

**OREGON BOARD OF DENTISTRY
MINUTES
February 29, 2008**

MEMBERS PRESENT: David Smyth, B.S., M.S., President
Darren S. Huddleston, D.M.D., Vice President
Ronald C. Short, D.M.D.
Rodney S. Nichols, D.M.D.
Melissa G. Grant, D.M.D.
Jill Mason, M.P.H., R.D.H.
Norman Magnuson, D.D.S.
Mary Davidson, R.D.H., LAP

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: Fred Bremner, D.M.D., ODA; Douglas Matz, D.M.D., A.G.D.; Gary Allen, D.M.D., Willamette Dental Group; Rickland Asai, D.M.D., ODA; Beryl Fletcher, ODA; Jessica Scruggs, Pacific University; Rebekah Brown, Pacific University; Debra Seidel-Bittke, Apollo College; Rachel Nolin, DAS Budget & Management; Lynn Ironside, R.D.H., ODHA; Lisa Rowley, R.D.H., Pacific University.

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 will meet in Executive Session pursuant to ORS 192.660(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 materials and investigatory information, and to consult with counsel. No final action will be taken in Executive Session.

OPEN SESSION: The Board returned to Open Session at 8:15 a.m.

NEW BUSINESS

MINUTES

Dr. Nichols moved and Dr. Magnuson seconded that the minutes of the January 4, 2008 Board meeting be approved as amended. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

Dr. Nichols moved and Ms. Davidson seconded that the minutes of the April 6, 2007 Board meeting be approved as amended. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

ASSOCIATION REPORTS

Oregon Dental Association

ODA had nothing to report.

Oregon Dental Hygienists' Association

Lynn Ironside introduced dental hygiene students, Jessica Scruggs and Rebekah Brown, from Pacific University.

Oregon Dental Assistants Association

No one from the ODAA was present.

COMMITTEE AND LIAISON REPORTS

WREB Liaison Report

Dr. Short stated that notes from the WREB meeting were included in the notebook for the Board to review. Dr. Short emphasized the information regarding the crown and bridge procedure that WREB was adding to the exam. He stated that due to concerns of other testing agencies as well as other states, WREB has decided to add to the exam, as a temporary measure, a crown prep section which will be done on typodonts. WREB has reports that show the area of testing really doesn't have the fidelity that it should, so they hadn't included it in their previous exam structure. There had been concerns raised that since WREB didn't test in this area, that WREB didn't give a comprehensive exam, so they have now remedied that area and are administering the crown prep portion of the exam in a manner such that candidates will not be informed which tooth will require the crown prep, hoping to make the process fair. WREB plans to make this effective next year. In the future, WREB hopes to change that area of testing to live patients instead of typodonts, believing that it is much more accurate to work on a living person.

ADEX Liaison Report

Mr. Braatz reminded the Board that the June 15, 2008 ADEX meeting was coming up and if a Board member was not able to attend, that ADEX had recently made a rule change allowing Executive Directors and past Board members to attend the meeting in place of current Board members. Dr. Huddleston expressed interest but needed to verify scheduling to be sure. Dr. Magnuson moved and Ms. Mason seconded that the Board send Dr. Huddleston if possible, to the ADEX meeting June 15, 2008 or send Mr. Braatz in his place if Dr. Huddleston isn't able to attend. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

AADE Liaison Report

Dr. Short stated that there was nothing currently to report for the AADE and that at the next meeting he will have a full report for the Board.

Committee Meeting Dates

There were no meeting dates scheduled.

EXECUTIVE DIRECTOR'S REPORT

Budget Status Report

Mr. Braatz attached the budget reports for the 2007-2009 Biennium. He stated that this report, which is from July 1, 2007 through January 31, 2008, shows revenue of \$362,911.10 and expenditures of \$462,652.47. Mr. Braatz added that we have just started the even year renewal of Dental licenses which represents about 30% of the OBD revenue, so the fact that the December

Report shows that we have spent more money than we have received should not be looked at as a negative. This is the reason that the OBD has a balance to cover the peaks and valleys of our revenue stream. Mr. Braatz stated that the budget was performing as expected.

Customer Service Survey Report

Mr. Braatz attached a chart showing the OBD State Legislatively Mandated Customer Service Survey Results from July 1, 2007 through January 31, 2008. The results of the survey show that the OBD continues to receive positive comments from the majority of those that return the surveys. The booklet containing the written comments from returned survey forms, which staff has reviewed, are available for Board Members to review.

