

**OREGON BOARD OF DENTISTRY
MINUTES
APRIL 22, 2022**

MEMBERS PRESENT: Alicia Riedman, R.D.H., President
Jose Javier, D.D.S., Vice President
Reza Sharifi, D.M.D.
Amy B Fine, D.M.D.
Jennifer Brixey
Sheena Kansal, D.D.S.
Gary Underhill, D.M.D
Yadira Martinez, R.D.H.
Chip Dunn
Aarati Kalluri, D.D.S.

STAFF PRESENT: Stephen Prisby, Executive Director
Winthrop “Bernie” Carter, D.D.S., Dental Director/ Chief Investigator
Angela Smorra, D.M.D., Dental Investigator
Haley Robinson, Office Manager (portion of meeting)
Shane Rubio, Investigator (portion of meeting)
Samantha VandeBerg, Examination and Licensing Manager (portion of meeting)
Ingrid Nye, Investigator (portion of the meeting)
Kathleen McNeal, Office Specialist

ALSO PRESENT: Lori Lindley, Sr. Assistant Attorney General

VISITORS PRESENT VIA TELECONFERENCE*: Mary Harrison, ODAA; Amy Coplen, Pacific University
Jen Lewis-Goff, Oregon Dental Association (ODA); Mary Harrison, Oregon Dental Assistants Association (ODAA); Teresa Haynes, Richael Cobler – CRDTS, Rod Hill, D.D.S. – CRDTS, Kari Kuntzelman, Shannon English, Mark Shoenbaum, Laura Brannon, Tom Holt, D.D.S., Kate Marcus, Katy Adishian, Sabrina Riggs, Kelle Adamek-Little, Emily Coates, Miranda Davis, D.D.S., Sharity Ludwig, R.D.H., Mary Wren, Lisa Rowley, R.D.H., Oregon Dental Hygienists’ Association,

*This list is not exhaustive, as it was not possible to verify all participants on the teleconference.

Call to Order: The meeting was called to order by the President at 8:00 a.m. at the Board office; 1500 SW 1st Ave., Suite 770, Portland, Oregon.

President Alicia Riedman, R.D.H., welcomed everyone to the meeting and had the Board Members, Lori Lindley, and Stephen Prisby introduce themselves.

NEW BUSINESS

Approval of Minutes

Dr. Fine moved and Ms. Martinez seconded that the Board approve the minutes from the March 30, 2022 Board Meeting as presented. The motion passed unanimously.

ASSOCIATION REPORTS

Oregon Dental Association (ODA)

Jen Lewis-Goff called in to report on the Oregon Dental Conference which took place April 7-9. The ODA is working with partners to address the staffing challenges in the state. The ODA is collaborating with partners to provide funding for dental assistant scholarships.

Oregon Dental Hygienists' Association (ODHA)

Lisa Rowley called in to to state there was nothing to report.

Oregon Dental Assistants Association (ODAA)

Mary Harrison stated that she was happy have had DANB at the Oregon Dental Conference. The ODAA is working with DANB to update some of the dental assisting exams. The ODAA hopes to alleviate the problem of too few dental assistants in the state.

COMMITTEE AND LIAISON REPORTS

Dental Therapy Rules Oversight Committee Report

Ms. Brixey moved and Ms. Martinez seconded the addition of a dental therapist or dental therapy representative to the five OBD committees referenced. The motion passed unanimously. Mr. Prisby stated he would communicate this through the Dental Therapy Rules Oversight Committee and others to help recruit for the committees.

JCNDE

Chip Dunn volunteered as a public member to serve on the Joint Commission of National Dental Examinations.

EXECUTIVE DIRECTOR'S REPORT

Board and Staff Updates

On behalf of the OBD, Mr. Prisby thanked Dr. Amy B. Fine for her 8 years of service on the OBD from 2014 to 2022. As a resident of southern Oregon, the Dental Director at a FQHC and busy person, she brought an invaluable viewpoint, passion and scrutiny to Board actions and proceedings.

On behalf of the OBD, Mr. Prisby thanked Dr. Gary Underhill for his 8 years of service on the OBD from 2014 to 2022. As a private practitioner from eastern Oregon, a volunteer at a FQHC and a well-travelled person, he brought an important viewpoint, experience and perspective to Board actions and proceedings.

