

**OREGON BOARD OF DENTISTRY
MINUTES
May 15, 2009**

MEMBERS PRESENT: Darren S. Huddleston, D.M.D., President
Jill Mason, M.P.H., R.D.H., Vice President
David Smyth, B.S., M.S.
Rodney S. Nichols, D.M.D.
Melissa G. Grant, D.M.D.
Norman Magnuson, D.D.S.
Mary Davidson, R.D.H., LAP
Jonna E. Hongo, D.M.D.

STAFF PRESENT: Patrick D. Braatz, Executive Director
Paul Kleinstub, D.D.S., M.S., Dental Director/Chief Investigator
Daryll Ross, Investigator (portion of meeting)
Harvey Wayson, Investigator (portion of meeting)
Lisa Warwick, Office Specialist (portion of meeting)
Andrew Moschogianis, D.D.S., Consultant (portion of meeting)

ALSO PRESENT: Lori Lindley, Esq., Sr. Assistant Attorney General

VISITORS PRESENT: Beryl Fletcher, ODA; Teri Barichello, D.M.D., ODA; Douglas Matz, D.M.D., AGD

Call to Order: The meeting was called to order by the President at 7:30 a.m. at the Board office; 1600 SW 4th Ave., Suite 770, Portland, Oregon.

NEW BUSINESS

MINUTES

Dr Nichols moved and Mr. Smyth seconded that the minutes of the March 30, 2009 Board meeting be approved as amended. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Hongo voting aye.

ASSOCIATION REPORTS

Oregon Dental Association

Ms. Fletcher had nothing to report. Dr. Huddleston asked how the Oregon Dental Convention went and Ms. Fletcher stated that it was outstanding, considering the current economic problems.

Oregon Dental Hygienists' Association

No one from the ODHA was present.

Oregon Dental Assistants Association

No one from the ODAA was present.

COMMITTEE AND LIAISON REPORTS

WREB Liaison Report

Dr. Magnuson stated that there was nothing to report.

AADE Liaison Report

Ms. Mason stated that AADE held their Mid-Year Meeting which began with a symposium about leadership in dentistry, discussing how the AADE, AADA and ADA should interact and what their various roles should be. The ADA said they should be the umbrella to bring all parties together for discussion and collaboration, the AADA was mainly about curriculum and the AADE had licensure, discipline and examination. The open forum for educators focused mainly on the economy and how it's affecting the different aspects of schools, associations, etc. Ms. Mason added that they also had a report from a dental school affiliated with a school of osteopathic medicine, that has had students out in practice for the last few years. She stated that it is a very different model as students spend half of their clinical years actually out in clinics. It appears that 30-35% of the graduating dental students are going into the public health field.

Dr. Hongo stated she was honored to attend the meeting as it was very interesting. She added that she did more observing than anything else, as she was new to the AADE.

ADEX Liaison Report

Mr. Braatz stated that there was a large amount of information in the packet that has to do with CRDTS withdrawing from the ADEX exam and the politics of the exams and who does what and why. Mr. Braatz stated that the issue has appeared to die down but that we would find out more at the June ADEX meeting. Mr. Braatz added that a white paper has been issued by four individual psychometricians, one of which has nothing to do with dentistry, and have stated that the dental hygiene exam that CRDTS wanted ADEX to adopt is indeed flawed.

Mr. Braatz stated that the annual meeting for ADEX will be in June and the Board needs to appoint a delegate to attend this year. Mr. Braatz suggested that the Board appoint Dr. Huddleston as the delegate to ADEX and that as far as cost goes, ADEX reimburses the Board for costs associated with attending the meeting. Dr. Magnuson moved and Ms. Mason seconded that the Board appoint Dr. Huddleston as the Board's delegate to ADEX. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Hongo voting aye.

Mr. Braatz stated that the Board would need to appoint someone to the Exam Steering Committee for the Dental Exam. Mr. Braatz added that the individual appointed would have to be a dentist. Dr. Magnuson moved and Ms. Mason seconded that the Board appoint Dr. Huddleston as representative to the ADEX Exam Steering Committee. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Hongo voting aye.

Committee Meeting Dates

Mr. Braatz stated that the Anesthesia Committee Meeting would be taking place June 3 at 7 p.m. at the Board office. Mr. Braatz also reminded the Board that Committee Appointment Forms have been sent out to the Board and that hopefully the Board president would be able to announce the committee appointments at the July meeting.

