

**OREGON BOARD OF DENTISTRY
MINUTES
April 19, 2019**

MEMBERS PRESENT: Gary Underhill, D.M.D., President
Amy B. Fine, D.M.D., Vice President
Todd Beck, D.M.D.
Hai Pham, D.M.D.
Yadira Martinez, R.D.H.
Julie Ann Smith, D.D.S., M.D., M.C.R.
Jose Javier, D.D.S.
Alicia Riedman, R.D.H.
Chip Dunn
Jennifer Brixey

STAFF PRESENT: Stephen Prisby, Executive Director
Daniel Blickenstaff, D.D.S., Dental Director/ Chief Investigator
Teresa Haynes, Office Manager (portion of meeting)
Shane Rubio, Investigator (portion of meeting)
Haley Robinson, Investigator (portion of meeting)
Samantha VandeBerg, Office Specialist (portion of meeting)
Winthrop "Bernie" Carter, D.D.S., Dental Investigator

ALSO PRESENT: Lori Lindley, Sr. Assistant Attorney General

VISITORS PRESENT: Rod Rowan, the Resuscitation Group; Conor McNulty, ODA; Tacey Mason, Northwest Portland Area Indian Health Board (NPAIHB); Jen Lewis-Goff, ODA; Barry Taylor, D.M.D., ODA; Susan Kramer, R.D.H., ODHA; Cassie Leone, ODA; Shannon Bremer, Native American Rehabilitation Association NW (NARA); Michael Watkins, NARA; Lisa J. Rowley, R.D.H., ODHA; Brenda Mead, Coquille Tribe; Kippy Robins, Coquille Tribe; Alexandria Jones, Coquille Tribe; Pam Johnson, NPAIHB; Gitta Yitta, D.M.D., NPAIHB; Dane Lenaker, D.M.D., NAPIHB; Joan LaFranc, Mekinak Consulting; Mary Harrison, ODAA; Ginny Jorgensen, ODAA; Joe Finkbonner, NPAIHB; Christina Peters, NPAIHB; Kelle Little, Coquille Tribe; Doug Barrett, Confederated Tribes of Coos, Lower Umpqua and Siuslaw (CTCLUSI); Julie Johnson, OHA Tribal Affairs; Phil Marucha, OHSU; Rachel Hogan, D.D.S., NPAIHB; Heather Mobus, R.D.H., ODHA; Naomi Petrie, CTCLUSI; Kim Wright, D.M.D., NPAIHB; Laura Seurnyck, Oregon Academy Of General Dentistry; Rosa Shepard; Kathy Moyd, Elders in Action

Call to Order: The meeting was called to order by the President at 7:30 a.m. at the Board office; 1500 SW 1st Ave., Suite 770, Portland, Oregon.

Dr. Julie Ann Smith joined the meeting at 7:36 am.

NEW BUSINESS

Northwest Portland Area Indian Health Board (NPAIHB) – Dental Pilot Project #100

Executive Director Joe Finkbonner, Christina Peters, Gitta Yitta, D.M.D., Dane Lenaker, D.M.D. and Dr. Joan LaFranc (Mekinak Consulting) from the NPAIHB gave a 45-minute presentation to the Board. The presentation addressed concerns previously raised by the Board, such as the evaluation of DHATs and quality of care. They reported that they have seen a 57% increase in the number of patients seen in the treatment year since the implementation of the program. They also shared some public comments and feedback from patients seen at the Confederated Tribes of Coos, Lower Umpqua and Siuslaw (CTCLUSI) clinic as well as the Native American Rehabilitation Association northwest (NARA) clinic.

Oregon Academy of General Dentistry (Oregon AGD)

Executive Director of the Oregon AGD, Laura Seurnyck, R.D.H., and Dr. Kim Wright gave an overview and update to the Board regarding the mentorship program.

Approval of Minutes

Dr. Fine moved and Ms. Martinez seconded that the Board approve the minutes from the February 15, 2019 meeting as presented. The motion passed unanimously.

ASSOCIATION REPORTS

Oregon Dental Association

Dr. Barry Taylor reported another successful Oregon Dental Conference, with over 5700 attendees. He gave an update on the upcoming legislative bills that could affect the Board.

Oregon Dental Hygienists' Association

Ms. Lisa Rowley reported that the ODHA is working with the ODA on Senate Bill 824 to include dental hygienists.

Oregon Dental Assistants Association

Ms. Mary Harrison thanked Teresa Haynes for her participation at the Oregon Dental Conference.

COMMITTEE AND LIAISON REPORTS

WREB Liaison Report

Nothing to report.

AADB Liaison Report

Dr. Beck reported that the AADB has a new president, Dr. Robert Zena.

ADEX Liaison Report

Nothing to report.

CDCA Liaison Report

Nothing to report.

EXECUTIVE DIRECTOR'S REPORT

Board Member & Staff Updates

Mr. Prisby thanked Dr. Julie Ann Smith for her 8 years of service on the OBD from 2011 to 2019. Dr. Smith's second term of service is ending in May. She previously served as OBD President, Chair of the Anesthesia Committee, chaired other workgroups and committees and helped shape the OBD's 2017-2020 Strategic Plan. Mr. Prisby hopes the Board continues to attract members with her professional acumen, respect for the profession, level of engagement and professional courtesy.

The Board recognized Dr. Gary Underhill for his one year of service as president of the OBD.

Board member interest forms and applications have been submitted to the governor's office and the governor's staff has been reviewing them. The senate will have a confirmation hearing on May 8th, and Mr. Prisby plans to be in Salem to support and welcome the new Board member. OBD staff will conduct a new board member orientation and they will join the Board at the June 21 Board Meeting.

OBD Budget Status Report

Mr. Prisby presented the budget report for the 2017 - 2019 Biennium. This report, which is from July 1, 2017 through February 28, 2019, shows revenue of \$3,385,255.28 and expenditures of \$2,474,613.85.

Gold Star Certificate for FY 2018

The State Controller's Office has once again issued the OBD a Gold Star Certificate signifying that the OBD has provided accurate and complete fiscal year end information for FY 2018 in a timely manner.