On behalf of the OBD, Mr. Prisby thanked Yadira Martinez for her 8 years of service on the OBD from 2014 to 2022. As a dental hygienist working at a FQHC in the Hillsboro community, and a person who is involved in many other aspects of her community, she brought an excellent perspective and lens to Board actions and proceedings.

All three of these Board Members' second terms of service are ending in April, but all have graciously agreed to stay on until their replacements are in place, which is expected to occur in early June.

OBD Budget Status Report

Mr. Prisby presented the latest budget report. This report, which was from July 1, 2021 through February 28, 2022, showed revenue of \$1,276,214.50 and expenditures of \$1,078,344.71.

OBD 2023-2025 Budget Revenue Memo

The OBD forecasted revenue for the next budget cycle was presented.

Customer Service Survey

Mr. Prisby presented the legislatively mandated survey results from July 1, 2021 – March 31, 2022. The results of the survey showed that the OBD continued to receive positive ratings from the majority of those that submitted a survey.

2022 Dental License Renewal

The 2022 dental license renewal period closed on March 31, 2022. Mr. Prisby reported these results: 1709 renewed; 257 expired; 37 retired; 0 revoked; 2 resigned; and 4 deceased. Mr. Prisby reported that over the last five years, the average dental license renewal was 1716, so this latest dental license renewal was in line and shows the number of Oregon licensed dentists has been flat for a while now. There is no indication that it will be changing any time soon.

Board and Staff Speaking Engagements

Mr. Prisby and Haley Robinson made an in person presentation at the ODA's Oregon Dental Conference on Thursday, April 7, 2022 where they covered OBD operations and updates.

OBD staff, Dr. Bernie Carter, Dr. Angela Smorra and Ingrid Nye put together a recorded presentation on the OBD, the HPSP, enforcement issues and record keeping. This presentation was made available to ODC participants.

Mr. Prisby gave a "Board Updates" presentation to third year dental students at the OHSU School of Dentistry in Portland on Tuesday, April 12, 2022.

AADA & AADB Mid-Year Meetings

The American Association of Dental Administrators (AADA) Mid-Year Meeting was held on Thursday, April 7, 2022 as a virtual presentation. Mr. Prisby led the meeting as President of the AADA. The American Association of Dental Boards (AADB) Mid-Year Meeting was held April 8-9, 2022 as a virtual presentation. Lori Lindley participated and led the Board Attorneys' Roundtable and Alicia Riedman, RDH, and Mr. Prisby attended the meeting. Mr. Prisby was elected Chair of the Western Caucus and provided the AADB membership with updates and news from the caucus.

OBD 2022 - 2025 Strategic Plan

The Board is now operating under the new plan approved at the February 25, 2022 Board Meeting. Priorities identified in the plan are already being worked on and it will be more systematically addressed and reported on in future board meetings.

Newsletter

The OBD published a December 2021 Newsletter which can be accessed with past newsletters on the OBD website. The OBD intends to publish a summer OBD Newsletter capturing relevant news and important updates for the first half of 2022.

UNFINISHED BUSINESS AND RULES

HB 2369

Ms. Martinez moved and Dr. Sharifi seconded that the Board move the amended rule due to the passage of House Bill 2369 to the Licensing, Standards and Competency Committee for further discussion. The motion passed unanimously.

HB 4096

Ms. Martinez moved and Dr. Fine seconded that the Board move the new rule due to the passage of House Bill 4096 to the Licensing, Standards and Competency Committee for further discussion. The motion passed unanimously.

Public Rulemaking Hearing

President Riedman opened the public rulemaking hearing at 9 am, as an open, transparent and public process. The Hearing was to take comments regarding 10 new rules and the amendments to 19 other rules being implemented with the new dental therapy licensure requirements required of the OBD with the passage of HB 2528 (2021).

Mary Harrison with the ODAA went on record to state their support of the work that was done and the presentation of the rules for dental therapy.

Amy Coplen, Program Director at Pacific University school of dental hygiene studies which was a training site for pilot project 300 stated their support of the work that was done and the presentation of the rules for dental therapy.

Dr. Miranda Davis discussed suggestions for the dental therapy program and would email them to the OBD for review.

Jen Lewis-Goff would be emailing recommendations for language about pathways to licensure for dental therapists.

President Riedman asked for other public comment and there was none. She closed the public rulemaking hearing at 9:16 am.

