

**OREGON BOARD OF DENTISTRY
MINUTES
April 15, 2011**

MEMBERS PRESENT: Norman Magnuson, D.D.S., President
Mary Davidson, M.P.H., R.D.H., LAP, Vice-President
Rodney Nichols, D.M.D.
David Smyth, B.S., M.S.
Darren Huddleston, D.M.D.
Jill Mason, M.P.H., R.D.H.
Patricia Parker, D.M.D.
Jonna E. Hongo, D.M.D.
Brandon Schwindt, D.M.D.
Alton Harvey Sr.

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)
Michelle Lawrence, D.M.D., Consultant (portion of meeting)
Lisa Warwick, Office Specialist (portion of meeting)

ALSO PRESENT: Lori Lindley, Sr. Assistant Attorney General

VISITORS PRESENT: Lynn Ironside, R.D.H., ODHA; Lisa Rowley, R.D.H., Pacific University; Kurt Hansen, Attorney; Jill Price, D.M.D., ODA; Bobby Ghaheri, M.D., The Oregon Clinic; Ninette Lyon, RDA, CDA, EFDA, ODAA; Doug Matz, D.M.D., OAGD; Heidi Jo Grubbs, 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 4th Ave., Suite 770, Portland, Oregon.

NEW BUSINESS

MINUTES

Dr. Hongo moved and Ms. Mason seconded that the minutes of the February 11, 2011 Board meeting be approved as amended. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

ASSOCIATION REPORTS

Oregon Dental Association

The ODA asked the Board to consider the creation of a limited two-day Dental Permit which would allow currently licensed out-of-state dentists to work in Oregon on volunteer projects such as the Mission of Mercy (MOM). They also asked for consideration to allow junior and senior dental students under faculty supervision to aid in dental hygiene. Mr. Braatz stated that the creation of

a permit would require a statute change so it is not possible at this time, but if Dental faculty were present to supervise and check the work of the students, and OHSU designated MOM as a site, it would be allowed.

Oregon Dental Hygienists' Association

ODHA had nothing to report.

Oregon Dental Assistants Association

ODAA had nothing to report.

COMMITTEE AND LIAISON REPORTS

WREB Liaison Report

Dr. Magnuson stated that in January the WREB Board approved the governance so WREB will have a new look to it. WREB will have a Board of Directors and two other sub-boards, the Dental Exam Review Board and the Hygiene Exam Review Board. The exam review boards will focus on the exams while the Board of Directors work on the administrative tasks. Dr. Magnuson stated that he was asked to chair the Dental Exam Review Board, which he accepted, and that position also holds a seat on the Board of Directors. Dr. Magnuson also wanted to add that WREB conducted its first dental exam using electronic grading and it went very well. The dental hygiene exam has paved the way as it began using electronic grading last year. Dr. Magnuson stated that he believed it made for more efficient and better grading.

AADB Liaison Report

Dr. Parker stated that the Mid-Year Meeting was in Chicago, April 2-5, with a lot of interesting topics. Dr. Parker said it was impressive how many dental schools are being opened which is raising concerns about faculty availability, standards of education and over-saturating the profession. There were also presentations on CODA standards as well as an update on the ADA's initiatives resolution 11H-2010. Resolution 11H-2010 is the recognition of interest areas in general dentistry, providing criteria for what would be a general interest, which are basically areas of generally dentistry that are not recognized as a specialty. They adopted the criteria for recognition of general interest.

Dr. Parker added that although she didn't know the link offhand, if anyone wanted to view the various presentations, they were available on the AADB Web site. Dr. Parker also mentioned that Lisa Rowley, of Pacific University, gave a great presentation at AADB. There were many other presentations about the various pathways available for the dental hygiene therapist and it was interesting how many different models for hygiene therapy are currently out there; that it seems that every state is developing its own model.

ADEX Liaison Report

Mr. Braatz said there was nothing to report.