Customer Service Survey

The new Survey Monkey Survey was launched in December 2018. The results of the survey from December 2018 – March 31, 2019 show that the OBD continues to receive positive ratings from the majority of those that submit a survey.

2019 Dental License Renewal

The following are the final numbers on the March 2019 Dental Renewal: As of April 9, 2019 Renewed 1668; Expired 160; Retired 41; Revoked 1; and Deceased 6.

Board and Staff Speaking Engagements

Mr. Prisby gave a "Board Updates" Presentation to the Southern Oregon Dental Society in conjunction with TDIC in Medford on Friday, February 22, 2019 and Dr. Amy B. Fine participated as well.

Teresa Haynes gave a License Application Presentation via teleconference to the graduating Dental Hygiene Students at OIT in Klamath Falls on Friday, February 22, 2019.

Mr. Prisby gave a "Board Updates and how to stay out of trouble" presentation to Pacific University dental hygiene students in Hillsboro on Wednesday, March 6, 2019.

Ingrid Nye and Teresa Haynes gave a License Application Presentation to the graduating

Dental Hygiene Students at OIT in Salem on Thursday, March 7, 2019.

Dr. Daniel Blickenstaff gave a “The Oregon Board of Dentistry & the Dental Hygienist” presentation to Portland Community College dental hygiene students in Portland on Monday, March 11, 2019.

Dr. Daniel Blickenstaff gave a “Board Updates” presentation to the Gum Gardener Dental Hygiene Study Club in Portland on Monday, April 1, 2019.

Dr. Daniel Blickenstaff and I gave a “Board Updates” presentation to OHSU Dental School third year students in Portland on Wednesday April 3, 2019

The Oregon Dental Conference was held at the Oregon Convention Center in Portland, April 4 - 6, 2019. The OBD had a table outside the Exhibit Hall with staff available to answer questions every day of the conference. Haley Robinson, Ingrid Nye and Stephen Prisby made presentations on Thursday, April 4th covering a detailed overview of the Board, expanded practice permits and FAQs.

Dr. Blickenstaff and Mr. Prisby also took part in the TDIC Risk Management Seminar on Thursday, April 4 regarding investigations and the enforcement process.

Dr. Blickenstaff and Haley Robinson gave a presentation on “Adequate Record Keeping and the Enforcement Process” on Friday, April 5.

Teresa Haynes participated in a dental assistants’ forum sponsored by DANB & the DALE Foundation at the ODC on Friday, April 5 updating the dental assistants on current and proposed rule changes.

Mr. Prisby gave a brief overview of the Board to the Oregon Society of Oral and Maxillofacial Surgeons in Portland on Saturday, April 6, 2019

Dr. Daniel Blickenstaff gave a presentation on TMD to the dental hygiene students at Portland Community College in Portland on Tuesday, April 9, 2019.

Ingrid Nye and Teresa Haynes gave a License Application Presentation to the graduating Dental Hygiene Students at Portland Community College on Wednesday, April 17, 2019.

Idaho Board of Dentistry Presentation Invitation

In June 2018, Lori Lindley and Stephen Prisby gave a “Board Updates” Presentation to the Washington State Dental Quality Assurance Commission in Lacey, Washington. They reciprocated and presented an update on Washington State at our August 2018 Board Meeting. Now there is an opportunity to do the same with the Idaho Board of Dentistry. Mr. Prisby has been invited to present a “Board Updates” presentation on Friday, July 26, 2019 in Boise, Idaho. He plans to invite their executive director to present updates on Idaho to the Board at a future Board meeting as well. Mr. Prisby asks that the Board approve his travel to Boise, Idaho to give a presentation to their Board of Dentistry.

Dr. Fine moved and Dr. Beck seconded that the Board approve Mr. Prisby’s request to travel to Boise to give a presentation to the Idaho Board of Dentistry. The motion passed unanimously.

AADA & AADB Mid-Year Meetings

The American Association of Dental Administrators (AADA) and the American Association of Dental Boards (AADB) 2019 Mid-Year Meetings were on March 9-10 in Chicago. Lori Lindley participated in the Board Attorneys' Roundtable and Ms. Yadira Martinez attended the AADB meetings. Mr. Prisby attended both meetings as well.

Dental Licensure Compact

The Council of State Governments has started an effort to convene meetings regarding the prospects for a dental licensure compact. Information was gathered and shared from American Association of Dental Administrators' President Sandra Reen.

2019 Legislative Session

The legislative session started on January 22nd, and Mr. Prisby presented bills he is tracking that may have an impact on OBD Licensees or the agency

Database Migration Project

Mr. Prisby gave the Board an update on the timeline, and announced that the OBD is getting closer to choosing a vendor. We will provide updates at the June board meeting.

Interagency Agreement (IAA) with Oregon Health Authority (OHA)

The OHA must develop integration performance indicators for Year 2 (2021) of the Coordinated Care Organization (CCO) 2.0 contract. Since this is during the period when OHA will also be evaluating CCO applications, OHA conversations must be governed by conflict of interest agreements. OHA anticipates that they may want to consult with the Board of Dentistry about some of their integration concepts to ensure that they fall within the scope of practice of dental practitioners.

2020 Proposed Board meeting Dates

Dr. Javier moved and Ms. Martinez seconded that the Board approve the proposed 2020 meeting dates as presented. The motion passed unanimously.

UNFINISHED BUSINESS & RULES

Dr. Underhill moved and Dr. Beck seconded that the Board elect Dr. Amy B. Fine as Board President. The motion passed unanimously.

Dr. Fine moved and Dr. Beck seconded that the Board elect Ms. Yadira Martinez as Vice President. The motion passed unanimously.

CORRESPONDENCE

Oregon Dental Assistants Association proposed rule changes

Dr. Beck moved and Dr. Pham seconded that the Board move the proposed changes to Division 42 to the Licensing, Standards and Competency Committee for review. The motion passed unanimously.

818-042-0040 Prohibited Acts

No licensee may authorize any dental assistant to perform the following acts:
(1) Diagnose or plan treatment.