Ms. Davidson Was Excused to attend a WREB Conference Call

EXECUTIVE DIRECTOR'S REPORT

Budget Status Report

Mr. Braatz stated that the budget status report for the 2007-2009 Biennium with the changes to the new accounts were attached for the Board to review, although there are still a few issues with this report which will be corrected as part of the next report. The report shown is for the period July 1, 2007 through March 31, 2009 and shows revenue of \$1,727,658.10 and expenditures of \$1,690,978.08. This report currently reflects \$58,000 more revenue than we had projected. Mr. Braatz stated that the legislature has approved our fee increases to date and that it's just waiting for final signatures.

Customer Service Survey Report

Mr. Braatz attached a chart showing the OBD State Legislatively Mandated Customer Service Survey Results from July 1, 2008 through April 30, 2009. He stated that the results of the survey show that the OBD continues to receive positive comments from the majority of those that return the surveys. The booklet containing the written comments that are on the survey forms, which staff has reviewed, are available on the table for Board members to review.

AADE, AADA and ADA Mid-Year Meeting Reports

Mr. Braatz stated that he attended the American Association of Dental Examiners (AADE) Meeting on April 5-6, 2009 in Chicago, along with Dr. Hongo, Ms. Mason and Sr. AAG Lori Lindley. The major topic of this year's meeting was the issue of Leadership in the Dental Profession and Economic Impact. Mr. Braatz attached a presentation on "Pro Bono" dental work that the Maryland Board of Dentistry developed a few years ago and that he has asked the investigative staff to review for possible recommendations to the Board regarding our "Pro Bono" cases.

Mr. Braatz stated that he also attended the American Association of Dental Administrators (AADA) Meeting on April 5-6, 2009 in Chicago. The topics included one national clinical examination as well as teeth whitening businesses.

Ms. Lindley stated that the major issues for the attorneys were teeth whitening and unlicensed practice, which seem to be cropping up in many states.

Mr. Braatz also attended the National Dental Examiners' Advisory Forum on April 7, 2009 in Chicago. He stated that this meeting reviewed the National Board Examinations for Dentists and Dental Hygienists and that there was a very interesting presentation on "cheating" at the computerized testing centers. He had included a copy of the presentation for the Board's review.

AADE, AADA Annual Meeting

Mr. Braatz asked the Board to authorize his attendance at the American Association of Dental Examiners (AADE) Meeting to be held September 30-October 1, 2009 and the American Association of Dental Administrators (AADA) Meeting to be held October 2-3, 2009, in Honolulu, Hawaii. Senior Assistant Attorney General Lori Lindley will be attending the Board Attorneys' Roundtable Meeting that is held in conjunction with the AADE Meeting and Dr. Patricia Parker and Jill Mason will be attending the AADE meeting as the Dental and Dental Hygiene representatives of the Board. Dr. Nichols moved and Dr. Hongo seconded that the Board approve Mr. Braatz to attend the AADE and AADA annual meetings. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Hongo voting aye.

Western Conference of Dental Examiners and Dental School Deans

Mr. Braatz stated that the Western Conference of Dental Examiners and Dental School Deans will be held July 17-18, 2009 in San Diego, California. Dr. Magnuson will be attending the WREB Dental ERC Meeting on July 8 and the WREB Board of Directors meeting on July 16 and then attending the Western Conference on July 17-18. Former OBD Board member Dr. Ronald Short is the current President of the Western Conference.

Mr. Braatz stated that he has been asked to be a presenter at this meeting on Friday, July 17, 2009. His presentations will be about "Dental Schools, Clinical Board Examinations and is there a Correlation to Disciplinary Actions?" and "A National Exam and Are We Any Closer?" Mr. Braatz asked the Board to authorize him to attend the WREB Board of Directors Meeting on July 16, 2009 and the Western Conference on July 17-18, 2009. Because he will be a speaker, the registration fee will be waived.

Dr. Huddleston moved and Ms. Davidson seconded that the Board approve Mr. Braatz to attend the Western Conference of Dental Examiners and Dental School Deans. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Hongo voting aye.

