



Oregon

John A. Kitzhaber, MD, Governor

Health Licensing Agency

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Website: www.Oregon.gov/OHLA

WHO: Oregon Health Licensing Agency
Board of Denture Technology

WHEN: February 6, 2012 – 1 pm

WHERE: Oregon Health Licensing Agency
Rhoades Conference Room
700 Summer St NE, Suite 320
Salem, Oregon

What is the purpose of the meeting?

The purpose of the meeting is to conduct regular board business. Please use appropriate language, manners and protocols when conducting board business. A working lunch may be served for board members and designated staff in attendance. A copy of the agenda is printed with this notice. Please visit <http://egov.oregon.gov/OHLA/DT/meetings.shtml> for current meeting information.

Is the public or licensees allowed to attend the meeting?

Yes. Members of the public are invited and encouraged to be in attendance at all board/council meetings. All public audience members are asked to sign-in on the attendance roster prior to the meeting. Comments may be heard under public comment at the end of the meeting. Please wait to be recognized by the Chairperson prior to commenting.

Is it possible to watch the meeting live on the internet?

Yes. You may access the meeting at <http://egov.oregon.gov/OHLA/DT/meetings.shtml> If you need assistance accessing the meeting contact the iLinc Join Help Desk at 1-800-799-4510, and select option "1."

What if the board/council enters into executive session?

Prior to entering into executive session the board/council chairperson will announce the nature of and the authority for holding executive session, at which time all audience members are asked to leave the room with the exception of news media and designated staff. Executive session would be held according to ORS 192.660.

No final actions or final decisions will be made in executive session. The board/council will return to open session before taking any final action or making any final decisions.

Who do I contact if I have questions or need special accommodations?

The meeting location is accessible to persons with disabilities. A request for accommodations for persons with disabilities should be made at least 48 hours before the meeting. For questions or requests contact a board specialist at (503) 373-2049.

All members are asked to please give at least 24-hour notice if they are unable to attend the meeting so arrangements may be made.



Oregon Health Licensing Agency
Board of Denture Technology



1 pm, Monday, February 6, 2012
700 Summer Street N.E., Suite 320
Salem, Oregon

Call to Order

1. **Approval of Agenda**
2. **Approval of Minutes**
 - ◆ 10/17/11
3. **Reports**
 - ◆ Director's Report
-Chair Summit Review
 - ◆ Statistical Report and Budget
 - ◆ Regulatory Report
 - ◆ Policy, Legislation and Administrative Rules

Working Lunch

4. **Items for Board Action**
 - ◆ Approve rulemaking schedule
5. **Public Comment**
6. **Other Board Business**
 - ◆ Board Interest File
7. **Executive Session (If needed)**

Agenda is subject to change.
For the most up to date information visit www.oregon.gov/OHLA

Approval of Minutes





Oregon Health Licensing Agency
Board of Denture Technology



11 am, Monday, October 17, 2011
700 Summer Street NE, Suite 320
Salem, Oregon

MINUTES

MEMBERS PRESENT

Shawn Murray, Chair
Ivan Collver, Vice-Chair
David Dahl
Ken Holden
Cindy Cunningham
Dr. Geoffrey Berg
John Cooper

STAFF PRESENT

Randy Everitt, Director
Sylvie McMillan, Fiscal Services and Licensing Manager
David Sparks, Regulatory Operations Manager
Samie Patnode, Policy Analyst
Sinnamon Harris, Board Specialist

MEMBERS ABSENT:

None

GUESTS PRESENT:

None

*This meeting was live video streamed.

Call to Order

Shawn Murray, Chair, called the meeting of the Board of Denture Technology to order at 11:00 am, Monday, October 17, 2011, at the Oregon Health Licensing Agency (OHLA), Rhoades Conference Room, 700 Summer Street NE, Salem, Oregon. Roll was called.

1. Approval of Agenda

MOTION:

Ivan Collver made a motion with a second by David Dahl to approve the agenda. Motion passed unanimously.

2. Approval of Minutes

MOTION:

David Dahl made a motion with a second by Ivan Collver to approve the minutes for June 6, 2011, as amended. Motion passed unanimously.