- (2) Cut hard or soft tissue.
- (3) Any Expanded Function duty (818-042-0070 and 818-042-0090) or Expanded Orthodontic Function duty (818-042-0100) without holding the appropriate certification.
- (4) Correct or attempt to correct the malposition or malocclusion of teeth except as provided by OAR 818042-0100.
- (5) Adjust or attempt to adjust any orthodontic wire, fixed or removable appliance or other structure while it is in the patient's mouth.
- (6) Administer any drug except fluoride, topical anesthetic, desensitizing agents, over the counter medications per package instructions or drugs administered pursuant to OAR 818-026-0030(6), OAR 818-026-0050(5)(a) OAR 818-026-0060(11), 818-026-0065(11), 818-026-0070(11) and as provided in 818-042-0070, 818-042-0090 and 818-042-0115.
- (7) Prescribe any drug.
- (8) Place periodontal packs.
- (9) Start nitrous oxide.
- (10) Remove stains or deposits except as provided in OAR 818-042-0070.
- (11) Use ultrasonic equipment intra-orally except as provided in OAR 818-042-0100.
- (12) Use a high-speed handpiece or any device that is operated by a high-speed handpiece intra-orally except as provided in OAR 818-042-0095, and only for the purpose of adjusting occlusion, contouring, and polishing restorations on the tooth or teeth that are being restored.
- (13) Use lasers, except laser-curing lights.
- (14) Use air abrasion or air polishing.
- (15) Remove teeth or parts of tooth structure.
- (16) Preliminarily fit crowns to check contacts, cement or bond any fixed ~~prosthetic~~ prosthesis or orthodontic appliance including bands, brackets, retainers, tooth moving devices, or orthopedic appliances except as provided in 818-042-0100.
- (17) Condense and carve permanent restorative material except as provided in OAR 818-042-0095.
- (18) Place any type of retraction material subgingivally except as provided in OAR 818-042-0090.
- (19) Take jaw registrations or oral impressions for supplying artificial teeth as substitutes for natural teeth, except diagnostic or opposing models or for the fabrication of temporary or provisional restorations or appliances.
- (20) Apply denture relines except as provided in OAR 818-042-0090(2).
- (21) Expose radiographs without holding a current Certificate of Radiologic Proficiency issued by the Board (818-042-0050 and 818-042-0060) except while taking a course of instruction approved by the Oregon Health Authority, Oregon Public Health Division, Office of Environmental Public Health, Radiation Protection Services, or the Oregon Board of Dentistry.
- (22) Use the behavior management techniques known as Hand Over Mouth (HOM) or Hand Over Mouth Airway Restriction (HOMAR) on any patient.
- (23) Perform periodontal probing.
- (24) Place or remove healing caps or healing abutments, except under direct supervision.
- (25) Place implant impression copings, except under direct supervision.
- (26) Any act in violation of Board statute or rules. ~~No licensee may authorize any dental assistant to perform the following acts:~~

818-042-0050

Taking of X-Rays — Exposing of Radiographs

- (1) A dentist may authorize the following persons to place films, adjust equipment preparatory to exposing films, and expose the films under general supervision:
 - (a) A dental assistant certified by the Board in radiologic proficiency; or
 - (b) A radiologic technologist licensed by the Oregon Board of Medical Imaging and certified by the Oregon Board of Dentistry (OBD) who has completed ten (10) clock hours in a Board approved dental radiology course.
- (2) A dentist or dental hygienist may authorize a dental assistant who has completed a course of instruction approved by the Oregon Board of Dentistry, and who has passed the written Dental Radiation Health and Safety Examination administered by the Dental Assisting National Board, or

comparable exam administered by any other testing entity authorized by the Board, or other comparable requirements approved by the Oregon Board of Dentistry to place films, adjust equipment preparatory to exposing films, and expose the films under the indirect supervision of a dentist, dental hygienist, or dental assistant who holds an Oregon Radiologic Proficiency Certificate. The dental assistant must submit within six months, certification by an Oregon licensed dentist or dental hygienist that the assistant is proficient to take radiographs.

818-042-0060

Certification — Radiologic Proficiency

- (1) The Board may certify a dental assistant in radiologic proficiency by credential in accordance with OAR 818-042-0120, or if the assistant:
 - (2) Submits an application on a form approved by the Board, pays the application fee and:
 - (a) Completes a course of instruction approved by the Oregon Board of Dentistry, in accordance with OAR 333-106-0055 or submits evidence that the Oregon Health Authority, Center for Health Protection, Radiation Protection Services recognizes that the equivalent training has been successfully completed;
 - (b) Passes the written Dental Radiation Health and Safety Examination administered by the Dental Assisting National Board, Inc. (DANB), or comparable exam administered by any other testing entity authorized by the Board, or other comparable requirements approved by the Oregon Board of Dentistry; and
 - (c) Certification by an Oregon licensed dentist or dental hygienist that the assistant is proficient to take radiographs.

818-042-0070

Expanded Function Dental Assistants (EFDA)

The following are direct patient care duties and are considered Expanded Functions Duties and may be performed only after the dental assistant complies with the requirements of 818-042-0080:

- (1) Polish the coronal surfaces of teeth with a brush or rubber cup as part of oral prophylaxis to remove stains providing the patient is checked by a dentist or dental hygienist after the procedure is performed, prior to discharge;
- (2) Remove temporary crowns for final cementation and clean teeth for final cementation;
- ~~(3) Preliminarily fit crowns to check contacts or to adjust occlusion outside the mouth;~~
- ~~(4)~~(3) Place temporary restorative material ~~(i.e., zinc oxide eugenol based material)~~ in teeth providing that the patient is checked by a dentist before and after the procedure is performed;
- ~~(5)~~(4) Place and remove matrix retainers for ~~alloy and composite restorations~~ any direct restoration;
- ~~(6) Polish amalgam or composite surfaces with a slow speed hand piece;~~
- ~~(7) Remove excess supragingival cement from crowns, bridges, bands or brackets with hand instruments providing that the patient is checked by a dentist after the procedure is performed;~~
- ~~(8)~~(5) Fabricate temporary crowns or bridges, and temporarily cement the temporary crown or bridge. The cemented crown or bridge must be examined and approved by the dentist prior to the patient being released; and
- ~~(9)~~(6) Under general supervision, when the dentist is not available and the patient is in discomfort, an EFDA may recement a temporary crown or recement a permanent crown with temporary cement for a patient of record providing that the patient is rescheduled for follow-up care by a licensed dentist as soon as is reasonably appropriate; and
- ~~(10) Perform all aspects of teeth whitening procedures.~~