Board and Staff Speaking Engagements

Thursday, April 2, 2009 – Mr. Braatz and Dr. Kleinstub made a presentation as part of the DBIC Risk Management Program of the Oregon Dental Conference at the Oregon Convention Center in Portland. There were approximately 300 people in attendance.

Thursday, April 2, 2009 – Mr. Braatz and Dr. Kleinstub made a presentation entitled "Record Keeping from the Board's Perspective" at the Oregon Dental Conference at the Oregon Convention Center. There were approximately 150 people in attendance.

Thursday, April 2, 2009 – Mr. Braatz and Dr. Kleinstub made a presentation entitled "Ask the Board" at the Oregon Dental Conference at the Oregon Convention Center. There were approximately 100 people in attendance.

Wednesday, April 15, 2009- Mary Davidson, R.D.H., LAP, made a presentation to the senior dental hygiene students at Pacific University in Hillsboro.

Friday, May 8, 2009 – Mr. Braatz and Ms. Haynes, Licensing Manager, gave a presentation to the graduating dental hygiene students at Portland Community College regarding the application process.

Monday, May 11, 2009 – Mr. Braatz made a presentation to the graduating dental assisting students at Portland Community College.

Tuesday, May 12, 2009 – Mr. Braatz made a presentation to the Dental Assisting Study Club on "Updates from the Board" in Newberg.

Wednesday, May 13, 2009 – Mr. Braatz and Ms. Haynes made a presentation regarding the application process to the graduating dental hygiene students at Mt. Hood Community College in Gresham.

Oregon Medicaid Advisory Committee – Oral Health Recommendations

Mr. Braatz stated that at the request of several stakeholders, the Medicaid Advisory Committee (MAC) has reviewed key issues surrounding oral health services and the Oregon Health Plan and that attached is the Committee's full report, which was delivered to the Director of the Oregon Department of Human Services, Dr. Bruce Goldberg. Mr. Braatz stated that it is the MAC's hope that this report will help guide the Department and the state in implementing strategies to improve access to oral health services for all Oregonians. The MAC continues to support plans to expand coverage, including dental benefits, to all uninsured populations and that all Oregonians should have access to comprehensive, affordable oral health services.

2009 Legislative Session Update

Mr. Braatz attached a lengthy legislative bill summary for the Board to review. The bill summary shows all bills that the OBD is currently tracking that could affect the OBD, staff, the dental or dental hygiene profession, as well as the OBD as a state agency.

Mr. Braatz stated that there is some concern regarding a bill which would standardize Board terms from whatever the current term is to a three year term. Mr. Braatz's argument is that we will be losing two years of experience with regards to our Board. He added that it will not affect current members, but future members.

- **HB 2058A** – Any health professional MUST report to their Board any inappropriate conduct by a licensee of a different Board, which will in turn notify the appropriate jurisdiction.
- **HB 2345A** – Creates an oversight monitoring group for impaired professionals that Boards must refer licensees to. New monitoring group would also be sole monitoring program.
- **HB 3083** – Brings tax compliance that would involve a number of Boards, requiring individuals to pay taxes or put their professional license at risk.
- **HB 3204** – Would allow for second pathway for LAP license requiring graduation from hygiene school and completion of 500 hours of clinical practice in LAP settings. It will also allow LAP dental hygienists to do soft reline and radiographs in LAP settings.
- **SB 117A**- Creates an exemption for PSU to have a dental clinic for its students. Mr. Braatz stated that this has opened up the ownership issue for dental practices and that he believes this will again come in front of the legislature in the future.
- **SB 274** – Requires administrative law judges to issue final order on behalf of Board – changes process.
- **SB 355** – Allows all data regarding prescription to be entered into database that is accessible to others who prescribe. Will eliminate drug seekers.
- **SB 457A** – Allows for health care worker data collection.

2010 Meeting Dates

Mr. Braatz attached the proposed meeting dates for 2010 and asked the Board to review and adopt them. Dr. Hongo moved and Dr. Grant seconded that the Board approve the meeting dates

as published. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson and Dr. Hongo voting aye.

Newsletter

Mr. Braatz stated that the Board newsletter will go out after June 30, 2009 and that any suggestions for articles will be useful. Ms. Fletcher, from the ODA, stated that she thought fee splitting/discounts would be a great topic as they receive many questions regarding that subject. Dr. Huddleston added that advertising would be a helpful topic as well.