NERB Liaison Report

Dr. Hongo stated that although there was no news, she had been appointed to the NERB Examination Committee.

Rules Oversight Committee Meeting Report

Dr. Schwindt stated that the Rules Oversight Committee met on March 30 and discussed two main topics. The first was the application to practice as a specialist to change how specialty exams are described in our rules, the requirements of a chief examiner, and clarification of what

dental assistants are not allowed to do. The rules had excluded place or remove healing caps or healing abutments, or place implant impression copings. The Committee also added a course to the allowable PALS or ACLS, which is the ADA's course "Recognition and Management of Complications during Minimal and Moderate Sedation." They then moved to the major topic of advertising. Dr. Schwindt stated that Mr. Hanson was present at the Committee meeting and had some valid points regarding what is enforceable and what is not. Dr. Schwindt stated that his basic interpretation of the advertising situation is that the more you describe, the more you can't enforce. The idea of not misleading the public leaves more of a blanket option than being very specific, which leaves loopholes open consistently. They recommended removing many parts of the current advertising rules, mainly leaving designation of a specialist as a requirement, and the blanket statement that you can't mislead the public. These are the recommended changes.

Dr. Schwindt moved and Ms. Mason seconded that the recommended changes to OAR 818-042-0040 Prohibited Acts be moved to a public hearing. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

Dr. Schwindt moved and Dr. Nichols seconded that the recommended changes to OAR 818-015 be moved to a public hearing. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

Committee Meeting Dates

Nothing to report.

EXECUTIVE DIRECTOR'S REPORT

Budget Status Report

Mr. Braatz stated that attached was the latest budget reports for the 2009-2011 Biennium. He stated that this report, which is from July 1, 2009 through February 28, 2011, shows revenue of \$1,744,692.81 and expenditures of \$1,635,811.77 and that the Budget was performing as expected.

Customer Service Survey Report

Mr. Braatz attached a chart which shows the OBD State Legislatively Mandated Customer Service Survey Results from July 1, 2010 through February 28, 2011. The results of the survey show that the OBD continues to receive positive comments from the majority of those that return the surveys. Mr. Braatz added that a booklet containing the written comments from any survey forms, which staff has also reviewed, is available on the table for Board members to review.

Board and Staff Speaking Engagements

Monday, February 21, 2011 - Board member Jill Mason made a presentation to the Dental Hygiene students at the ODS College of Dental Sciences in La Grande.

Friday, March 4, 2011 - Board member Jill Mason made a presentation to the Dental Hygiene students at OIT in Klamath Falls.

Monday, March 8, 2011 - Licensing Manager Teresa Haynes and Mr. Braatz made a presentation to the Dental Hygiene students at the ODS College of Dental Sciences in La Grande.

Thursday, March 10, 2011 - Dental Director/Chief Investigator Dr. Paul Kleinstub made a

presentation to the Dental Hygiene students at Carrington College.

Wednesday, March 30, 2011 - Board member Mary Davidson made a presentation to the Dental Hygiene students at Pacific University.

Thursday, April 8, 2011 - Dental Director/Chief Investigator Dr. Paul Kleinstub and Mr. Braatz made two presentations at the ODC.

2011 – 2013 OBD Budget

Mr. Braatz stated that he just received an email that the OBD Budget work session is now being moved to April 26, 2011. The Budget hearing has already occurred and went well, although some senators were concerned about any large balances Boards might have because they are fearful that the legislature may sweep those funds. There were several questions regarding the fee increase for the HPSP program, although no real issues came of that subject. Mr. Braatz stated that he's aware that some Boards have been required to make additional cuts, including staffing, none of those things have been brought up for the Board of Dentistry, although our budget does have a 5.5% budget reduction in personal services and no inflation increase in supplies and services to the Board.

2011 Dental Renewal

Mr. Braatz stated that on January 17, 2011, 1,806 licensees were sent renewal postcards and as of March 31, 2011, 1,669 have renewed their licenses on-line. The process continues to become streamlined. There has been a drop in licenses renewed compared to past years.

