

**OREGON BOARD OF DENTISTRY
MINUTES
AUGUST 19, 2022**

MEMBERS PRESENT: Jose Javier, D.D.S., President
Chip Dunn, Vice President
Alicia Riedman, R.D.H.
Reza Sharifi, D.M.D.
Sheena Kansal, D.D.S.
Aarati Kalluri, D.D.S.
Jennifer Brixey
Terrence Clark, D.M.D.
Michelle Aldrich, D.M.D.
Sharity Ludwig, R.D.H. (portion of meeting via teleconference)

STAFF PRESENT: Stephen Prisby, Executive Director
Winthrop "Bernie" Carter, D.D.S., Dental Investigator
Angela Smorra, D.M.D., Dental Director/Chief Investigator
Haley Robinson, Office Manager (portion of meeting)
Shane Rubio, Investigator (portion of meeting)
Samantha Plumlee, Examination and Licensing Manager (portion of meeting)
Ingrid Nye, Investigator (portion of meeting)
Kathleen McNeal, Office Specialist (portion of meeting)

ALSO PRESENT: Lori Lindley, Sr. Assistant Attorney General

VISITORS PRESENT IN PERSON & VIA TELECONFERENCE*: Dr. Julie Spaniel, DMD, ODA Wellness Committee Chair; Jen Lewis-Goff, Oregon Dental Association (ODA); Don Girard, MD, MACP; Timothy Goldfarb, The Foundation for Medical Excellence; Mary Harrison, (ODAA); Lisa Rowley, (ODHA); Jill Lomax, Chemeketa Dental Assistant; Ginny Jorgenson, Dental Assistant

*This list is not exhaustive, as it was not possible to verify all participants on the teleconference.

Call to Order: The meeting was called to order by the President at 8:00 a.m. at the Board office; 1500 SW 1st Ave., Suite 770, Portland, Oregon.

President Jose Javier, D.D.S. welcomed everyone to the meeting and had the Board Members, Lori Lindley, and Stephen Prisby introduce themselves.

NEW BUSINESS

Approval of Minutes

Dr. Sharifi moved and Mr. Dunn seconded that the Board approve the minutes from the June 17, 2022 Board Meeting as presented. The motion passed unanimously.

ASSOCIATION REPORTS

Oregon Dental Association (ODA)

August 19, 2022
Board Meeting
Page 1 of 7

Dr. Julie Spaniel, DMD, ODA Wellness Committee Chair presented the Oregon Wellness Program Overview for the OBD. Dr. Don Girard and Tim Gonsalves also spoke and fielded questions about the program.

Oregon Dental Hygienists' Association (ODHA)

Lisa Rowley, ODHA was present with nothing specific to report.

Oregon Dental Assistants Association (ODAA)

Mary Harrison reported that the ODAA has been working with the ODA to address the workforce shortage.

COMMITTEE AND LIAISON REPORTS

The latest Committee and Liaison Assignments were presented, updated with new OHA representative and DTRO participants.

The OHA shared that Sarah Kowalski will be the Interim OHA representative on the Dental Therapy Rules Oversight Committee until the OHA hires a new state dental director.

CDCA/WREB and CITA announced their intent to combine, starting August 1, 2022. The new organization is now CDCA-WREB-CITA.

The ADEX Examinations statistical report highlighted the examination overview and candidate performance scores for 2022.

EXECUTIVE DIRECTOR'S REPORT

Board Member & Staff Updates

Mr. Prisby reported that Dr. Angela Smorra had transitioned into the Dental Director/Chief Investigator role on July 1st, taking the baton over from Dr. Winthrop "Bernie" Carter. Dr. Carter will remain with the OBD as a Dental Investigator. These dental investigator positions require unique skills and specialized in-depth knowledge of Board of Dentistry licensing laws, rules, regulations, and procedures. Their commitment and willingness to continue to support the OBD is noteworthy and Mr. Prisby thanked them both on behalf of the Board.

