

**Oregon Health Licensing Agency (OHLA)  
Board of Denture Technology  
Minutes of May 5, 2008**

**MEMBERS PRESENT**

Todd Young, Chairperson  
Tad Burzynski, Vice-Chairperson  
Joe Coss, Public Member  
Joe Hammar, Denturist

**MEMBERS ABSENT**

Genie Uebelacker, Public Member

**STAFF PRESENT**

Trish Allbritton, PSPD Manager  
Dixie Bryant, Program Analyst  
Kathryn Helton, Board & Qualification Specialist

**AUDIENCE MEMBERS**

Jim Davis, Oregon State Denturist Association

**CALL TO ORDER**

Todd Young, Chair, called the meeting of the Board of Denture Technology to order at 9:15 a.m. on Monday, May 5, 2008, at the Rhoades Conference Room, located in the Oregon Veterans' Affairs Building, 700 Summer Street NE, Salem, Oregon.

**APPROVAL OF AGENDA**

**Motion**

Mr. Coss made a motion to approve the agenda as presented and Mr. Burzynski seconded the motion. The motion passed with Mr. Young, Mr. Hammer and Mr. Coss voting aye.

**APPROVAL OF MINUTES**

**Motion**

Mr. Coss made a motion Mr. Hammar seconded the approval of meeting minutes as amended changing the time allowed for written exams. The motion passed with Mr. Young, Mr. Burzynski, Mr. Coss and Mr. Hammer voting aye

**REPORTS**

**DIRECTOR'S REPORT**

On behalf of Susan Wilson, Agency Director, Ms. Allbritton. Policy and Strategic Planning Division Manager, presented the Director's Report and recapped details of the "All Board/Council Meeting" hosted by the Oregon Health Licensing Agency (OHLA) on April 18<sup>th</sup> at the Red Lion Inn, Salem, Oregon. She thanked members for attending and provided information packets and handouts from the meeting to those who were unable to attend the meeting.

Ms. Allbritton reported on the agency's reorganization that is coming to closure after a year long process of reviewing the central agency's structure, business practices and procedures. She provided a summary of the changes in role and purpose of the three divisions – *Administrative Services, Policy and Strategic Planning and Regulatory Operations*, and explained further revisions to staff positions, classifications and assignments based subject matter expertise and function. She noted internal business practices and procedures were improved and streamlined to increase accountability and efficiency. She stated that Representative Mitch Greenlick, Chair of the Interim House Health Care Committee, invited Ms. Wilson to speak to the Committee about the benefits and accomplishments of Oregon Health Licensing Agency's central agency model.

Ms. Allbritton stated that the agency submitted two legislative concepts for review and approval by the Governor for introduction during the 2009 Legislative Session. She provided an overview of the agency-wide legislative concept, LC 831-01, which continues conforming and streamlining agency standards, regulations and requirements for the professions regulated by the agency, strengthening consumer protection, fostering a positive business climate and achieving solutions and outcomes. She stated that the agency is trying to eliminate artificial barriers for people in each profession and is concentrating on putting people to work in a manner that is not restrictive in getting their license to practice. It establishes uniform two consecutive four year board/council member terms to address the limited number of practitioners in the smaller programs from which the Governor can draw on applicants for OHLA boards/councils. It proposes professional development with education to keep pace with advancements in technology for various professions. She drew members' attention to the report in their books.

Ms. Allbritton also explained the purpose of LC 831-02 regarding updating the two-tiered voluntary direct entry midwifery licensure system implemented in 1993, requiring mandatory licensure to strengthen consumer protection and awareness for women utilizing out-of-hospital providers.

#### **ADMINISTRATIVE SERVICES REPORTS**

Richard McNew, Administration Services Division (ASD) Manager, discussed the materials provided to board members during the April 18<sup>th</sup> outreach event, noting the charts depict the new fee detail report showing the change to a two-year renewal cycle. He reported that the fee structure is projected to support board services for five to six years; renewal fees will be reduced \$690 during the two year period – from \$695 per year to \$700 for a two-year license. Mr. McNew recapped the increased percentage of administrative costs passed on to state agencies assessed as general government service charges, and reviewed the proposed fee schedule, pinpointing adjustment in fees, both increases and reductions, shifting the cost to where the complexity, workload and service exists, and the uniformity among all OHLA programs for administrative fees (late, duplicate and affidavits). He explained the proposed fees are a "draft" and there would be further adjustments before the actual fee structure is established and becomes permanent. He reported that his division is currently realigning the revenue balance and expenditures from the previous biennium that is expected to conclude June 2008.