818-042-0080

Certification — Expanded Function Dental Assistant (EFDA)

The Board may certify a dental assistant as an expanded function assistant:

- (1) By credential in accordance with OAR 818-042-0120, or
- (2) If the assistant submits a completed application, pays the fee and provides evidence of;

(a) Certification of Radiologic Proficiency (OAR 818-042-0060); and satisfactory completion of a course of instruction in a program accredited by the Commission on Dental Accreditation of the American Dental Association; or

(b) Certification of Radiologic Proficiency (OAR 818-042-0060); and passage of the **Basic Infection Control Examination (ICE)** or CDA examination, and the Expanded Function Dental Assistant examination, or equivalent successor examinations, administered by the Dental Assisting National Board, Inc. (DANB), or any other testing entity authorized by the Board; and **within six months of being authorized to perform all expanded function duties**, certification by an **Oregon** licensed dentist that the applicant ~~has successfully polished 12 amalgam or composite surfaces; removed supra-gingival excess cement from six (6) crowns or bridges with hand instruments; placed temporary restorative material (i.e., zinc oxide eugenol based material) in six (6) teeth; preliminarily fitted six (6) crowns to check contacts or to adjust occlusion outside the mouth; removed six (6) temporary crowns for final cementation and cleaned teeth for final cementation; fabricated six (6) temporary crowns and temporarily cemented the crowns; polished the coronal surfaces of teeth with a brush or rubber cup as part of oral prophylaxis in six (6) patients; placed two matrix bands in each quadrant on teeth prepared for Class II restorations; and complete six (6) teeth whitening or bleach procedures~~ **is proficient in all expanded function duties. If no expanded function certificate is issued within the six months of being authorized to perform the duties, the assistant is no longer able to continue performing expanded function duties until EFDA certification is achieved.**

818-042-0100

Expanded Functions — Orthodontic Assistant (EFODA)

(1) An EFODA may perform the following duties while under the indirect supervision of a licensed dentist:

- (a) Remove orthodontic bands and brackets and attachments with removal of the bonding material and cement. An ultrasonic scaler, hand scaler or slow speed handpiece may be used. Use of a high speed handpiece is prohibited;
- (b) Select or try for the fit of orthodontic bands;
- (c) Recement loose orthodontic bands;
- (d) Place and remove orthodontic separators;
- (e) Prepare teeth for bonding or placement of orthodontic appliances and select, pre-position and cure orthodontic brackets, attachments and/or retainers after their position has been approved by the supervising licensed dentist;
- (f) Fit and adjust headgear;
- (g) Remove fixed orthodontic appliances;
- (h) Remove and replace orthodontic wires. Place and ligate archwires. Place elastic ligatures or chains as directed;
- (i) Cut arch wires; and
- (j) Take impressions for study models or temporary oral devices such as, but not limited to, space maintainers, orthodontic retainers and occlusal guards.

(2) An EFODA may perform the following duties while under the general supervision of a licensed dentist:

- (a) An expanded function orthodontic assistant may remove any portion of an orthodontic appliance causing a patient discomfort and in the process may replace ligatures and/or separators if the dentist is not available, providing that the patient is rescheduled for follow-up care by a licensed dentist as soon as is reasonably appropriate.
- (b) An EFODA may recement orthodontic bands if the dentist is not available and the patient is in discomfort, providing that the patient is rescheduled for follow-up care by a licensed dentist as soon as is reasonably appropriate.

818-042-0110

Certification — Expanded Function Orthodontic Assistant

The Board may certify a dental assistant as an expanded function orthodontic assistant

- (1) By credential in accordance with OAR 818-042-0120, or
- (2) Completion of an application, payment of fee and satisfactory evidence of;

(a) Completion of a course of instruction in a program in dental assisting accredited by the American Dental Association Commission on Dental Accreditation; or
(b) Passage of the **Infection Control Examination (ICE) Basic**, CDA or COA examination, and Expanded Function Orthodontic Assistant examination, or equivalent successor examinations, administered by the Dental Assisting National Board, Inc. (DANB), or any other testing entity authorized by the Board; and **within six months of being authorized to perform all expanded orthodontic function duties,** certification by an **Oregon** licensed dentist that the applicant ~~has successfully placed and ligated orthodontic wires on ten (10) patients and removed bands/brackets and remaining adhesive using an ultrasonic, hand scaler or a slow speed hand piece from teeth on four (4) patients~~ **is proficient to perform all expanded function orthodontic duties. If no expanded functions orthodontic certificate is issued within the six months of being authorized to perform the duties, the assistant is no longer able to continue performing expanded function orthodontic duties until EFODA certification is achieved.**

818-042-0113

Certification — Expanded Function Preventive Dental Assistants (EFPDA)

The Board may certify a dental assistant as an expanded function preventive dental assistant:

- (1) By credential in accordance with OAR 818-042-0120, or
- (2) If the assistant submits a completed application, pays the fee and provides evidence of:
 - (a) Certification of Radiologic Proficiency (OAR 818-042-0060); and satisfactory completion of a course of instruction in a program accredited by the Commission on Dental Accreditation of the American Dental Association; or
 - (b) Certification of Radiologic Proficiency (OAR 818-042-0060); and passage of the ~~Oregon Basic Infection Control Examination (ICE) or and the~~ Certified Preventive Functions Dental Assistant (CPFDA) examination, ~~and or~~ the Expanded Function Dental Assistant examination, or **the Coronal Polish (CP) examination, or** equivalent successor examinations, administered by the Dental Assisting National Board, Inc. (DANB), or any other testing entity authorized by the Board; and **within six months of being authorized to perform coronal polishing,** certification by an Oregon licensed dentist that the applicant **is proficient to** ~~has successfully~~ polished the coronal surfaces of teeth with a brush or rubber cup as part of oral prophylaxis to remove stains ~~on six patients~~. **If no expanded functions preventive certificate is issued within the six months of being authorized to perform coronal polishing, the assistant is no longer able to continue performing coronal polishing until EFPDA certification is achieved.**

Request for approval of Dental Anesthesia Assistant course – The Resuscitation Group

Dr. Fine moved and Ms. Martinez seconded that the Board move the Resuscitation Group's Anesthesia course for Dental Anesthesia Assistants to the Licensing, Standards and Competency Committee for further review. The motion passed unanimously.