Board and Staff Speaking Engagements

Wednesday, January 9, 2008 - Dr. Kleinstub and Mr. Braatz made a presentation to the Senior Dental students at OHSU.

Wednesday January 16, 2008 – Mr. Braatz made a presentation to the Salem Chapter of the OADEA

Friday, February 22, 2008 – Mr. Braatz gave a presentation for DBIC Risk Management at the Convention Center.

Thursday, February 28, 2008 - Board Member Jill Mason made a presentation to the ODS College of Dental Sciences in La Grande.

CAFR Gold Star Award 2007

Mr. Braatz stated that the State Controller's Office has once again issued the OBD a FY 2007 Gold Star Certificate signifying that the OBD has provided accurate and complete fiscal year end information in a timely manner.

House Bill 3611

Mr. Braatz stated that the OBD has been working with the ODA and a number of stakeholders to introduce a fix for Senate Bill 704 Chapter 517 (2007 Laws) which is the bill that requires dentists who place or remove dental materials containing mercury to have amalgam separators installed in their offices. HB 3611 has been introduced and it has had a public hearing before both the House and Senate Committees including an amendment that was added by the House Committee. He testified on behalf of the Board in support of HB 3611 as amended before the House Committee that was assigned HB 3611. He was pleased to report that HB 3611 passed the House and Senate unanimously and is on the way to the Governor's Desk for his signature. HB 3611 will fix the problems that exist with Senate Bill 704 Chapter 517 (2007 Laws).

Board Strategic Planning Meeting Update

Mr. Braatz provided an updated summary of the results of the Board Strategic Planning Session, showing the progress of the tasks to date.

Oregon Oral Health Coalition (OROHC) Update

Mr. Braatz stated that he had attached a membership update from the Oregon Oral Health Coalition, of which the OBD is a founding member.

Report of Meeting with Representatives of Dental and Dental Hygiene Schools

Mr. Braatz stated that on January 10, 2008 OBD staff and some Board members met with representatives of OHSU and all dental hygiene schools located in Oregon. This meeting was at the direction of the Board to review current Oregon statutes to see if a legislative change was necessary regarding the exemptions for who can practice dentistry or dental hygiene in a school setting. It was determined that at this time a change to the Dental Practice Act was not necessary, but that a new definition should be created regarding what "Full-Time" should mean. A proposal stating that "Full-Time meant registered as a student for that school" was presented to the Board and that draft

concept was presented to the Board for their review, and possibly a decision to send it to the OBD Rules Oversight Committee for further development. Mr. Braatz added that it was also felt that this group might benefit from meeting at least once a year with representatives of the OBD about issues of mutual concern.

Dr. Short moved and Dr. Nichols seconded to send the proposal for a new definition of "Full Time" to the Rules Committee. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

Secretary of State's Audit

Mr. Braatz stated that the OBD is currently undergoing an audit by the Office of the Secretary of State's Audit Division. Fieldwork for the audit will take place February through April and a draft report should be prepared by the end of April.

Governor Appointments

Mr. Braatz announced that although the Governor had appointed Dr. Jay Malmquist to the OBD to succeed Dr. Short, Dr. Malmquist had recently asked the Governor to withdraw his nomination. Mr. Braatz added that the Governor asked Dr. Short to continue to serve until he can name another person and the Senate can act on that appointment. Mr. Braatz stated that he believed that would be sometime this summer. The Governor reappointed David Smyth and the Oregon Senate recently confirmed Mr. Smyth for another four year-term as the Board's public member.

Budget Concepts

Mr. Braatz stated that the date is fast approaching for the Board to submit legislative packages to the Department of Administrative Services for inclusion in the 2009-2011 Biennial Budget and stated that if the Board has suggestions, they will need to take action on those suggestions at this Board Meeting. Mr. Braatz listed the following as potential packages:

- Per diem change
- Fee changes for Dental Hygiene Initial Application
- Starting term for Board member appointments
- RDH Faculty License

Dr. Short moved and Ms. Mason seconded to send the aforementioned packages to the Department of Administrative Services for inclusion in the 2009-2011 Budget. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

Newsletter

Mr. Braatz reminded the Board that the deadline for the next newsletter is June 30 and that time will be here before you know it. He stated that if Board members had articles, they should submit them as soon as they have them completed.

