

**OREGON BOARD OF DENTISTRY  
MINUTES  
OCTOBER 22, 2021**

MEMBERS PRESENT: Alicia Riedman, R.D.H., President  
Jose Javier, D.D.S., Vice President  
Reza Sharifi, D.M.D.  
Amy B. Fine, D.M.D.  
Jennifer Brixey  
Sheena Kansal, D.D.S.  
Gary Underhill, D.M.D.  
Yadira Martinez, R.D.H.  
Chip Dunn  
Aarati Kalluri, D.D.S.

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

ALSO PRESENT: Lori Lindley, Sr. Assistant Attorney General

VISITORS PRESENT  
VIA TELECONFERENCE\*: Barry Taylor, D.M.D.; Phyu Phyu Tun, D.D.S.; Jen Lewis-Goff, Oregon Dental Association (ODA); Lisa Rowley, R.D.H., Oregon Dental Hygienists' Association (ODHA); Kelle Little, Health and Human Services Director, Coquille Indian Tribe; Brenda Meade, Tribal Council Chair, Coquille Indian Tribe

\*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 8:00a.m. at the Board office; 1500 SW 1<sup>st</sup> Ave., Suite 770, Portland, Oregon.

President Alicia Riedman, R.D.H., welcomed everyone to the meeting and had the Board Members, Lori Lindley, and Stephen Prisby introduce themselves.

**NEW BUSINESS**

**Approval of Minutes**

Dr. Javier moved and Dr. Fine seconded that the Board approve the minutes from the August 20, 2021 Board Meeting as presented. The motion passed unanimously.

**ASSOCIATION REPORTS**

### **Oregon Dental Association (ODA)**

Dr. Taylor reported on the ODA's recent DENI training, and that their new leadership began their tenures at the September house of delegates meeting. They are also recruiting for the upcoming board member seats for the OBD. Dr. Taylor also gave a brief overview of the Oregon Wellness Program.

### **Oregon Dental Hygienists' Association (ODHA)**

Ms. Rowley reported that the ODHA will hold their 2021 Oregon Dental Hygiene Conference November 12 & 13 at the Embassy Suites by Hilton at Washington Square.

### **Oregon Dental Assistants Association (ODAA)**

Mr. Prisby reported on behalf of Mary Harrison that the ODAA will hold has held their annual meeting and planning meeting. The American Dental Assistants Association is holding its annual meeting this weekend through Zoom. With the shortage of Dental Assistants, they are excited to report that ODAA has approved and is going to work on a 4 handed video to be shared with the Dental Community when completed.

## **COMMITTEE AND LIAISON REPORTS**

### **WREB Liaison Report**

Nothing to report at this time.

### **AADB Liaison Report**

Ms. Riedman reported that the AADB annual meeting will take place virtually on October 30-31.

### **CDCA Liaison Report**

Dr. Fine reported that the CDCA annual meeting will take place in Colorado in January.

### **Dental Therapy Rules Oversight Committee Meeting**

Ms. Martinez reported that the meeting was held on October 7, 2021, and the next meeting is scheduled for November 10, 2021.

## **EXECUTIVE DIRECTOR'S REPORT**

### **Board and Staff Updates**

Mr. Prisby reported that the OBD Staff continue to show up at the downtown Portland Office and work in person. They have all been designated as "Essential Employees" since March of 2020. They all have persevered through personal issues and Mr. Prisby reported that he is very proud of the work they do. We all hope the most challenging period of this pandemic is behind us now.

The OBD is still trying to fill our open Office Specialist position after an unsuccessful recruitment. It reposted on October 4th and OBD Staff will review candidates later in the month. In the meantime, we are trying to bring on a temporary employee but even that is a challenge in this current employment environment.

### **OBD Budget Status Report**

Mr. Prisby presented the first budget report for the 2021 – 2023 Biennium. This report, which is from July 1, 2021 through August 31, 2021 shows revenue of \$274,010.70 and expenditures of \$218,057.26.

October 22, 2021

Board Meeting

Page 2 of 9

### **Customer Service Survey**

Mr. Prisby presented the legislatively mandated survey results from July 1, 2021 – September 30, 2021. The results of the survey showed that the OBD continued to receive positive ratings from the majority of those that submit a survey.

### **Dental Hygiene License Renewal**

The renewal period started on July 26<sup>th</sup> and ended September 30<sup>th</sup>. Dental Hygienists sent renewal notices in 2021: 2163

Renewed: 1884

Retired: 39

Expired: 238

Resigned: 0

Deceased: 2

### **FY 2021 Annual Performance Progress Report**

Mr. Prisby presented the OBD's FY 2021 Annual Performance Progress Report which was submitted to the Legislative Fiscal Office. Most state agencies are required to complete this report annually.

