

## STATE OF IDAHO



## BOARD OF DENTISTRY

### MINUTES OF REGULAR MEETING – July 13-14, 2012

The Idaho State Board of Dentistry convened its regular meeting at 8:21 a.m. on July 13, 2012, at the Hilton Garden Inn, Idaho Falls, Idaho. Board members in attendance were: Dr. John Blaisdell, Chairman; Dr. Dan Davidson; Dr. Val Garn; Dr. Jay Harris; Dr. Dennis Hatch; Janis McClelland, RDH; Jan Simpson, RDH; and Tina Wilson, Consumer Member. 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. Blaisdell (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 April 13-14, 2012 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 concluded the executive session at 2:18 p.m.

**MOTION:** The Board moved to table a decision on Dr. Turner's license application until such time as the Nevada Board of Dentistry matter is settled. *McClelland/Garn, Unanimous – Motion Carried*

**MOTION:** The Board moved to grant a special status license to Dr. Diana Pothier for a period of one year. The license may be converted to active status upon Board approval. *Simpson/McClelland, 4 in Favor, 3 Opposed – Motion Carried*

**MOTION:** The Board moved to deny Ms. Jessica Weber's application for provisional status dental hygiene licensure. *McClelland/Davidson, Unanimous – Motion Carried*

MOTION: The Board moved to close BOD 08-45. *Garn/Davidson, Unanimous (Simpson and Harris recused) – Motion Carried.*

MOTION: The Board moved to authorize issuance of an administrative complaint in connection with BOD 12-03. *Garn/Simpson, Unanimous – Motion Carried*

MOTION: The Board moved to issue a letter of concern to the dentist in connection with complaint #12-28. *McClelland/Simpson (Hatch recused), Unanimous – Motion Carried*

MOTION: The Board moved for a finding that sufficient grounds existed in connection with complaint #12-12 to find probable cause that a violation of the standards found in either the Idaho Dental Practice Act or the administrative rules occurred and the Board will issue a letter of concern. *Wilson/Garn, Unanimous – Motion Carried*

MOTION: The Board moved to deny complainant's request for reconsideration in connection with complaint #12-05 and #12-06. *Simpson/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 #12-14. *Wilson/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 #12-15. *Harris/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 complaint #12-17. *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 #12-18. *McClelland/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 complaint #12-23. *Simpson/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 complaint #12-27. *Davidson/Harris, Unanimous – Motion Carried*

#### School and Association Reports

Susan Miller discussed the licensing of students in the ISU residency program.

Dr. Jeffrey Ybarguen from ISDA reported on the high number of complaints regarding groupons and tuition costs of dental assisting programs. He also stated the Annual Session is the following week therefore there may be more to report to the Board at the next meeting.

### Missionary Dentistry in Idaho

Dr. Thomas Anderson presented information about his involvement with missionary dentistry and asked the Board to consider legislative changes to allow this in Idaho. He stated that this type of dentistry reaches people that would not normally see a dentist. Dr. Anderson also stated there are numerous dentists around the country doing this type of missionary work. Susan Miller stated the law allows only a retired dentist to hold a volunteer status license. The Board concluded that any legislative changes to the volunteers license statute should come through the support of the Idaho State Dental Association.

### Meeting Reports

Dr. Jay Harris reported on the AADB mid-year meeting. He stated a main topic at the meeting was prescription drug abuse.

Janis McClelland also attended the AADB mid-year meeting and said the AADB Assessment Services program is now in operation.

Susan Miller reported on the CLEAR training she attended in May.

### Upcoming Meetings

The Board discussed the upcoming AADB annual meeting. Dr. Harris reported that he was invited to sit on a panel to discuss botox and to report on Idaho's position on the issue.

Ms. Miller stated she and Ms. Seal would like to attend the upcoming AADA meeting to be held in conjunction with the AADB meeting.

MOTION: The Board moved to fund Harris, McClelland, Miller and Seal's attendance at the AADB annual meeting and Miller and Seal's attendance at the AADA annual meeting.  
*Simpson/Wilson, Unanimous – Motion Carried*

### Miscellaneous

The Board addressed a question from an Idaho dentist regarding botox and who is authorized to administer in the dental office. The Board concluded that the definition of the practice of dental hygiene was not sufficient to allow a dental hygienist to administer botox, the Board also concluded that a dental assistant is not authorized by statute or rule to administer botox.

The Board reviewed information regarding positive pressure/demand valves versus bag valve masks and their effectiveness in emergency situations. The Board agreed to remove "positive pressure/demand valve" and add "bag valve mask" to the random office review forms.

The Board set the 2013 meeting dates as: January 25-26, April 26-27, July 19-20, and October 18-19.

The Board adjourned for the day at 5:00 p.m. and reconvened at 8:36 a.m. on Saturday.

### Regional Exams

The Board members presented information on their review of the regional examinations. The Board will invite a representative from the CITA and SRTA examining boards to attend the next Board meeting in order to obtain additional information regarding exam administration.

MOTION: The Board moved to continue acceptance of the ADEX dental exam provided the applicant has successfully completed the optional periodontal section. *Simpson/Davidson, Unanimous – Motion Carried*

MOTION: The Board moved to accept results of the ADEX dental hygiene examination. *Simpson/Wilson, Unanimous – Motion Carried*

#### Agency Strategic Planning

The Board discussed a plan to conduct a general review of the statutes and administrative rules. Dr. Blaisdell stated this could be done by reviewing sections. Ms. Wilson suggested putting a sub-committee together. Ms. Simpson stated the entire Board needs to review and submit suggestions to the sub-committee. Ms. Miller stated she would put together a timeline for the Board and sub-committee. Dr. Blaisdell, Ms. Simpson, and Ms. Wilson will serve on the subcommittee.

#### Legislative Discussion

The Board discussed potential legislation to revise 54-924 which would allow dentists to form PLLCs. The Board's legal counsel Michael Kane joined the conversation via telephone and stated this portion of the law needs to be revised because the dental practice act does not currently take into account professional limited liability companies which have been referenced in Idaho Code since the 1990s.

MOTION: The Board moved to submit a legislative idea form to the Governor's office for revision of Idaho Code 54-924 regarding PLLCs. *Garn/Harris, Unanimous – Motion Carried.*

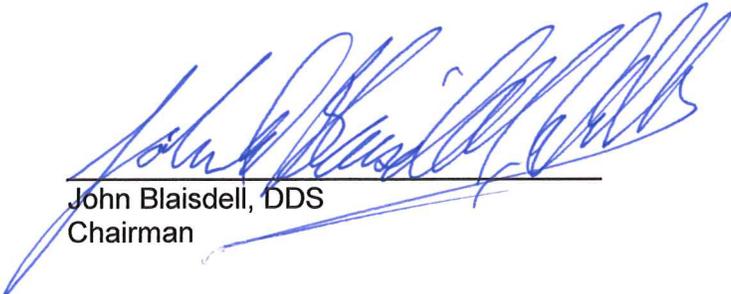
#### BOD Status Report

The Board reviewed the 2012 fiscal year end financial report.

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

Ms. Miller reported on FY13 contracts, new licensing system RFP, zero-based budget, and the prescription drug workgroup. Ms. Seal updated the Board on anesthesia permits and dental assisting program compliance reports.

The Board adjourned the meeting at 12:36 p.m.



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John Blaisdell, DDS  
Chairman