UNFINISHED BUSINESS

CORRESPONDENCE

The Board received a letter from Lonn D. Robertson, D.M.D., M.B.A.

Dr. Robertson addressed his concern over an article submitted by Dr. Gary Chiodo in the January 2008 Board of Dentistry Newsletter. The Board directed staff to write a letter thanking Dr. Robertson for his input. It was decided that any article submitted by someone other than a Board member or Board staff for future publication in the newsletter, will need to have a disclaimer stating that the views expressed are not necessarily those of the Board or endorsed by the Board.

OTHER BUSINESS

Oregon Pediatric Exam Board Recommendations

Dr. Magnuson moved and Dr. Grant seconded that the Board accept the Oregon Academy of Pediatric Dentistry's proposed exam changes. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

Mt. Hood Hygiene Restorative Program

Ms. Mason moved and Dr. Short seconded that the Board accept Mt. Hood Community College's Dental Hygiene Restorative Program. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

Apollo College Hygiene Restorative Program

Dr. Magnuson moved and Dr. Huddleston seconded that the Board approve Apollo College's Dental Hygiene Restorative Program. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason and Dr. Magnuson voting aye. Ms. Davidson recused herself.

Mt. Hood Remediation Program

Dr. Short moved and Ms. Mason seconded that the Board approve Mt. Hood Community College's Remediation Program. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

Oregon Institute of Technology (OIT), La Grande Campus, Remediation Program

Dr. Short moved and Ms. Mason seconded that the Board approve OIT's Remediation Program. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

CODA Site Accreditation

CODA informed the Board that they would be conducting a site visit for Apollo College on April 25, 2008, and wanted to know if any Board members would be attending as Board representatives. The Board directed Mr. Braatz to respond citing a scheduling conflict, as the site visit is scheduled for the same day as a Board meeting.

Advertising Rule Review

Dr. Magnuson moved and Dr. Nichols seconded that the Board form a subcommittee of the Rules Committee to review the Board's advertising rules in depth. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye. Dr. Huddleston will be the chair of the subcommittee, and he appointed Dr. Short, Dr. Magnuson, and Dr. Nichols to serve on the subcommittee with the meeting to take place in April. All interested parties will be notified when the final meeting date is set.

Articles and News of Interest (no action necessary)

- State Legislative Report, January 2008
- State Legislative Report, February 2008
- 'Providing A Dental Home for Pregnant Women', American Assoc. of Public Health Dentistry
- North Dakota Board of Dental Examiners Newsletter, Fall 2007
- The Dental Forum, NC State Board of Dental Examiners, Winter 2007
- Nebraska Board of Dentistry Newsletter, January 2008

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.

PERSONAL APPEARANCES AND COMPLIANCE ISSUES

Licensees appeared pursuant to their Consent Orders in case numbers **2005-0022, 2007-00069 2005-0077, and 2002-0273.**

LICENSING ISSUES

OPEN SESSION: The Board returned to Open Session.

CONSENT AGENDA

2008-0162, 2008-0169, 2008-0128, 2008-0131, 2008-0152, 2008-0154, 2008-0122 and 2008-0166 Dr. Huddleston moved and Dr. Nichols seconded that the above referenced cases be closed with No Further Action per the staff recommendations. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye. Ms. Davidson recused herself from case 2008-0162.

COMPLETED CASES

2008-0056, 2007-0326, 2008-0065, 2008-0053, 2008-0020, 2008-0111, 2008-0106, 2008-0089, 2008-0029, 2007-0312, 2007-0235, 2008-0098, 2008-0036, 2007-0163 2008-0125, 2008-0142, 2008-0097 and 2008-0066 Dr. Huddleston moved and Ms. Mason 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 staff recommendations. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

2008-0070 Ms. Mason moved and Dr. Magnuson seconded that the Board, with regard to Respondent #1, Issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order incorporating a reprimand and a civil penalty in the amount of \$500.00, per the standard protocols. With regard to Respondent #2, close the matter with a Letter of Concern reminding the Licensee that as the supervisor/employer, it is the Licensee's responsibility to assure all personnel requiring licensure, credentialing or special permits maintain current documentation for the tasks they perform. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

2008-0094 Dr. Magnuson moved and Dr. Grant seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that license renewals are submitted in a timely manner and that all continuing education requirements for license renewal are completed in a timely manner and require that the Licensee must complete a three hour medical emergency continuing education course within three months of receipt of the letter. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

2008-0071 Dr. Grant moved and Ms. Davidson seconded that the Board, with regard to Respondent #1, close the matter with a Letter of Concern reminding the Licensee that Licensees have a responsibility to assure timely renewal of their license to practice; with regard to Respondent #2, close the matter with a Letter of Concern reminding the Licensee that the Licensee has a responsibility to assure employees under the Licensee's supervision have timely renewal of their licenses to practice. The motion passed with Dr. Huddleston, Dr. Short, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye. Dr. Nichols abstained.