3. Reports

◆ Directors Report

Randy Everitt, Director, Randy Everitt, Director, explained that a legislative concept is a formal idea that the agency vets with its boards or councils to determine if a statute (or law) needs to be revised. It is a lengthy process and Everitt further explained that the Legislative Concepts need to be submitted by early April of 2012 for the 2013 Legislation Session.

-2012 Chair Summit

Everitt announced a Chair Summit will take place on January 20, 2012, for all the Boards and Councils for a business meeting. The purpose of the meeting is for the boards/councils to let the agency know how it can improve on its services and for the agency to let the boards/councils know where the business of regulation is headed. For example, Everitt stated, at the last Chair Summit the agency introduced the 28-point Investigatory Protocols. One of the concerns at the last meeting was customer service and as a result the agency increased staff in the front lobby service area and added a position who answers the phone. This meeting will also explore the political part of Oregon Health Licensing Agency as a state entity and how it relates to each profession.

◆ Statistical and Budget Report

Sylvie McMillan, Fiscal Services and Licensing Manager, presented the statistics that included licensing, examination and regulatory statistics, authorization volume, complaints, and website traffic. McMillan also introduced a chart which outlined how the agency assesses for any indirect costs for all the boards. These plans were developed by fiscal to allocate the shared (indirect) service rates for each board or council under Oregon Health Licensing Agency. The chart shows which board is using what functions of the agency and the costs are based on those services the boards are actually using. Full-Time Equivalent (FTE) Allocation represents all the agency's employee positions. Shared cost categories are divided into three agency divisions: Administrative Services, Fiscal Services/Licensing, and Regulatory Operations. Each board was placed into a Gold, Silver, or Bronze Plan based on the services used while Cosmetology has its own separate plan. The board will pay a percentage of each of the shared costs, such as, management, rules and legislation, qualifications and licensing, etc. McMillan noted the Silver and Bronze Plans does not include inspections as the agency only performs inspections on those boards with facility licenses. The Investigators keep a detailed log of which board they work on and those hours/ payroll costs are divided out at the end of the month for each board/council.

◆ Regulatory Operations Division Report

David Sparks, Regulatory Operations Manager, reported on enforcement activity.

2009 – 2011 Biennium

Between July 2009 and June 2011, 26 complaints were received by the Agency. Of the 26 complaints, 2 remain open.

Below is a detailed list of the 2 open complaints with an ongoing investigation:

Case #	Received Date	Complaint Allegations
11-6295	1/31/2011	Services Provided
11-6470	6/13/2011	Services Provided

There were no closed complaints since the last Board meeting. Below is a summary of all other closed complaints categorized by investigation result. These 24 complaints were closed out prior to the last Board meeting.

Investigation Result	Count
Civil Penalty	2
Resolved	1
Unfounded	17
W/D	2
W/O Action	2

2011 – 2013 Biennium

Between July 1, 2011 and October 12, 2011, 1 complaint was received by the Agency. Of the 1 complaint, 1 remains open.

Below is a detailed list of the 1 open complaint with an ongoing investigation:

Case #	Received Date	Complaint Allegations
560	9/13/2011	Services Provided

◆ Policy, Legislation & Administrative Rules

-OHLA Permanent Administrative Rules

Samie Patnode, Policy Analyst, discussed OAR 331-010-005 regarding allowing authorization holders in active military status waiver of renewal, fees and continuing education requirements, as well as protocols for restoration of former authorization status. The rule defines and clarifies what constitutes an appearance before the agency during investigations of alleged violations of statutes or rules under the authority of OHLA. The rule also defines and clarifies the terms incompetence and negligence used in ORS 676.612 in regulation to the boards or councils under OHLA.

4. Items for Board Action

◆ Approve Administrative Rulemaking Schedule

Patnode stated the Board of Denture Technology had not had an in-depth administrative rulemaking since 2004. The board can expect to make significant changes in all areas of administrative rules to align with other agency programs as we ensure that administrative rules fall within the statutory framework of the law. The agency recommended approval of the administrative rulemaking schedule for 2012.

