

These Minutes have been amended as of
August 15, 2008

The amended section appears in read italics.

**OREGON BOARD OF DENTISTRY
MINUTES
September 14, 2007**

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
Patricia A. Parker, D.M.D

STAFF PRESENT: Patrick D. Braatz, Executive Director
Paul Kleinstub, D.D.S., M.S., Dental Director/Chief Investigator
(portion of meeting)
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: Gary Allen, D.M.D., Willamette Dental Group; Lisa Rowley, R.D.H., Pacific University; Vaughn Tidwell, D.M.D, Pacific University; Beryl Fletcher, ODA; Rickland Asai, D.M.D., ODA; Vickie Woodward, R.D.H., ODHA; Paul Cosgrove, ODHA; Lori Johnson, R.D.H., ODHA; Tana Spencer, R.D.H.

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 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.

OPEN SESSION: The Board returned to Open Session.

LICENSING ISSUES

2008-0041 Dr. Short moved and Dr. Magnuson seconded to issue a Notice of Immediate Emergency License Suspension effective 9/14/2007. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson, and Dr. Parker voting aye.

NEW BUSINESS

MINUTES

Ms. Mason moved and Dr. Huddleston seconded that the Minutes of the July 13, 2007 Board meeting be approved as amended. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson, and Dr. Parker voting aye.

ASSOCIATION REPORTS

Oregon Dental Association

Beryl Fletcher introduced Dr. Rickland Asai, the new ODA Liaison to the Board.

Oregon Dental Hygienists' Association

The ODHA had nothing to report.

Oregon Dental Assistants Association

No one from ODAA was present.

COMMITTEE AND LIAISON REPORTS

WREB Liaison Report

Dr. Short stated that he included for the Board's review a letter from William Woods and Linda Paul announcing that Beth Cole will be the new executive director of WREB. Dr. Short also passed around a note from William Woods regarding his opinion, taken from the American Student Dental Association News, about why board exams are needed. Dr. Short stated that the one comment that stood out was the reality that not all graduates are competent to practice.

Dr. Short also reminded the Board that WREB has started its Patient Assessment and Treatment Plan Portion of the Exam which will be added in 2008. Dr. Short stated that he felt this is a very good addition to the exam. He also took the opportunity to remind everyone that WREB was still in search of Dental Examiners. Mr. Braatz stated that due to Senate Bill 10, public officials cannot accept honorariums, and that we need to ask WREB to change how they state expense reimbursements for examiners.

ADEX Liaison Report

Dr. Short stated that the 2nd ADEX House of Representatives meeting was held in Orlando, Florida on June 17. Highlights included the Nevada Legislature voting to accept the ADEX exam and that the Nevada Board would soon be joining ADEX. Officers elected were Scott Houfek, President; Guy Shampaien, Vice-President; Bruce Barrette, (WI), Secretary; and Frank Maggio (IL), Treasurer.

ADEX also changed their fiscal year from the calendar year to the fiscal year and also moved a few districts. Missouri was moved from District 4 to 3 and New Hampshire and Rhode Island from District 10 to 9 to try and better balance the population.

Dr. Short stated that a rule was passed that allowed each member board one vote to cast in all matters submitted for a vote of members. The vote may be cast by a dentist representative or the executive director designated by the member board provided that the dentist representative shall be or have been an active member of that Board. Dr. Short stated that this will allow for more Board representation at these meetings.

Dr. Short stated that ADEX needs a consultant to the Exam Committee and suggested it be an appropriate thing to do. The Board recommended that Dr. Short's name be forwarded as our consultant to the ADEX Exam Committee.

AADE Liaison Report

Dr. Short stated that the AADE had released an unprofessional conduct sheet regarding sexual boundary violation. Mr. Braatz added that the AADE was looking for comments from State Boards and that although Oregon has its own rule regarding unprofessional conduct and sexual boundary violation, many states may not and that this sheet would be used by them as a template for the creation of their own rule.

Western Conferences

Dr. Short passed around the meeting agenda for the Western Conferences. He stated that the meeting follows the summer WREB Board of Directors meeting and Exam Review Committee meetings and is a collaboration between WREB and the Dental School Deans.

Dr. Short stated that he was elected as vice president of Western Conferences last year and is currently the president elect and will be president for year 2009.