2008-0038 Ms. Davidson moved and Dr. Nichols seconded that the Board close the matter with a strongly worded Letter of Concern addressing the issue of ensuring that the Board's requirements for maintenance of the Licensee's general anesthesia permit are met. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

2008-0129 Dr. Nichols moved and Dr. Grant seconded that the Board issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order in which the Licensee would agree to be reprimanded; to attend a Board approved three hour course in record keeping within six months of the effective date of the Order; and to pay a \$5,000.00 civil penalty. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

2008-0088 Dr. Short moved and Dr. Magnuson seconded that the Board, with regard to Respondent #1, close the matter with a finding of No Violation of the Dental Practice Act; with regard to Respondent #2, close the matter with a Letter of Concern addressing the issue of ensuring that any person under the Licensee's supervision who is providing treatment to patients has a current license; with regard to Respondent #3, close the matter with a Letter of Concern addressing the issue of ensuring that the Licensee's dental hygiene license is renewed in a timely manner, that there is no treatment provided to any patient without having a current dental hygiene license, and that any hygienist who treats patients without a current license and does so a second time would be subject to disciplinary action that would include a reprimand and a \$2,500.00 civil penalty. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

2008-0031 Ms. Mason moved and Dr. Grant seconded that the Board issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order in which the Licensee agrees to be reprimanded; completes three hours of continuing education in record keeping within six months; seven hours of continuing education in the topic of treating caries and periodontal disease as an infection (also referred to as a medical model of care) within one year; restriction of practice to only group practice settings with at least one additional full time dentist providing close supervision of clinical work for a period of no less than four years. In addition, recommend that staff initiate investigation of the Clackamas County Dental Clinic. Also, offer the Licensee an Interim Consent Order by which the Licensee agrees, in addition to the Evaluators' recommendation, to practice dentistry with restrictions on the Licensee's dental license for a period of six months and until further order of the Board. Licensee may use restricted License to demonstrate competency under the following Board conditions: a) Licensee may only practice dentistry under the supervision of a Board approved licensed dentist, b) Licensee will provide names of every supervising dentist for Board approval and Licensee will immediately provide notice to the Board of any change in supervising dentist, c) Licensee will only treat patients when another Oregon licensed dentist is physically in the office and shall not be solely responsible for emergent care, d) a Board approved Oregon licensed supervising dentist will cosign Licensee's treatment plans, treatment notes, and prescription orders, e) Licensee will maintain a log of procedures performed by the Licensee, the log will include the patient's name, date of treatment, and a brief description of the procedure. A Board approved Oregon licensed supervising dentist will review and cosign the log. Prior to the 15th of each month Licensee will submit the log of the previous month's treatments to the Board, f) for a period of two weeks, or longer if deemed necessary by the Board approved Oregon licensed supervising dentist, the supervising dentist will examine the appropriate stages of dental work performed by the Licensee in order to determine clinical competence, g) after two weeks, and for each month thereafter, for a period of six months, a Board approved Oregon licensed supervising dentist will submit a written report to the Board describing Licensee's level of clinical competence. At the end of six months a Board approved Oregon licensed supervising dentist will submit a written report

attesting to the level of Licensee's competency to practice dentistry in the state of Oregon, h) at the end of the six month restricted license period, the Board will reevaluate the status of the Licensee's dental license. At that time, the Board may extend the restricted license period, lift the license restrictions or take other appropriate action.

If Licensee chooses not to sign the Interim Consent Order within 10 days, the Board's Order of Immediate Emergency License Suspension will be in effect. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

2008-0100 Dr. Magnuson moved and Dr. Nichols seconded that the Board issue a Notice of Proposed Disciplinary Action and to offer the Licensee a Consent Order incorporating a \$1,000.00 civil penalty. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

2008-0134 Dr. Grant moved and Dr. Nichols 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 by the Licensee are in compliance with the Board's rules on advertising. The motion passed with Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye. Dr. Huddleston recused himself.