MOTION:

Dr. Geoffrey Berg made a motion with a second by Ken Holden to approve the administrative rulemaking schedule. Motion passed unanimously.

◆ Determine Additional Training Requirements for Young Seck Yang

McMillan read a letter received from Mr. Yang regarding his failures to pass the written examination. McMillan stated that according to Oregon Administrative Rule 331-410-0030(10), an applicant who fails to pass the written or practical examination on the third attempt must apply to the Board and receive authorization before application for re-examination will be approved. The Board may require the

applicant to undergo additional training before taking the examination a fourth or subsequent time. This is Mr. Yang's seventh attempt. After discussion by the Board Dr. Berg remarked he felt having Mr. Yang retake 360 hours as proposed by the agency was excessive.

MOTION:

Dr. Geoffrey Berg made a motion with a second by John Cooper to allow Mr. Yang to re-take the written examination with no further training required. Motion passed unanimously.

◆ 2012 Chair and Vice-Chair

Nominations for Chair were opened and John Cooper nominated Shawn Murray for 2012 Chair. There were no other nominations and the nominations were closed. Shawn Murray was elected 2012 Chair by a unanimous vote.

Nominations for Vice-Chair were opened and Shawn Murray nominated Ivan Collver for 2012 Vice-Chair. There were no other nominations and the nominations were closed. Ivan Collver was elected 2012 Vice-Chair by a unanimous vote.

◆ 2012 Committees

MOTION:

Ivan Collver made a motion with a second by Dr. Geoffrey Berg to accept the 2012 Committees as nominated. Motion passed unanimously.

2012 Committees	
Legislation & Rules	Shawn Murray, Ken Holden, Cindy Cunningham, Alternate: David Dahl
Education & Examination	Dr. Geoffrey Berg, Shawn Murray, John Cooper
Enforcement	David Dahl, Shawn Murray, Ken Holden
Practice & Procedures Standards	Ken Holden, David Dahl, Shawn Murray
Customer Connection	Ivan Collver

◆ 2012 Board Meeting Dates

To keep in sync with the schedule for the Board of Denture Technology's administrative rule review the agency proposed February 6, 2012 @ 1pm following the Legislation and Rules Committee meeting, March 26, 2012 as a teleconference call @ 9am to approve proposed administrative rules, June 18 2012 @ 9 am, and September 24, 2012, @ 11 am.

MOTION:

Dr. Geoffrey Berg made a motion with a second by David Dahl to approve the proposed 2012 meeting dates. Motion passed unanimously.

◆ 2012 Examination Date

The agency proposed August 10, 2012, as the date for the practical examination to be held at Oregon Health Sciences University in Portland, Oregon.

MOTION:

Ivan Collver made a motion with a second by Dr. Geoffrey Berg to approve the proposed 2012 practical examination date of August 10, 2012. Motion passed unanimously

5. Public Comment

No public comment was received.

6. Executive Session-Place Holder

The board did not enter into executive session.

7. Other Board Business/Board Interest

There was no "Other Board Business" or items in the "Board Interest File."

The meeting adjourned at approximately 4 pm.

Prepared by: Sinnamon Harris, Board Specialist

Director's Report



Statistical & Budget Reports



Oregon Health Licensing Agency

Board of Denture Technology

Licensing Division Statistics as of January 30, 2012

2011 - 2013 Biennium

Licenses Issued / Renewed

Quarter	Licenses Issued	Renewals processed	% of Renewals processed online
1st	1	21	38.10%
2nd	2	3	0.00%
3rd	0	0	0.00%
Total:	3	24	33.33%

Examinations

Quarter	Practical Exams Passed	Practical Exams Failed	% Passed
1st	1	1	50%
2nd	0	0	0%
3rd	0	0	0%
Total:	1	1	50%

Quarter	Written Exams Passed	Written Exams Failed	% Passed
1st	1	0	100%
2nd	1	0	100%
3rd	0	1	0%
Total:	2	1	67%