He went on to share that the staff has been catching up on long delayed and well-earned vacations and life obligations. The workload has ramped up over the last three months with new license applications and complaints noticeably higher than a year ago. The patience, understanding and support has been appreciated from those interacting with the OBD.

OBD Budget Status Report

Mr. Prisby presented the latest budget report for the 2021 - 2023 Biennium. This report, which is from July 1, 2021 through June 30, 2022, shows revenue of \$1,851,218.82 and expenditures of \$1,686,266.30.

OBD 2023-2025 Agency Request Budget

Mr. Prisby submitted the OBD's 2023-2025 Budget materials to the DAS-CFO Office on July 29 per budget development instructions. This proposed budget is a step in the process before the Governor consolidates all agencies into the Governor's Budget. The Legislature finalizes and approves all agency spending for the upcoming 2023-25 biennium during the 2023 Legislative Session.

Customer Service Survey

Mr. Prisby highlighted the legislatively mandated survey results for FY 2022, which is July 1, 2021 – June 30, 2022. The results of the survey show that the OBD continues to receive positive ratings from the majority of those that submit a survey.

Dental Hygiene License Renewal

Mr. Prisby reported on the dental hygiene license renewal period which started on June 23, 2022 and progressing well. He gave a reminder that audits of Continuing Education are planned to be conducted after the renewal period closes, as it did for the dentists who renewed earlier in the year.

OBD FY 2021 Accounts Receivable Honor Roll

Mr. Prisby happily shared that the OBD once again has earned the state's CFO A/R Honor Roll Certificate for FY 2021 due to the hard work of Office Manager, Haley Robinson and our support from the OMB.

Agency Head Financial Transactions Report July 1, 2021 – June 30, 2022

Board Policy requires that at least annually the entire Board review agency head financial transactions and that acceptance of the report be recorded in the minutes. Ms. Riedman moved and Dr. Kansal seconded that the Board approve the Agency Head Financial Transactions Report for July 1, 2021 – June 30, 2022. The motion passed unanimously.

TriMet Contract 2022 -2023

Mr. Prisby presented the latest contract with TriMet, which will allow the OBD to provide transportation passes for employees that are eligible to receive such passes for transportation to and from work. Ms. Riedman moved and Ms. Brixey seconded that Mr. Prisby ratify the TriMet Contact for 2022-2023. The motion passed unanimously.

Board Best Practices Self-Assessment & Score Card

As a part of the legislatively approved Performance Measures, the Board needs to complete the Best Practices Self-Assessment Score Card so that it can be included as a part of the FY 2022 annual progress report. Mr. Prisby will provide the report at the October Board Meeting. Dr. Sharifi moved and Mr. Dunn seconded that the Board approve the Board Best Practices, Self-Assessment & Score Card with all criteria being met. The motion passed unanimously.

OBD Bylaws

Mr. Prisby highlighted the Mission statement that was updated in the bylaws at the June Board Meeting to align it with the change made in the OBD's 2022-2025 Strategic Plan.

OBD Board Meeting Dates 2022 - 2023

OBD Meeting Dates which were approved by the Board were shared.

DANB Forum Meeting

Mr. Prisby reported on the Dental Assistant Stakeholder Forum on the Future Workforce (held 7/14). It was a productive day of learning, dialogue, and creativity with leaders from throughout the oral health and healthcare fields. DANB was to provide a summary report containing

highlights, insights, and findings from our work together. It was not yet available when this report was compiled.

September Legislative Days – House Health Care Committee

Mr. Prisby announced that he was requested to attend and participate at an upcoming committee meeting. A Board member was also asked to attend as well. Dr. Javier and Dr. Clark expressed interest in attending.