2008-0060 Ms. Davidson moved and Ms. Mason seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that a dental justification is documented prior to providing treatment; that the use of local anesthetic is documented; and that when treatment complications arise, the patient is immediately informed and the complication is documented in the patient records. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

2008-0117 Dr. Nichols moved and Ms. Davidson seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that advertisements placed by the Licensee are in compliance with the Board's advertising rules. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

2008-0071 Dr. Short moved and Dr. Magnuson seconded that the Board issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order incorporating the standard protocol provisions to protect the public and to compel a recovery program for the Licensee. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

2008-0067 Ms. Mason moved and Dr. Nichols seconded that the Board issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order in which the Licensee agrees to be reprimanded and pay a \$2,500.00 civil penalty. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

2008-0135 Dr. Grant moved and Ms. Davidson 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 by the Licensee are in compliance with the Board's rules on advertising. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason and Ms. Davidson voting aye. Dr. Magnuson recused himself.

2008-0090 Ms. Davidson moved and Dr. Nichols 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. The motion

passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

2008-0072 Dr. Nichols moved and Dr. Grant seconded that the Board, with regard to Respondent #1, move the Board close the matter with a Letter of Concern reminding the Licensee that Licensees have a responsibility to assure timely renewal of their licenses to practice; with regard to Respondent #2, move the Board close the matter with a Letter of Concern reminding the Licensee that the Licensee has a responsibility to assure employees under the Licensee's supervision have timely renewal of their licenses to practice. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, and Ms. Davidson voting aye. Dr. Magnuson recused himself.

2008-0124 Dr. Short moved and Ms. Mason seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that any advertisements placed by the Licensee are in compliance with the Board's rules on advertising. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

2008-0074 Ms. Mason moved and Dr. Magnuson seconded that the Board, with regard to Respondent #1, close the matter with a Letter of Concern reminding the Licensee that Licensees have a responsibility to assure timely renewal of their licenses to practice; with regard to Respondent #2, close the matter with a Letter of Concern reminding the Licensee that the Licensee has a responsibility to assure employees under the Licensee's supervision have renewed their licenses to practice in a timely manner. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

2008-0057 Dr. Magnuson moved and Ms. Davidson seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that there is a dental justification documented prior to providing treatment and when nitrous oxide is administered, vital signs are taken and documented and the patient's condition upon discharge is documented. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

2007-0316 Dr. Grant moved and Dr. Short seconded that the Board close the matter with a finding of No Violation of the Dental Practice Act for Respondents #1, #2, and #3. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

2008-0062 Ms. Davidson moved and Dr. Nichols seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that patients have a clear understanding of what treatment is being provided prior to the initiation of that treatment and send the Complainant a letter explaining that the Licensee has written off the remaining \$925.00 account balance. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

PREVIOUS CASES REQUIRING BOARD ACTION

2007-0225 Dr. Nichols moved and Ms. Mason seconded the Board affirm its action of 1/4/08. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

2007-0068 Dr. Short moved and Dr. Magnuson seconded that the Board offer the Licensee a Consent Order incorporating a reprimand; \$862.40 restitution to Delta Dental Insurance within 30 days; \$59.20 restitution to Met Life Insurance within 30 days; \$5,507.80 restitution to patient AY within 90 days; and Board approved continuing education as follows – 51 hours in occlusion with

credit given for those hours completed since 2004; three hours of record keeping within one year of the effective date of the Order; and a mentorship focusing on crown and bridge treatments, either with the OAGD program or another Board approved arrangement. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

2007-0155 Ms. Mason moved and Dr. Grant seconded that the Board offer the Licensee a reworded Consent Order incorporating a reprimand and three hours of continuing education in the area of record keeping within six months, per the standard protocols. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

2007-0118 Dr. Magnuson moved and Ms. Davidson seconded that the Board accept the Licensee's license retirement and issue an Order of Dismissal withdrawing the provision in his Consent Order, dated 11/9/07, that Licensee complete three hours of continuing education in record keeping. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

2007-0130 Ms. Davidson moved and Dr. Magnuson seconded that the Board reject the Licensee's request. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

2005-0022 Ms. Davidson moved and Dr. Grant seconded that the Board vote to affirm its action of 3/18/05. The motion passed with Dr. Huddleston, Dr. Short, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye. Dr. Nichols was opposed.

