

**OREGON BOARD OF DENTISTRY
MINUTES
December 5, 2008**

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
Patricia A. Parker, D.M.D.
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)
Andrew Moschogianis, D.D.S., consultant (portion of meeting)
Lisa Warwick, Office Specialist (portion of meeting)

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

VISITORS PRESENT: Beryl Fletcher, ODA; Dennis A. Johnson, D.M.D., ODA; Les Sturgis, C.R.N.A., ORANA; Douglas Matz, D.M.D., AGD; John C. Lee, D.D.S., OHSU

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.

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.

NEW BUSINESS

MINUTES

Ms. Mason moved and Mr. Smyth seconded that the minutes of the October 10, 2008 Board meeting be approved as amended. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

ASSOCIATION REPORTS

Oregon Dental Association (ODA)

The ODA had nothing to report.

Oregon Dental Hygienists' Association (ODHA)

Mr. Braatz stated that Ms. Ironside had called him and due to unforeseen events, she was not able to attend the Board meeting.

Oregon Dental Assistants Association (ODAA)

No one from the ODAA was present.

COMMITTEE AND LIAISON REPORTS

WREB Liaison Report

Dr. Magnuson stated that the big changes this year for WREB are the way they are going to score tests. A number of states are a bit hesitant over current testing with the cumulative score of 75%, still allowing for a failure of one section to be made up by high scores in other sections. Now WREB is going to use a "conjunctive" score where individuals still must have a 75% overall score to pass the exam, but they cannot have less than a 75% score in any one section or they will fail. They are allowed to take up to two sections over again. WREB still hasn't come up with a final crown prep portion scoring solution for their exam.

AADE Liaison Report

Dr. Parker stated that the AADE has a couple of main issues currently being discussed. The first issue is the consolidation of Part One and Part 2 of the National Exams and of possibly making it a pass/fail exam. Dr. Parker stated that they are doing this in an attempt to get graduate programs to stop using the National Board scores as a way of choosing who gets entry into their programs. The second issue was the curriculum integrated format for licensing. In the AADE Adopted Resolution 13 specifically, the resolution is the use of a curriculum intergraded format or a pre-doctoral in licensing examination.

Maine has a new mid-level provider hygienist that operates at a much higher level than our Restorative Hygienist, which is quite interesting. Dr. Parker was also interested in the AADE presentation on recognizing substance abuse and fitness for duty involving the forensic psychiatric evaluation of dentists. Mr. Braatz stated that we just received that report and it will be in the Board meeting materials for the January meeting.

Ms. Mason added that it continues to amaze her how Oregon is much further ahead than many other states. Whitening kiosks, Botox and many other issues were touched on that are similar to the situations that Oregon is looking at.

ADEX Liaison Report

Mr. Braatz stated that CRDTS has decided to withdraw from ADEX. Mr. Braatz added that his issue is that all other fields have one national exam and this is a step back, that some states may have legislation passed that will decide what exam is accepted instead of having professionals decide which exam is best qualified.

Anesthesia Committee Report

Dr. Nichols stated that the Anesthesia Committee met in October, holding a moment of silence for the late Dr. Robert Woolf.

He also stated that no word changes in the OARS were made at this point although the committee agreed that the Board would accept ADA guidelines and begin the process of word changes. Dr.

Nichols added that the next meeting will be held sometime in January, although a specific date has not been set.

CODE Update – Consortium of Operative Dentistry Educators – Dr. John Lee Presenting

Dr. Lee stated that we had the privilege of holding the CODE Consortium of Operative Dentistry at OHSU early in October; representatives from schools all over the West Coast attended the meeting. Each year there is a national meeting that sets forth questions that they would like to have answered so there can be a mutual agreement on one solid way to teach operative dentistry. Dr. Lee brought handouts for the Board with OHSU response to CODE's questions that had been asked. Topics included simulation, teaching on live patients, and testing on live patients. Dr. Lee was happy to report that Oregon is ahead in the way we teach operative dentistry and that we have a curriculum in place that will easily be accepted by anyone.

Dr. Huddleston asked if crown prep should come back. Dr. Lee said that he would love to see it come back as part of a test and feels it is a very valid way to restore teeth, also allowing on-lay or something a bit less radical. Preparation or testing on a human patient under controlled circumstances is very appropriate because typodonts don't act like a patient.

