

**OREGON BOARD OF DENTISTRY  
MINUTES  
March 20, 2009**

MEMBERS PRESENT: Darren S. Huddleston, D.M.D., President  
Jill Mason, M.P.H., R.D.H., Vice President  
David Smyth, B.S., M.S.  
Rodney S. Nichols, D.M.D.  
Melissa G. Grant, D.M.D.  
Norman Magnuson, D.D.S.  
Mary Davidson, R.D.H., LAP  
Patricia A. Parker, D.M.D.  
Jonna E. Hongo, D.M.D.

STAFF PRESENT: Patrick D. Braatz, Executive Director via phone (portion of meeting)  
Paul Kleinstub, D.D.S., M.S., Dental Director/Chief Investigator  
Daryll Ross, Investigator (portion of meeting)  
Harvey Wayson, Investigator (portion of meeting)  
Lisa Warwick, Office Specialist (portion of meeting)  
Andrew Moschogianis, D.D.S., Consultant (portion of meeting)

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

VISITORS PRESENT: Beryl Fletcher, ODA; Ninette Lyon, ODAA, Apollo College; Gary Allen, D.M.D., Willamette Dental Group; Lynn Ironside, R.D.H., ODHA.

**Call to Order:** The meeting was called to order by the President at 7:30 a.m. at the Board office; 1600 SW 4<sup>th</sup> Ave., Suite 770, Portland, Oregon.

**NEW BUSINESS**

**MINUTES**

Mr. Smyth moved and Ms. Mason seconded that the minutes of the January 30, 2009 Board meeting be approved as amended. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

**ASSOCIATION REPORTS**

**Oregon Dental Association**

Ms. Fletcher reminded everyone in attendance that the Oregon Dental Conference would be held April 2-4 at the Convention Center and that classes are filling up quickly.

**Oregon Dental Hygienists' Association**

Ms. Ironside stated that the ODHA had nothing to report.

**Oregon Dental Assistants Association**

Ms. Lyon stated that the ODAA had nothing to report.

## **COMMITTEE AND LIAISON REPORTS**

### **WREB Liaison Report**

Dr. Magnuson stated that hygiene is having the computerized portion of the exam on diagnosis and treatment planning as a prototype this year and as part of the exam next year. Ms. Mason asked how this is going to be different than the National exam; some people are stating that it's redundant. Dr. Magnuson stated that this portion is currently part of the WREB exam and they are trying to expand out and take it off the exam portion, allowing the candidates to do the computer-based portion before they do the exam, and it will free up time and cost less to run the exam itself. Ms. Mason asked if this would increase the cost to the candidate as it's another segment of the exam and Dr. Magnuson stated that it would be a slight increase but they are trying to keep the cost down. Ms. Davidson stated that WREB was going to try to keep costs at what they are now.

### **AADE Liaison Report**

Ms. Mason stated that currently there was nothing to report as the next AADE meeting is being held the first week of April.

### **ADEX Liaison Report**

Mr. Braatz stated that he had attached a letter that he had sent after the ADEX forum stating that it was unfortunate that the individuals involved were letting this become personal instead of focusing on the facts. He added that due to that letter he was now being personally attacked by those involved and that he would share those responses with the Board at the next meeting. Mr. Braatz suggested that the Board should appoint a member of the Board, who is a dentist, to serve on the ADEX Dental Committee that will help prepare the ADEX dental examination.

### **Committee Meeting Dates**

Mr. Braatz stated that he was in the process of finding possible meeting dates for the Anesthesia Committee that had been postponed from March.

## **EXECUTIVE DIRECTOR'S REPORT**

### **Budget Status Report**

Mr. Braatz stated that the budget report for the 2007-2009 Biennium shows the changes to the new accounts and reminded the Board that there are still a few issues with the current report missing some revenue detail, which is being corrected, and will be a part of the next report. The current report is for the period of July 1, 2007 through January 31, 2009 and shows revenue of \$1,384,240.94 and expenditures of \$1,540,052.64. Mr. Braatz stated that he is monitoring the budget very closely and had made a request to the Oregon Legislative Joint Ways and Means Committee for an increase in the 2007-2009 Biennial OBD spending limitation of \$50,000.00, as we have sufficient revenue to cover this request. He added that this request has been approved by the Legislature.

### **Oregon State Financial Status**

Mr. Braatz stated that, as we're all aware, the state of Oregon is having some financial difficulties with the 2007-2009 Budget approximately \$800 million in the red and the projected 2009-2011 Budget will be \$3 billion in the red.

