

STATE OF IDAHO



BOARD OF DENTISTRY

MINUTES OF REGULAR MEETING – April 26-27, 2013

The Idaho State Board of Dentistry convened its regular meeting at 8:05 a.m. on April 26, 2013, at the Hampton Inn and Suites Boise Spectrum, Boise, Idaho. Board members in attendance were: Dr. Dennis Hatch, Chairman; Dr. Val Garn; Dr. Jay Harris; Dr. Scott Wright; Janis McClelland, RDH; Jan Simpson, RDH, and Ms. Tina Wilson, Consumer Member. Dr. Dan Davidson was absent and excused. Susan Miller, Executive Director, was present and Stephanie Seal, Administrative Assistant, was present and recorded the minutes. The members of the Board of Dentistry may hereinafter be collectively referred to as the "Board."

Call to Order: At the appointed time, Dr. Hatch (who hereinafter may be referred to as the "Chairman") called this duly scheduled regular meeting of the Idaho State Board of Dentistry to order. The record of the meeting reflected the fact that notice of the Board's meeting and agenda was given in the form and manner prescribed by the Idaho Open Meeting Act. The meeting's notice and agenda were previously mailed to those persons and organizations that requested or were entitled to receive that information. The required quorum was present at all times during the meeting in order for the Board to make final decisions regarding matters on the agenda.

MOTION: The Board moved to approve the minutes of the January 25-26, 2013 regular meeting. *Garn/Wilson, Unanimous – Motion Carried*

Executive Session. Upon motion and unanimous vote of the members, the Board of Dentistry entered into executive session in accordance with Idaho Code §67-2345(1)(d) and (f). While in executive session, the members of the Board of Dentistry considered those matters falling within the scope of the aforementioned statutory authority. The Board's legal counsel, Michael Kane, was present for executive session. The Board concluded the executive session at 12:06 p.m.

MOTION: The Board moved that the dentist must comply with the requirements of paragraph 9.c of the Consent Agreement for Formal Disposition and Order in connection with complaint #12-32. *Garn/McClelland, Unanimous – Motion Carried*

MOTION: The Board moved for a finding that no violation of the standards found in either the Idaho Dental Practice Act or the administrative rules occurred in connection with complaint #12-38 but the Board will issue a letter of concern. *Wilson/Simpson, Unanimous – Motion Carried*

MOTION: The Board moved for a finding that new information is insufficient to warrant reconsideration of complaint #12-39. *Harris/Garn, Unanimous – Motion Carried*

MOTION: The Board moved for a finding that new information was sufficient to warrant reconsideration of complaint #12-41. *McClelland, Wilson, Unanimous – Motion Carried*

MOTION: The Board moved to authorize issuance of consent agreements in #12-42, #12-43, and #12-45. *Simpson/Wilson, Unanimous – Motion Carried*

MOTION: The Board moved to authorize issuance of an administrative complaint in #13-10. *Wright/Wilson, Unanimous – Motion Carried*

MOTION: The Board moved to authorize issuance of an administrative complaint in #13-11. *Hatch/Harris, Unanimous – Motion Carried*

Board Member Training

Nicole McKay, Deputy Attorney General conducted training on basic Board member roles and responsibilities.

School and Association Reports

Ms. Colleen Stephenson reported on activity in IDHA. She stated preparations have begun for their annual session in October.

Ms. Tami Chaffin reported on activity in ISDA. She stated ISDA is starting a mentor program. Ms. Chaffin also addressed plans being made for the annual session in July.

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MOTION: The Board moved to issue a provisional license to Ms. Tamera diDonato with certain conditions that must be met before an active license is issued. *Wilson/Simpson, 1 recused, Unanimous – Motion Carried*

MOTION: The Board moved to deny Ms. Betsy Cordes' request for approval of local anesthesia credentials. *Simpson/Garn, Unanimous – Motion Carried*

BOD Status Report

Ms. Susan Miller and Ms. Stephanie Seal discussed with the Board miscellaneous business items.

The Board adjourned for the day at 4:42 p.m. and reconvened at 8:09 a.m. on Saturday.

Executive Session. Upon motion and unanimous vote of the members, the Board of Dentistry entered into executive session in accordance with Idaho Code §67-2345(1)(d) and (f). While in executive session, the members of the Board of Dentistry considered those matters falling within the scope of the aforementioned statutory authority. The Board concluded the executive session at 10:13 a.m.

MOTION: The Board moved for a finding that no violation of the standards found in either the Idaho Dental Practice Act or the administrative rules occurred in connection with complaint #12-30. *Hatch/Harris, Unanimous – Motion Carried*

MOTION: The Board moved for a finding that no violation of the standards found in either the Idaho Dental Practice Act or the administrative rules occurred in connection with complaint #12-31. *Simpson/Garn, Unanimous – Motion Carried*

MOTION: The Board moved for a finding that no violation of the standards found in either the Idaho Dental Practice Act or the administrative rules occurred in connection with complaint #12-49 but the Board will issue a letter of concern to the follow-up dentist. *Garn/Wilson, Unanimous – Motion Carried*

MOTION: The Board moved for a finding that no violation of the standards found in either the Idaho Dental Practice Act or the administrative rules occurred in connection with complaint #12-50 but the Board will issue a letter of concern. *Garn/Wilson, Unanimous – Motion Carried*

MOTION: The Board moved for a finding that no violation of the standards found in either the Idaho Dental Practice Act or the administrative rules occurred in connection with complaint #13-06 and #13-07 but the Board will issue a letter of concern. *Harris/McClelland, Unanimous – Motion Carried*

MOTION: The Board moved for a finding that no violation of the standards found in either the Idaho Dental Practice Act or the administrative rules occurred in connection with complaint #13-09 but the Board will issue a letter of concern. *McClelland/Wright, Unanimous – Motion Carried*

MOTION: The Board moved to approve the CEC plan as revised. *Wilson/Garn, Unanimous – Motion Carried*

Administrative Rule Review

The Board reviewed and made revisions to the Administrative Rules. Ms. Miller will submit these proposed changes to the Dental and Dental Hygiene Associations. The Board will consider comments at the July meeting.

Anesthesia Committee Report

Dr. Garn reported on the Ad-Hoc Anesthesia Committee meeting from April 25, 2013. Ms. Miller and Ms. Seal will bring committee recommendations to the July meeting.

AADB Mid-Year Meeting

Ms. Janis McClelland reported on the AADB mid-year meeting. Ms. McClelland stated one topic at the meeting was continued competency. She also stated AADB is ironing out some of the problems with their D-PREP program.

Miscellaneous

The Board reviewed a request for approval of an Extended Access Care Program. The Board determined they needed more information and have asked Ms. Miller to check with other state Board's regarding this type of program.

The Board reviewed an email requesting clarification on duties allowed for dental assistants, specifically taking impressions with a CEREC machine or other digital scanner. The Board

determined that these types of impressions are not a permitted duty of a dental assistant in Idaho.

The Board was asked by office staff to clarify a question regarding sterilization and spore testing from the random office review forms. The Board determined that offices do need to heat sterilize handpieces after every use, even if procedures are deemed minimally invasive.

The Board adjourned the meeting at 2:44 p.m.



Dennis S. Hatch, DDS
Chairman