Committee Meeting

Dr. Short moved and Ms. Mason seconded that the Board send OAR 818-012-0030(8)(b) Unprofessional Conduct to Rules Hearing. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

Dr. Short moved and Ms. Mason seconded that the Board send OAR 818-021-0060(3)(b) and (d) Continuing Education – Dental and OAR 818-021-0070 (3)(b) and (d), Continuing Education- Dental Hygiene to Rules Hearing. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

Dr. Short moved and Ms. Mason seconded that the Board send OAR 818-035-0030 Additional Functions of Dental Hygienists to Rules Hearing. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson, and Dr. Parker voting aye.

Dr. Short moved and Ms. Mason seconded that the Board send OAR 818-035-0040 Expanded Functions of Dental Hygienists to Rules Hearing. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson, and Dr. Parker voting aye.

Dr. Short moved and Ms. Mason seconded that the Board send the amendment to Limited Access Permits, OAR 818-035-0065, deleting (4) and (5), to Rules Hearing. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson, and Dr. Parker voting aye.

Dr. Short moved and Ms. Mason seconded that the Board send OAR 818-042-0040(21) Prohibited Acts to Rules Hearing. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson, and Dr. Parker voting aye.

Dr. Short moved and Ms. Mason seconded that the Board move 818-042-0060(2)(a) Certification - Radiological Proficiency to Rules Hearing. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson, and Dr. Parker voting aye.

Committee Meeting Dates

Mr. Braatz announced that a Rulemaking Hearing is scheduled for November 8, 2007.

EXECUTIVE DIRECTOR'S REPORT

Budget Status Report

Mr. Braatz included the budget report for the 2005-2007 Biennium. This report, which is from July 1, 2005 through June 30, 2007, shows revenue of \$1,765,418.57 and expenditures of \$1,647,765.64. Mr. Braatz stated that the budget for the 2005-2007 Biennium should close in September and that we would have the final figures for the Biennium at that time.

Summary of Agency Head Financial Transactions

Mr. Braatz stated that Board Policy required that at least annually, the entire Board review agency head financial transactions and that acceptance of that report must be placed in the Minutes. The Board reviews and approves this report which follows the close of the recent fiscal year. Mr. Braatz stated that he would be happy to answer any questions the Board may have.

Dr. Huddleston moved and Dr. Nichols seconded that the Board approve the Agency Head Financial Transactions Summary. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson, and Dr. Parker voting aye.

Customer Service Survey

Mr. Braatz included the latest chart showing the OBD State Legislatively Mandated Customer Service Survey Results from July 1, 2007 through August 31, 2007. The results show that the OBD continues to receive positive comments from the majority of those that return the surveys. Mr. Braatz stated that a book of all comments sent in with the surveys is available for review.

Board and Staff Speaking Engagements

Tuesday, July 17, 2007 – Mr. Braatz gave a presentation to the Portland Chapter of the Oregon Dental Executives Association (ODEA) at the ODA office. There were approximately 25 in attendance including dentists and members of the ODEA.

Wednesday, August 15, 2007 – Mr. Braatz gave a presentation to the Bend Chapter of the Oregon Dental Executives Association. There were approximately 16 in attendance including dentists and members of the ODEA.

Board Strategic Planning Meeting

Mr. Braatz stated that he was still working on finalizing the agenda for the OBD Strategic Planning Session which will take place October 19-20. It will be mailed with the agenda book at the beginning of October and will have all of the background information for the meeting. He asked that if Board members had items that they would like to see on the agenda, to please get those to him as soon as possible. Mr. Braatz stated that the meal selections he was handing out would need to be returned by September 28, 2007.

Board Consultant

Mr. Braatz took a moment to announce that the OBD had a new consultant and introduced Andrew Moschogianis, D.D.S. Dr. Moschogianis stated that he's been licensed since 1976 and for 31 years has worked with Kaiser Permanente to help create what has become the Kaiser Permanente Dental program today. Dr. Moschogianis currently works for the Accreditation Association of Ambulatory Health Care as a surveyor and has for the last 12 years and is also involved in Indian Health, Public Health, Occupational Health and College Health.

Board Policy Repeal/Adoption

Mr. Braatz stated that DAS notified us that we need to repeal the current OBD Policy 834-413-008 Discrimination and Harassment Free Workplace and adopt a new policy reflecting the statewide

policy that covers this issue.

Dr. Short moved and Dr. Nichols seconded that the Board repeal 834-413-008 and adopt the statewide policy in its place. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson, and Dr. Parker voting aye.