2008-0044 Dr. Nichols moved and Ms. Mason seconded that the Board grant the Applicant's request. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

2008-0017 Dr. Short moved and Dr. Huddleston seconded that the Board close the matter with a Letter of Concern reminding the Licensee to be careful not to disclose patient information covered by HIPPA to anyone, including members of his own family. The motion passed with Dr. Huddleston, Dr. Short, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye. Dr. Nichols was opposed

2007-0179 Ms. Mason moved and Dr. Short seconded that the Board reject the Licensee's offer and to affirm its action of 7/13/07. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

2007-0080 Dr. Grant moved and Ms. Davidson seconded that the Board offer the Licensee a reworded Consent Order incorporating a reprimand and three hours of continuing education in record keeping to be completed within six months of the effective date of the Order. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, and Ms. Davidson voting aye. Dr. Magnuson recused himself.

2007-0106 Dr. Grant moved and Ms. Davidson seconded that the Board offer the Licensee a reworded Consent Order incorporating a reprimand and three hours of continuing education in record keeping to be completed within six months of the effective date of the Order. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, and Ms. Davidson voting aye. Dr. Magnuson recused himself.

2006-0225 Ms. Davidson moved and Dr. Nichols seconded that the Board accept the Licensee's offer to resolve the matter with a Consent Order incorporating a reprimand and 40 hours of Board approved community service per the standard protocols. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, and Ms. Davidson voting aye. Dr. Magnuson recused himself.

LICENSURE AND EXAMINATION

Ratification of Licenses Issued

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

Dental Hygiene

H5345	DEBI M BOAS, R.D.H.	12/26/2007
H5346	YELENA O SIZMINA, R.D.H.	12/27/2007
H5347	LAUREN A HALE, R.D.H.	1/8/2008
H5348	MISTY M PALMER, R.D.H.	1/8/2008
H5349	JENNIFER L BURDITT, R.D.H.	1/9/2008
H5350	MARISSA D TURNER, R.D.H.	1/16/2008
H5351	MARY A MAREK JOHNSON, R.D.H.	1/24/2008
H5352	BRANDY N MAYES, R.D.H.	1/31/2008
H5353	CHERYL A O'TOOLE, R.D.H.	1/31/2008
H5354	SABRINA L MATHIS, R.D.H.	1/31/2008
H5355	VIOLETA G O'CONNOR, R.D.H.	2/7/2008

Dental

D9047	TETSUJI Z WATARI, D.D.S.	1/8/2008
D9048	ROARKE J MILLER, D.M.D.	1/8/2008
D9049	RACHEL C COLE, D.D.S.	1/8/2008
D9050	JASJOT S MANN, D.M.D.	1/9/2008
D9051	KYLE G BAKER, D.M.D.	1/16/2008
D9052	JOSHUA M BATEMAN, D.D.S.	1/16/2008
D9053	MICHAEL C TAYLOR, D.M.D.	1/28/2008
D9054	RONALD H HSU, D.D.S.	1/31/2008
D9055	DAVID A CROCKER, D.D.S.	2/7/2008
D9056	MELISSA M DEEG, D.D.S.	2/11/2008

Endodontic Specialty Exam

Dr. Short moved and Dr. Grant seconded that the Board ratify the license listed under the specialty exam, Tuong Nguyen. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

Licensure Issues

Dr. Nichols moved and Dr. Short seconded that in the matter of a Licensee who questioned the completion of a question on the Licensee's Dental License Renewal Application, the Board directed counsel to write a final letter to the Licensee that directs the Licensee to accurately answer all renewal application questions or provide additional information for each license renewal period regarding licensee's health status. Failure to do so may result in complaint initiation due to failure to be accurate and truthful during license renewal application. The motion passed with Dr. Huddleston,

Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson and Ms. Davidson voting aye.

Announcement

No announcements

EXECUTIVE SESSION: The Board will meet in Executive Session pursuant to ORS 192.660(2)(i) and 192.660(2)(h) to review and evaluate the Executive Director and to consult with legal counsel.

ADJOURNMENT

The meeting was adjourned at 1:30 p.m. Mr. Smyth stated that the next Board meeting would take place April 25, 2008.

Approved by the Board April 25, 2008.

 /S/

David Smyth, B.S., M.S.
President