

STATE OF IDAHO



BOARD OF DENTISTRY

MINUTES OF REGULAR MEETING – July 18-19, 2014

The Idaho State Board of Dentistry convened its regular meeting at 8:27 a.m. on July 18, 2014, at the Hampton Inn and Suites, Coeur d'Alene, Idaho. Board members in attendance were: Dr. Jay Harris, Chairman; Dr. Dan Davidson; Dr. Val Garn; Dr. Richard George; Dr. Scott Wright; Ms. Carolyn Brammer, RDH, Ms. Janis McClelland, RDH; and Ms. Tina Wilson, Consumer Member. Susan Miller, Executive Director, was present and Stephanie Seal, Administrative Assistant, was present and recorded the minutes. Michael Kane, the Board's legal counsel, participated telephonically for a portion of the meeting. The members of the Board of Dentistry may hereinafter be collectively referred to as the "Board."

Call to Order: At the appointed time, Dr. Harris (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 25-26, 2014 regular meeting with noted revisions. *Wilson/Garn, Unanimous – Motion Carried*

Referral Fees

The Board reviewed an inquiry regarding referral fees and Mr. Kane advised that the issue was different than splitting fees.

Advertising Memorandum

The Board further reviewed a recent legal memorandum regarding advertising and determined to proceed with publishing the document on the board's website.

National Practitioner Databank

Ms. Miller said the Board was due for compliance review this year with the National Practitioner Databank and explained the definition of what constitutes discipline came into question so legal counsel was asked to advise on the issue. Mr. Kane said the federal rules are somewhat unclear but it appears the board has reported correctly.

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. Mr. Kane participated telephonically during a portion of the executive session. The Board concluded the executive session at 2:26 p.m.

MOTION: The Board moved to deny Dr. Debbie Tranmer's application for licensure as a dental hygienist based on moral turpitude requirements. *McClelland/Wilson, 2 in Favor, 5 Opposed – Motion Failed*

MOTION: The Board moved to approve Dr. Debbie Tranmer's application for licensure as a dental hygienist upon successful completion of the dental hygiene local anesthesia examination. A special status license may be granted for a period of two years with specified supervision and employer reporting requirements. *Davidson/Garn, 6 in Favor, 1 Opposed – 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 #14-03 but the Board will issue a letter of concern. *Wright/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 #14-08. *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 #14-17. *George/Wright, Unanimous – Motion Carried*

School and Association Reports

Ms. Miller reported that she had received some reports via email and will forward to the Board members at the conclusion of the meeting. No reports were personally provided during the meeting.

Negotiated Rulemaking

Ms. Miller said a notice of negotiated rulemaking was published in the July administrative bulletin. The Board reviewed the notice and considered comments received. The Board directed that minor revisions be made before publishing the notice of proposed rulemaking.

MOTION: The Board moved to revise the sedation policy forms for consistency with the administrative rules. *Wilson/Garn, Unanimous – Motion Carried*

2015 Legislation

The Board reviewed a legislative draft to revise Idaho Code 54-923 regarding felony conviction reporting. The Board also reviewed and discussed a legislative draft regarding license renewal and reinstatement requirements. The revisions were reviewed by counsel, and recommended for clarification purposes. The Board determined to proceed with submission of the legislative ideas.

Miscellaneous

The Board reviewed an inquiry regarding scope of practice of a dental hygienist who is dually licensed as a cosmetologist. The Board reviewed the matter and directed staff to send an appropriate response.

The Board discussed the upcoming Idaho Telehealth Conference sponsored by the Idaho Telehealth Task Force. Ms. Tina Wilson and Ms. Carolyn Brammer both expressed interest and will attend if their schedules allow.

The Board adjourned for the day at 4:17 p.m. and reconvened at 8:15 a.m. on Saturday.

BOD Status Report

Miscellaneous business items were discussed.

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

BOD Policy Review

The Board reviewed governance policies regarding delegated authority to the executive director.

MOTION: The Board moved to adopt governance policies one through seven. *Wilson/McClelland, Unanimous – Motion Carried*

MOTION: The Board moved to adopt governance policy eight. *Garn/Wilson, Unanimous – Motion Carried*

MOTION: The Board moved to adopt governance policy nine. *McClelland/Davidson, Unanimous – Motion Carried*

Ms. Miller reported on recent meetings of the Idaho Oral Health Action plan review team, and the prescription drug work group.

The Board set their 2015 meeting dates. The Board's regular meetings will be held: January 23-24, April 17-18, July 17-18, and October 23-24.

The Board adjourned the meeting at 10:04 a.m.


Jay M. Harris, DDS
Chairman