Ms. Mason asked about curriculum integration format. Dr. Lee said that logistically it will take a lot of effort to make curriculum integration work like it's supposed to. He said it's almost unrealistic in some perspectives, but he has no problems with it. Dr. Lee did state that he would like to see testing agencies come back to watch the crown be seated.

Ms. Mason asked about competency with dental students with curriculum integration as that may mean that students are going to be tested earlier than they are currently. Dr. Lee said that he felt that it was a safe comment and that students may not be ready for that testing if it's done earlier, especially when students all learn at very different rates. The Board thanked Dr. Lee for his presentation.

EXECUTIVE DIRECTOR'S REPORT

Budget Status Report

Mr. Braatz stated the budget is exceeding its expenditure level for a variety of reasons. We're monitoring the budget very closely. The revenue budget has also increased due to an increase in applications. The Governor released his budget last week and it does reflect that the budget is in trouble for General Fund agencies; the Board is an Other Funds agency.

Mr. Braatz stated that he appealed his budget denial for application fee increases and his appeal was granted for both items.

Customer Service Survey Report

Mr. Braatz stated that the OBD is still doing well according to the survey results and that the book of comments was available for review.

Board and Staff Speaking Engagements

On October 17, 2008 Licensing Manager Teresa Haynes and Mary Davidson, R.D.H., LAP, attended a joint meeting of the ODHA and the Washington State Dental Hygienists' Association.

AADA & AADE Annual Meeting Report

Mr. Braatz stated that Dr. Parker, Ms. Mason, and Senior Assistant Attorney General Lori Lindley attended the AADE meetings, while he attended the AADA meeting. The main concerns and discussions included whitening kiosks and the fact that several states are treading lightly, waiting to see what happens with North Carolina and the FTC investigation that is being conducted.

Mr. Braatz also stated that he is the president-elect of the AADA.

Review and Adopt OBD Policy 834-413-0018 Information Security Policy

Dr. Nichols moved and Ms. Mason seconded that the Board adopt the new information security policy. Mr. Braatz stated that the agency must have a plan in place by July 30, and although our policy has been submitted, it has not yet been approved.

Newsletter

Mr. Braatz stated that the newsletter was printed and has been mailed. It is also posted on our Web site. Mr. Braatz stated that the Board may want to consider adding the names of individuals being disciplined in the newsletter, as every other regulatory agency does, and it would save staff time with all the phone calls this generates.

2009-2011 Legislative Update

Legislative Concept	Summary
LC 1435	Provides tax credit for principal and interest payments on qualifying student loans made by health care practitioners serving medically underserved areas.
LC 1458	Limits authority of health professional regulatory boards to conduct medical, physical or competency examinations, assessments or evaluations in which board determines there is objectively reasonable basis for believing licensee or applicant is unable to practice safely. Permits licensee or applicant to request contested case hearing to determine need for mental, physical or competency examination, assessment or evaluation. Provides exceptions permitting immediate conduct of examination, assessment or evaluation.
LC 1459	Prohibits health professional regulatory board, Department of Human Services, Oregon Health Licensing Agency or Board, advisory council or program overseen by Oregon Health Licensing Agency from assessing costs or attorney fees for disciplinary proceedings.
LC 1150	Increases number of public members on health regulatory boards.
LC 1151	Terminates semi-independent state agency status of the Oregon Board of Optometry, Board of Massage Therapists and Physical Therapist Licensing Board.
LC 1152	Standardizes health professional regulatory boards.

LC 1153	Requires health professional licensing boards to develop impaired professional programs. Establishes uniform standards for monitoring impaired professionals. Directs health licensing boards to impose sanctions on impaired professionals. Deletes existing impaired programs of health professional licensing boards.
LC 1163	Requires specified health professional regulatory boards to collect information from licensees and report information to Department of Human Services for creation of healthcare workforce database.

UNFINISHED BUSINESS

CORRESPONDENCE

The Board received a letter from Scott Houfek, D.D.S.; Carl McHugh, D.D.S.; Bruce Barrette, D.D.S – ADEX

ADEX officials sent a letter in response to Dr. Mark Feldman’s letter.

The Board received a letter from Mark Feldman, D.M.D., President, ADA

Dr. Feldman sent a letter responding to Dr. Bound and the Mississippi State Board of Dental Examiners.

The Board received a letter from Leah Diane Howell, Executive Director, Mississippi State Board of Dental Examiners

Ms. Howell sent a letter responding to Dr. Feldman’s letter dated September 11, 2008.