Request for approval of Restorative Dental Hygiene and Dental Assisting Course- Oregon Health & Sciences University (OHSU) CE Department

Dr. Beck moved and Dr. Javier seconded that the Board approve OHSU CE Department's Restorative course for dental hygiene and dental assisting as requested. The motion passed unanimously.

OTHER ISSUES

Proposed change to OAR 818-021-0017 regarding limited specialty practice requirements

Dr. Beck moved and Ms. Martinez seconded that the Board move the proposed changes to OAR 818-021-0017 – Application to Practice as a Specialist – to the Licensing, Standards and Competency Committee for review. The motion passed unanimously.

818-021-0017

Application to Practice as a Specialist

(1) A dentist who wishes to practice as a specialist in Oregon, who does not have a current Oregon license, in addition to meeting the requirements set forth in ORS 679.060 and 679.065, shall submit to the Board satisfactory evidence of:

(a) Having graduated from a school of dentistry accredited by the Commission on Dental Accreditation of the American Dental Association and active licensure as a general dentist in another state. Licensure as a general dentist must have been obtained as a result of the passage of any clinical Board examination administered by any state or regional testing agency;

(b) Certification of having passed the dental examination administered by the Joint Commission on National Dental Examinations or Canadian National Dental Examining Board Examination; and

(c) Proof of satisfactory completion of a post-graduate specialty program accredited by the Commission on Dental Accreditation of the American Dental Association.

(2) A dentist who graduated from a dental school located outside the United States or Canada who wishes to practice as a specialist in Oregon, who does not have a current Oregon license, in addition to meeting the requirements set forth in ORS 679.060 and 679.065, shall submit to the Board satisfactory evidence of:

(a) Completion of a post-graduate specialty program of not less than two years at a dental school accredited by the Commission on Dental Accreditation of the American Dental Association, proficiency in the English language, and evidence of active licensure as a general dentist in another state obtained as a result of the passage of any clinical Board examination administered by any state or regional testing agency; or

(b) Completion of a post-graduate specialty program of not less than two years at a dental school accredited by the Commission on Dental Accreditation of the American Dental Association, proficiency in the English language and certification of having successfully passed the clinical examination administered by any state or regional testing agency within the five years immediately preceding application; and

(c) Certification of having passed the dental examination administered by the Joint Commission on National Dental Examinations or Canadian National Dental Examining Board Examination; and

(3) An applicant who meets the above requirements shall be issued a specialty license upon:

(a) Passing a specialty examination approved by the Board **within the five years immediately preceding application, or;**

(b) Passing a specialty examination approved by the Board greater than five years prior to application, and;

(A) Having conducted licensed clinical practice in the applicant's dental specialty in Oregon, other states or in the Armed Forces of the United States, the United States Public Health Service or the United States Department of Veterans Affairs for a minimum of 3,500 hours in the five years immediately preceding application. Licensed clinical practice could include hours devoted to teaching the applicant's chosen dental specialty by dentists employed by a dental education program in a CODA-accredited dental school, with verification from the dean or appropriate administration of the institution documenting the length and terms of employment, the applicant's duties and responsibilities, the actual hours involved in teaching clinical dentistry, and any adverse actions or restrictions; and;

(B) Having completed 40 hours of continuing education in accordance with the Board's continuing education requirements contained in these rules within the two years immediately preceding application, and;

~~(b)~~ **(c)** Passing the Board's jurisprudence examination.

(4) Any applicant who does not pass the first examination for a specialty license may apply for a second and third regularly scheduled specialty examination. The applicable fee and application for the reexamination shall be submitted to the Board at least 45 days

before the scheduled examination. If the applicant fails to pass the third examination for the practice of a recognized specialty, the applicant will not be permitted to retake the particular specialty examination until he/she has attended and successfully passed a remedial program prescribed by a dental school accredited by the Commission on Dental Accreditation of the American Dental Association and approved by the Board.

(5) Licenses issued under this rule shall be limited to the practice of the specialty only.

Proposed change to OAR 818-021-0088 regarding volunteer license renewal requirements.

Dr. Fine moved and Dr. Beck seconded that the Board move the proposed changes to OAR 818-021-0088 – Volunteer License – to the Licensing, Standards and Competency Committee for review. The motion passed unanimously.

818-021-0088 - Volunteer License

(1) An Oregon licensed dentist or dental hygienist who will be practicing for a supervised volunteer dental clinic, as defined in ORS 679.020(3)(f) and (g), may be granted a volunteer license provided licensee completes the following:

(a) Licensee must register with the Board as a health care professional and provide a statement as required by ORS 676.345.

(b) Licensee will be responsible to meet all the requirements set forth in ORS 676.345.

(c) Licensee must provide the health care service without compensation.

(d) Licensee shall not practice dentistry or dental hygiene for remuneration in any capacity under the volunteer license.

(e) Licensee must comply with all continuing education requirements for active licensed dentist or dental hygienist.

(f) Licensee must agree to volunteer for a minimum of ~~40 hours per calendar year~~ **80 hours per renewal cycle.**

(2) Licensee may surrender the volunteer license designation at anytime and request a return to an active license. The Board will grant an active license as long as all active license requirements have been met.