Senate Bill 337 Chapter 803 (2007 Laws)

Mr. Braatz wanted to keep the Board posted that the OBD is beginning to work on the implementation of Senate Bill 337 Chapter 803 (2007 Laws). This new legislation will require the OBD to develop an additional page on our Web site for information that will be available to the public regarding certain malpractice actions that are filed in a court of law and result in a financial settlement. It was also required that the OBD keep track of all Malpractice Actions and, when or if asked, the OBD would have to make that information available to the public.

Oregon Health Forum

Mr. Braatz stated that the Oregon Health Forum will be holding a breakfast forum regarding a look at oral health issues in Oregon. When asked why no one from the OBD had been invited, Mr. Braatz was told that the people the Oregon Health Forum had contacted regarding who should participate, never suggested that the OBD be invited to participate, and that the people who were selected could surely answer any and all policy and rules questions regarding the Oregon Dental Practice Act. Mr. Braatz stated the he and Dr. Kleinstub would be attending and encouraged any Board members who are interested to notify him so that he can make the proper arrangements.

Newsletter

Mr. Braatz stated that the Board should start submitting articles now for the fall newsletter.

UNFINISHED BUSINESS

CORRESPONDENCE

The Board received a letter from Raj. V. Angolkar, D.D.S, M.D.S

Dr. Angolkar is asking the Board to reconsider the rules for foreign trained dentists allowing for a predoctoral or postdoctoral dental education program. The Board instructed Mr. Braatz to inform Dr. Angolkar that they would discuss the options of changing the foreign trained dentist licensing requirements at the upcoming strategic planning session.

The Board received a letter from Lydia Lissman, Deputy Administrator – PEBB

Ms. Lissman responded to Mr. Braatz's request for the "scientific evidence" that was the basis for the PEBB 2008 Dental Plan Changes. Mr. Braatz included this for the Board to review as many questions had been brought up regarding it.

The Board received a letter from Jean Connor, R.D.H., President – ADHA

Ms. Connor is asking the Board for comments regarding the enclosed draft of the *Standards for Clinical Dental Hygiene Practice*.

The Board received a letter from Jean Connor, R.D.H., President - ADHA

Ms. Connor is asking the Board for comments regarding the enclosed draft of the *Competencies for the Advanced Dental Hygiene Practitioner*.

The Board received a letter from Lisa J. Rowley, R.D.H., M.S., Program Director- Pacific University

Ms. Rowley stated that Pacific University would like to provide an 80 hour remediation program for a

hygienist who's failed the WREB exam three times and would be required to take an 80 hour remediation course. They are also interested in offering a clinical refresher course to future candidates who may need it. Pacific University would like the Board to review the course to see if this type of program is within compliance of the law. Dr. Short moved and Ms. Mason seconded that the curriculum presented by Pacific University was acceptable as a clinical refresher course and that it was compliant with the law. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

OTHER BUSINESS

Articles and News of Interest (no action necessary)

- State Legislative Report, August 2007
- State Legislative Report, September 2007
- Tennessee Board of Dentistry Newsletter, Vol. 7, No. 1
- Oregon Board of Medical Examiners, Vol. 119, No. 3, Late Spring 2007
- The Southern Examiner, Vol. 6, Issue 2, Summer 2007
- Arizona State Board of Dental Examiners, September 2007

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 or requests in case numbers **2005-0077, and 2007-0315.**

OPEN SESSION: The Board returned to Open Session.

LICENSING ISSUES

2007-0315 Dr. Short moved and Dr. Grant seconded that the Board issue a Notice of Proposed Denial of Application for Licensure. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2007-0312 Dr. Huddleston moved and Dr. Nichols seconded that the Board issue a Notice of Proposed Denial of Application for Licensure. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

CONSENT AGENDA

2008-0014, 2007-0325, 2007-0318, 2007-0321, 2008-0005, 2007-0320, 2008-0016, 2008-0001 and 2008-0021 Dr. Nichols moved and Dr. Magnuson 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, Ms. Davidson and Dr. Parker voting aye.

COMPLETED CASES

2007-0013, 2007-0227, 2007-0162, 2007-0302, 2007-0269, 2007-0263, 2006-0128, 2007-0278, 2007-0242, 2007-0009, 2007-0251, 2007-0289, 2007-0311, 2007-0277, 2007-0287, 2007-0324, and

2007-0307 Dr. Nichols 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 Board recommendations. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2007-0249 Ms. Mason moved and Ms. Davidson seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that patient billings accurately reflect the treatment that was provided, that EFDA assistants polish teeth only after an examination by a Licensee, and that treatment notes accurately document the treatment that was provided. The motion passed with Dr. Huddleston, Dr. Short, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye. Dr. Nichols voted no.