He provided an overview of the criteria – number of licensing units and types (programs), application complexity, number of examinations, examination complexity, renewal review, inspections, complaints, risk factor, regulatory oversight and monitoring, and total number of licensees. He explained that every board under 5,000 licensees will pay a flat rate for service fees: indirect cost of 1.75%, and clarified that direct costs will be factored into the calculation to determine the overall percentage of the agency budget above that small board assessment rate.

Mr. McNew stated he had presented the proposed cost allocation to Department of Administrative Services (DAS) Budget and Management Division (BAM) and Legislation Fiscal Office (LFO) and received approval from both agencies. He explained the “administrative assessment fee” is set up for short term reduction or increase to the licensing fee to cover a variance that may occur for that particular board as a single incidence to recoup costs or return excess funds for a finite period.

Mr. McNew answered questions from the Board.

Samantha Patnode, Licensing Supervisor, presented to members more specific statistics on the written examination. Ms. Patnode reviewed each exam domain covering which sections had the highest fail rates. Staff and members discussed that there will need to be a committee meeting to edit and/or remove questions that might be irrelevant, poorly sourced, or out-dated. Ms. Allbritton stated that it is important that the exam matches profession core competencies.

### **REGULATORY OPERATIONS**

Tim Molloy, Regulatory Operations Division Manager, reminded members of the new ‘self-inspection forms’ that are now available for denturists. He also noted that the forms have been printed with agency contact information on them so licensees can contact ROD directly with any questions about compliance. Mr. Molloy explained the ‘standard of practice evaluation form’ can be provided to the practitioner as a guide for their own notes with chart notes, or however is most appropriate to help ensure compliance. The Regulatory Operations Division (ROD) is focusing on education to gain compliance, rather than simply policing licensees.

Mr. Young asked Mr. Molloy if there were any new complaints to address, Mr. Molloy said there was nothing new for Denture Technology.

### **OUTREACH AND COMMUNICATION**

Kraig Bohot, Communications Coordinator, had some updates on agency and board specific Web site information. Mr. Bohot explained that he is currently in the process of getting disciplinary actions up and running for the denturists, including final orders. He also read the web trend reports for the agency and board including total Web site visits, unique visitors, and total web site hits. He also mentioned that the application packet for denture technology is in the process of being retooled to include more simple language, making it easier of the applicant.

Mr. Bohot pointed out the article in member’s books regarding the Oregon State Board of Nursing; the nursing board has been under particular scrutiny for their licensing practices and how the Oregon Health Licensing Agency is being proactive to prevent any public skepticism in the future.

Mr. Coss recognized the challenges many agencies face with accountability and credibility, however he said that OHLA is a great example of exactly how the regulatory structure of professions should be; that is how it should be done by all states.

Mr. Bohot concluded by telling members about the June 4<sup>th</sup>, 2008 stakeholder meeting that will be held in the Oregon Department of Veterans Affairs (ODVA) auditorium. The purpose of the meeting is to inform all interested attendees of the new fee structures and rules.

### **COMMITTEES AND REPORTS**

Members and staff discussed a possible date for the exam committee to meet. The Board agreed, that if time allowed, the exam committee will meet in Executive Session to review the exam questions with higher fail rates. As a secondary option, members and staff also agreed that if meeting after the regular session was not possible the committee would meet on June 13, 2008 at 10:00 am.

### **MILLS GRAE UNIVERSITY**

Cerynthia Murphy, Board and Agency Rule Analyst, presented research on Mills Grae University. She referenced the issue that had been raised, in previous board meeting as a possible school to approve for basic and continuing education. Ms. Murphy explained that Mills Grae University is not accredited by that U.S. Department of Education and therefore cannot be approved by the Board for educational hours. Mr. Burzynski stated that he and members of other associations had met with Dr. Garity from Mills Grae to discuss the University's plans to become accredited. Mr. Burzynski also stated that Dr. Garity was given the information on Oregon's baseline competencies. Dr. Garity also mentioned that he had plans to meet with the Governor of Montana to learn what steps need to be taken to gain accreditation for his school.

