



Oregon Health Licensing Agency  
Board of Denture Technology



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

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**MINUTES**

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**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