2007-0214 Dr. Magnuson moved and Dr. Parker seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that any advertisements placed on the Licensee's behalf 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, Ms. Davidson and Dr. Parker voting aye.

2007-0284 Dr. Parker moved and Dr. Magnuson 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, and that prior to providing treatment, a dental justification is documented in the patient records. The motion passed with Dr. Huddleston, Dr. Short, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye. Dr. Nichols voted no.

2007-0319 Ms. Davidson moved and Dr. Grant seconded that the Board close the matter with a Letter of Concern that reminds the Licensee it is their responsibility to assure that advertisements placed by them comply with the Oregon Dental Practice Act and that advertising sales persons may be held civilly libel for any copy not specifically authorized by the Licensee. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2007-0265 Dr. Nichols moved and Dr. Magnuson seconded that the Board close the matter with a Letter of Concern to the Respondent addressing the issue of ensuring that appropriate licensure and permits are obtained prior to practicing dentistry in the State of Oregon, and that for the Licensee who authorized the Respondent's unlicensed practice, 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 civil penalty in the amount of \$6,000.00. Said penalty will be stayed provided the Licensee presents to the Board within one year a workable plan to legally manage the issue of foreign licensed dentists as faculty and to provide a plan to allow post-graduate dentists dental experiences prior to licensure, with progress reports presented to the Board every three months. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye. Ms. Mason recused herself.

2007-0240 Dr. Grant moved and Dr. Huddleston seconded that the Board close the matter with a strongly worded 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 and that a dental justification is documented when providing treatment. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2008-0013 Dr. Huddleston moved and Ms. Mason seconded that the Board accept the Interim Consent Order and endorse it as a Board action. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2007-0209 Ms. Mason moved and Dr. Magnuson seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that the Board's continuing education requirements for re-licensure are met in a timely manner. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2007-0239 Dr. Magnuson moved and Dr. Parker seconded that the Board for Respondent #1, close the matter with a Letter of Concern addressing the issue of ensuring that when dental caries is evident on radiographs, every effort is made to diagnose the pathology; and that when treatment is provided, a dental justification is documented in the patient records; for Respondent #2, close the matter with a finding of No Violation of the Dental Practice Act. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2007-0248 Dr. Parker moved and Ms. Mason seconded that the Board close the matter with a strongly worded Letter of Concern addressing the issue that every effort is made to ensure that adjacent teeth are not marred while preparing teeth for crowns. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2007-0150 Ms. Davidson moved and Ms. Mason 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 complete at least 25 hours of continuing education in hands-on operative dentistry to be completed within one year of the effective date of the Order and to also assess a civil penalty of \$2,500.00. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2007-0264 Dr. Huddleston 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 complete the 40 hour continuing education requirement for the 2005-2007 licensing period within six months of the effective date of the Order. The motion passed with Dr. Huddleston, Dr. Short, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye. Dr. Nichols voted no.

2007-0207 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 \$22,500.00 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 9 months of the effective date of the Order. Further, it is recommended that the Oregon Board of Dentistry notify the Board of Denture Technology with regard to the alleged role of their Licensee. The motion passed with Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye. Dr. Huddleston recused himself.

2007-0292 Dr. Magnuson moved and Dr. Parker 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 and that a dental justification is documented prior to providing treatment. The motion passed with Dr. Huddleston, Dr.

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

2007-0255 Dr. Parker moved and Dr. Magnuson seconded that the Board close the matter with a strongly worded Letter of Concern addressing the issue of ensuring that all persons under the Licensee's supervision have the appropriate permits or certifications when providing treatment. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2007-0310 Ms. Davidson 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 would agree to be reprimanded and to attend the 40 hour Oregon Academy of General Dentistry participation course titled "Update in Endodontics" with the coursework completed within one year of the effective date of the Order. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2007-0296 Ms. Mason moved and Dr. Huddleston 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 take at least eight hours of continuing education pertaining to sensitivity training and harassment. The motion passed with Dr. Huddleston, Dr. Short, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye. Dr. Nichols voted no.

2007-0308 Dr. Short moved and Dr. Grant seconded that the Board close the matter with a strongly worded Letter of Concern addressing the issue of ensuring that Licensee does not allow any dental assistant under their supervision to administer or dispense any drug prohibited by the Board's rules. The motion passed with Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye. Dr. Huddleston voted no.