Legislative Update

Mr. Braatz included for the Board's review the current bills that have been introduced that could have an impact on the OBD. He added that any bill that wasn't scheduled for a hearing by April 8 was not going to make it for this session.

NERB Appointments and Steering Committee Meeting

Mr. Braatz stated that OBD Board member Dr. Jonna Hongo has been appointed to the NERB Examination Committee and OBD Board member Mary Davidson has been appointed to the NERB Continuing Professional Development Committee. The NERB Steering Committee Meeting will be held June 24-25, 2011 in Washington, D.C. OBD Board members Drs. Hongo and Parker and Ms. Davidson will be attending this meeting. Mr. Braatz stated that he would also be attending and the Board would need to authorize him to attend. Mr. Braatz stated that NERB will reimburse the OBD for travel expenses involved with the meeting. Mr. Smyth moved and Dr. Nichols seconded that the Board approve Mr. Braatz's attendance at the NERB meeting. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

Newsletter

We are overdue on sending out the next Newsletter. Articles are always welcome. I have to accept responsibility for that; there have simply been too many issues to focus on and the Newsletter has been pushed aside. It is my hope to get it completed by May 1, 2011.

Semi-Independent Status

Mr. Braatz stated that a number of health boards are semi-independent. What semi-independent means is that Board members are still appointed by the Governor and confirmed by the Senate and the Boards are still considered state agencies. The difference is that semi-independent agencies do not go through the same budget process; we don't have to use the state contracted

travel agency which has fees; we can choose our own printing services; we are freed up to make some different choices in our services that would provide a cost savings to the Board. Mr. Braatz stated that some of the health boards had met with Rep. Hoyle on some of the things that came from Governor Kitzhaber's Cabinet Reset Commission and is very much for semi-independent status for some boards and commissions. Mr. Braatz stated the he thought something might appear in the 2012 Legislative Session regarding this change. Mr. Braatz stated that needed some indication from the Board as to their position on this subject, either in favor or opposed, as they are attempting to compile information to present to the Governor's Office regarding this matter. Mr. Braatz stated that he currently did not see a downside; it would let the Board function more like a small business, while maintaining compliance and legislative oversight. All personnel would still fall under the Human Resources Division of the state. In the past there were some issues regarding that matter but they have been resolved. Ms. Mason moved and Dr. Nichols seconded that the Board support the concept of becoming a semi-independent agency.

UNFINISHED BUSINESS

OAR 818-021-0017(3)(a) Dr. Nichols moved and Ms. Mason seconded that the Board adopt OAR 18-021-0017 as a temporary rule as published. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

OAR 818-026 Ms Mason moved and Dr. Hongo seconded that the Board adopt the changes to OAR 818-026 as a temporary rule as published. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

CORRESPONDENCE

The Board received a letter from Peter Lubisich IV, D.D.S., Past President, Oregon Academy of Pediatric Dentistry

Mr. Braatz stated that there was no action required as this matter has already been acted on by the Board and that it had been included for information only.

The Board received a letter from James Webb, Assistant Director, Oral Maxillofacial Surgery & Oral Maxillofacial Diagnostic Sciences, University of Florida.

The letter asked what the Board required in the way of certification for allowance of Teleradiology. Lori Lindley, Sr. AAG stated that although the Medical Board has rules regarding Teleradiology, she did not believe that the OBD needed to have any rules regarding this. The person should be certified or licensed in their own state obviously, but we still rely on the dentist or specialist in our state for their professional opinions in their diagnosis.

Academy of Laser Dentistry

Mr. Braatz stated that there was no action required. He included the packet for the Board to review for informational purposes.

OTHER BUSINESS

Presentation regarding Botox - Dr. Bobak Ghaheri, M.D.