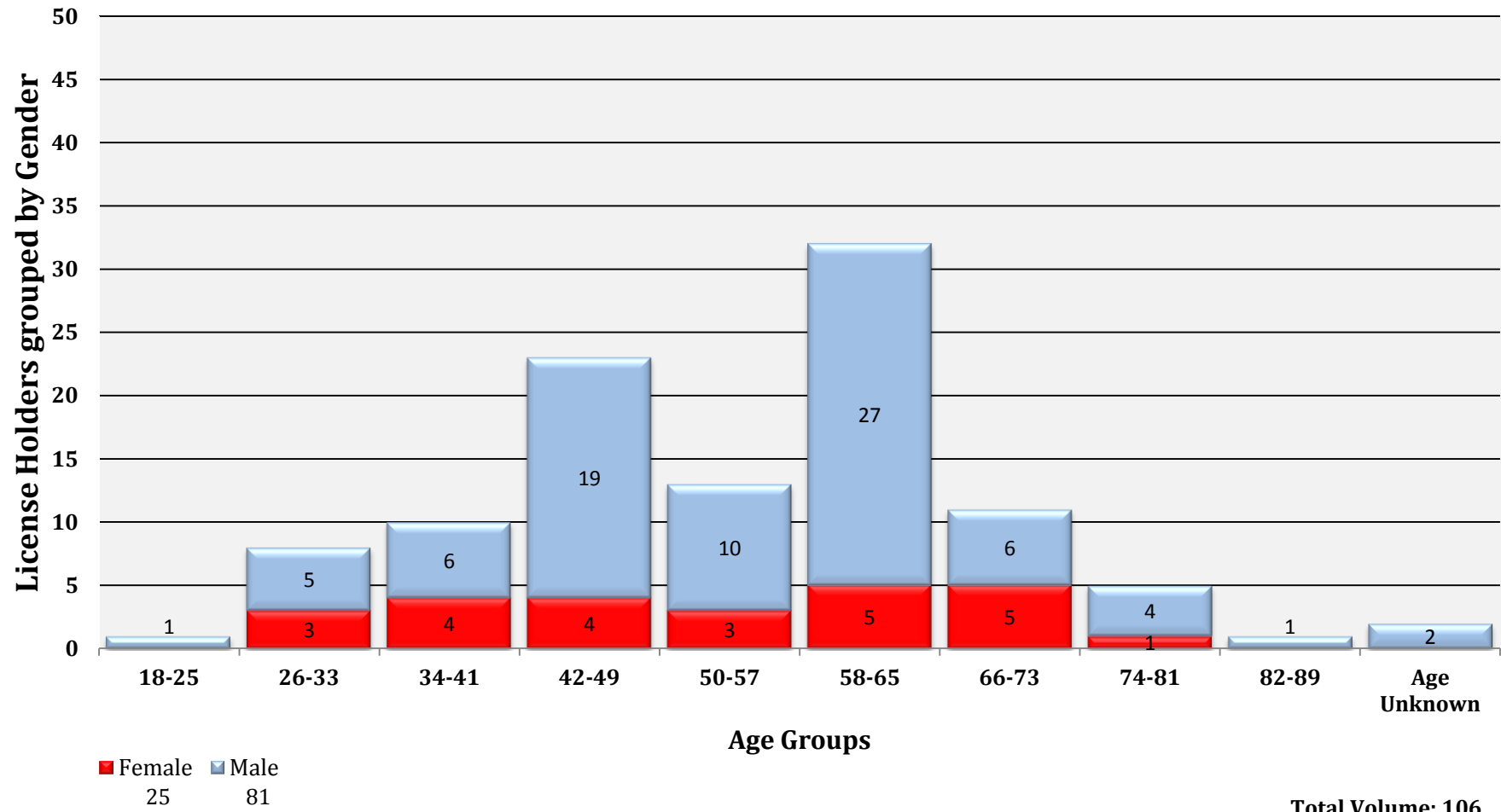
Oregon Health Licensing Agency

Board of Denture Technology

Active License Holders

Statistics grouped by Gender and Age Group as of January 30, 2012

2011 - 2013 Biennium

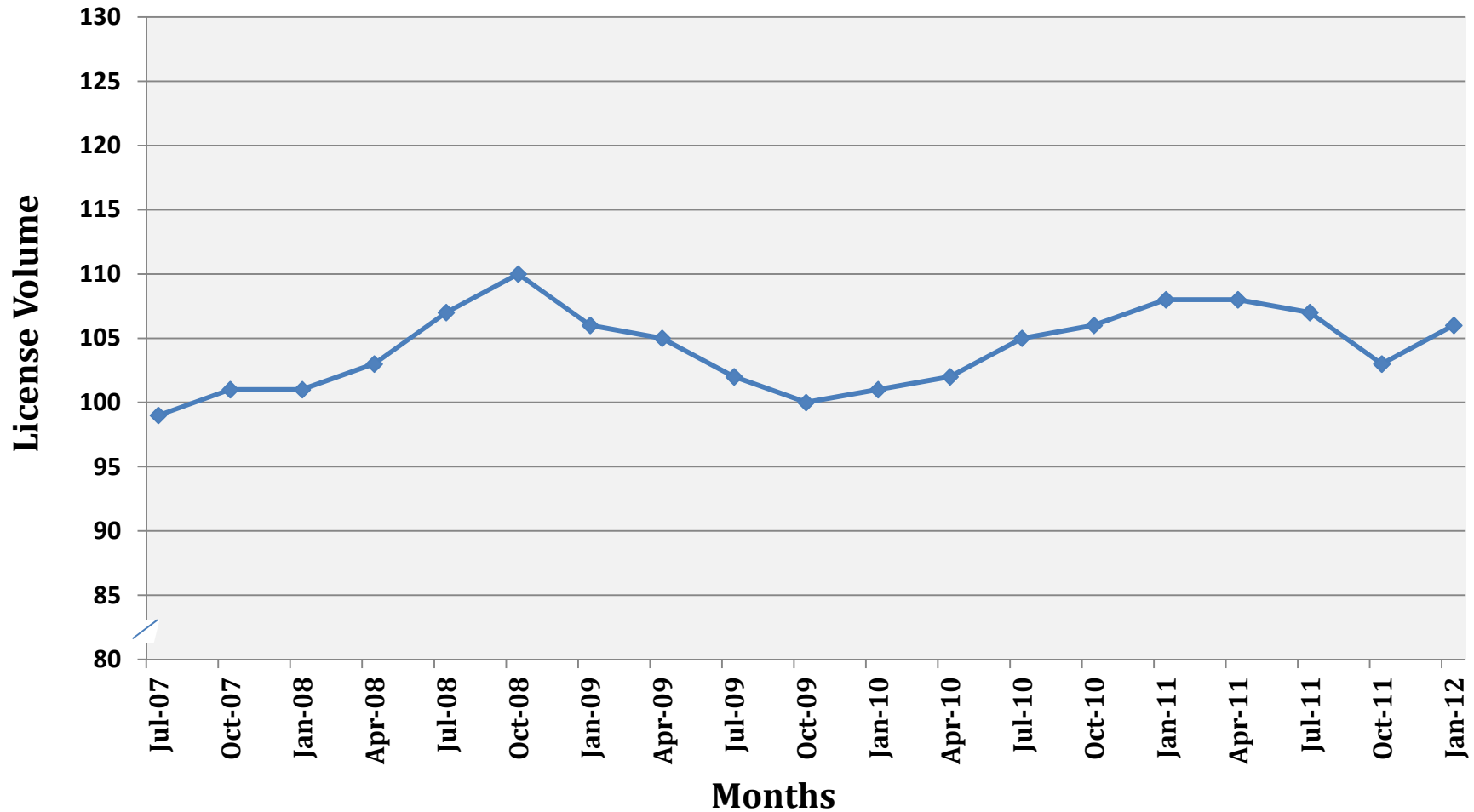


Oregon Health Licensing Agency

Board of Denture Technology

Active License Trend

July 2007 - January 2012



Oregon Health Licensing Agency

Board of Denture Technology

Revenue and Expenditures

For the 2011-2013 Biennium

OREGON HEALTH LICENSING AGENCY	
DENTURE TECHNOLOGY FUND 7530	
STATEMENT OF CASH FLOW	
FOR THE PERIOD 07/01/11- 12/31/11	
11-13' Beginning Cash Balance	\$ 32,473.07
Revenues	\$ 22,070.00
Expenditures	\$ 16,785.67
Less: Accrued Expenditures	\$ (39.74)
Less: Total Expenditures	\$ (16,745.93)
Subtotal: Resources Available	\$ 37,797.14
Change in (Current Assets)/Liabilities	\$ 69.47
Ending Cash Balance (Actual)	\$ 37,866.61
Silver Allocation	
Shared Services Rate	0.75%
Educational Services Rate	10.53%
Small Board Licensing and Qualifications Rate	1.76%
Frontline and Customer Support Rate	0.15%
Direct Cost	100.00%

Oregon Health Licensing Agency

Board of Denture Technology

Proposed Administrative Fee Changes

Fee Schedule	Current Fees - 2 Year	Proposed Fees - 1 Year