Jim Davis had a concern about Dr. Garity referring to his denture program at Mills Grae University as a 'Doctorate Program', especially since the school is not accredited. Members and staff agreed that they cannot move forward any further without Dr. Garity being proactive in the process of gaining accreditation for Mills Grae University.

### **CONTINUING EDUCATION REQUIREMENTS**

Members discussed current state requirements regarding continuing education (CE) hours that must be acquired. Issues of concern centered on the source of continuing education, "provider qualifications", continuing education content directly related to denture technology and the percentage of education completed in specific areas. Members recommended that required educational areas be identified with a specific hour requirement established as essential to meeting CE requirements as a condition of license renewal. Ms. Allbritton recommended surveying stakeholders to gather feedback before the Board proposes a change.

The second concern was the number of continuing education hours required by the state. Members discussed if there was really a statewide problem with incompetency, and the overall opinion was no. Members compared Oregon's requirements with Washington state. Mr. Young stated that continuing competency is vital to consumer protection and the Board does need to have further discussion on the subject. Members agreed that there needs to be more information of where licensees can go to acquire their continuing education hours, and requested that OHLA look at the possibility of adding helpful links to the denture technology Web site.

### **Motion**

Mr. Burzynski made a motion to raise the number of continuing education hours from the current requirement of 10 hours a year to 15 hours a year, or 30 hours every 2 years with the 2-year renewal schedule. No members seconded the motion. Mr. Coss was opposed. Motion failed.

### **Motion**

Mr. Coss made a motion and Mr. Hammar seconded to assign the issues surrounding continuing education to a combination of both the education and rules committees, and the committees will make a recommendation to the Board at the next official board meeting. The motion passed with Mr. Young and Mr. Burzynski voting aye.

### **ITEMS FOR BOARD ACTION**

None.

### **EXECUTIVE SESSION**

Mr. Young called the Board into Executive Session pursuant to ORS 192.660(1)(f) at 1:33 p.m. for the purpose of reviewing written exam questions.

Executive Session concluded at 4:05 pm and Todd Young, Chairperson, reconvened regular session at 4:05 pm. The 75 written exam questions of concern were reviewed and modified or removed as necessary.

### **OTHER BOARD BUSINESS**

#### **PORTABILITY OF LICENSES**

Mr. Young inquired about compliance issues with denturists working in multiple offices. Mr. Burzynski mentioned that, for dental hygiene, they are issued 4 duplicates at the time of licensure and renewal to prevent issues with compliance. Ms. Allbritton said that she will look into what the options are available to address this concern; legal counsel previously indicated OHLA could only issue one valid original license to practice.

#### **APPOINTMENTS**

Members and staff discussed current and future board vacancies. Staff announced the appointment of a new board member that will be filling the dentist position.

**PUBLIC COMMENT**

Jim Davis, voiced his problems with health insurance companies not covering denture related services. Mr. Davis asked that the Board support and participate in his plan to educate health insurance companies on what denture technology is and the benefit to patients over receiving dentures in a dentist office. His hope being to encourage policy changes from within the health insurance companies that are currently denying the most claims. He wanted to see some outreach on the part of the Board and other associations, to show the level of demand for this service. Ms. Allbritton said the Agency can provide facts and information about health insurance company services.

**BOARD INTEREST FILE**

The file was made available for the Board's review.

Mr. Coss made a motion and Mr. Young seconded the motion to adjourn the meeting. Motion passed with Mr. Burzynski, Mr. Hammar, Mr. Coss and Mr. Young voting aye.

The meeting adjourned at 4:06 p.m.

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*I attest that the Board of Denture Technology Licensing meeting minutes of May 5, 2008, are a true and accurate reflection of the matters discussed and the views of the participants.*

*[Signature unavailable]*

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Lisa Murphy, Board and Qualification Specialist