Dr. Bobak Ghaheri made a presentation to the Board of Dentistry regarding the down sides of Botox. Dr. Ghaheri is a facial plastic surgeon and an ear nose and throat surgeon with the Oregon Clinic, as well as running Oregon Clinics Aesthetics Department. He stated that he does not believe that general dentists should be performing Botox of any sort, and that his view is not limited to dentists, but includes anyone who, under a medical license, is allowed to own a medical spa and run these clinics but don't have in-depth training. He stated the reason for this is that complications can arise from these treatments and it isn't fair to the patients involved.

Patients frequently do not do their homework. Dr. Ghaheri stated that although he acknowledges that a dentist's knowledge of perioral anatomy is far superior to his, he does not agree that it is for the rest of the face. There are significant variations that occur between patients based on race, age, skin thickness, medical conditions, facial musculature and so forth. His concern is that the two day courses that are aimed at dentists are only teaching you where to point and shoot and do not train you to analyze the face. He stated that when a professional doesn't analyze the face and does not have training to do so, that is when you end up with unhappy patients or even worse, complications.

Basically there is an underestimation of complications and skill needed. A majority of Botox is not injected around the mouth. The argument of "I do injections so I am qualified" doesn't work as morticians can do injections as well. Malpractice is a large problem as people who typically want Botox or dermal filler type treatments expect to get what they want, and they are highly litigious and can make life for the doctor and staff miserable. He also believes that this move toward more people providing Botox treatment, as well as other forms of dermal fillers, is being driven by the economy. He stated that no one went to dental school to rejuvenate older people's faces. He added that he felt the economy was making people try to find other ways to supplement their income and increase the bottom line, but when that becomes motivation to adopt a new practice or treatment, that can be an indicator of a problem. He asked the Board to keep in mind that the companies selling these medications or the companies providing training do not care about the dentists or about the patients, they care about the money.

The Board thanked Dr. Ghaheri for his time.

Election of Officers

President – Dr. Hongo nominated Mary Davidson as president and Dr. Nichols seconded. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

Vice President – Ms. Mason nominated Dr. Parker and Dr. Schwindt seconded. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

Articles and News of Interest (no action necessary)

- DANB – Actions Report
- State Legislative Report, March 2011

Recognition of Service

Dr. Magnuson presented a plaque to Dr. Nichols, on behalf of the entire Board, thanking him and in recognition for his eight years of Board service. Mr. Braatz echoed that Board staff felt the same way and wanted to extend a big thank you.

Ms. Davidson, on behalf of the entire Board, presented a plaque to Dr. Magnuson in recognition of his past year as president.

Mr. Braatz also added that the Board was recognizing Dr. Thomas Osterlind for his many years of dedication to the Board with his service on the Anesthesia Committee.

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 **2008-0256, 1995-0034, and 1997-0091.**

LICENSING ISSUES

OPEN SESSION: The Board returned to Open Session.

CONSENT AGENDA

2011-0133, 2011-0138, and 2011-0143 Ms. Davidson moved and Mr. Smyth seconded that the above referenced cases be closed with No Further Action per the staff recommendations. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

COMPLETED CASES

2009-0224, 2009-0063, 2010-0206, 2011-0122, 2011-0032, 2010-0176, 2010-0214, 2011-0110, 2010-0190, 2011-0029, 2010-0205, 2010-0226, 2010-0100, 2010-0164, 2010-0246, 2011-0150, 2011-0111, 2011-0028, 2011-0030, 2010-0209, 2011-0049, 2011-0020, 2010-0237, 2010-0113, 2010-0129 and 2010-0129 Ms. Davidson 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. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye. Dr. Magnuson recused himself from case 2010-0176. Dr. Huddleston recused himself from case 2011-0110 and 2010-0205. Dr. Schwindt recused himself from case 2011-0029. Dr. Parker recused herself from case 2010-0180.