Description of Fee	Fee Amount	Fee Amount
Application	\$ 350	\$ 150
Application for Reciprocity	\$ 450	\$ 250
Application for Trainee Registration	\$ 200	\$ 200
Original License	\$ 700	\$ 325
Original License - by reciprocity	\$ 700	\$ 325
License Renewal	\$ 700	\$ 325
Online License Renewal	\$ 700	\$ 300
Examination - Written	\$ 350	\$ 200
Examination - Practical	\$ 650	\$ 500
Delinquency	\$ 25	\$ 50
Replacement	\$ 25	\$ 25
Administrative Processing Fee	\$ 25	\$ 25
Affidavit of Licensure	\$ 50	\$ 50
Information Packets	\$ 7.50	\$ 10
Application for Temporary	\$ 50	\$ 50
Temporary License	\$ 50	\$ 50

Oregon Health Licensing Agency

Board of Denture Technology

Revenue and Expenditures

For the 2011-2013 Biennium

OREGON HEALTH LICENSING AGENCY DENTURE TECHNOLOGY FUND 7530 STATEMENT OF CASH FLOW FOR THE PERIOD 07/01/11- 06/30/13	
11-13' Beginning Cash Balance	\$ 32,473.07
Revenues	\$ 56,805.00
Expenditures	\$ 70,185.45
Less: Accrued Expenditures	\$ -
Less: Total Expenditures	\$ (70,185.45)
Subtotal: Resources Available	\$ 19,092.62
Change in (Current Assets)/Liabilities	\$ -
Ending Cash Balance (Projection)	\$ 19,092.62
Silver Allocation	

Oregon Health Licensing Agency

Board of Denture Technology

Revenue and Expenditures