### **Diversity, Equity & Inclusion Conference**

All OBD Staff were encouraged and invited to attend the 2021 Diversity, Equity & Inclusion Conference held September 13 - 17, 2021. The conference was held virtually via Zoom. Participants had the opportunity to learn and explore from top presenters on a variety of topics.

### **AADA & AADB Virtual Annual Meetings**

The American Association of Dental Administrators (AADA) annual meeting is scheduled for October 29, 2021. The American Association of Dental Boards (AADB) annual meeting is scheduled for October 30 & 31, 2021. The Board's attorney, Lori Lindley, will be presenting at both meetings.

### **NPDB - State Licensing Board Compliance Results**

Compliance reviews include professions that hospitals and other health care organizations identify most often in queries (physicians, dentists, dental hygienists, nurses, physician assistants, and social workers). Additional professions selected at random, are also included in the compliance review. All regulated health care professions are subject to review at the discretion of HRSA. State licensing boards participate in a compliance review and complete attestation every 2 years. Attestation requires state licensing and certification boards to review and verify that they are meeting all NPDB reporting requirements. All state licensing boards in the U.S. and its territories renew their registration every 2 years and attest to their compliance with NPDB reporting requirements. Federal law requires state licensing boards to report certain adverse actions within 30 days of the date the action was taken.

### **OBD Strategic Planning**

The OBD will undertake strategic planning later today on Oct 22 at this board meeting and tomorrow Oct 23 for a full work day. We are doing the work to replace our 2017-2020 Plan which previously replaced the strategic plan from 2007. Mr. Prisby appreciates the OBD Board and staff making time in your busy schedules to undertake this important work.

### **Newsletter**

October 22, 2021  
Board Meeting  
Page 3 of 9

The OBD Staff is working on the next Newsletter for distribution later this year in December.

### **UNFINISHED BUSINESS AND RULES**

Dr. Javier moved and Dr. Fine seconded that the Board approve the following Oregon Administrative Rules, which went through public rulemaking process, to become effective on January 1, 2022: OARs 818-001-0000, 818-001-0002, 818-001-0082, 818-012-0012, 818-012-0070, 818-012-0120, 818-015-0007, 818-021-0012, 818-021-0080, 818-021-0088, 818-026-0040, 818-026-0050, 818-026-0080, 818-035-0010, 818-035-0020, 818-035-0025, 818-035-0065, 818-035-0100 and 818-042-0040. The motion passed unanimously.

Dr. Javier moved and Dr. Fine seconded that the Board approve the following Oregon Administrative Rules, which went through public rulemaking process, to become effective on July 1, 2022: OARs 818-012-0005, 818-021-0010, 818-021-0011, 818-021-0017 and 818-021-0060. The motion passed unanimously.

### **OTHER ISSUES**

#### **Request for Board Approval of Soft Reline Course – Brock Nelson, DMD**

Dr. Javier moved and Dr. Underhill seconded that the Board approve the soft reline course as requested. The motion passed unanimously.

#### **Coquille Indian Tribe Consultation on Dental Therapy Rules**

Brenda Meade, Coquille Tribal Council Chair, provided an update to the board regarding the tribal consultation on dental therapy rules.

### **ARTICLES AND NEWS (Informational Only)**

- JCNDE DLOSCE and NBDHE Updates
- AADB September 2021 Newsletter
- HPSP September 2021 Newsletter
- Meet Laura Skarnulis – CEO of DANB/DALE

**EXECUTIVE SESSION: The Board entered into Executive Session pursuant to ORS 192.606 (1)(2)(f), (h) and (L); 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**

**OPEN SESSION:** The Board returned to Open Session at 12:20pm.

### **CONSENT AGENDA**

#### **2022-0005, 2022-0010, 2022-0018, 2022-0017, 2022-0028**

Dr. Javier moved and Ms. Martinez seconded that the Board close the matters with a finding of No Violation or No Further Action. The motion passed unanimously.

## **COMPLETED CASES**

**2021-0179, 2022-0006, 2021-0168, 2021-0114, 2021-0191, 2021-0133, 2021-0171, 2022-0002, 2022-0014, 2022-0023, 2021-0163, 2021-0108, 2021-0151, 2021-0189**

Dr. Javier 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.

### **2021-0180**

Dr. Sharifi moved and Dr. Javier seconded that the Board move to close the matter with a Letter of Concern reminding Licensee to document 1) radiographic bone loss and furcations, 2) clinical periodontal probing depths and presence of furcations, and 3) periodontal and restorative prognoses of the teeth where procedures are performed. The motion passed unanimously.