AADA & AADB Annual Meetings

The annual meetings for the AADA and AADB in Asheville, NC between Oct 6 - 9, 2022 were presented along with the preliminary agendas

Newsletter

Mr. Prisby revealed the latest newsletter and announced that it is available on the OBD website. He thanked all that contributed with special thanks to the staff graphic artists, Haley Robinson and Samantha Plumlee, who assembled the newsletter.

UNFINISHED BUSINESS AND RULES

Dental Assisting Representatives propose allowing dentists in Oregon to delegate administration of local anesthesia to their dental assistants after completing a continuing education course. Ms. Brixey moved and Mr. Dunn seconded that the Board move discussion of the proposed rule to the Licensing, Standards and Competency committee. The motion passed unanimously.

The Secretary of State filing of new Dental Therapy on June 21, 2022 was presented.

OTHER ISSUES

Mr. Prisby updated the Board on work that is fulfilling the objectives for the latest OBD Strategic Plan 2022-2025. Work has progressed on strategic priorities A, C, D and E.

Juliet Valdez, the Affirmative Action Manager with the Office of Cultural Change made an in-person presentation on the State of Oregon's Diversity, Equity and Inclusion Action Plan.

A standing invitation to address the Board was offered to the Federal Tribes of Oregon, but no comments were made.

The new ADA Guidelines for Teaching Pain Control and Sedation to Dentists and Dental Students was presented. Dr. Sharifi moved and Ms. Riedman seconded that the Board move to send new ADA 'Guidelines for Teaching Pediatric Pain Control' to the Anesthesia Committee for review and discussion. The motion passed unanimously.

The OHA's Follow-up report on the Prescription Drug Monitoring Program was highlighted. The initial draft of the Dentist and Dental Hygienist Compact, along with Compact Draft Rules and Materials from the December 2021 meeting were shown with information about offering feedback to the Council of State Governments.

ARTICLES AND NEWSLETTERS

The CODA Summer Meeting Announcement was shared.

The CRDTS News and Introduction of New Staff was presented.

The DANB and the Dale Foundation shared a report from their July forum to address the dental assistant workforce.

The Oregon Health Authority reported the resignation of State Dental Director, Kaz Rafia.

Expansion of the Mobile Medical, Dental Care clinics in Oregon and Washington was announced.

The Board entered into Executive Session pursuant to ORS 192.345(4); ORS 192.660(2)(f)(h) and (i); ORS 676.165, ORS 676.175(1) and ORS 679.320 to review records exempt from public disclosure, to review confidential materials and investigatory information, to consult with counsel, and to conduct the annual review and performance evaluation of the executive director.

OPEN SESSION: The Board returned to Open Session at 2:55 p.m.

CONSENT AGENDA

2023-0004, 2022-0121, 2022-0128, 2023-0002, 2022-0114

Mr. Dunn moved and Dr. Sharifi seconded that the Board close the matters with a finding of No Violation or No Further Action. The motion passed unanimously.

COMPLETED CASES

2022-0103, 2022-0122, 2022-0109, 2022-0104, 2022-0079, 2022-0130

Mr. Dunn moved and Dr. Sharifi seconded that the Board close the matters with a finding of No Further Action or No Violation. The motion passed unanimously.

2022-0123

Dr. Sharifi moved and Mr. Dunn seconded to close the matter with a Letter of Concern reminding Licensee to assure that all radiographs are reviewed appropriately to determine a proper diagnosis. The motion passed unanimously.

2022-0107

Ms. Brixey moved and Mr. Dunn seconded to close the matter with a Letter of Concern reminding Licensee to assure that he maintains records of successful completion of continuing education for at least four licensure years consistent with his licensure cycle. Licensee will need to take two additional hours of infection control continuing education for his April 1, 2022 thru March 31, 2024 renewal cycle. The motion passed unanimously.