The Board received a letter from Sherin Tooks, C.D.A., R.D.H, M.S. – CODA

Ms. Tooks directed a letter to Board members asking if any members would be willing participate in two Accreditation Site Visits; one at OHSU and the other at OIT in Klamath Falls. Ms. Mason stated that she believed the OHSU dates are incorrect and that she believed it was the first week of October. Ms. Davidson said she would be willing to work on OHSU’s accreditation and Dr. Huddleston will check his schedule to see if he’s available for the OIT accreditation.

The Board received a letter from Liz Koch, M.A., M.P.H., Chief Operating Officer - DANB

Ms. Koch sent a letter updating the Board on the processing times for the Oregon Clinical Radiology Proficiency Exams.

The Board received a letter from Molly Nadler, Executive Director - AADE

Ms. Nadler sent a letter to Mr. Braatz thanking him for his participation as Moderator of the AADE Breakfast Forum.

The Board received a letter from Gordon Empey, D.M.D., M.P.H., Dental Health Consultant – DHS/Public Health

Dr. Empey forwarded an email regarding a call for abstracts for the upcoming National Oral Health Conference being held in Portland on April 20-22.

The Board received a letter from W. Stan Hardesty, D.D.S., President – CITA

Dr. Hardesty sent a letter responding to a letter sent earlier by Ms. Tera Lavick of the ADA, Office of Student Affairs.

The Board received a letter from Raj Angolkar, D.D.S., M.D.S.

Dr. Angolkar sent a letter to the Board thanking them for informing him of the changes adopted by the OBD, prompted by an earlier letter from Dr. Angolkar.

OTHER BUSINESS

Request for Approval of Restorative Curriculum

Pierce College Dental Hygiene Program

Dr. Magnuson moved and Dr. Parker seconded that the Board approve the course as presented. The motion passed with Mr. Smyth, Dr. Grant, Dr. Hongo, Ms. Mason, Dr. Nichols, Dr. Magnuson, Dr. Parker and Ms. Davidson voting aye.

Pierce College Dental Hygiene Restorative Curriculum – Pacific Northwest Institute – CE

Dr. Magnuson moved and Dr. Parker seconded that the Board approve the course as presented. The motion passed with Mr. Smyth, Dr. Grant, Dr. Hongo, Ms. Mason, Dr. Nichols, Dr. Magnuson, Dr. Parker and Ms. Davidson voting aye.

Articles and News of Interest (no action necessary)

- CITA NEWS, Vol. 4, October 2008
- Kentucky Board of Dentistry, Fall Newsletter, 2008
- State Legislate Report, November 2008
- Oregon Medical Board Report, Fall 2008, Vol. 120, No. 2

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PERSONAL APPEARANCES AND COMPLIANCE ISSUES

Licensees appeared pursuant to their Consent Orders in case numbers **2008-0118 et al, 1995-0034, 1999-0064, 2006-0226 and 1997-0091.**

LICENSING ISSUES

OPEN SESSION: The Board returned to Open Session.

CONSENT AGENDA

2006-0227, 2009-0071 and 2009-0083 Ms. Mason moved and Dr. Magnuson 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, Dr. Parker and Dr. Hongo voting aye.

COMPLETED CASES

2008-0300, 2008-0063, 2008-0290, 2009-0021, 2009-0050, 2009-0077, 2008-0292, 2009-0005, 2008-0278, 2009-0029, 2008-0289, 2007-0036 and 2009-0035 Ms. Mason and Dr. Nichols 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, Dr. Parker and Dr. Hongo voting aye. Ms. Davidson and Dr. Parker recused themselves from case 2008-0290.

2009-0045 Mr. Smyth moved and Dr. Grant seconded that the Board close the matter with a Letter of Concern reminding the Licensee that it is the Licensee's responsibility to attend to written requests from the Board in a timely manner, and if unable to do so, make arrangements with someone else to contact the Board on the Licensee's behalf. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

2008-0270 Dr. Magnuson moved and Ms. Davidson seconded that the Board issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order in which he would agree to make a restitution payment of \$1,050.00 to the patient. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

2009-0042 Dr. Hongo moved and Dr. Parker seconded that the Board issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order incorporating a reprimand; a civil penalty in the amount of \$2,500.00 in the form of a cashier's, bank, or official check, made payable to the Oregon Board of Dentistry and delivered to the Board office within five (5) months of the effective date of the Order; and Licensee agrees to surrender Licensee's license to practice dental hygiene in the state of Oregon and agrees not to re-apply, per the standard protocols. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