### **2021-0169**

Dr. Underhill moved and Dr. Javier seconded that the Board close the matter with a Letter of Concern reminding Licensee to assure that he 1) documents how many radiographic images are taken during each patient appointment, and 2) documents in his patient treatment record notes who the sedation provider is, that discharge criteria per the DPA were met for the patient before leaving the office, and that a sedation escort, with the escort's name, is documented in his patient dental treatment notes. The motion passed unanimously.

### **2021-0161**

Dr. Kalluri moved and Dr. Sharifi seconded that the Board close the matter with a Letter of Concern reminding Licensee to assure that biological monitoring weekly testing of sterilization devices occurs. The motion passed unanimously.

### **2021-0194**

Ms. Martinez moved and Dr. Fine seconded that the Board move to close the matter with a finding of No Violation. The motion passed with Ms. Riedman, Ms. Martinez, Dr. Sharifi, Dr. Kansal, Dr. Fine, Ms. Brixey, Mr. Dunn, Dr. Underhill and Dr. Kalluri voting aye. Dr. Javier recused.

### **2021-0137**

Dr. Fine moved and Mr. Dunn seconded that the Board close the matter with a Letter of Concern reminding Licensee to assure that the quantity of radiographs is documented in the patient chart; and to assure she comply with HIPAA requirements to protect patient privacy. The motion passed unanimously.

### **FROHNMAYER, JAMES, D.M.D.; TURK, FARZIN, D.M.D.; SALAZAR, AARON, EFODA; 2021-0015**

Mr. Dunn moved and Dr. Underhill seconded that the Board, in reference to Respondent #1: move to issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order incorporating a reprimand, a \$22,500 civil penalty to be paid within 24 months, unconditionally pass The Probe: Ethics and Boundaries Course within 12 months, complete three hours of Board approved continuing education in record keeping within 30 days and agree to properly supervise all staff while acting as the managing dentist.

In reference to Respondent #2, move to issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order to incorporate a reprimand, a \$5,000.00 civil penalty to be paid within 60 days, complete three hours of Board approved continuing education on record keeping within 30 days and agree to properly supervise all staff while acting as the managing dentist.

In reference to Respondent #3, move to issue a civil penalty of \$11,250.00 to be paid within 24 months. The motion passed unanimously.

**HUISH, SETH WILLIAM, D.M.D.; 2021-0170**

Dr. Kansal moved and Mr. Dunn seconded that the Board issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order to incorporate a reprimand, a \$5,000.00 civil penalty to be paid within 60 days, three hours of Board approved continuing education in record keeping and eight hours of Board approved continuing education in proper prescription practices. The motion passed unanimously.

**JOHNSON, CRAIG D., D.D.S.; 2021-0098**

Ms. Brixey moved and Ms. Martinez seconded that the Board issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order incorporating a reprimand, a \$2,000 civil penalty to be paid within 30 days, and pass the Oregon Board of Dentistry Jurisprudence Exam within 30 days. The motion passed unanimously.

**2022-0032**

Dr. Sharifi moved and Mr. Dunn seconded the Board close the matter with a Letter of Concern reminding Licensee to assure that a valid Healthcare Provider BLS/CPR certification is maintained while licensed. The motion passed unanimously.

**2022-0024**

Dr. Underhill moved and Dr. Sharifi seconded that the Board enroll the Licensee in HPSP and close the matter with No Further Action. The motion passed unanimously.

**2022-0026**

Dr. Kalluri moved and Ms. Martinez seconded that the Board release Licensee from the Interim Consent Order, enroll Licensee in HPSP, and close the matter with No Further Action. The motion passed unanimously.

**RANSOM, JAMES A., D.D.S.; 2021-0154**

Ms. Martinez moved and Dr. Sharifi seconded that the Board issue a Notice of Proposed Disciplinary Action with a reprimand, restitution to patient of \$ 1,829.00, require Licensee to take and pass the Dental Jurisprudence Examination, and take three hours of CE credit on extraction of teeth, with tooth extraction socket bone preservation within 60 days from the effective date of the Order. The motion passed unanimously.

**ROBERTSON, BRITTNEY KAYE, R.D.H.; 2022-0029**

Dr. Fine moved and Ms. Martinez seconded that the Board issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order incorporating reprimand and a \$ 250.00 civil penalty. The motion passed unanimously. The motion passed unanimously.

**2021-0141**

Mr. Dunn moved and Dr. Javier seconded that the Board close the matter with a Letter of Concern reminding Licensee to assure that he informs his patients of (1) risks for local anesthesia administration; (2) the indications and contraindications of silver diamine fluoride, when performing that therapy to insure acceptable care for his patients; (3) to remind Licensee to assure that he retains actual continuing education certificates for two licensure periods (four years), as verification for completion of continuing education; and (4) reminding Licensee to assure that he make sure that instruments he is using for his patients have had weekly biological testing of sterilization devices completed before using those instruments. The motion passed unanimously.