Mr. Prisby announced the next public rulemaking hearing will be on May 18, 2022. It will be a virtual meeting via Zoom.

Mr. Prisby shared that testing agencies CDCA-WREB and CRDTS had responded to a request for feedback for the Dental Therapy exams. Rod Hill, ERC chairman for CRDTS offered their help to develop a dental therapy exam that the OBD is comfortable with.

Dental Therapist Examinations

Dr. Underhill moved and Ms Martinez seconded that the Board accept CRDTS and CDCA-WREB as the testing agencies for the dental therapy licensure. The motion passed unanimously.

Mr. Prisby reviewed the Board-approved dental implant rules slated to be effective on July 1, 2022 and introduced dental implant FAQs document drafted by the OBD staff, and routed through the evaluators and legal council to offer clarity to the new rules. He was aware the ODA had some potential questions to be addressed. The updated and refined FAQ document would be in the June Board Book and next OBD Newsletter.

Dental Implant Rule Changes

Ms. Martinez moved and Dr. Javier seconded that the Board move the dental implant FAQs with the changes noted in the meeting and move the proposed dental implant rule changes to the Licensing, Standards, and Competency Committee for further review. The motion passed unanimously.

OTHER ISSUES

The OBD Tribal Relationship and Cooperation Policy went into effect on February 25, 2022.

Election of Officers

Dr. Fine moved and Dr. Sharifi seconded that the Board elect Dr. Jose Javier as Board President. The motion passed unanimously.

Dr. Underhill moved and Dr. Fine seconded that the Board elect Chip Dunn as Board Vice-President. The motion passed unanimously.

EXECUTIVE SESSION: The Board entered into Executive Session pursuant to ORS 192.606 (1)(2)(f), (h) and (L); 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 at 12:45 p.m.

CONSENT AGENDA

2022-0102, 2022-0091, 2022-0082, 2022-0093

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

COMPLETED CASES

2022-0084, 2022-0053, 2022-0100, 2022-0090, 2022-0075, 2022-0096, 2022-0070

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

2021-0188

Ms. Martinez moved and Dr. Underhill seconded that for respondent #1, the Board move to close the matter with a Letter of Concern reminding Licensee to assure that he documents that 1) the patient clearly understands the findings and prognosis with the estimated number of years for tooth survival, and 2) the referring dentist is informed of the findings and prognosis, and it is documented as such in the patient treatment record notes. The motion passed unanimously.

SYLVIA G. JIMENEZ, D.D.S.; 2021-0188

Ms. Martinez moved and Dr. Underhill seconded for respondent #2, the Board move to issue a Notice of Proposed Disciplinary Action, and offer Licensee a Consent Order incorporating a reprimand, pay patient SH restitution in the amount of \$ 4,076.05; take and pass the Dental Jurisprudence Test; and complete four hours of Board approved continuing education in dental record keeping within six months. The motion passed unanimously.

2022-0025

Dr. Fine moved and Ms Martinez seconded that the Board close the matter with a Letter of Concern reminding Licensee to assure that he thoroughly documents all required information while documenting radiographic images and administering dental anesthetics per the DPA; and maintains his continuing education verification records for at least two previous licensure cycles totaling four years. The motion passed unanimously.

2022-0047

Dr. Kansal moved and Dr. Sharifi seconded that the Board close the matter with a strongly worded Letter of Concern reminding Licensee that as long as her license remains active, she must maintain a current BLS for Healthcare Providers at all times, regardless of whether or not she is practicing dental hygiene. The motion passed unanimously.

BEATRICE E. DECA, D.M.D.; 2022-0089

Ms. Brixey moved and Dr. Javier seconded that the Board move to issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order to incorporate a reprimand, a \$3,000.00 civil penalty, complete two hours of Board approved continuing education in infection control and monthly submission of spore testing results for a period of one year from the effective date of the Order. The motion passed unanimously.

2022-0072

Dr. Kalluri moved and Mr. Dunn seconded that the Board close the matter with a Letter of Concern reminding Licensee assure she complete all continuing education courses required for license renewal. The motion passed unanimously.