UNFINISHED BUSINESS

CORRESPONDENCE

The Board received a letter from Marilyn Ward, D.D.S., Discus Dental

Ms. Ward sent a letter to the Board regarding Teeth Whitening and Unlicensed Procedures and the ways various state dental boards and governments have dealt with these problems. Dr. Magnuson asked if the bleaching agents used for the whitening kiosks were over the counter or prescription and if it had any effect. Mr. Braatz said it could be either and we don't know for sure, but even if they were prescription it would be within the Pharmacy Board's purview, not ours. Mr. Braatz stated that we would respond stating that the law is the law and we really can't at this time make any changes.

The Board received a letter from Kelly Reich, R.D.H., WREB Dental Hygiene Computer Simulation

Ms. Reich sent a letter to the Board discussing the changes being made to the Dental Hygiene Exam with the additions of the computer simulation and its effects on the students taking the exam.

The Board received a letter from Thomas C. Waugh, D.M.D.

Dr. Waugh sent a letter thanking the Board for his time as a licensed dentist in the state of Oregon and for his four years as a consultant to the Board and notified the Board that he was resigning his Oregon dental license.

The Board received a letter from Ron J. Seeley, D.D.S., Chair, Joint Commission on National Dental Examination

The letter discussed the pass/fail clause and that the date is being pushed back to 2012 as a way to avoid having specialty programs granting admission based on testing scores, which they state that exam was never meant to do. From that time on, the scores will show as either a pass or a fail.

OTHER BUSINESS

Soft Reline Instructor Approval, Bethe Sweet, C.D.A., E.F.D.A.

Ms. Mason moved and Dr. Magnuson seconded that the Board approve Ms. Sweet's application request. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Hongo voting aye.

Soft Reline Instructor Approval, Stacey Gerger, C.D.A., E.F.D.A.

Ms. Mason moved and Dr. Magnuson seconded that the Board approve Ms. Gerger's application request. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Hongo voting aye.

Oregon Institute of Technology (Klamath Falls) C.E. Restorative D.A. Course Approval

Ms. Mason moved and Dr. Hongo seconded that the Board approve OIT's CE Restorative DA Course. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Hongo voting aye.

Portland Community College C.E. Restorative D.A. Course Approval

Ms. Mason moved and Dr. Hongo seconded that the Board approve PCC's CE Restorative DA course. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Hongo voting aye.

Election of Officers

Dr. Huddleston nominated Ms. Mason to be the incoming Board President. The Board unanimously elected Ms. Mason as President for the upcoming year.

Dr. Huddleston nominated Dr. Magnuson as Vice-President. The Board unanimously elected Dr. Magnuson as the Board's Vice-President.

Dr. Magnuson will serve as Sr. Evaluator and Dr. Hongo as the Jr. Evaluator.

Special Presentation

Ms. Mason presented a plaque to Darren Huddleston for his service to the Board for the past year as president. Mr. Braatz also asked all OBD staff into the meeting and presented them with commemorative trinket boxes for their years of service to the Board as follows:

Lisa Warwick – 5 years
Patrick Braatz – 6 years
Harvey Wayson – 10 years
Daryll Ross – 14 years
Sharon Ingram – 15 years
Paul Kleinstub – 20 years
Teresa Haynes – 22 years

Articles and News of Interest (no action necessary)

- Pennsylvania State Board of Dentistry Newsletter, March/April 2009
- State Legislative Report, April 2009
- State Legislative Report, May 2009

Ms. Davidson returned to the Board Meeting

EXECUTIVE SESSION: The Board entered into Executive Session pursuant to ORS 192.606 (1)(f), (h) and (k); ORS 676.165; ORS 676.175 (1), and ORS 679.320 to review records exempt from public disclosure, to review confidential investigatory materials and investigatory information, and to consult with counsel.

PERSONAL APPEARANCES AND COMPLIANCE ISSUES

Licensees appeared pursuant to their Consent Orders in case numbers **2007-0071, 2005-0077, and 2006-0226.**

LICENSING ISSUES

OPEN SESSION: The Board returned to Open Session.

