general consent.

- C. 2019 Meeting Dates **[Item #6] Ms. Goode**  
In order to facilitate the scheduling of several disciplinary matters, Ms. Goode requested that the Board set a meeting date in January of 2019. Following a review of the calendar, the Board decided on January 11-12, 2019. Meeting dates for the remainder of 2019 will be set at the Board's August meeting.
- D. Election of Officers **Dr. Young**  
Dr. Young, representing the Executive Committee, presented the following nominations as officers to the North Carolina State Board of Dental Examiners for the upcoming 2018-2019 term: Dr. Buddy Wester as President; Dr. Kenneth Sadler as Secretary-Treasurer; and Dr. Merlin Young as Past-President. As there were no other nominations put forward, Dr.

Litaker made a motion to accept the slate of officers as presented. Dr. Watkins seconded the motion. The motion carried.

- E. Approve Minimal Sedation Course **[Item #7] Dr. Sadler**  
Dr. Brian McGue submitted a course that meets the requirements to obtain a minimal sedation permit. Upon review of the documentation submitted, Dr. Wester made a motion to approve the course. Dr. Watkins seconded the motion. The motion passed by general consent.

**IX. LICENSURE MATTERS**

- A. Approval of Licenses/Permits/Reinstatements **[Item #8] Ms. Goode**  
Ms. St. Onge moved to approve all provisional licenses, licenses issued by credentials, intern permits, sedation permits, CE waivers and reinstatements issued since the last meeting. The motion was seconded by Dr. Feingold and passed by general consent.
- B. Examinations  
Dr. Feingold informed that Board that the ADEX restorative committee recently held a conference call to discuss potential topics for the August 1011, 2018 meeting that will be held in Chicago, IL.

**X. REPORT FROM LEGAL COUNSEL**

**Mr. Brocker**

- A. Rules for Permanent Adoption **[Item #9]**  
Dr. Feingold made a motion to approve the amendments to the current continuing education rule to require dentists to complete a six-hour course in professionalism and ethics within the first year that the applicant is required to meet continuing education requirements. Dr. Litaker seconded the motion which passed by general consent.

During the open session, and without conducting other business, Dr. Wester made a motion to move into closed session, pursuant to NCGS §143-318.11(a)(3), in order to consult with legal counsel. The motion was seconded by Dr. Watkins and passed by general consent. All motions and votes were taken in open session.

- B. Potential Rule Amendments **[Item #10]**  
Proposed amendments to the current advertising rules were discussed and information was presented for the Board to consider. Dr. Sadler made a motion to table the discussion until the August meeting. Dr. Litaker seconded the motion. The motion carried.

Following the advice from legal counsel, Dr. Wester made a motion to move back into open session. Dr. Watkins seconded the motion, which passed by general consent.

**XI. INVESTIGATIVE MATTERS**

- A. Investigative Statistics (June) **[Item #11] Dr. Wester**  
The Board reviewed investigative statistics for the month of June. The statistics were accepted for informational purposes.

B. Hearing Panel Decisions

a. Log #18-099

**[Item #12] Dr. Wester**

C. Settlement Conferences

[None]

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The Board recessed its meeting for the evening at 8:40 p.m.

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## **FRIDAY, JULY 13, 2018**

The North Carolina State Board of Dental Examiners reconvened in open session at 8:00 a.m., Friday, July 13, 2018, at the Board's offices in Morrisville, North Carolina in order to reconvene the formal hearing involving Dr. Carlos J. Privette. Dr. Young, President of the Board, called the meeting to order. All members of the Board were present. Mr. Douglas Brocker and Ms. Whitney Waldenberg served as legal counsel for the Investigative Panel and Mr. Fred Morelock served as legal counsel for the Hearing Panel. Ms. Carrie Meigs and Mr. Justin May served as legal counsel for Dr. Privette. A court reporter was present to transcribe the proceedings. Also present were Mr. Bobby D. White, Chief Executive Officer, Ms. Casie Goode, Deputy Operations Officer, Betty Sines, Investigations Coordinator, and Mr. Line Dempsey, Senior Investigator. The hearing recessed for the day at 5:30 p.m.

## **SATURDAY, JULY 14, 2018**

The North Carolina State Board of Dental Examiners reconvened at 8:00 a.m., Saturday, July 14, 2018, at the Board's offices in Morrisville, North Carolina in order to continue the formal hearing involving Dr. Carlos Privette. Dr. Young, President of the Board, called the meeting to order. All members of the Board were present. Also present were Mr. Bobby D. White, Chief Executive Officer, Ms. Casie Goode, Deputy Operations Officer, Betty Sines, Investigations Coordinator, Mr. Line Dempsey, Senior Investigator. Douglas Brocker and Ms. Whitney Waldenberg served as legal counsel for the Investigative Panel and Mr. Fred Morelock served as legal counsel for the Hearing Panel. Ms. Carrie Meigs and Mr. Justin May served as legal counsel for Dr. Privette. A court reporter was present to transcribe the proceedings. The hearing concluded at 7:00 p.m.

## **XII. NEXT MEETING**

The Board's next regularly scheduled meeting will begin on Friday, August 10, 2018, and will be held at the Board's offices in Morrisville, North Carolina for the purposes of conducting several disciplinary hearings and for the consideration of routine business.

**XIII. ADJOURNMENT**

There being no further business, Dr. Sadler made a motion to adjourn the meeting. Dr. Young seconded the motion, which passed by general consent. The meeting adjourned at 7:30 p.m.

Reported by: Casie S. Goode  
Casie S. Goode  
Deputy Operations Officer

Date of Approval: August 10, 2018

**MEMBERS OF THE BOARD**

- Dr. Merlin W. Young, President*
- Dr. Millard W. Wester, III, Secretary-Treasurer*
- Dr. William M. Lstaker, Jr., Past-President*
- Dr. Clifford O. Feingold*
- Dr. Kenneth M. Sadler*
- Dr. Catherine Watkins*
- Ms. Nancy St. Onge, R.D.H., Dental Hygiene Member*
- Mr. Dominic Totman, Esq., Consumer Member*