2010-0204 Dr. Hongo moved and Dr. Nichols seconded that the Board for Respondent #1 close the matter with a finding of No Violation; for Respondent #2, close the matter with a Letter of Concern addressing the issue of ensuring that a preoperative radiograph is taken prior to treatment when there is no previous current radiograph of said tooth available. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye. Dr. Parker was opposed.

2010-0250 Mr. Smyth moved and Dr. Hongo seconded that the Board close the matter with a strongly worded Letter of Concern addressing the issue of ensuring that when medications are prescribed, a dental justification is documented and the dosages are documented; and when pathology is evident on radiographs, every effort is made to diagnose and document the pathology in the patient records. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2009-0187 Dr. Nichols moved and Dr. Hongo seconded that the Board issue a Letter of Concern reminding the Licensee that when documenting sedation, include documentation of ASA status and the appropriate vital signs for the level of sedation provided. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2011-0015 Dr. Parker moved and Ms. Davidson seconded that the Board vote to issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order in which the Licensee would agree to complete eight hours of continuing education in boundary issues concerning relationships between medical providers and patients and to complete three hours of continuing education in record keeping within six months of the effective date of the Order. The motion passed with Ms. Davidson, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye. Dr. Nichols was opposed.

2010-0029 Mr. Harvey moved and Dr. Schwindt 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 pay a civil penalty in the amount of \$1,000.00. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2011-0146 Dr. Huddleston moved and Ms. Davidson seconded that the Board approve the Respondent's request to retire the Licensee's license to practice dental hygiene effective immediately. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2010-0251 Dr. Hongo moved and Mr. Smyth 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 when pathology is evident on radiographs, the existence of the pathology is documented in the patient records. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2011-0156 Dr. Schwindt moved and Dr. Parker seconded that the Board move to issue a Notice of Proposed License Suspension. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2010-0179 Dr. Nichols moved and Dr. Hongo seconded that the Board close the matter with a strongly worded Letter of Concern addressing the issue of ensuring that when utilizing dental radiographs while doing a patient examination, the radiographs are the radiographs of the patient being examined. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2010-0157 Ms. Mason moved and Dr. Parker 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 make restitution to the patient (\$1,830.00), which is the amount the patient paid for the anterior veneers, and \$500.00 for the ZOOM whitening; as well as restitution for the #30 implant (\$1,475.00) and the implant supported crown (\$1,395.00) on the #30 implant. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2010-0127 Dr. Parker moved and Dr. Hongo seconded that the Board issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order incorporating a reprimand; complete a minimum of three hours of continuing education in a Board approved course in record keeping; complete a minimum of three hours of continuing education in a Board approved course on treating the medically compromised patient; and complete a minimum three hours of continuing education in a Board approved course in diagnosis and treatment planning; all to be completed within 12 months of the effective date of the Order. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye. Dr. Magnuson recused himself.

2010-0201 Mr. Smyth moved and Ms. Davidson seconded that the Board close the matter with a strongly worded Letter of Concern ensuring that the level of pathology justifies the treatment rendered. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2011-0013 Mr. Harvey moved and Dr. Nichols seconded that the Board issue a Notice of Proposed Disciplinary Action and offer a Consent Order incorporating a reprimand; Licensee shall pay a \$2,000.00 civil penalty within 30 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 one year of the effective date of this Order, per Board protocol. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye. Dr. Huddleston recused himself and Mr. Braatz excused himself from the discussion.

2011-0012 Dr. Huddleston moved and Dr. Hongo seconded that the Board issue a Notice of Proposed Disciplinary Action and offer a Consent Order incorporating a reprimand; pay \$1,600 restitution for the substandard denture; reimburse the patient \$519 in Oral-Maxillofacial surgeon's fees; and pay a \$10,000 civil penalty. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2010-0008 Dr. Hongo moved and Ms. Davidson seconded that the Board issue an Amended Notice of Proposed Disciplinary Action merging the allegations in this matter with the Notice of Proposed Disciplinary Action previously offered in case 2010-0014 and offer the Licensee a new Consent Order in which the Licensee would agree, in addition to the terms of the previous Consent Order in Case 2010-0014, to make restitution to the patient in this matter in the amount of \$4,275.00, the amount the patient paid for the implant and implant supported crown on tooth #30. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye. Dr. Parker recused herself.