2008-0262 Dr. Parker moved and Dr. Grant seconded that the Board close the matter with a strongly worded Letter of Concern addressing the issue of ensuring that when there is pathology evident on a radiograph, every effort is made to diagnose and document the pathology; and that when treatment is provided, the treatment is documented in the patient records. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

2009-0090 Ms. Davidson moved and Mr. Smyth seconded that the Board close the matter with a Letter of Concern reminding the Licensee to carefully read documents presented to him for signature before he signs attesting to the content of the document. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

2008-0032 Dr. Grant moved and Ms. Mason seconded that the Board, with regard to Respondent #1, move that the Board close the matter with a Letter of Concern reminding the Licensee that ultimately it is the supervising Licensee's responsibility to assure that persons being supervised are properly licensed and/or certified to perform tasks assigned to them. With regard to Respondent #2, move that the Board close the matter with a Letter of Concern reminding the Licensee that it is the Licensee's responsibility to assure the Licensee is appropriately licensed and certified to perform tasks that are assigned to them. The motion passed with Ms. Mason, Mr. Smyth, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye. Dr. Nichols recused himself.

2008-0033 Dr. Nichols moved and Dr. Grant seconded that the Board with regard to Respondent #1, close the matter with a Letter of Concern reminding the Licensee that ultimately it is the supervising Licensee's responsibility to assure that persons being supervised are properly licensed and/or

certified to perform tasks assigned to them. With regard to Respondent #2, move that the Board close the matter with a Letter of Concern reminding the Licensee that it is the Licensee's responsibility to assure that the Licensee is appropriately licensed and certified to perform tasks that are assigned to them. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

2009-0102 Mr. Smyth 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 have the same restrictions placed upon his Oregon Dental License that are currently on his Washington Dental License. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

2009-0052 Dr. Magnuson moved and Ms. Davidson seconded that the Board close the matter with a strongly worded 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; that a dental justification is documented prior to providing treatment; that current periapical radiographs are available when extracting teeth or providing pulpal therapy; and that when nitrous oxide is administered, vital signs are taken and documented and the patient's condition upon discharge is documented. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

2008-0259 Dr. Hongo moved and Dr. Grant seconded that the Board close the matter with a strongly worded Letter of Concern addressing the issue of ensuring that a dental justification is documented prior to providing treatment, that all treatment that is provided is documented in the patient records, that the use of local anesthetic is documented in the patient records, and that dental record copies are provided when requested by the patient. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

2009-0031 Dr. Parker moved and Ms. Davidson seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that when nitrous oxide is administered, vital signs are taken and the patient's condition upon discharge is documented; and that when teeth are prepared for crowns, the preparations are extended deep enough into the embrasures to ensure good marginal adaptation of the final crowns. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

2008-0282 Ms. Davidson moved and Dr. Parker 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's records; that all treatment that is provided is documented in the patient's records; and that when a prescription is written, a dental justification is documented in the patient records. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

2009-0104 Dr. Grant moved and Ms. Mason seconded that the Board, with regard to Respondent #1, close the matter with a Letter of Concern reminding the Licensee that it is the Licensee's responsibility to assure a timely renewal of their license and/or certificates to practice. With regard to Respondent #2 move that the Board close the matter with a Letter of Concern reminding the Licensee that it is the Licensee's responsibility to assure employees under Licensee's supervision are properly licensed and/or certified before performing duties requiring licensure or certification. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker

and Dr. Hongo voting aye.

2009-0016 Dr. Nichols 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; that when a diagnosis is made, it is documented in the patient records; and that when a referral is made, the referral is documented in the patient records. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

2008-0061 Mr. Smyth moved and Dr. Parker seconded that the Board close the matter with a strongly worded Letter of Concern addressing the issue of ensuring that whenever the Board submits a written request for information, the information is provided back to the Board in a timely manner. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

2009-0093 Dr. Magnuson moved and Dr. Grant seconded that the Board, with regard to Respondent #1, close the matter with a Letter of Concern reminding the Licensee that it is the Licensee's responsibility to assure employees under the Licensee's supervision are properly licensed and/or certified before performing duties requiring licensure or certification. With regard to Respondent #2, move that the Board close the matter with a Letter of Concern reminding the Licensee that it is the Licensee's responsibility to assure a timely renewal of their license and/or certificates to practice. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