**UFFENS, MICHAEL B., D.M.D.; 2021-0116**

Dr. Kansal moved and Dr. Javier seconded that the Board issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order incorporating a reprimand, a \$3000 civil penalty to be paid within 60 days of the effective date of the Order, pay patient TB \$4374.00 restitution within 60 days of the effective date of the Order, and completion of 24 hours of Board approved continuing education related to dental implants or occlusion in addition to the 40 hours required for the licensure renewal period, within 120 days. The motion passed unanimously.

**2021-0183**

Ms. Brixey moved and Dr. Underhill seconded that the Board close the matter with a Letter of Concern reminding Licensee to assure that he obtains a visual confirmation of the premedication taken by a patient for a dental appointment to confirm what the medication is and the dosage taken, especially when that medication has been noted by the patient on the patient medical history as being a medication of which the patient reports he/she is allergic. The motion passed unanimously.

**ZHU, LIN, D.D.S.; 2021-0086**

Dr. Sharifi moved and Mr. Dunn seconded that the Board issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order incorporating a reprimand, a \$10,000.00 civil penalty to be paid within sixty days, completion of four hours of Board approved continuing education related to sedation within 60 days, completion of three hours of Board approved continuing education related to pharmacology within 60 days, and completion of three hours of Board approved continuing education related to record keeping within 60 days. The motion passed unanimously.

**PREVIOUS CASES REQUIRING BOARD ACTION**

**KRAUSE, CANDACE, D.M.D.; 2021-0037**

Dr. Underhill moved and Dr. Javier seconded that the Board issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order incorporating a reprimand, a \$10,000.00 civil penalty to be paid within six months, unconditionally pass the Probe, Ethics and Boundaries course within nine months, complete a three hour Board approved continuing education course

on record keeping within 60 days, complete a three hour Board approved continuing education course on opioid prescribing with an emphasis on the dental profession within 60 days and Licensee agrees to not reapply for a DEA license for five years. The motion passed unanimously.

**2017-0119**

Dr. Kalluri moved and Ms. Martinez seconded that the Board release Licensee from HPSP. The motion passed unanimously.

**NEGRU, MIHAI, D.D.S.; 2002-0049**

Ms. Martinez moved and Dr. Javier seconded that the Board accept the proposed Consent Order offered by the Licensee. The motion passed unanimously.

**2021-0102**

Dr. Fine moved and Dr. Underhill seconded that the Board close the matter with a Letter of Concern reminding Licensee to (1) document all vital signs (including respiratory rate) every 15 minutes, (2) document continuous monitoring of End-tidal CO2 levels, (3) document continuous monitoring of ECG when appropriate, and (4) ensure all sedation discharge criteria are met prior to releasing a patient to a responsible party. The motion passed unanimously.

**LICENSE & EXAMINATION ISSUES**

**Request for reinstatement of a retired license – Wendi A. Bass, R.D.H.**

Mr. Dunn moved and Ms. Brixey seconded that the Board approve the reinstatement of retired license. The motion passed unanimously.

**Request for Reinstatement of an Expired License - Karen C. Russell, R.D.H.**

Dr. Kansal moved and Mr. Dunn seconded that the Board approve the reinstatement of expired license. The motion passed unanimously.

**Request to waive verification of foreign licensure requirement – Phyu Phyu Tun, D.D.S.**

Ms. Brixey moved and Dr. Javier second that the Board grant licensure based on specific facts in this case, and that she fulfilled the educational and examination requirements. The motion passed unanimously.

**Request to Review VIORA Technology and TMD Treatment**

Dr. Sharifi moved and Dr. Javier seconded that the Board determine that the treatment of Temporomandibular Disorders (TMD) are within the scope of the practice of Dentistry provided the licensee has the training and experience to do so, and is utilizing FDA approved equipment if applicable. The Board will not be endorsing a specific company, therapeutic treatment or technique. The motion passed unanimously.

**RATIFICATION OF LICENSES**

Dr. Underhill moved and Dr. Sharifi seconded that the Board ratify the licenses presented. The motion passed unanimously.



## **STRATEGIC PLANNING SESSION**

The Board members and Board staff met with the Peak Fleet strategic planning team.

## **ADJOURNMENT**

The meeting was adjourned at 3:15p.m. Ms. Riedman stated that the next Board Meeting would take place on December 17, 2021.

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Alicia Riedman, R.D.H.  
President