

STATE OF IDAHO



BOARD OF DENTISTRY

MINUTES OF REGULAR MEETING – January 31, 2014

The Idaho State Board of Dentistry convened its regular meeting at 8:20 a.m. on January 31, 2014, at the Hampton Inn and Suites, Boise, Idaho. Board members in attendance were: Dr. Dennis Hatch, Chairman; Dr. Dan Davidson; Dr. Val Garn; Dr. Jay Harris; Dr. Scott Wright; Ms. Jan Simpson, RDH, and Ms. Tina Wilson, Consumer Member. Susan Miller, Executive Director, was present and Stephanie Seal, Administrative Assistant, was present and recorded the minutes. The Board's legal counsel, Michael Kane, was also present. Ms. Janis McClelland, RDH was absent and excused. 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 October 18-19, 2013 regular meeting, the October 25, 2013 special meeting, and the December 19, 2013 special meeting. *Wilson/Wright, 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 9:22 a.m.

Mr. Kane discussed some upcoming legislation with the Board including H0426.

**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 12:18 p.m.

MOTION: The Board moved to approve the terms in the proposed consent agreement in BOD #12-03. *Harris/Wilson, Unanimous – Motion Carried*

MOTION: The Board moved to approve the consent agreement in BOD #13-08. *Simpson/Harris, Unanimous – Motion Carried*

MOTION: The Board moved to reconsider the prior decision in BOD #13-16. *Wilson/Simpson, 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 BOD # 13-16. *Wilson/Harris, Unanimous – Motion Carried*

MOTION: The Board moved to accept the consent agreement in BOD #13-22. *Garn/Simpson, Unanimous – Motion Carried*

MOTION: The Board moved for a finding that sufficient grounds exist to find probable cause that a violation of the standards found in either the Idaho Dental Practice Act or the administrative rules occurred in connection with complaint #13-45 and will propose a consent agreement and reprimand. *Wilson/Davidson, 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 BOD # 13-46. *Wright/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 BOD # 13-48. *Simpson/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 #13-50 but the Board will issue a letter of concern. *Hatch/Wright, 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 #13-53 but the Board will issue a letter of concern. *Harris/Simpson, Unanimous – Motion Carried*

#### School and Association Reports

Ms. Jenna Secrist reported on activity at CSI. She stated CSI was going to begin offering a CE course for local anesthesia.

Ms. Jenna Secrist reported on IDHA activities. She said IDHA would be participating in lobby day at the Capitol to get to know the legislators.

Dr. John Blaisdell reported on ISDA's activity. He stated ISDA was working with Delta Dental on the Extended Access issue. Dr. Blaisdell also said the Annual Session would be held in Sun Valley this summer.

### Fluoride Varnish Program Inquiry

The Board reviewed an inquiry regarding dental hygienists working in a medical office providing fluoride varnish to children. Ms. Carolyn Brammer from Central District Health stated they are trying to educate parents about early childhood oral health care. Ms. Brammer asked the Board to clarify if anyone can offer oral health education. Dr. Scott Wright stated a pediatrician in Idaho can apply the varnish. Ms. Susan Miller said she would discuss this further with the Director of the Board of Medicine.

### Meeting Reports

Dr. Jay Harris reported on the October 2013 AADB Annual Meeting. Ms. Susan Miller reported on the October 2013 AADA Annual Meeting. Ms. Miller stated the Board needed to decide who would attend the AADB Mid-Year Meeting in April.

MOTION: The Board moved to send Dr. Jay Harris and Ms. Janis McClelland to the AADB Mid-Year Meeting in April. *Wilson/Simpson, Unanimous – Motion Carried*

### Miscellaneous

The Board reviewed an inquiry from a dental anesthesiologist on how to conduct his office evaluation in connection with his general anesthesia/deep sedation permit and mobile services. The Board determined an office evaluation with two oral surgeons would be required at his first sedation location.

The Board reviewed a question regarding scope of practice for dentists ordering a multi-tissue antibody test. Dr. Dan Davidson stated he would like to know which tissues were being tested and the intent of the tests. Ms. Susan Miller stated she would obtain more information and bring the issue back at the next meeting.

The Board reviewed a letter from a dentist regarding denial of treatment from Medicaid. The Board determined this was not an issue for the Board.

The Board reviewed a question from a dental office about a medical code for a “super sealant”. The Board determined this “super sealant” is a restorative material and therefore assistants and dental hygienists cannot place the material.

### Extended Access Committee Report

Ms. Tina Wilson stated this issue needs to be revisited later. She said the Board should see how this issue filters down from the national level to the state level. Dr. Scott Wright stated technological advances need to catch up before Teledentistry becomes possible. Ms. Jan Simpson stated if extended access were clearly defined the teledentistry aspect would follow. Ms. Wilson said the committee needed more direction from the Board. Dr. Scott Wright suggested the committee needed to obtain more outside information.

### BOD Status Report

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

MOTION: The Board moved to accept the financial report. *Wilson/Garn, Unanimous – Motion Carried*

MOTION: The Board moved to hold the July 2014 regular meeting in Coeur d’Alene, ID. *Wright/Wilson, Unanimous – Motion Carried*

MOTION: The Board moved to elect Dr. Jay Harris to serve as Chairman of the Board for the upcoming year. *Wright/Garn*, Unanimous – Motion Carried

The Board adjourned the meeting at 4:49 p.m.



Jay M. Harris, DDS  
Chairman