Governor Kulongoski, effective March 1, 2009, has frozen all Executive and Management Service employees' salaries and required that any Executive and Management Service employee who

received a step increase since July 1, 2008 and was at the top of the pay scale, to lose that increase. This freeze will be in effect until June 30, 2011, unless it is rescinded by the Governor.

Executive and Management Service employees, based on their classification, will be required to take furlough days between March 1, 2009 and June 30, 2009. It is expected that during the 2009 – 2011 Biennium that Executive and Management Service employees will be required to take an additional eight furlough days and there is some talk that we will be closed for the normal holidays but will not receive pay for those days.

The remaining four employees of the OBD are covered by a union contract. Until such time as the union and state reach an agreement on such issues as furlough days, unpaid holidays, and salary freezes, those employees will not be affected. It has been suggested that if the state cannot reach an agreement on these issues, that it will then start to lay off state employees.

Mr. Braatz stated that the OBD is an Other Funds agency so no taxpayer dollars are used to fund the operations of the OBD. We receive the majority of our funds from license and application fees and some small charges for services; however, we have been told that regarding the cost savings of the Executive and Management Service salary freeze, step increase roll back, and furlough days, this money will be taken from the OBD Other Funds budget balance and given to the state General Fund for other state operations.

### **Customer Service Survey Report**

Mr. Braatz stated that the July 1, 2008 through February 28, 2009 Customer Service Survey Report was attached for the Board's review and that the results of the survey continue to show that the OBD receives positive comments from the majority of those that return the surveys. The booklet containing the written comments that are on the survey forms, which staff has reviewed, are available on the table for Board members to review.

### **Oregon Dental Conference (ODC)**

Mr. Braatz stated that the Oregon Dental Conference will be held at the Oregon Convention Center in Portland, April 2-4, 2009 and that the OBD will once again have a presence at the ODC. He added that we will have a table outside of the Exhibit Hall and he and Dr. Kleinstub will be presenting as part of the DBIC Risk Management Seminar on Thursday, April 2, 2009, as well as two other courses entitled "Record Keeping from the Board's Perspective" and a new course called "Ask the Board."

Mr. Braatz added that all Board members' names have been submitted to the ODA, so those that have not registered will have name badges that allow access to the Exhibit Hall. Mr. Braatz encouraged that Board members be available at the table and, if possible, attend the course entitled "Ask the Board."

### **2009 Renewal Update**

Mr. Braatz stated that the 2009 dental renewal will be the last license renewal that takes place during this biennium. On January 15, 2009 the OBD mailed 1,783 dental renewal notices and to date, we have received and renewed 1,176 dental licenses. The expiration date is March 31, 2009.

Mr. Braatz said that there were two changes to the 2009 dental renewal, which seems to have streamlined the process. Licensees are now able to pay their renewal fees on-line with a credit card; this is the first step to us implementing an on-line renewal for 2010. To date, 319 people have used the on-line payment system. We also no longer require licensees who have an anesthesia permit to send a copy of their CPR/BLS/PALS card in order to renew. Instead, we are asking them for the card

level and the expiration date. We will add this item to the questions that we ask during an investigation, as well as making it a part of the CE Audit. This change has helped the renewal process run more smoothly.

### **Board and Staff Speaking Engagements**

Thursday, February 19, 2009 – Mr. Braatz made a presentation as part of the DBIC Risk Management presentation to the Southern Oregon Dental Society in Medford, OR. There were approximately 200 people in attendance.

Thursday, February 19, 2009 – Jill Mason, R.D.H., Vice President of the OBD, made a presentation to the dental hygiene students at the ODS Dental Hygiene School in La Grande, OR.

Thursday, March 12, 2009 – Dr. Kleinstub, Teresa Haynes, and Mr. Braatz made a presentation to the 4<sup>th</sup> year dental students at OHSU School of Dentistry.

### **CAFR Gold Star Award**

Mr. Braatz stated that we have once again received the State Controller's Office FY 2008 Gold Star Certificate signifying that the OBD has provided accurate and complete fiscal year end information in a timely manner.

### **2009 Legislative Update**

Mr. Braatz attached the current Legislative Bills Summary Report showing Legislative Bills that are currently being tracked by staff that affect the OBD, Dental or Dental Hygiene profession, as well as the OBD as a state agency.

### **HB 2058A**

HB 2058A will change the term of newly appointed Board members from four to three years. HB 2058A has passed the House and is currently in the Senate. The OBD presented testimony against this change and will do so again in the Senate.