CONSENT AGENDA

2009-0206, 2009-0219, 2009-0209, 2009-0184, 2009-0218, 2009-0221, and 2009-0182 Ms. Mason moved and Dr. Nichols seconded that the above referenced cases be closed with No Further Action per the staff recommendations. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Hongo voting aye.

COMPLETED CASES

2009-0114, 2009-0226, 2009-0130, 2009-0098, 2009-0149, 2009-0191, 2009-0118, 2009-0222, 2009-0227, 2009-0020, 2009-0111 and 2009-0110 Ms. Mason moved and Dr. Grant seconded that the above referenced cases be closed with a finding of No Violation of the Dental Practice Act or No Further Action per the Board recommendations. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Hongo voting aye. Dr. Magnuson recused himself from case 2009-0020.

2009-0001 Mr. Smyth moved and Dr. Grant seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that when informed consent is obtained prior to providing treatment, PARQ or its equivalent is documented in the patient records, and that a dental justification is documented prior to providing treatment. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Hongo voting aye.

2009-0116 Dr. Magnuson moved and Dr. Hongo seconded that the Board issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order in which the Licensee would agree to be reprimanded and assess a \$1,500.00 civil penalty to be paid within three months of the effective day of the Order. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Hongo voting aye.

2009-0117 Dr. Hongo moved and Dr. Magnuson seconded that the Board issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order in which the Licensee would agree to be reprimanded, to limit the Licensee's practice by not allowing any fixed prosthodontic treatment until the Licensee has completed 30 hours of Board approved hands-on continuing education in prosthodontics and 10 hours of Board approved continuing education in diagnosis and treatment planning, and to pay a \$15,000.00 civil penalty. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Hongo voting aye.

2009-0132 Dr. Grant moved and Ms. Davidson seconded that the Board close the case with a Letter of Concern reminding the Licensee that a Board Subpoena is not something that should be treated lightly and that when the Board issues a Subpoena, that this is a very serious matter. All reasonable efforts should be made to honor a Subpoena issued by the Board. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Hongo voting aye.

2007-0300 Dr. Nichols moved and Dr. Hongo seconded that the Board close the matter with a strongly worded Letter of Concern addressing the issues of ensuring that when informed consent is obtained prior to providing treatment, PARQ or its equivalent is documented; that when pathology is evident in radiographs, the pathology is documented in the patient records; that there is a dental justification documented prior to providing treatment and writing prescriptions; and that when administering central nervous system sedation the records have the appropriate documentation as to medications administered and discharge notes. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Ms. Davidson and Dr. Hongo voting aye. Dr. Magnuson was opposed.

2009-0063 Mr. Smyth moved and Ms. Davidson seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that when proposing treatment to a patient, the patient has received a clear understanding of the patient's and treatment provider's goals, responsibilities, and treatment outcomes. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson and Ms. Davidson voting aye. Dr. Hongo recused herself.

2007-0222 Dr. Magnuson moved and Dr. Grant seconded that the Board move to accept the Licensee's offer, by Interim Consent Order, not to practice dentistry pending further order of the Board. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Hongo voting aye.

2008-0240 Dr. Hongo moved and Dr. Nichols seconded that the Board reinstate the Licensee's dental license and accept his offer, by Interim Consent Order, not to practice dentistry pending further order of the Board. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Hongo voting aye.

2009-0113 Dr. Grant moved and Dr. Nichols seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that all the requirements for maintaining a Class 2 Permit and providing conscious sedation to patients are met in a timely manner. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson and Ms. Davidson voting aye. Dr. Hongo recused herself.

2009-0053 Dr. Nichols moved and Mr. Smyth seconded that the Board close the matter with a Letter of Concern to the Licensee addressing the issue of having a current, recent radiographic image of teeth treatment planned for fixed prosthodontic care. The Board also directed the investigative staff to open a new investigation of the subsequent treating dentist regarding their lack of diagnosis of pathology on their own radiographs. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Hongo voting aye.

2009-0197 Mr. Smyth moved and Ms. Mason seconded that the Board close the matter and take No Further Action with regard to the Licensee, and refer the matter of reporting timeframes to the Rules Committee for review. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson and Ms. Davidson voting aye. Dr. Hongo was opposed.