2007-0180 Dr. Grant moved and Dr. Nichols seconded that the Board send the Licensee another letter advising that if a response is not received on or before a specific date, the Licensee may be subjected to a combination of both suspension and fine; and to pre-authorize a suspension of the Licensee's license to practice dentistry in the state of Oregon until such time as the Licensee complies with the Board's investigation and a fine in the amount of \$5,000.00 for each day if the Licensee fails to provide the information requested by a specific date set by the Board. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2007-0297 Dr. Huddleston moved and Ms. Mason seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that when nitrous oxide is administered, pre-operative and post-operative vital signs are taken and documented, the amount and duration of sedation is 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, Ms. Davidson and Dr. Parker voting aye.

2007-0171 Ms. Mason moved and Dr. Magnuson seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that when an examination is done, treatment is provided, and a radiograph is taken, the treatment notes document the actions in the patient records and that medical history updates are documented in the patient records. The motion passed with Dr. Huddleston, Dr. Short, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye. Dr. Nichols voted no.

2007-0010, 2007-0044, 2007-0075 Dr. Magnuson moved and Ms. Mason 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 agrees to refund each patient the full amount each paid for the dentures fabricated by the Licensee; and further, the Licensee agrees to complete at least 40 hours of Board pre-approved continuing education hours in the area of complete removable prosthodontics within 180 days of the Consent Order. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2008-0008 Dr. Huddleston moved and Dr. Nichols seconded that the Board for Respondent #1 and Respondent #2 vote to close the matter with a strongly worded Letter of Concern addressing the issue of ensuring that appropriate licensure and permits are obtained prior to practicing dental hygiene in Oregon. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye. Ms. Mason recused herself.

2007-0252 Dr. Parker 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 or its equivalent is documented in the patient records, that a dental diagnosis is documented prior to providing treatment and prescribing medication, and that when medications are prescribed, dispensed, or administered the drug name and dosage are accurately documented in the patient record. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2007-0283 Ms. Davidson moved and Dr. Grant seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that the continuing education requirements for license renewal are completed in a timely manner. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2007-0286 Dr. Short moved and Dr. Grant seconded that the Board for Respondent #1, issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order in which the Licensee would agree to be reprimanded, to pay a civil penalty of \$5,000.00 per the standard protocols, to have the Licensee's license to practice dentistry suspended for 30 consecutive days, and to complete in the next 6 months the continuing education hours not completed for the 2005-2007 licensing period in addition to the 40 hours of continuing education required for the 2007-2009 licensing period; for Respondent #2, close the matter with a strongly worded Letter of Concern addressing the issue of ensuring that when working under the supervision of a dentist, the dentist has a current and active license to practice dentistry. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

PREVIOUS CASES REQUIRING BOARD ACTION

2002-0088 Dr. Grant moved and Dr. Nichols seconded the Board move to grant Licensee's request and issue an Order of Dismissal. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2007-0069 Dr. Parker moved and Dr. Magnuson seconded that the Board move to vacate the Order of Immediate Emergency License Suspension, dated 10/20/06, and reinstate the Licensee's dental license, providing the Licensee agrees to the terms of an Amended Consent Order incorporating a reprimand, probation, and enhanced Board protocols to support the Licensee's recovery and to protect the public. The motion passed with Dr. Huddleston, Dr. Short, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye. Dr. Nichols voted no.

2006-0082 Ms. Mason moved and Dr. Grant seconded that the Board accept the Consent Order proposed by the Licensee and close the matter. The motion passed with Dr. Huddleston, Dr. Short,

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

2002-0273 Dr. Magnuson moved and Dr. Nichols seconded that the Board grant the Licensee's request and offer the Licensee a Second Amended Consent Order incorporating a requirement that the Licensee only practice in a group practice for a period of five years, and complete 40 hours of community service within one year. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2006-0104 Dr. Parker moved and Dr. Nichols seconded that the Board vote to reject the Consent Order proposed by the Licensee and offer the Licensee a Consent Order in which the Licensee would agree to be reprimanded; surrender the Licensee's Oregon license to practice dentistry; and agree to never reapply, or apply for reinstatement of the Licensee's Oregon dental license. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2007-0107 Ms. Davidson 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 and assess a \$5,000.00 civil penalty. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

