

MINUTES
NC STATE BOARD OF DENTAL EXAMINERS
BOARD MEETING
Morrisville, North Carolina
November 10, 2017

I. CALL TO ORDER & ESTABLISHMENT OF QUORUM

Dr. Young

A. Call to Order

Dr. Merlin Young, President of the Board, called the meeting to order at 8:30 a.m., Friday, November 10, 2017, 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. William M. Litaker, Jr., Dr. Clifford O. Feingold, Dr. Catherine Watkins, Dr. Kenneth M. Sadler, Ms. Nancy St. Onge, R.D.H. and Mr. Dominic Totman, Esq. Mr. Bobby D. White, Chief Operations Officer, Ms. Casie S. Goode, Deputy Operations Officer, Ms. Betty Sines, Investigations Coordinator, Mr. Line Dempsey, Senior Investigator, Mr. Steve Brewington, Investigator, Ms. Amanda Carver, Investigative Assistant 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 October 13, 2017

[Item #1] Dr. Young

B. Following a review of the October 13, 2017 Minutes, Dr. Litaker moved to approve the Minutes as drafted. Dr. Wester seconded the motion, which passed by general consent.

IV. REPORT FROM PRESIDENT

Dr. Young

- A. North Carolina Dental Society's Professional Relations Meeting
Dr. Young recently attended the Dental Society's meeting to discuss current trends in dentistry. He reported that it was a productive and informative meeting.

V. REPORT FROM CHIEF OPERATIONS OFFICER

Mr. White


- A. Financial Report (October) **[Item #2]**
Following a review of the October Financial Report, Dr. Litaker moved to accept the report for informational purposes. Dr. Watkins seconded the motion, which passed by general consent.
- B. 2018 Preliminary Budget **[Handout]**
Dr. Wester and Mr. White presented a draft of the 2018 budget for the Board's review. Board members were encouraged to review the proposed budget and be prepared to approve a final version at the December meeting.
- C. Personnel Matters
Mr. White reported that between now and the December meeting, he, Ms. Goode and Ms. McCullough would be conducting end of the year evaluations with staff. Board members were asked to contact our office in the next couple of weeks if they had any information they wanted to contribute to a specific employee's evaluation.


Mr. White requested that the Board consider modifying current employee benefits to be competitive with the current benefits offered by other North Carolina Occupational Boards. The Board will discuss this matter further in December.

Dr. Feingold made a motion to change Mr. White's title from Chief Operations Officer to Chief Executive Officer; the motion was seconded by Dr. Watkins, motion passed.

Based on a recommendation from Mr. White, the Board voted to change its current office hours from 8:30 – 5:30 to 8:00 – 5:00.

D. Miscellaneous

-  Health Exchange Information **[Item #3]**
A new statute [SB 257, Session Law 2017-57, p. 147-151] passed that will require licensees who have electronic health record systems to submit clinical and demographic data through the HIE Network for all patients that receive state benefits by June 1, 2019.

-  AADB Discussion
Next year the AADB will not meet in conjunction with the ADA Meeting in Hawaii. Instead, they will hold the annual meeting in Chicago.

- ✚ Sharefile
Line and Amanda gave a presentation to the Board to explain how to use Sharefile and the benefits of this new system.

VI. REPORTS OF STANDING COMMITTEES

- A. Executive Committee
[No Report]
- B. Finance Committee
[No Report]
- C. Sedation/General Anesthesia Committee
Dr. Sadler reported that the sedation committee met in Greensboro on October 27, 2017 to discuss the written examinations for office evaluations and to review the proposed rule amendments.

VII. OLD BUSINESS

- A. Approve Course Instructor **[Item #4] Ms. Goode**
NC Dental U and The Dental Assistant Academy of Charlotte requested approval of a new instructor to teach the Nitrous Course offered at these schools. The Nitrous Course has already been approved. Upon review of the documentation submitted, Dr. Wester made a motion to approve Ms. Cassandra Nunn as an instructor. Dr. Litaker seconded the motion. The motion passed by general consent.

VIII. NEW BUSINESS

- A. Approve Moderate Sedation Course **[Item #5] Dr. Sadler**
Rocky Mountain Sedation submitted an updated course that meets the requirements of the new sedation rules for approval. Upon review of the documentation submitted by Rocky Mountain Sedation, Dr. Wester made a motion to approve the course. Dr. Watkins seconded the motion. The motion passed by general consent.
- B. Approve Moderate Sedation Course **[Item #6] Dr. Sadler**
Western Surgical and Sedation submitted an updated course that meets the requirements of the new sedation rules for approval. Upon review of the documentation submitted by Western Surgical and Sedation, Dr. Wester made a motion to approve the course. Dr. Watkins seconded the motion. The motion passed by general consent.
- C. Approve Minimal Sedation Course **[Item #7] Dr. Sadler**
Rocky Mountain Sedation submitted an updated minimal sedation course for approval. Upon review of the documentation submitted by Rocky Mountain Sedation, Dr. Wester made a motion to approve the course. Dr. Watkins seconded the motion. The motion passed by general consent.