2009-0099 Dr. Hongo moved and Mr. Smyth seconded that the Board, with regard to Respondent #1, close the matter with a Letter of Concern reminding the Licensee that it is the Licensee's responsibility to assure a timely renewal of their license and/or certificates to practice. With regard to Respondent #2, move that the Board close the matter with a Letter of Concern reminding the Licensee that it is the Licensee's responsibility to assure employees under the Licensee's supervision are properly licensed and/or certified before performing duties requiring licensure or certification. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

2008-0282 Dr. Parker moved and Ms. Davidson seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that when crowns are seated, the marginal fit of the crowns are verified and that when pathology is evident on radiographs, the pathology is diagnosed and then documented in the patient records. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

2009-0101 Ms. Davidson moved and Dr. Grant seconded that the Board, with regard to Respondent #1, issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order incorporating reprimand; a civil penalty of five thousand dollars (\$5,000.00) to be paid to the Oregon Board of Dentistry within ten (10) months of the date of the Order; and Licensee shall provide forty (40) hours of Board approved community service, per standard protocol, within 6 months of the date of this Order. Licensee is required to submit written verification of completion to the Board. With regard to Respondent #2, move that the Board close the matter with a Letter of Concern reminding the Licensee that it is the Licensee's responsibility to assure employees under the Licensee's supervision are properly licensed and/or certified before allowing them to perform duties requiring licensure or certification. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr.

Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

2008-0158 Dr. Grant moved and Dr. Parker 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 when the Board issues a written request for information, the information is provided to the Board in a timely manner. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

2009-0038 Dr. Nichols moved and Dr. Grant seconded that the Board close the matter with a Letter of Concern reminding the Licensee that it is the Licensee's responsibility to assure advertisements placed comply with the Board's rules on advertising. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

2008-0024 Ms. Davidson moved and Dr. Magnuson seconded that the Board close the matter with a Letter of Concern reminding the Licensee that when a patient makes a request for records, in writing, the Licensee should make every effort to satisfy the request. The motion passed with Ms. Mason, Mr. Smyth, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye. Dr. Huddleston recused himself and Dr. Nichols was opposed.

2009-0059 Dr. Magnuson moved and Ms. Mason seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that informed consent is obtained prior to providing dental treatment. The motion passed with Ms. Mason, Mr. Smyth, Dr. Grant, Dr. Magnuson, Ms. Davidson, and Dr. Parker voting aye. Dr. Hongo recused herself and Dr. Nichols was opposed.

2009-0037 Dr. Hongo moved and Ms. Mason seconded that the Board close the case and send the Licensee a Letter of Concern addressing using non-diagnostic x-rays to make a diagnosis, and reminding the Licensee of the requirement to retain CE records for four licensure years. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

2009-0043 Dr. Parker moved and Ms. Davidson seconded that the Board close the matter with a Letter of Concern reminding the Licensee that Licensees are responsible for informing the Board within 30 days of any change of address that may occur. Furthermore, Licensees have an obligation to respond within 10 calendar days of a written request from the Board, unless an extension has been granted. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

2008-0268 Ms. Davidson moved and Dr. Nichols seconded that the Board grant the request of Licensee #1 and accept the re-worded Consent Order. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

PREVIOUS CASES REQUIRING BOARD ACTION

2008-0208 Dr. Grant moved and Dr. Nichols seconded the Board move to accept Licensee's offer and accept a Consent Offer incorporating a reprimand. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

2008-0123 Dr. Nichols moved and Dr. Magnuson seconded that the Board move to grant the request of Respondent #1 and accept the re-worded Consent Order. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, and Dr. Hongo voting aye. Dr. Parker recused herself.