LICENSING ISSUES

Ratification of Licenses Issued

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

Dental Hygiene

H5238	MEGAN A MC KEEN, R.D.H.	7/6/2007
H5239	LACEY L GALLAHER, R.D.H.	7/6/2007
H5240	RHONDA J GIBLER, R.D.H.	7/11/2007
H5241	NICOLE A YOUNG, R.D.H.	7/12/2007
H5242	LISA K RICHARDS, R.D.H.	7/12/2007
H5243	CRISTY J FULSCHER, R.D.H.	7/12/2007
H5244	MELISSA A WARREN, R.D.H.	7/12/2007
H5245	SHARI L HINSHAW, R.D.H.	7/12/2007
H5246	ANDREA J RICTER, R.D.H.	7/16/2007
H5247	MICHELLE D GRIMMER, R.D.H.	7/17/2007
H5248	MINDY M RODE, R.D.H.	7/17/2007
H5249	KIMBERLY R WOOD, R.D.H.	7/17/2007
H5250	JESSICA D CODDINGTON, R.D.H.	7/18/2007
H5251	JODY L WOLF, R.D.H.	7/18/2007
H5252	ANGELA J KELLOGG, R.D.H.	7/18/2007
H5253	ILYA A BABIY, R.D.H.	7/18/2007
H5254	ROBIN A JOHNSON, R.D.H.	7/18/2007
H5255	KATIE N COTTET, R.D.H.	7/18/2007
H5256	ZONDRA L RUNBERG, R.D.H.	7/18/2007

H5257	KELLY A MOORE, R.D.H.	7/18/2007
H5258	TERESA M COOK, R.D.H.	7/18/2007
H5259	JULIE A LYON, R.D.H.	7/18/2007
H5260	TARAH L MC PHERSON, R.D.H.	7/18/2007
H5261	TERA M DUNBAR, R.D.H.	7/18/2007
H5262	MICHELLE S TURNER, R.D.H.	7/19/2007
H5263	MEGAN A SALAS, R.D.H.	7/19/2007
H5264	LAURI L ROBERTSON, R.D.H.	7/19/2007
H5265	AMY C HARRIS, R.D.H.	7/19/2007
H5266	JUDY M JEFFREY, R.D.H.	7/19/2007
H5267	HALEY E DEWAR, R.D.H.	7/19/2007
H5268	SUSAN M OOMMEN, R.D.H.	7/19/2007
H5269	LACEE L FLEMING, R.D.H.	7/23/2007
H5270	JESSICA L DOUGLASS, R.D.H.	7/25/2007
H5271	JAMIE M GREER, R.D.H.	7/25/2007
H5272	N. ELAINE LANCASTER, R.D.H.	7/25/2007
H5273	MIKE C KUNKEL, R.D.H.	7/25/2007
H5274	ANDREA M COBB, R.D.H.	7/25/2007
H5275	LAURA A SINN, R.D.H.	7/25/2007
H5276	BRIANA M NEET, R.D.H.	7/13/2007
H5277	AMANDA L CHANEY, R.D.H.	7/25/2007
H5278	MEHRAN BAHMANYAR, R.D.H.	7/25/2007
H5279	IMOGENE V CULLY, R.D.H.	7/25/2007
H5280	JAIME M DYMENT, R.D.H.	7/25/2007
H5281	MELISSA J VANCE, R.D.H.	7/25/2007
H5282	YAJING DE HAAN-HUANG, R.D.H.	7/25/2007
H5283	CATHY J WOOD, R.D.H.	7/27/2007
H5284	LOAN T PHAN, R.D.H.	7/27/2007
H5285	MARIA G ROGERS, R.D.H.	7/31/2007
H5286	MYSTIE D MUNSEY, R.D.H.	8/2/2007
H5287	CYNTHIA G JOHNSON, R.D.H.	8/2/2007
H5288	JESSICA C BROCANELLI, R.D.H.	8/2/2007
H5289	JULIA A SHERMAN, R.D.H.	8/2/2007
H5290	RACHEL S PRESLEY, R.D.H.	8/2/2007
H5291	RACHEL M CHASE, R.D.H.	8/2/2007
H5292	KIMBERLEY R WORKMAN, R.D.H.	8/7/2007
H5293	JAMIE M SMITH, R.D.H.	8/7/2007
H5294	DENNINE WALKER, R.D.H.	8/7/2007
H5295	MIRANDA R HOBERG, R.D.H.	8/7/2007
H5296	NICOLE R LEE, R.D.H.	8/7/2007
H5297	EMILEE A SUESS, R.D.H.	8/7/2007
H5298	CYNTHIA L SCOTT, R.D.H.	8/8/2007
H5299	ANGEL M HANSON, R.D.H.	8/13/2007
H5300	ANGELA M REEDS, R.D.H.	8/13/2007
H5301	SHARMAN K ANDERSON, R.D.H.	8/13/2007
H5302	AMBER R MC COOG, R.D.H.	8/13/2007
H5303	PAIGE C MENDEZ, R.D.H.	8/14/2007
H5304	REHANNA M TALANIAN, R.D.H.	8/14/2007
H5305	LINSEY L GROSSMAN, R.D.H.	8/14/2007
H5306	ERIKA E KRONENBERG, R.D.H.	8/17/2007
H5307	ELAINE M O'BRIEN, R.D.H.	8/23/2007
H5308	CASSIE V MC CRAW, R.D.H.	8/23/2007