2010-0253 Dr. Schwindt moved and Dr. Hongo 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, a diagnosis is documented in the patient records; that appropriate

diagnostic radiographs are obtained when patients present with obvious pathology; and that appropriate referrals are made on a timely basis. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye. Dr. Parker recused herself.

PREVIOUS CASES REQUIRING BOARD ACTION

2009-0117 Dr. Nichols moved and Ms. Mason seconded the Board move to rescind the Board's vote on December 17, 2010 to refer the case to hearing; withdraw the case from hearing; take No Further Action on the case before March 31, 2012, and accept the Licensee's proposal whereby the pending Second Amended Notice of Proposed Disciplinary Action, issued on March 15, 2011, remains pending. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2009-0165 Ms. Mason moved and Ms. Davidson seconded the Board move to close the matter with No Further Action and issue an Order of Dismissal dismissing the Notice of Proposed Disciplinary Action issued by the Board on December 7, 2009. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2005-0117 Dr. Parker moved and Mr. Smyth seconded the Board move to grant the Licensee's request for an extension to pay the civil penalty until nine months after the Licensee secures full time employment and notify the Licensee in writing without a need for another Amended Consent Order. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2007-0150 Mr. Smyth moved and Dr. Hongo seconded that the Board move to issue a Notice of Proposed License Suspension. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2011-0021 Mr. Harvey moved and Dr. Hongo seconded the Board move to affirm the Board's action on February 11, 2011 with respect to the Amended Notice of Proposed Disciplinary Action; rescind the Board's vote on February 11, 2011 with respect to the terms of the proffered Consent Order; and offer the Licensee a Consent Order incorporating a \$1,000 civil penalty. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2009-0273 Dr. Huddleston moved and Dr. Hongo seconded that the Board move to rescind the Board's vote of February 11, 2011, close the matter and take No Further Action. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2010-0264 Dr. Parker moved and Mr. Smyth seconded the Board move to deny the Licensee's request for dismissal of the Notice of Proposed Disciplinary Action and offer the Licensee a reworded Consent Order incorporating a reprimand and ten hours of community service to be completed within six months. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2010-0055 Dr. Schwindt moved and Dr. Hongo seconded the Board move to accept the Licensee's offer and offer the Licensee a Consent Order incorporating a reprimand and 40 hours of community service to be completed within 180 days of the effective date of the Order. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2010-0271 Dr. Nichols moved and Dr. Parker seconded that the Board move to close the matter with a Letter of Concern addressing the issue of ensuring that license renewals are completed in a timely manner and that the penalties for a subsequent violation would be a Consent Order incorporating a reprimand and a civil penalty of \$5,000; and issue an Order of Dismissal dismissing the Notice of Proposed Disciplinary Action issued by the Board on October 26, 2010. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye. Dr. Magnuson recused himself.