For the 2013-2015 Biennium

OREGON HEALTH LICENSING AGENCY	
DENTURE TECHNOLOGY FUND 7530	
STATEMENT OF CASH FLOW	
FOR THE PERIOD 07/01/13 - 06/30/15	
13-15' Beginning Cash Balance	\$ 19,092.62
Revenues	\$ 75,875.00
Expenditures	\$ 73,694.73
Less: Accrued Expenditures	\$ -
Less: Total Expenditures	\$ (73,694.73)
Subtotal: Resources Available	\$ 21,272.89
Change in (Current Assets)/Liabilities	\$ -
Ending Cash Balance (Projection)	\$ 21,272.89
Silver Allocation	

**Regulatory
Operations Division
Report**



BOARD OF DENTURE TECHNOLOGY

2009 – 2011 Biennium

Between July 2009 and June 2011, 26 complaints were received by the Agency. Of the 26 complaints, 1 remains open.

Below is a detailed list of the 1 open complaint with an ongoing investigation:

Case #	Received Date	Complaint Allegations
11-6295	1/31/2011	Non-fitting dentures

Below is a summary of all other closed complaints categorized by investigation result. These 25 complaints were closed out prior to the last Board meeting.

Investigation Result	Count
Civil Penalty	2
Resolved	1
Unfounded	18
Withdrawn	2
W/O Action	2

2011 – 2013 Biennium

Between July 1, 2011 and January 31, 2012, 5 complaints were received by the Agency. Of the 5 complaints, 2 remain open.