H5309	JENNIFER M KING, R.D.H.	8/23/2007
H5310	DOMINIQUE S BRYANT, R.D.H.	8/23/2007
H5311	DESTINI R MILLER, R.D.H.	8/23/2007
H5312	AMELIA R MITCHELL, R.D.H.	8/23/2007
H5313	TAMMY A GAYLORD-KNIGHT, R.D.H.	8/29/2007
H5314	AMY S HENDERSON, R.D.H.	8/29/2007
H5315	LESLIE W CLARK, R.D.H.	8/29/2007
H5316	JANELL I HALL, R.D.H.	9/5/2007

Dentists

D8944	BRADLEY D WILTBANK, D.M.D.	7/6/2007
D8945	BRUCE A SELLERS, D.M.D.	7/11/2007
D8946	KEVIN R MUDROW, D.D.S.	7/11/2007
D8947	NATHAN M TANNER, D.M.D.	7/11/2007
D8948	SCOTT T HENSON, D.D.S.	7/11/2007
D8949	ROGER H WEST, D.D.S.	7/12/2007
D8950	ANASTACIA M HUNTON, D.M.D.	7/12/2007
D8951	SCOTT S HOWE, D.M.D.	7/16/2007
D8952	JORDAN D YOUNG, D.M.D.	7/17/2007
D8953	BRIAN G CHAN, D.M.D.	7/17/2007
D8954	ERIN M LANGE, D.M.D.	7/18/2007
D8955	IVAN P PASKALEV, D.M.D.	7/18/2007
D8956	HIU TONG MARIA LEI, D.D.S.	7/18/2007
D8957	BENJAMIN D CROCKETT, D.D.S.	7/19/2007
D8958	HYO YOUNG LEE, D.M.D.	7/19/2007
D8959	VAN A HAN, D.M.D.	7/19/2007
D8960	MICHAEL P MINOR, D.M.D.	7/19/2007
D8961	LEMOND C HUNTER, D.M.D.	7/19/2007
D8962	CAITLIN C HAN, D.M.D.	7/19/2007
D8963	KENNETH S CORY, D.M.D.	7/19/2007
D8964	AARON M DAVIS, D.M.D.	7/23/2007
D8965	KIRILL A SMIRNOFF, D.M.D.	7/25/2007
D8966	OWEN L ATKIN, D.M.D.	7/25/2007
D8967	RYAN T CROWLEY, D.D.S.	7/25/2007
D8968	ALBERT T NGUYEN, D.D.S.	7/25/2007
D8969	RYAN B TIMM, D.M.D.	7/25/2007
D8970	MYRON T PENG, D.M.D.	7/25/2007
D8971	ROMAN A ALEXANDROFF, D.M.D.	7/27/2007
D8972	JOSHUA E SCHUYLER, D.M.D.	7/30/2007
D8973	DAVID R MORRISON, D.M.D.	7/30/2007
D8974	NIRVANA SHAHIDZADEH, D.M.D.	7/30/2007
D8975	CARL I WHEELER, D.M.D.	7/31/2007
D8976	MARK T FRETZ, D.D.S.	7/31/2007
D8977	ROSS P MITCHELL, D.M.D.	8/2/2007
D8978	ELISE R BURCH, D.M.D.	8/2/2007
D8979	JENNIFER L ELZINGA, D.M.D.	8/2/2007
D8980	JENNIFER B FRANKEL, D.M.D.	8/2/2007
D8981	MONICA L PETERSON, D.M.D.	8/2/2007
D8982	SCOTT W LYKE, D.M.D.	8/2/2007
D8983	LEIGH E AMMON, D.M.D.	8/2/2007