Clark, Riley D., D.M.D.; 2022-0077

Ms. Riedman moved and Dr. Sharifi seconded that the Board issue a notice of proposed disciplinary action and offer Licensee a Consent Order incorporating a reprimand, pay a civil penalty in the amount of \$ 1,500.00 within 120 days of the effective date of the Order; take and pass the Dental Jurisprudence Test within 30 days of the effective date of the Order; and complete four hours of Board approved continuing education in dental record keeping and eight hours of continuing education in thorough documentation of parenteral moderate sedation records within 120 days of the effective date of the Order. The motion passed unanimously.

2022-0092

Dr. Kansal moved and Mr. Dunn seconded that the Board close the matter with a Letter of Concern reminding Licensee to assure he improves his patient records, by (1) documenting all relevant radiographic findings, and (2) documenting discussions when informing the patient, or guardian, of relevant radiographic findings. The motion passed unanimously.

2022-0101

Dr. Aldrich moved and Ms. Riedman seconded that the Board close the matter with a Letter of Concern reminding Licensee that importance of case selection, comprehensive treatment planning and reviewing appropriate referral options when providing complex interdisciplinary dental care.

Sullivan, John K., D.D.S.; 2022-0095

Dr. Clark moved and Dr. Sharifi seconded that the Board issue a Notice of Proposed Disciplinary Action, and offer Licensee a Consent Order incorporating a reprimand, pay patient AM a refund in the amount of \$ 8,392.50 within 120 days of the effective date of the Order; restriction from surgical placement of any and all dental implants until Licensee completes a Board approved Mentorship Program on surgical procedures and the placement of interosseous implants UNTIL Mentorship is completed; take and pass the Dental Jurisprudence Test within 30 days of the effective date of the Order; complete six hours of Board approved continuing education in dental record keeping, with emphasis on implant record keeping, within 90 days of the effective date of the Order. The motion passed unanimously.

John D. Laseter, D.M.D.; 2023-0029

Dr. Kalluri moved and Ms. Riedman seconded that the Board issue an Order of Immediate Emergency Dental License Suspension. The motion passed unanimously.

LICENSE & EXAMINATION ISSUES**Request for approval of Soft Reline Course – Shawna Welch, EFDA**

Dr. Sharifi moved and Mr. Dunn seconded that the Board approve the Soft Reline Course as presented. The motion passed unanimously.

Request for temporary non-resident permit – Joseph Hull, D.D.S.

Ms. Brixey moved and Mr. Dunn seconded that the Board ratify the issuance of temporary non-resident permit for Dr. Joseph Hull, D.D. S. The motion passed unanimously.

Request for temporary non-resident permit – Thomas Ostler, D.D.S.

Ms. Riedman moved and Dr. Kansal seconded that the Board ratify the issuance of temporary non-resident permit for Dr. Thomas Ostler, D.D.S. The motion passed unanimously.

Request for reinstatement of retired license – Nichol Stewart, R.D.H.

Dr. Kansal moved and Mr. Dunn seconded that the Board reinstate the license for Nichol Stewart, R.D.H. The motion passed unanimously.

Request for reinstatement of expired license – Anton Conklin, D.M.D.

Dr. Aldrich moved and Ms. Riedman seconded that the Board reinstate the license for Anton Conklin, D.M.D. The motion passed unanimously.

RATIFICATION OF LICENSES

Dr. Clark moved and Dr. Kalluri seconded that the Board ratify the licenses presented in tab 16. The motion passed unanimously.

Request for approval of Pacific University ITR Curriculum

Ms. Riedman moved and Dr. Sharifi seconded that the Board approve the Pacific University ITR curriculum

Executive Director Performance Evaluation

Dr, Sharifi moved and Mr. Dunn seconded that the Board rate Mr. Prisby an “outstanding” on his performance review, and accept his 2022-2023 goals as presented. The motion passed unanimously.

ADJOURNMENT

The meeting was adjourned at 2:20 p.m. Dr. Javier stated that the next Board Meeting would take place on October 21, 2022.

/S/

Jose Javier, D.D.S.
President