2008-0296 Dr. Hongo moved and Ms. Davidson seconded that the Board close the case with a Letter of Concern addressing maintaining a legible dental record, documenting PARQ and a diagnosis or dental justification for care provided. In addition, be more sensitive to the needs to occasionally dismiss a patient from the practice and not allow patients to dictate inappropriate

treatment. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Ms. Davidson and Dr. Hongo voting aye. Dr. Magnuson recused himself.

2009-0203 Dr. Grant moved and Dr. Nichols seconded that the Board close the matter and take No Further Action at this time and allow the Licensee to complete the required April 1, 2006 to March 31, 2008 CE by March 31, 2010. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Hongo voting aye.

2009-0094 Dr. Nichols moved and Dr. Magnuson seconded that the Board issue the Licensee a Letter of Concern emphasizing the need to document PARQ for treatment provided, and to document a dental justification or diagnosis for care provided. In addition, all periodontal probings done need to be recorded in the dental record, not simply compared to past probings. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson and Ms. Davidson voting aye. Dr. Hongo recused herself.

2009-0100 Mr. Smyth moved and Dr. Magnuson seconded that the Board with regard to Respondent #1, close the matter with a finding of No Violation of the Dental Practice Act. With regard to Respondent #2, issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order in which the Licensee would agree to be reprimanded, and to make a restitution payment to the patient identified as DS for medical services obtained subsequent to November 13, 2007, to be paid within three months of the effective date of the Order. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Hongo voting aye.

PREVIOUS CASES REQUIRING BOARD ACTION

2007-0109 Dr. Magnuson moved and Ms. Davidson seconded the Board move to issue an Amended Notice of Proposed Disciplinary Action in support of the hearing. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Hongo voting aye.

2008-0251 Dr. Grant moved and Dr. Nichols seconded that the Board accept the Licensee's offer of a Consent Order incorporating a reprimand and 40 hours of community service to be completed in one year. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson and Ms. Davidson voting aye. Dr. Hongo recused herself.

2008-0159 Dr. Nichols moved and Dr. Hongo seconded that the Board with regard to Respondent #1, close the matter with a finding of No Violation of the Dental Practice Act. With regard to Respondent #2, move the Board rescind the March 20, 2009 decision to issue a Notice of Proposed Disciplinary Action and offer of a Consent Order, and close the matter with a Letter of Concern reminding the Licensee that he is ultimately the responsible individual to assure that appropriate corrective care is provided to his patients should Licensee ever again provide a set of complete dentures which do not meet the minimum acceptable standards of construction as judged by the Board contracted Prosthodontist, irrespective of the dentures being immediate dentures or conventional dentures. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Hongo voting aye.

2009-0138 Mr. Smyth moved and Dr. Nichols seconded that the Board move to deny Licensee his request. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Hongo voting aye.

2008-0272 Dr. Magnuson moved and Mr. Smyth seconded the Board agreed to provide the patient with a written summary of the investigative report on the initial complaint. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Hongo voting aye.

2009-0102 Ms. Davidson moved and Dr. Nichols seconded that the Board issue a Notice of Proposed Disciplinary Action based on disciplinary action taken on the Licensee's Washington dental license by the state of Washington and offer the Licensee a Consent Order incorporating a reprimand and requirements that the Licensee complete the provisions of the Washington Order. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Hongo voting aye.

2008-0031 Dr. Hongo moved and Ms. Mason seconded that the Board grant the Licensee's request for relief from close supervision. The restriction for mandatory group practice for two years from 5/29/08 remains in effect. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Hongo voting aye.

2008-0118, 2008-0143, 2008-0181, 2008-0189, 2008-0197 and 2008-0281 Dr. Grant moved and Dr. Nichols seconded the Board offer the Licensee a Consent Order agreeing to be reprimanded; make restitution payments in the amounts of \$28,847 to patient RB, \$15,033 to patient RR, \$11,086 to patient JP, and \$8,960 to patient AM, all within one year of the effective date of the Consent Order; and allow the Licensee to perform indirect restorations. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Hongo voting aye.

1997-0091 Dr. Hongo moved and Dr. Magnuson seconded that the Board grant the Licensee's request and remove the requirement for close supervision from the Licensee's Order. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Hongo voting aye.

2008-0301 Mr. Smyth moved and Dr. Magnuson seconded that the Board issue a Final Default Order of License Revocation. The motion passed with Ms. Mason, Mr. Smyth, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Hongo voting aye. Dr. Nichols recused himself.