ARTICLES AND NEWS (no action necessary)

- HPSP Newsletter, February 2019
- HPSP Newsletter, March 2019
- ADEA Advocate, February 2019
- ADEA Advocate, March 2019
- OSAP-DANB-DALE Foundation launch website for dental infection control education and certification
- ADEA 2017-2018 snapshot of dental education
- CODA winter 2019 accreditation actions
- ADA News – anesthesiology recognized as a dental specialty
- WREB 2018 dental student newsletter
- CITA letter announcing merger

EXECUTIVE SESSION: The Board entered into Executive Session pursuant to ORS 192.606 (1)(2)(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

PERSONAL APPEARANCES AND COMPLIANCE ISSUES

OPEN SESSION: The Board returned to Open Session.

CONSENT AGENDA

2019-0053, 2019-0176, 2019-0171

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

COMPLETED CASES

2019-0036, 2019-0131, 2006-0172, 2009-0004, 2009-0133, 2012-0037, 2013-0028, 2014-0222, 2019-0104, 2016-0066, 2019-0040, 2019-0082, 2019-0031, 2019-0167, 2019-0086, 2019-0151

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

THOMPSON, JARED M., D.M.D. 2018-0209

Ms. Martinez moved and Dr. Smith seconded that the Board, in regards to Respondents #1 – 4, move to close the matter with a Letter of Concern reminding Licensees to assure that they take Healthcare Provider Level BLS/CPR. Per Board Protocol, in regards to Respondent #5 move to issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order incorporating a reprimand. The motion passed unanimously.

BAHEN, MATTHEW S., D.M.D. 2018-0264

Dr. Smith moved and Dr. Beck seconded that the Board issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order incorporating a reprimand, pay a \$5,000.00 civil penalty within 60 days of the effective date of the Order, complete 30 hours of community service within one year, and monthly submission of spore testing results for a period of one year from the effective date of the order. The motion passed unanimously.

2018-0255

Dr. Beck moved and Mr. Dunn seconded that the Board accept Licensee's retirement form and close the matter with No Further Action. The motion passed unanimously.

2019-0150

Mr. Dunn moved and Dr. Javier seconded that the Board close the matter with a Letter of Concern reminding the Licensee to assure that his Healthcare Provider BLS/CPR is renewed on time. The motion passed unanimously.

2019-0037

Dr. Pham moved and Ms. Riedman seconded that the Board close the matter with a Letter of Concern reminding Licensee to assure that he is cognizant of Ante's Law when treatment planning and designing fixed bridges. The motion passed with Dr. Underhill, Dr. Fine, Ms. Brixey, Dr. Javier, Ms. Martinez, Dr. Pham, Ms. Riedman, Mr. Dunn and Dr. Smith voting aye. Dr. Beck recused.

2018-0272

Ms. Riedman moved and Ms. Brixey seconded that the Board close the matter with a Letter of Concern reminding Licensee to assure that he thoroughly document a diagnosis for any recommended treatment, and to open an investigation into the owner of the practice for failure to provide the Board with the biological monitoring results for the sterilizers in the office, and proof of the amalgam separator installation. The motion passed unanimously.

2019-0021

Ms. Brixey moved and Dr. Beck seconded that the Board close the matter with a Letter of Concern reminding licensee to assure that she maintains her Healthcare Provider BLS/CPR OBD licensing requirements without lapsing. The motion passed unanimously.

2019-0061

Ms. Martinez moved and Dr. Beck seconded that the Board close the matter with a Letter of Concern reminding Licensee to assure that when the patient declines to have additional radiographs taken, that it is thoroughly documented, and to assure that the instruments he uses have been sterilized in an autoclave that is tested with a biological monitor on a weekly basis. Also, move to instruct the Board staff to open an investigation in to the managing dentist at the dental clinic to address the missing biological monitoring tests. The motion passed with Dr. Underhill, Dr. Fine, Ms. Brixey, Dr. Beck, Ms. Martinez, Dr. Pham, Ms. Riedman and Mr. Dunn voting aye. Dr. Javier and Dr. Smith recused.

2019-0017

Dr. Javier moved and Ms. Martinez seconded that the Board close the matter with a Letter of Concern reminding Licensee to assure that she maintains a current and valid Healthcare Provider BLS/CPR certification. The motion passed unanimously.

2019-0096

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

2019-0153

Dr. Smith moved and Ms. Riedman seconded that the Board close the matter with a Letter of Concern reminding Licensee to assure that all CE is completed in the proper areas. The motion passed unanimously.

HALE, LAUREN A., R.D.H. 2019-0034

Mr. Dunn moved and Dr. Javier seconded that the Board issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order incorporating a reprimand, pay \$1,000.00 civil penalty and complete ten hours of community service within 60 days of the effective date of this Order. The motion passed unanimously.

2019-0038

Dr. Pham moved and Ms. Martinez seconded that the Board close the matter with a Letter of Concern reminding the Licensee to assure that she is aware of her licensing requirements, attentive to tracking those requirements, and is timely and accurate with complying with those requirements. The motion passed unanimously.

2019-0066

Dr. Beck moved and Ms. Riedman seconded that the Board close the matter with a **STRONGLY WORDED** Letter of Concern reminding Licensee to make sure they are familiar and compliant with the Dental Practice Act prohibited acts for auxiliary staff. The motion passed unanimously.

2019-0049

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

LEE, NATHAN N., D.D.S. 2019-0091

Ms. Brixey moved and Dr. Smith seconded that the Board issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order incorporating a reprimand, an \$18,000.00 civil penalty, 120 hours of Board approved community service, monthly submission of biological monitoring testing of his autoclaves for a period of one year, and passage of the Oregon Board of Dentistry Jurisprudence Exam within 30 days. The motion passed unanimously.

2019-0058

Dr. Javier moved and Dr. Smith seconded that the Board close the matter with a **STRONGLY WORDED** Letter of Concern reminding the Licensee to assure that she maintains a current and valid Healthcare Provider BLS/CPR certification. The motion passed unanimously.