- D. Approve Radiology Course **[Item #8] Ms. Goode**
Shades of Purple submitted a dental radiology course and a radiology course instructor for approval. Upon review of the documentation submitted, Dr. Wester made a motion to approve the course and to approve Aaron Hudson as the course instructor. Dr. Feingold seconded the motion. The motion passed by general consent.
- E. Approve Radiology and Nitrous Course **[Item #9] Ms. Goode**
Hands on Dental Assistant Training submitted a nitrous oxide course, a dental radiology course and a radiology course instructor for approval. Upon review of the documentation submitted, Dr. Litaker made a motion to approve the courses and to approve Jessica Deinlein as a course instructor. Dr. Feingold seconded the motion. The motion passed by general consent.
- F. Approve Rotation Sites – CFCC **[Item #10] Ms. Goode**
Cape Fear Community College (CFCC) requested Board approval of MedNorth Community Health Center, Pender County Community Health Center and Eastern Carolina University Community Service Learning Center as rotation sites for dental hygiene students currently enrolled in the dental hygiene program at CFCC. Upon review of the documentation, Dr. Litaker made a motion to approve the proposed rotation sites. Dr. Wester seconded the motion. The motion carried.
- G. Approve Rotation Sites – FTCC **[Item #11] Ms. Goode**
Fayetteville Technical Community College (FTCC) requested Board approval of the Veterans Administration Hospital in Fayetteville as a rotation site for dental hygiene students currently enrolled in the dental hygiene program at FTCC. Upon review of the documentation, Dr. Litaker made a motion to approve the proposed rotation sites. Dr. Sadler seconded the motion. The motion carried.
- H. Approve Intern Site **[Item #12] Ms. Goode**
High Country Community Health requested Board approval as an intern permit site. Upon review of the documentation, Dr. Litaker made a motion to approve High Country Community Health as an intern site. Dr. Watkins seconded the motion. The motion carried.
- I. Approve Radiology Course Instructor **[Item #13] Ms. Goode**
NC Dental U and The Dental Assistant Academy of Charlotte requested approval of a new instructor to teach the radiology course offered at these schools. The radiology course has already been approved. Upon review of the documentation submitted, Dr. Wester made a motion to approve Ms. Nicole Stodder as an instructor. Dr. Feingold seconded the motion. The motion passed by general consent.

IX. LICENSURE MATTERS

- A. Approval of Licenses/Permits/Reinstatements **[Item #14] Ms. Goode**
Dr. Wester 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. Watkins and passed by general consent.

Following its discussion of applicants for licensure and the status of individuals currently licensed, Dr. Feingold made a motion to move back into open session to continue with Board business. Dr. Wester seconded the motion, which passed by general consent.

- B. Examinations
[No Report]

X. REPORT FROM LEGAL COUNSEL

- A. CDT Code D0411 **[Item #15] Mr. Brocker**
The ADA developed a new CDT code for chair-side screening for diabetes via finger-stick testing, to become effective January 1, 2018. Several North Carolina dental licensees have requested the Board's opinion regarding this screening and if doing the screening is within the scope of the practice of dentistry. The discussion was ultimately tabled and will be revisited at the December 9-10, 2017 meeting. Mr. Brocker will contact legal counsel for the ADA to get more information.
- B. Delegable Functions **[Item #16] Mr. Brocker**
At the June 2017 meeting, the Board approved for publication delegable duty rules for dental hygienists and dental assistants. After publication in the register, the Board received numerous comments advocating that the application of Silver Diamine Fluoride (SDF) be changed from a non-delegable duty to a delegable duty for dental hygienists. Dr. Feingold made a motion to amend the rule to allow hygienists to apply SDF with proper training and when the duty is delegated by a North Carolina licensed dentist. The motion was seconded by Dr. Wester, motion passed.
- C. Rules for Publication **[Item #17] Mr. Brocker**
Dr. Feingold made a motion to approve the rules for moderate and pediatric itinerate permits as amended for publication. Dr. Wester seconded the motion, motion carried.
- D. Miscellaneous Rules Discussion
Mr. Brocker discussed the sedation committee's recommendation that the Board consider developing rules for dentists who employ medical doctors to administer general anesthesia/sedation.

He also informed the Board that the Rules Review Commission approved the request for the early periodic review of all of the Board's current rules.

He also informed the Board that Dr. Hamrick is withdrawing his objection to the definition section in the sedation rules based on the Board's position that he may employ a CRNA to administer moderate sedation using Propofol.

Mr. Brocker further suggested that following the RRC's periodic review, the Board should consider amending its current rules regarding advertising as a specialist.

XI. INVESTIGATIVE MATTERS

A. Investigative Statistics (October) **[Item #18] Dr. Wester**
The Board reviewed investigative statistics for the month of October, as well as year to date. The statistics were accepted for informational purposes.

B. Hearing Panel Decisions
During open session, and without conducting other business, Dr. Wester made a motion to move into closed session, pursuant to NCGS §143-318.18(6) and §90-41(g), in order to rule on a Hearing Panel Decisions and other investigative matters. The motion was seconded by Dr. Watkins and passed by general consent.

- a. Log #16-209 **[Item #19] Dr. Feingold**
- b. Log #16-216 **[Item #20] Dr. Litaker**
- c. Log #17-113 **[Item #21] Dr. Litaker**
- d. Log #17-064 **[Item #22] Dr. Young**
- e. Log #16-023 & 17-005 **[Item #23] Dr. Young**

Following its discussion of investigative matters, Dr. Litaker made a motion to move back into open session. Dr. Watkins seconded the motion, which passed by general consent.

C. Settlement Conferences
[None]

XII. NEXT MEETING

The Board's next regularly scheduled meeting will begin on Friday, December 9, 2017, and will be held at the Board's offices in Morrisville, North Carolina for the purposes of conducting disciplinary hearings and for the consideration of routine business.

XIII. ADJOURNMENT

There being no further business, Dr. Wester made a motion to adjourn the meeting. Dr. Litaker seconded the motion, which passed by general consent. The meeting adjourned at 3:00 p.m.

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

Date of Approval: December 8, 2017

MEMBERS OF THE BOARD

Dr. Merlyn W. Young, President
Dr. Millard W. Wester, III, Secretary-Treasurer
Dr. William M. Lisker, 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