### **HB 2345**

HB 2345, which would change how the OBD and other Boards can operate a Confidential Diversion Program, is currently being re-written. The proposal that is expected to come out is one that would require a statewide impairment program be created and all Boards that want a program would have to use this program, which basically means paying for the cost of this new statewide program. This would raise the cost dramatically for the OBD and we would have to raise license fees to pay this increased cost. Mr. Braatz stated that he did not believe that this is the time to do this when we have a program that works and is done within our current budget. If HB 2345 were to become law, the Board could no longer operate the current Voluntary Confidential Monitoring Program; it would have to use the new statewide program. He would recommend that the Board end our current program. The only option would be the regular public disciplinary route for those impaired individuals that the OBD learns about. It is his belief that without the program that the OBD created, the 20 plus people that we currently have in the program would never have come forward and sought help; therefore you could not tell the public that you were protecting them from these licensees who are in the program and being monitored for compliance.

### **SB 873**

SB 873 would make the OBD operate at the 2007 approved funding level less an additional 10%.

### **HB 3204**

HB 3204 modifies qualifications for Dental Hygienists authorized to practice dental hygiene without a

license and for Limited Access Permit Dental Hygienists. It revises the scope of practice of Limited Access Permit Dental Hygienists. Mr. Braatz stated that the Board would need to direct him if it wants to take a position on this Bill and what that position is.

Dr. Magnuson moved and Dr. Parker seconded that the Board meet with the ODA, ODHA and other interested parties and attempt to discover the intent of the bill as well as discuss the main issues that the Board held, including but not limited to the reduced hour requirement for graduates of two year programs; the definition of therapeutic restorations; extending the locations of LAP practice; and unsupervised use of anesthesia, both with the ODA's conference call being held Monday, March 23 as well as holding a separate meeting with interested parties. The motion passed with Ms. Mason, Mr. Smyth, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye. Dr. Nichols was opposed.

### **Newsletter**

The next Newsletter will go out after June 30, 2009.

## **UNFINISHED BUSINESS**

### **CORRESPONDENCE**

#### **The Board received a letter from William Schuyler, D.M.D.**

Dr. Schuyler wrote the Board to express his concerns over the inappropriate content of the Pediatric Advanced Life Support course as a requirement for the Class 3 Anesthesia Permit. Dr. Schuyler contests that the content of the PALS course is outside the scope of practice for dentistry. The Board directed Mr. Braatz to respond to Dr. Schuyler stating that they reaffirm their previous decision and believe that PALS is an appropriate course.

### **OTHER BUSINESS**

#### **Soft Reline Course Approval**

The Board has received a request from Gretchen Roberts to approve a new Soft Reline Course as allowed for in OAR 818-042-0090 (1), (2). Dr. Magnuson moved and Dr. Grant seconded that the Board approve the course as presented. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

#### **Restorative Continuing Education Course Curriculum Approval**

The Board has received a request from Portland Community College, through the Institute for Health Professionals, to approve the proposed Restorative Continuing Education Course Curriculum as provided. Ms. Mason moved and Dr. Magnuson seconded that Board approve the course as presented. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

#### **Articles and News of Interest (no action necessary)**

- "Alabama Judge Rules..." American Dental Association, March 4, 2009
- "Virginia 'Ginny' Jorgenson: Dedicated Education..." DANB's Certified Press, Spring '09
- "Dental Assistants Discuss Lava COS Tech" Dental Assisting Digest
- The Dental Forum, North Carolina Board of Dental Examiners – Winter 2009
- Oregon State Board of Pharmacy, Feb. 2009
- State Legislative Report, February 2009
- State Legislative Report, March 2009
- University of Florida, Dept. of Oral & Maxillofacial Surgery

**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 **1995-0034, 1999-0064 and 1997-0091.**

#### **LICENSING ISSUES**

**OPEN SESSION:** The Board returned to Open Session.

#### **CONSENT AGENDA**

**2009-0147, 2009-0158, 2009-0143, 2009-0167, 2009-0150, 2009-0161, and 2009-01690** Ms. Mason moved and Dr. Nichols seconded that the above referenced cases be closed with No Further Action per the staff recommendations. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

#### **COMPLETED CASES**

**2009-0137, 2009-0144, 2009-0069, 2009-0148, 2009-0058 and 2008-0126** Ms. Mason moved and Mr. Smyth seconded that the above referenced cases be closed with a finding of No Violation of the Dental Practice Act or No Further Action per the Board recommendations. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye. Dr. Magnuson recused himself from cases 2009-0137 and 2009-0144.

**2009-0081** Mr. Smyth moved and Dr. Parker seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that all the requirements for maintaining a Class 4 Anesthesia Permit and providing general anesthesia to patients are met in a timely manner. The motion passed with Ms. Mason, Mr. Smyth, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye. Dr. Nichols was opposed.