2019-0179

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

2019-0057

Dr. Smith moved and Dr. Beck seconded that the Board accept Licensee's resignation and close the matter with No Further Action. The motion passed unanimously.

2019-0046

Dr. Beck moved and Mr. Dunn seconded that the Board close this matter with a Letter of Concern reminding Licensee to ensure instruments are sterilized and spore testing is completed weekly. The motion passed unanimously.

MILLER, DANIEL J., D.M.D. 2019-0118

Mr. Dunn moved and Dr. Smith seconded that the Board issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order incorporating a reprimand, a \$1000.00 civil penalty and completion of the Ethics and Boundaries Essay Examination within six months of the effective date of the order. The motion passed unanimously.

2019-0019

Dr. Pham moved and Ms. Martinez seconded that the Board close the matter with a Letter of Concern reminding Licensee to maintain a current and valid Healthcare Provider BLS/CPR certification. The motion passed unanimously.

2019-0152

Ms. Riedman moved and Ms. Martinez seconded that the Board close the matter with a Letter of Concern reminding the Licensee to assure that all CE is completed within the licensure period. The motion passed unanimously.

NELSON, JAMES B., D.D.S. 2018-0263

Ms. Brixey moved and Ms. Riedman seconded that the Board issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order incorporating a reprimand; a \$4,000.00 civil penalty, 20 hours of Board approved community service, and monthly submission of spore testing results for a period of one year from the effective date of the Order, per Board protocols. The motion passed unanimously.

2019-0029

Dr. Javier moved and Ms. Martinez seconded that the Board close the matter with a Letter of Concern reminding Licensee to assure that the instruments that she uses have been sterilized in an autoclave that is tested with a biologic medium on a weekly basis, and to direct staff to open a complaint against the clinical director of the office. The motion passed unanimously.

2015-0135

Ms. Martinez moved and Dr. Javier seconded that the Board close the matter with a Letter of Concern reminding Licensee to assure that all prescriptions and dental justifications for all prescriptions are documented in the patient record. The motion passed unanimously.

RAWLEY, DANIEL J., D.D.S. 2019-0155

Dr. Beck moved and Mr. Dunn seconded that the Board issue a Notice of Proposed Discipline Action and offer Licensee a Consent Order incorporating a reprimand. The motion passed with Dr. Underhill, Dr. Fine, Ms. Brixey, Dr. Javier, Ms. Martinez, Dr. Pham, Ms. Riedman, Mr. Dunn and Dr. Beck voting aye. Dr. Smith recused

2018-0259

Dr. Smith moved and Dr. Javier seconded that the Board close the matter with a **STRONGLY WORDED** Letter of Concern advising licensee to ensure completion of infection control continuing education as required by the Dental Practice Act. The motion passed unanimously.

SALEH, MO Y., D.M.D. 2019-0109

Mr. Dunn moved and Dr. Beck seconded that the Board issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order incorporating a reprimand, a \$9,000.00 civil penalty, 60 hours of Board approved community service, complete a three hour Board approved continuing education course on Record Keeping within 30 days, pass the Oregon Board of Dentistry Jurisprudence Exam within 30 days, and monthly submission of biological monitoring test results for a period of one year from the effective date of the Order. The motion passed with Dr. Underhill, Dr. Fine, Ms. Brixey, Dr. Smith, Ms. Martinez, Dr. Pham, Ms. Riedman, Mr. Dunn and Dr. Beck voting aye. Dr. Javier recused

SHEBANI, AMNA, D.D.S. 2019-0156

Ms. Riedman moved and Dr. Smith seconded that the Board issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order incorporating a reprimand and a \$500.00 civil penalty. The motion passed with Dr. Underhill, Dr. Fine, Ms. Brixey, Dr. Smith, Ms. Martinez, Dr. Javier, Ms. Riedman, Mr. Dunn and Dr. Beck voting aye. Dr. Pham recused

2019-0033

Dr. Pham moved and Ms. Riedman seconded that the Board close the matter with a Letter of Concern reminding the licensee to assure that she knows what the requirements are for License renewal. The Licensee is recommended to pay attention to detail and fully comply with licensure requirements. Licensee is also reminded that she is required to maintain CE credit documents of at least two licensure periods. The motion passed unanimously.

2018-0265

Ms. Riedman moved and Ms. Martinez seconded that the Board close the matter with a Letter of Concern reminding Licensee to assure that all CE is completed during the renewal cycle and certificates of completion are available when needed. The motion passed unanimously.

TOLMAN, NATHAN A., D.M.D. 2019-0022

Ms. Brixey moved and Dr. Smith seconded that the Board issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order incorporating a reprimand, pay a \$2,000.00 civil penalty, complete ten hours of Board approved community service within 60 days and complete the four hours of continuing education needed to complete the 40 hour requirement for the 2015-2017 licensure period within 60 days of the order, and to pass the Oregon Board of Dentistry Jurisprudence Exam within 30 days of the effective date of this Order. The motion passed unanimously.

VAN ORMAN, JEFFREY B., D.M.D. 2019-0188

Dr. Javier moved and Ms. Martinez seconded that the Board issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order incorporating a reprimand. The motion passed unanimously.

2019-0173

Ms. Martinez moved and Dr. Smith seconded that the Board close the matter with a Letter of Concern reminding Licensee to assure that all advertisement is within the Licensee's scope of practice. The motion passed unanimously.

WEILAND, JOSHUA, D.M.D. 2019-0044

Dr. Smith 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 \$12,000.00 civil penalty, 80 hours of Board approved community service and monthly submission of biological testing results of his autoclaves for a period of one year from the effective date of the Order. The motion passed unanimously.

2019-0041

Dr. Beck moved and Dr. Javier seconded that the Board close the matter with a Letter of Concern to remind Licensee to assure that the treatment scheduled is actually warranted and to assure that he has informed consent from the patient or patient's parent to provide the dentistry scheduled. The motion passed unanimously.