Below is a detailed list of the 2 open complaints with an ongoing investigation:

Case #	Received Date	Complaint Allegations
11-6560	9/13/2011	Poor fitting dentures
12-6677	1/4/2012	Poor work on denture repair

Below is a summary of the closed complaints categorized by investigation result. These 3 complaints were received and closed out since the last Board meeting.

Investigation Result	Count
Referred to the State of Washington	2
W/O Action	1

Policy, Legislation & Administrative Rules

Items for Board Action

ISSUE:

Begin administrative rulemaking process for the Board of Denture Technology.

DISCUSSION:

Permanent Rulemaking

Oregon Health Licensing Agency (Agency) has been engaging each program in administrative rulemaking. The Board of Denture Technology (Board) has not had in-depth administrative rulemaking since 2004.

The board can expect to make significant changes in all areas of administrative rules to align with other agency programs as well as ensure that administrative rules fall within the statutory framework of the law. Revisions the board may consider are as follows:

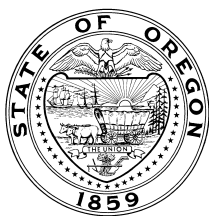
- Training Requirements
- Temporary Licensure – HB 2145
- Application Requirements
- Renewal Requirements
- Continuing Education
- Practice Standards
- Informed Consent – teeth whitening gels
- Patient Abandonment
- Termination of Care

When beginning the rulemaking process it is important to consider, the time commitment required by the Legislation and Rules Committee members. The current Legislation and Rule Committee members are Cindy Cunningham, Ken Holden and Shawn Murray.

Please note that meetings related to ONLY administrative rules will begin at 9 am, due to the degree of detail required for rulemaking.

RECOMMENDATION:

Recommend approval of the administrative rulemaking schedule. (See schedule attached)



Administrative Rule Schedule

OREGON HEALTH LICENSING AGENCY

Board of Denture Technology

Date	Action	Time
February 6, 2012	Board meeting approve rulemaking schedule	1 pm
August 6, 2012	Legislation & Rules Committee – fiscal impact review	9 am
September 7, 2012	Legislation & Rules Committee – fiscal impact review	9 am
September 24, 2012	Board meeting approve proposed rules & fiscal impact	9 am
November 1, 2012	Notice of proposed rules –Oregon Bulletin	
November 28, 2012	Last day for public comment	
January 7, 2013	Legislation & Rules Committee – fiscal impact review	9 am
February 4, 2013	Board meeting adopt permanent rules	9 am
February 15, 2013	Permanent rules effective	

Under ORS 676.607(f) the Oregon Health Licensing Agency (Agency) has authority and responsibility to approve and collect all fees for the programs under ORS 676.606 including the Board of Denture Technology. The Agency has final rulemaking authority under ORS 676.615. All comments including recommendations from board members will be considered by the Agency.

All meetings are held at the Oregon Health Licensing Agency, Rhoades Conference Room, 700 Summer St, Suite 320, Salem, OR 97301, unless otherwise specified.

Members of the public are invited and encouraged to attend all board and committee meetings. However, audience members will not be allowed to participate, unless there is a dedicated placeholder on the agenda and/or the chairperson designates an allotted time.

Invited technical experts may be asked to participate in meetings regarding their knowledge and expertise in specific areas.

Please send all public comment to:

Samie Patnode, Policy Analyst
700 Summer St NE, Suite 320
Salem, OR 97301-1287
samie.patnode@state.or.us
Work: (503) 373-1917

For current information regarding administrative rules or the rulemaking process visit the Web at http://www.oregon.gov/OHLA/DT/DTlaws_rules.shtml.

Public Comment

Other Board Business



Board Interest File

Executive Session

**Oregon Health Licensing Agency
Board of Denture Technology**

February 6, 2012
Oregon Health Licensing Agency
700 Summer Street NE, Suite 320
Salem, OR 97301-1287

****PLEASE PRINT****

Name (First, Last)	Representing	Request to Comment (yes/no)