NICHOLAS M. GRASVIK D.M.D.; 2022-0030

Mr. Dunn moved and Dr. Underhill seconded that the Board move to issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order incorporating a reprimand, \$ 12,000.00 civil penalty, eight hours of Board approved continuing education in the area of infection control, and complete eight hours of Board approved continuing education in advanced full mouth restorative rehabilitation of complex dentitions; complete four hours of Board approved continuing education in dental record keeping; take and pass the Dental Jurisprudence Test; and submit monthly submission of spore testing results for a period of one year to the Board within six months. The motion passed unanimously.

2022-0094

Dr. Underhill moved and Mr. Dunn seconded that the Board close the matter with a Letter of Concern reminding Licensee to assure that all recommended treatment is based on a clinical test application. The motion passed unanimously.

2022-0059

Ms. Martinez moved and Dr. Sharifi seconded that the Board close the matter with a Letter of Concern reminding Licensee to assure when he submits for reimbursement of DurAcetyl metal free partials he does not code them as having a cast metal framework. The motion passed unanimously.

2022-0033

Dr. Fine moved and Dr. Sharifi seconded that the Board close the matter with a Letter of Concern reminding Licensee to assure he improve his record keeping documentation by (1) ensuring an accurate accounting of all of materials used, (2) documenting if PARQ, or its equivalent, was discussed when treatment plan changes occur, and (3) including his initials and credentials when signing chart entries. The motion passed unanimously.

2022-0058

Dr. Kansal moved and Dr. Sharifi seconded that the Board close the matter with a Letter of Concern reminding Licensee to assure that any teeth that are to be extracted are identified and confirmed as the proper tooth. The motion passed unanimously.

2022-0086

Ms. Brixey moved and Mr. Dunn seconded that the Board close the matter with no further action. The motion passed unanimously except Dr. Javier recused.

2022-0021

Dr. Kalluri moved and Ms. Martinez seconded that the Board close the matter with a Letter of Concern reminding Licensee to assure that he 1) continues to improve his documentation, especially documenting in the patient treatment record notes, required information he needs to document when sedation and general anesthesia procedures are performed by another qualified provider in his dental office; and 2) whenever he is prescribing controlled substances not to delegate those actions to staff office employees to complete those actions. The motion passed unanimously.

2022-0055

Mr. Dunn moved and Dr. Sharifi seconded that the Board close the matter with a Letter of Concern reminding Licensee to assure that she (1) document endodontic diagnosis for teeth that she is recommending root canal therapy, and (2) ensure all root fragments are removed when performing extractions. The Board also recommends that the Licensee take additional continued education related to atraumatic exodontia, surgical extraction of teeth, and case selection. The motion passed unanimously.

2022-0057

Dr. Underhill moved and Dr. Javier seconded that the Board close the matter with a Letter of Concern reminding Licensee to assure that (1) she adequately supervise pre-graduate dental students render to patients while on external rotations, (2) explains to the patient the procedures a dental student will be performing, (3) prior to inducing nitrous oxide sedation she evaluate the

patient, and (4) maintain records of successful completion of CE for at least four licensure years consistent with the licensee's licensure cycle. The motion passed unanimously.

PREVIOUS CASES REQUIRING BOARD ACTION

GURMEET K. Case, D.D.S.; 2022-0060

Ms. Martinez moved and Mr. Dunn seconded that the Board move to affirm the Board's February 25, 2022, decision. The motion passed unanimously except Ms. Brixey recused.

DOUGLAS A. CHADWICK, D.D.S.; 2022-0015

Dr. Fine moved and Dr. Javier seconded that the Board move to accept Licensee's proposal and reduce the civil penalty to \$3,000.00. The motion passed unanimously.

LICENSE & EXAMINATION ISSUES

Request for reinstatement of an expired license - Marvin Strohschein, D.M.D.

Dr. Kansal moved and Dr. Javier seconded that the Board approve the reinstatement license for Dr. Strohschein, D.M.D. The motion passed unanimously.

2022-0006

Ms. Brixey moved and Dr. Javier seconded the Board release the investigative summary as requested. The motion passed unanimously.

RATIFICATION OF LICENSES

Dr. Kalluri moved and Dr. Javier seconded that the Board ratify the licenses presented in tab 16. The motion passed unanimously.

ADJOURNMENT

The meeting was adjourned at 12:57 p.m. Ms. Riedman stated that the next Board Meeting would take place on June 17, 2022.

 /S/

Jose Javier, D.D.S.
President