**2009-0049** Dr. Magnuson moved and Dr. Hongo seconded that the Board issue the Licensee a Letter of Concern addressing the practice of not eliminating all caries prior to providing elective implant and prosthodontic care. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

**2009-0157** Ms. Davidson moved and Mr. Smyth seconded that the Board close the matter with a Letter of Concern reminding the Licensee that it is the Licensee's responsibility to assure employees under their supervision are licensed and/or certified to perform duties they are assigned. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Ms. Davidson and Dr. Parker voting aye. Dr. Magnuson and Dr. Hongo recused themselves.

**2008-0159** Dr. Hongo moved and Dr. Magnuson seconded that the Board, with regard to Respondent 1, close the matter with a finding of no violation. With regard to Respondent 2, issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order in which Licensee agrees to be reprimanded and pay patient S.D. restitution in the amount of \$1,749.60. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, and Dr. Hongo voting aye. Dr. Parker recused herself.

**2009-0044** Dr. Grant moved and Dr. Nichols seconded that the Board close the matter with a strongly worded Letter of Concern reminding the Licensee that failing to open and read certified letters marked "CONFIDENTIAL AND PERSONAL" from one's licensing authority is totally irresponsible and further reminding the Licensee that it is the Licensee's responsibility to respond to written requests from the Oregon Board of Dentistry within 10 days of the receipt of the request. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

**2009-0087** Dr. Nichols moved and Dr. Parker seconded that the Board close the matter with a strongly worded Letter of Concern addressing the issue of ensuring that when pathology is evident on radiographs, the pathology is diagnosed and documented in the patient records, that when teeth are treated for the removal of existing caries, appropriate removal of caries is accomplished; and that when teeth are restored, adequate isolation is achieved prior to placing contamination sensitive restorations. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

**2009-0123** Mr. Smyth moved and Dr. Magnuson seconded that the Board issue a Letter of Concern reminding the Licensee that it is the Licensee's responsibility to assure advertisements placed by them are in compliance with the Board's rules on advertising. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

**2008-0045** Dr. Magnuson moved and Dr. Parker seconded that the Board close the matter with a Letter of Concern reminding the Licensee that it is the Licensee's responsibility to assure infection control guidelines are strictly adhered to for the protection of staff and patients alike, furthermore, it is the Licensee's responsibility to assure employee under the Licensee's supervision are properly trained and certified to perform tasks they are assigned to do. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

**2009-0067** Ms. Davidson moved and Dr. Hongo seconded that the Board close the matter with a Letter of Concern reminding the Licensee to ensure that when diagnostic radiographs are taken to verify the marginal fit of a crown, a bitewing radiograph is utilized to best visualize the crown margins. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

**2009-0082** Dr. Parker moved and Mr. Smyth seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that when medications are prescribed or administered, the name, dosage and amount of medications prescribed or administered are documented, and that every effort is made to ensure that post-cementation checks are done when assistants temporarily cement temporary crowns. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

**2009-0039** Dr. Hongo moved and Ms. Davidson 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 is documented; that dental justifications are documented prior to providing treatment; and that treatment notes accurately document the treatment that is provided. Also, inform the patient that the Respondent will remake the crown on tooth #28 at no extra charge. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

**2009-0036** Dr. Grant moved and Dr. Hongo 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 and to pay a \$1,500.00 civil penalty. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

**2008-0301** Mr. Smyth moved and Dr. Hongo seconded that the Board issue a Notice of Proposed Disciplinary Action and offer a Consent Order incorporating a restitution payment to patient F in the amount of \$4,000 in the form of a cashier's, bank, or official check made payable to the patient and delivered to the Board offices within 60 days of the effective date of the Order, per standard Board protocols. The motion passed with Ms. Mason, Mr. Smyth, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye. Dr. Nichols recused himself.

**2009-0027** Dr. Magnuson moved and Ms. Davidson seconded that the Board issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order in which the Licensee would agree to be reprimanded and pay a \$1,000.00 civil penalty. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

**2008-0297** 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; that a dental justification is documented prior to providing treatment; and that all treatment that is provided is documented in the patient records. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

**2009-0055** Dr. Parker moved and Dr. Magnuson seconded that the Board issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order in which the Licensee would agree to be reprimanded and attend at least eight hours of Board approved hands-on continuing education in crown and bridge to be completed within one year of the effective date of the Order. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

#### **PREVIOUS CASES REQUIRING BOARD ACTION**

**2007-0109** Dr. Hongo moved and Dr. Nichols seconded the Board move to issue a Notice of Proposed Disciplinary Action. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