XU, NA, D.D.S. 2018-0244

Mr. Dunn moved and Dr. Beck seconded that the Board issue a Notice of Proposed Disciplinary Action and to offer Licensee a Consent Order incorporating a reprimand, a \$6,000.00 civil penalty, 40 hours of Board approved community service, monthly submission of biological testing results of her autoclaves for a period of one year from the effective date of the Order, take a Board approved course in Record Keeping and pass the Oregon Board of Dentistry

Jurisprudence Exam within 30 days of the effective date of the Order. The motion passed unanimously.

PREVIOUS CASES REQUIRING BOARD ACTION

ENAYATI, MEHRAN, D.D.S. 2018-0191

Dr. Pham moved and Dr. Smith seconded that the Board deny the Licensee's request, and reaffirm the Board's decision on 8/24/18 to offer licensee a Consent Order incorporating a reprimand, a \$6,000.00 civil penalty, 40 hours of Board approved community service & monthly submission of the results of the previous months weekly biological monitoring testing of sterilization devices. The motion passed unanimously.

2018-0182

Ms. Riedman moved and Ms. Martinez seconded that the Board accept Licensee's retirement form, and issue an Order of Dismissal dismissing the Notice of Proposed Disciplinary Action, dated 2/21/19, and close the matter with No Further Action. The motion passed unanimously.

2017-0155

Ms. Brixey moved and Dr. Smith seconded that the Board, for Respondent #1, ratify the Order of Dismissal dated 2/26/19, dismissing the Amended Order Notice of Proposed Disciplinary Action, dated 12/17/18. The motion passed unanimously.

2019-0137

Dr. Javier moved and Dr. Smith seconded that the Board issue an Order of Dismissal, dismissing the Notice of Proposed Disciplinary action dated 2/21/19 and close the matter with No Further Action. The motion passed unanimously.

NEGRU, MIHAI P., D.D.S. 2018-0161

Ms. Martinez moved and Dr. Javier seconded that the Board grant Licensee's request, issue an Order of Dismissal dismissing the Final Default Order, dated 2/15/19, and refer the matter to a hearing on the underlying merits of the case. The motion passed unanimously.

PETERSEN, JAMES G., D.M.D. 2018-0192

Dr. Smith moved and Dr. Javier seconded that the Board offer Licensee a Consent Order incorporating a reprimand, and a \$7,000.00 civil penalty. The motion passed unanimously.

ANGLE, DARRELL L., D.D.S. 2016-0180

Dr. Beck moved and Dr. Javier seconded that the Board issue a Final Order Denial Request for Stay denying Licensee a stay of the Board's Final Order, dated 2/15/19. The motion passed unanimously.

2014-0003

Mr. Dunn moved and Dr. Javier seconded that the Board reaffirm the Board's decision on October 17, 2014 and close the matter with a finding of No Violation. The motion passed unanimously.

LICENSURE AND EXAMINATION

RATIFICATION OF LICENSES

As authorized by the Board, licenses to practice dentistry and dental hygiene were issued to applicants who fulfilled all routine licensure requirements. It is recommended the Board ratify issuance of the following licenses. Complete application files will be available for review during the Board meeting.

Dr. Pham moved and Mr. Dunn seconded that the Board ratify the issuance of the following licenses. The motion passed unanimously.

DENTAL HYGIENISTS

H7795	BRENDAN ANDREW LAING, R.D.H.	2/21/2019
H7796	KRISTENE HEINTZMAN, R.D.H.	2/21/2019
H7797	LINDSEY KATE THOMPSON, R.D.H.	2/25/2019
H7798	YEKATERINA DEGTYAREVA, R.D.H.	2/25/2019
H7799	AUDREY BARRETT, R.D.H.	3/1/2019
H7800	KAYLIE ANN KOONING, R.D.H.	3/14/2019
H7801	SARAH ELIZABETH MARIE BOOTHE, R.D.H.	3/14/2019
H7802	JENNIFER ANN JESSEN-JOHNSON, R.D.H.	4/3/2019
H7803	STACEY LYNN MCDANIELS, R.D.H.	4/3/2019

DENTISTS

D11000	NIDHI TANEJA, D.D.S.	2/8/2019
D11001	ERIC L ELTZROTH, D.D.S.	2/8/2019
D11002	JAMES A BURNESON, D.D.S.	2/21/2019
D11003	JOSHUA MATTHEW SMITH, D.D.S.	2/21/2019
D11004	MINH PHAN, D.M.D.	2/21/2019
D11005	DANIEL JORDAN DECILLIS, D.D.S.	3/1/2019
D11006	SAMI BAHIJ KAWAS, D.D.S.	3/1/2019
D11007	NOELLE M GEORGE, D.M.D.	3/1/2019
D11008	KARIN HERZOG, D.D.S.	3/1/2019
D11009	JEFFERSON B GOURLEY, D.D.S.	3/1/2019
D11010	BRAD N STRONG, D.D.S.	3/1/2019
D11011	LYUDMYLA ALDER, D.M.D.	3/1/2019
D11012	SCOTT ROBERT YEAMAN, D.D.S.	3/1/2019
D11013	CRAIG DAVID KOZELUH, D.D.S.	3/14/2019
D11014	DEAN ROY GRETZINGER, D.D.S.	3/14/2019
D11015	THERESE NGOC PHAM, D.M.D.	3/14/2019
D11016	TARIM S SONG, D.D.S.	3/18/2019
D11017	MONIKA CZEKALSKA, D.D.S.	3/18/2019
D11018	CHRISTIAN ANTON BADER, D.D.S.	3/19/2019
D11019	MINDY CHEN KNOX, D.D.S.	3/22/2019
D11020	INDERRAJ DHILLON, D.D.S.	4/3/2019

D11021
D11022
D11023

MONTE CURTIS JUNKER, D.D.S.
ANNA MARIE L MESSENGER, D.D.S.
JACOB DEAN HUTCHINGS, D.M.D.

4/3/2019
4/3/2019
4/3/2019

OTHER BUSINESS

Nothing to report.

ADJOURNMENT

The meeting was adjourned at 3:30 p.m. Dr. Underhill stated that the next Board Meeting would take place on June 21, 2019.

/S/

Amy B. Fine, D.M.D.
President