D8984	MATTHEW M SHEPPARD, D.M.D.	8/7/2007
D8985	R. JEREMY HAIDER, D.M.D.	8/7/2007
D8986	NICHOLAS M GRASVIK, D.M.D.	8/7/2007
D8987	ADAM B KOCHENDORFER, D.D.S.	8/7/2007
D8988	DEANNA L LEE, D.M.D.	8/7/2007
D8989	BRODY J HART, D.D.S.	8/7/2007
D8990	DENNIS M HUFFMAN, D.D.S.	8/7/2007
D8991	MATT M RAFIE, D.D.S.	8/7/2007
D8992	JASON I MARGOLIS, D.M.D.	8/7/2007
D8993	JEREMY R VISTICA, D.M.D.	8/13/2007
D8994	BLAIR J TUDOR, D.M.D.	8/13/2007
D8995	NOUSHIN SHAKIBA, D.M.D.	8/13/2007
D8996	NORMUND K AUZINS, D.D.S.	8/13/2007
D8997	STEVEN D PIKE, D.D.S.	8/14/2007
D8998	STEPHEN MCLEAN, D.M.D.	8/14/2007
D8999	MELIKA KASHKOULI, D.M.D.	8/14/2007
D9000	RALEIGH S PIOCH, D.D.S.	8/17/2007
D9001	BENNY DAMIAN, D.M.D.	8/17/2007
D9002	ADAM J EGGE, D.M.D.	8/17/2007
D9003	MEGHANN C KIDD, D.M.D.	8/17/2007
D9004	LUKE W GAMBEE, D.M.D.	8/17/2007
D9005	BENJAMIN E REESE, D.D.S.	8/22/2007
D9006	MOLLY M FRANCIS, D.M.D.	8/23/2007
D9007	JAMES R HEATH, D.D.S.	8/23/2007
D9008	DANIELLE M LARUE, D.M.D.	8/23/2007
D9009	GABRIEL J BIZEAU, D.M.D.	8/23/2007
D9010	JOSEPH M SEASE, D.M.D.	8/29/2007
D9011	KAREN B RICHARDS, D.M.D.	9/4/2007
D9012	AUSTIN PHOENIX, D.M.D.	9/4/2007
D9013	DANIEL J MADDEN, D.D.S.	9/4/2007
D9014	RYAN L HUNT, D.M.D.	9/4/2007

Request for Approval as Soft Reline Instructor

Shelly Huser, R.D.H., has submitted a request to be approved as a Soft Reline Instructor and submitted a course outline for the Board's review. Ms. Davidson moved and Dr. Grant seconded that the Board approve Ms. Huser's application as a soft reline instructor. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

Request for Extension to Complete CE

Fredric Bennion, D.M.D., submitted his request for an extension to complete his required continuing education due to extenuating circumstances. Dr. Parker moved and Dr. Short seconded that the Board grant Dr. Bennion the requested CE extension. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

Specialty Examination

Dr. Nichols moved and Ms. Mason seconded that the Board direct Mr. Braatz to write to the Oregon Academy of Pediatric Dentistry asking them to provide current information for the Board to review at its Strategic Planning Session in October. If the information is not provided by that time, the Board of Dentistry will halt any further Pediatric Exams until the information is received and reviewed. The motion passed with Mr. Smyth, Dr. Grant, Dr. Short, Ms. Mason, Dr. Huddleston, Dr. Magnuson, and

Ms. Davidson voting aye.

2007 Public Advocacy Educational Conference

Dr. Nichols moved and Ms. Mason seconded that the Board approve and authorize Mr. Braatz to participate in the 2007 Public Advocacy Educational Conference on Saturday, October 27, 2007 at the Hyatt Regency on Capitol Hill in Washington, D.C. Mr. Braatz will be giving a speech entitled "Mutual Recognition: One State's Issues and Legislative Experience." The motion passed with Mr. Smyth, Dr. Grant, Dr. Short, Ms. Mason, Dr. Huddleston, Dr. Magnuson, and Ms. Davidson voting aye.

Announcement

No announcements

ADJOURNMENT

The meeting was adjourned at 1 p.m. Mr. Smyth stated that the next Board meeting would take place November 9, 2007.

Approved by the Board November 9, 2007.

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

Amended by the Board August 15, 2008

_____/S/_____

Darren Huddleston, D.M.D
President