2008-0297 Dr. Magnuson moved and Dr. Hongo seconded that the Board release the requested information to the Complainant, pursuant to ORS 676.175(b). The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Hongo voting aye.

LICENSURE AND EXAMINATION

Ratification of Licenses Issued

Mr. Smyth moved and Ms. Davidson seconded that the licenses issued be ratified as published. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, and Dr. Hongo voting aye.

Dental Hygienists

H5567	JENNIFER S REED, R.D.H.	3/26/2009
H5568	KIMBERLY A PRATT, R.D.H.	4/1/2009
H5569	KELSEY E RUSSELL, R.D.H.	4/1/2009
H5570	CARI L ARNSPARGER, R.D.H.	4/8/2009
H5571	AMY D LANTER, R.D.H.	4/8/2009
H5572	ANNIE E MASON, R.D.H.	4/8/2009
H5573	KALEIGH D CAUSEY, R.D.H.	4/8/2009
H5574	NECIA ERIN GROSSE, R.D.H.	4/8/2009
H5575	JINGER M HARRIS, R.D.H.	4/8/2009
H5576	DIANE J MORRIS, R.D.H.	4/14/2009
H5577	LETICIA PRIETO, R.D.H.	4/14/2009
H5578	SHELLY A WITHERS, R.D.H.	4/14/2009
H5579	ASHLIE N HALL, R.D.H.	4/21/2009
H5580	DONNA WISE, R.D.H.	4/21/2009
H5581	RUTH A LASH, R.D.H.	4/21/2009
H5582	AUDRA L GROSS-ALLEN, R.D.H.	4/29/2009
H5583	RODICA SHOTROPA, R.D.H.	4/30/2009
H5584	ROSEMARY CLARE RICHARDS, R.D.H.	5/1/2009
H5585	MINDY LYNN TEEL, R.D.H.	5/1/2009
H5586	TERESA A SODERLUND, R.D.H.	5/1/2009

Dentists

D9246	JAMES F COLLETTE, D.D.S.	3/19/2009
D9247	DANIEL P ROOKE, D.M.D.	3/19/2009
D9248	CAMERON J TOWNSEND, D.D.S.	3/19/2009
D9249	TRICIA A RAY, D.M.D.	3/26/2009
D9250	LEE R HANSON, D.M.D.	3/26/2009
D9251	DANIEL B LEE, D.D.S.	4/1/2009
D9252	JOSEPH A SAWYER, D.M.D.	4/8/2009
D9253	ROBERT A PRATT, D.M.D.	4/8/2009
D9254	BRENT D POWELL, D.M.D.	4/8/2009
D9255	JEFFREY J PEARSON, D.M.D.	4/8/2009
D9256	BRENT H MAIDEN, D.D.S.	4/14/2009
D9257	DAVID V CHRISTIANSON, D.D.S.	4/21/2009
D9258	ADAM P TYBERG, D.D.S.	4/29/2009
D9259	CLINT O BRODAL, D.M.D.	4/29/2009
D9260	DANIEL T NORRIS, D.D.S.	4/29/2009
D9261	KOUROSH GHAFORPOUR, D.D.S.	5/1/2009

CE Extension Request

Dr. Salimi sent a request to the Board asking for an additional extension for his required CE. Dr. Grant moved and Dr. Nichols seconded that the Board grant Dr. Salimi's request and allow an additional six months for the completion of his CE for licensure period April 1, 2006 – March 31, 2008. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, and Dr. Hongo voting aye.

Specialty Exam Approval

The Board received a request from the Oral and Maxillofacial Surgeons to make a revision to the contractors assisting with the Oral and Maxillofacial Surgery Specialty Examination by allowing Dr. John Krump to replace Dr. Beadnell, as he will not be available on the date specified. Dr. Nichols moved and Dr. Grant seconded that the Board approve the proposed revisions to the Oral and Maxillofacial Surgery Specialty Exam as proposed. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, and Dr. Hongo voting aye.

Announcement

No announcements

ADJOURNMENT

The meeting was adjourned at 1:05 p.m. Dr. Huddleston stated that the next Board meeting would take place July 24, 2009.

Approved by the Board July 24, 2009.

Jill Mason, M.P.H., R.D.H.
President