LICENSURE AND EXAMINATION

Ratification of Licenses Issued

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

Dental Hygiene

H5971	JEAN MARGARET GREGORY, R.D.H.	2/8/2011
H5972	DARCI EGGEN SUMMERLIN, R.D.H.	2/8/2011
H5973	KATHRYN POTTER BELL, R.D.H.	2/8/2011
H5974	SANDRA L BRIGGS, R.D.H.	2/8/2011
H5975	LAUREN ELAINE MC EOWEN, R.D.H.	2/10/2011
H5976	JENNIFER L HOWD, R.D.H.	2/10/2011
H5977	DANIEL HAHN, R.D.H.	2/10/2011
H5978	LENICE KAY WHITE, R.D.H.	3/2/2011
H5979	TASHA MICHELE FLEMING, R.D.H.	3/2/2011
H5980	SHANNON MICHELLE SCHRITTER, R.D.H.	3/2/2011
H5981	ANDREA STEFANSKI, R.D.H.	3/2/2011
H5982	NICOLE L LITTLEFIELD, R.D.H.	3/2/2011
H5983	JULIE MARIE VISSER, R.D.H.	3/2/2011
H5984	CAROLYN K SPOGEN, R.D.H.	3/2/2011
H5985	KERINA L ST. CLAIR, R.D.H.	3/2/2011
H5986	KALEIGH ZIVE, R.D.H.	3/2/2011
H5987	ERIKA LYNN DAVIS, R.D.H.	3/11/2011
H5988	THRESSA K FOGLEMAN, R.D.H.	3/11/2011
H5989	KANDY WADDELL SMITH, R.D.H.	3/11/2011
H5990	LOAN T NGUYEN, R.D.H.	3/18/2011
H5991	NICOLE MICHELLE LAZARA, R.D.H.	4/4/2011
H5992	CANDACE LA CEZAR BALBARAIS, R.D.H.	4/4/2011
H5993	JENNIFER K ERICKSON, R.D.H.	4/4/2011

Dentists

D9546	GREGORY DIETRICH GOESSMAN, D.D.S.	1/3/2011
D9547	DAVID A KELLER, D.D.S.	1/3/2011
D9550	JONATHAN N GOLD, D.M.D.	1/7/2011
D9551	SETH VERNON SENESTRARO, D.D.S.	1/20/2011
D9552	SHELLEY R ARONSON, D.D.S.	1/20/2011
D9553	YVETTE ELIZABETH ARANA, D.D.S.	1/21/2011
D9554	JACKSON R BOOTH, D.D.S.	2/2/2011
D9555	KYLE LEON MILLER, D.M.D.	2/2/2011
D9556	THERESA J LINDQUIST, D.M.D.	2/8/2011
D9557	LYLE G MCCLELLAN, D.D.S.	2/10/2011
D9558	HIM YENG PRISCILLA MONG, D.M.D.	2/10/2011
D9559	MEGAN DESROCHERS CAMP, D.D.S.	2/10/2011
D9560	ROBERT R HARMEN, D.D.S.	2/14/2011
D9561	MATTHEW RYAN KATHAN, D.D.S.	3/11/2011
D9562	GARY WARD COOPER, D.D.S.	3/14/2011
D9563	KIRK L CHRISTIANSON, D.M.D.	4/1/2011
D9564	RYAN NEIL WILSON, D.D.S.	4/4/2011
D9565	BEHNAM FAKHRAVAR, D.M.D.	4/4/2011

Request for Dental Assistant Instructor Certificate – James Ridley, D.D.S.

Ms. Mason moved and Dr. Hongo seconded that the Board approve Dr. Ridley's application as a radiology instructor. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

Request for Reinstatement – Jacque J. A. Dodds, R.D.H.

Dr. Parker moved and Ms. Davidson seconded that the Board reinstate the dental hygiene license for Jacque J.A. Dodds, R.D.H. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

Request for Reinstatement – Stephanie L. Bratton, R.D.H.

Mr. Smyth moved and Ms. Mason seconded that the Board reinstate the dental hygiene license of Stephanie L. Bratton, R.D.H. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

Specialty Examination Prashant Gagneja

Ms. Mason moved and Dr. Nichols seconded that the Board direct Dr. Gagneja to take all parts of the NERB specialty examination. The motion passed with Ms. Davidson, Dr. Nichols, Mr. Smyth, Dr. Huddleston, Ms. Mason, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

Announcement

No announcements.

ADJOURNMENT

The meeting was adjourned at 1:35 p.m. Dr. Magnuson stated that the next Board meeting would take place June 17, 2011.

Approved by the Board June 17, 2011.

_____/S/_____
David Smyth, Acting President
President