**2009-0042** Dr. Grant moved and Dr. Nichols seconded that the Board move to accept the retirement of Licensee's license and issue an Order of Dismissal dismissing the Notice of Proposed Disciplinary Action, dated 1/5/09. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

**2008-0258** Dr. Nichols moved and Dr. Magnuson seconded the Board close the matter and take no further action at this time. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

**2007-0073** Mr. Smyth moved and Dr. Hongo seconded that the Board move to remove Licensee from the Board's Voluntary Diversion Monitoring Program; issue a Notice of Proposed License Suspension; offer Licensee an Interim Consent Order by which Licensee would agree not to practice dental hygiene, pending further order of the Board; agree to undergo a substance abuse assessment by a Board approved entity and fully engage in Board approved recommended treatment(s), prior to reinstatement of Licensee's dental hygiene license. The motion passed with Ms. Mason, Mr. Smyth,

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

**2008-0220** Dr. Magnuson moved and Mr. Smyth seconded the Board move to accept Licensee's offer of an Amended Consent Order, by which Licensee resigns their Oregon dental license in lieu of further disciplinary action, and agrees not to reapply for an Oregon dental license in the future. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

**2007-0277** Ms. Davidson moved and Dr. Nichols seconded that the Board move to issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order incorporating a reprimand; \$475.00 restitution in the form of a cashier's, bank, or official check made payable to the patient and delivered to the Board offices within 30 days of the effective date of the Order, per standard Board protocol; Licensee shall pay a \$2,000.00 civil penalty in the form of a cashier's, bank, or official check, made payable to the Oregon Board of Dentistry and delivered to the Board offices within 60 days of the effective date of the Order; and Licensee shall successfully complete a Board pre-approved, continuing education course in the area of record keeping within 6 months of the effective date of this Order, unless the Board grants an extension and advises the Licensee in writing. This ordered continuing education is in addition to the continuing education required for the licensure period April 1, 2009 to March 31, 2011. As soon as possible after completion of a Board ordered course, Licensee shall submit documentation to the Board verifying completion of the course. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

## **LICENSURE AND EXAMINATION**

### **Waiver of Volunteer Hours**

Dr. James Fratzke asked the Board for a waiver of the required volunteer hours for his Volunteer Dental License due to medical issues. Dr. Hongo moved and Dr. Magnuson seconded that the Board grant Dr. Fratzke a one year extension to complete his 40 hours of volunteer work. The motion passed with Ms. Mason, Mr. Smyth, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson, Dr. Parker and Dr. Hongo voting aye.

### **Reinstatement of License**

Dr. Jack Dunham, Jr. is requesting to have his Oregon Dental License # D4322 reinstated. Dr. Magnuson moved and Mr. Smyth seconded that the Board reinstate Dr. Dunham's Oregon Dental License. The motion passed with Ms. Mason, Mr. Smyth, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye. Dr. Nichols and Dr. Hongo were opposed.

### **Specialty Examination**

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

### **Ratification of Licenses Issued**

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

### Dental Hygienists

H5561	MERRYLOU S KEYES, R.D.H.	1/23/2009
H5562	ROSLYN M GALE, R.D.H.	2/4/2009
H5563	SUSAN L SPRAGUE, R.D.H.	2/23/2009
H5564	YOLANDA M CABRERA, R.D.H.	2/23/2009
H5565	JO ANNE M MAURER, R.D.H.	3/2/2009
H5566	MARY E HAZEN, R.D.H.	3/2/2009

### Dentists

D9235	LARRY J WOGMAN, D.D.S.	1/23/2009
D9236	RAYMOND L FRYE, D.M.D.	1/23/2009
D9237	THOMAS C MUELLER, D.M.D.	1/29/2009
D9238	JEFFREY M THAYER, D.M.D.	1/28/2009
D9239	KARL E SCHNECK, D.D.S.	2/23/2009
D9240	MATTHEW B SHULDBERG, D.M.D.	2/23/2009
D9241	ZACHARY E PERRY, D.M.D.	2/25/2009
D9242	CORNELIUS J GEHRED, D.D.S.	3/2/2009
D9243	JESSICA G COHEN, D.D.S.	3/2/2009
D9244	ROBERT C GAREY, D.M.D.	3/2/2009
D9245	JAMES B BARNUM, D.M.D.	3/3/2009

### Announcement

No announcements

### ADJOURNMENT

The meeting was adjourned at 11:57 a.m. Dr. Huddleston stated that the next Board meeting would take place May 15, 2009.

Approved by the Board May 15, 2009.

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