2007-0069 Mr. Smyth moved and Dr. Grant seconded that the Board issue a Final Default Order of License Revocation. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

2008-0040 Dr. Magnuson moved and Dr. Nichols seconded that the Board take No Further Action. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

2008-0118, 2008-0143, 2008-0181, 2008-0189, 2008-0197 and 2008-0281 Dr. Hongo moved and Dr. Magnuson seconded that the Board direct staff to continue the investigation in light of new information and vote to offer the Licensee an Interim Consent Order by which the Licensee would agree not to perform any indirect restorations, and incorporate the standard wording for release of medical records. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

2008-0141 Dr. Parker moved and Dr. Grant seconded that the Board vote to grant the Licensee's request and close the case with a Letter of Concern addressing the issue of assuring that the Licensee meet the required continuing education and issue an Order of Dismissal dismissing the Notice of Proposed Disciplinary Action, dated 6/24/08. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

2009-0007 Ms. Davidson moved and Dr. Magnuson seconded that the Board issue a Default Order incorporating a reprimand, two years probation from 6/2/08 subject to the terms of the Medical Board of California Stipulated Settlement and Disciplinary Order in case 05-2004-161299, and a \$5,000 civil penalty. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

2007-0179 and 2008-0137 Dr. Grant moved and Dr. Nichols seconded that the Board accept the Consent Order proposed by the Licensee and close both matters. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

LICENSURE AND EXAMINATION

Ratification of Licenses Issued

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

Dental Hygienists

H5525	JANELLE R SERIO, R.D.H.	10/2/2008
H5526	SUZANNE M SOMMER, R.D.H.	10/2/2008
H5527	RACHEL A TRAAEN, R.D.H.	10/2/2008
H5528	AMY L KAZEN, R.D.H.	10/2/2008
H5529	LAURIE C HUEY, R.D.H.	10/2/2008
H5530	KATIE M WEBSTER, R.D.H.	10/2/2008
H5531	HEATHER T RICHARD, R.D.H.	10/2/2008
H5532	TIFFANY N TOBOLSKI, R.D.H.	10/3/2008
H5533	JEFFREY A GRIGG, R.D.H.	10/9/2008
H5534	NORA A BARRONS, R.D.H.	10/9/2008
H5535	AMBERLEE D PRIVETT, R.D.H.	10/9/2008
H5536	DIANA M GUY, R.D.H.	10/16/2008
H5537	ASHLEY K BRYCESON, R.D.H.	10/16/2008
H5538	KATIE R BOLICK, R.D.H.	10/16/2008
H5539	JANA N BURNHAM, R.D.H.	10/21/2008
H5540	KATIE J HABICH, R.D.H.	10/23/2008
H5541	ROXANNE L LOWRY, R.D.H.	11/3/2008
H5542	CHELSEA L GORRELL, R.D.H.	11/3/2008
H5543	CASSANDRA R BECK, R.D.H.	11/3/2008
H5544	PEGGY MARGARET E CLIFTON, R.D.H.	11/17/2008
H5545	CATHERINE H REMELY, R.D.H.	11/17/2008
H5546	MARY A JONES, R.D.H.	11/17/2008
H5547	ERIN L HICKS, R.D.H.	11/20/2008
H5548	KELLY K SMITH, R.D.H.	11/20/2008
H5549	CHRIS L HARTZELL, R.D.H.	11/21/2008

Dentists

D9197	GREGORY A VAN GORDON, D.M.D.	10/2/2008
D9198	NATHAN M ANDERSON, D.M.D.	10/3/2008
D9199	RACHELLE E SOHLER, D.D.S.	10/13/2008
D9200	ERINNE B LUBISICH, D.M.D.	10/16/2008
D9201	JASON M ATACK, D.M.D.	10/16/2008
D9202	LINDSEY M REIF, D.M.D.	10/16/2008
D9203	MONICA A KENNARD, D.D.S.	10/24/2008
D9204	SHUWEN LU, D.D.S.	11/3/2008
D9205	EUNSUN S KANG, D.D.S.	11/3/2008
D9206	REZA J SHARIFI, D.M.D.	11/4/2008
D9207	SUSAN N WATKINS, D.D.S.	11/4/2008
D9208	FREDERICK J GANJI, D.D.S.	11/4/2008
D9209	ANTHONY M PAVENTY, D.M.D.	11/4/2008
D9210	ROY T CHEN, D.M.D.	11/17/2008
D9211	ELIZABETH A PALMER, D.M.D.	11/17/2008
D9212	AARON D HASKETT, D.D.S.	11/17/2008
D9213	MATTHEW J PAVLOVICH, D.D.S.	11/20/2008

Announcement

No announcements

ADJOURNMENT

The meeting was adjourned at 12:35 p.m. Dr. Huddleston stated that the next Board meeting would take place January 30, 2009.

Approved by the Board January 30, 2009

_____/S/_____
Darren S. Huddleston, D.M.D.
President