

**OREGON BOARD OF DENTISTRY  
MINUTES  
FEBRUARY 24, 2023**

**MEMBERS PRESENT:** Jose Javier, D.D.S., President  
Chip Dunn, Vice President  
Alicia Riedman, R.D.H.,E.P.P.  
Reza Sharifi, D.M.D.  
Jennifer Brixey  
Aarati Kalluri, D.D.S.  
Sheena Kansal, D.D.S.  
Terrence Clark, D.M.D. (portion of meeting)  
Sharity Ludwig, R.D.H.,E.P.P.  
Michelle Aldrich, D.M.D.

**STAFF PRESENT:** Stephen Prisby, Executive Director  
Angela Smorra, D.M.D., Dental Director/ Chief Investigator  
Winthrop "Bernie" Carter, D.D.S., Dental Investigator  
Haley Robinson, Office Manager  
Shane Rubio, Investigator  
Samantha Plumlee, Examination and Licensing Manager  
Ingrid Nye, Investigator  
Teresa Haynes, Project Manager  
Kathleen McNeal, Office Specialist

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

**VISITORS PRESENT:  
VIA TELECONFERENCE\*:** Jen Lewis-Goff, Oregon Dental Association (ODA); Olesya Salathe, D.M.D.(ODA); Katy Adishian (ODA); Lisa Rowley, R.D.H., ODHA; Mary Harrison, ODAA; Lynn Murray, Dental Assisting Program Director at Central Oregon Community College, Ginny Jorgensen, Jill Lomax, Amy Coplen, R.D.H., E.P.D.H., Pacific University; Richael Cobler, Executive Director of CRDTS; Cindy Gaskill, RDH, MAE, Director of Dental Hygiene Examinations at CRDTS; Emily Coates, Alicia Michelson, Vesna Hopkins, Laura Skarnulis, (DANB); Katherine Landsberg (DANB); Representative Hai Pham, D.M.D., Pulla Medha, Manu Chaudhry, D.D.S.

\*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 1<sup>st</sup> Ave., Suite 770, Portland, Oregon.

President Jose Javier, D.D.S. welcomed everyone to the meeting and had the Board Members, Lori Lindley, and Stephen Prisby introduce themselves.

## **NEW BUSINESS**

### **Approval of Minutes**

Dr. Sharifi moved and Ms. Riedman seconded that the Board approve the minutes as presented from the December 16, 2022 Board Meeting. The motion passed unanimously.

## **ASSOCIATION REPORTS**

### **Oregon Dental Association (ODA)**

Dr. Olesya Salathe reported the ODA continues to work hard on their \$20 million legislative workforce ask. The bill has had a hearing and was being amended on its way to Ways and Means. The ODA was excited to have the Oregon Dental Conference fully back to in person for the dates of April 13-15.

### **Oregon Dental Hygienists' Association (ODHA)**

Karen Hall, R.D.H., new Advocacy Director for the ODHA had nothing to report to the Board.

### **Oregon Dental Assistants Association (ODAA)**

Mary Harrison reported that many ODAA members had been writing letters to legislators and traveling to Salem in opposition of House Bill 2996 and House Bill 3223 that relate to exams and dental assistant functions.

### **Oregon Community College Dental Assisting Consortium**

Jill Lomax from Chemeketa shared a report from the ADA's Health Policy Institute that showed over a 10-year span that dental assisting enrollment had decreased 45% while dental hygiene enrollment had increased 5%. Ms. Lomax added that additional studies on workforce shortage did not show removing exams to be a benefit and noted support for the ODAA's stance on the proposed legislature. Ms. Lomax added that the Consortium would like to propose an Oregon Dental Workforce forum including the ODA, the ODAA, the OBD, DANB, stakeholders and legislators with would identify innovative ways to work together.

### **Dental Assisting National Board (DANB)**

Katherine Landsberg, Director of Government Relations for DANB, reported that DANB approved a strategic plan to support dental assistants, dental practices and regulators. One thing they were exploring was a series of smaller, stackable credentials allowing dental assistants to earn credentials earlier in their careers. DANB was developing a Spanish translation of the RHS exam and they offer exams online so more people have access to the exams. Ms. Landsberg reiterated DANB's opposition of the proposed House Bill 2996 and House Bill 3223. Ms. Landsberg finished with a description of the financial partnership between DANB and OBD, which was audited on a yearly basis.

Dr. Hai Pham, pediatric dentist and State Representative from House District 36, spoke about what House Bill 2996 and House Bill 3223 entailed, stating the intent was to remove third-party Radiologic Proficiency testing in favor of mentorship and hands-on training. Dr. Pham added that he was working on another bill to get \$20 million to help improve workforce issues.

Medha Pullam, Chief of Staff for Representative Hai Pham included the following information in the public chat:

Medha (she/her) - Rep. ... 44:31

Good Morning, President Javier, Members of the Board, and Director Prisby, I hope it is appropriate to drop this information in the chat. Please don't hesitate to reach out to Rep. Hai Pham's Office with any questions or concerns about HB 2996 and HB 3223: [rep.haipham@oregonlegislature.gov](mailto:rep.haipham@oregonlegislature.gov)!

For the Board's reference, the public hearing for HB 2996 in the House Behavioral Health & Health Care Committee starts around 47:50 at this link: <https://olis.oregonlegislature.gov/liz/mediaplayer/?clientID=4879615486&eventID=2023021122>.

Here are one-pagers for the bills, and a press release discussing all of the workforce solutions Rep. Hai Pham is spearheading this session to address our dental workforce crisis:

And here several expert testimonies in support of HB 2996 and HB 3223 (apologies for all the docs, I was unable to attach them together):

Dr. Pham submitted materials to the Board after the Board book was already published. Those materials will be presented at the next regularly scheduled meeting on April 28, 2023.

## **COMMITTEE AND LIAISON REPORTS**

### **Rules Oversight Committee Meeting – January 11, 2023**

Mr. Dunn, Rules and Oversight Committee Chair reported there were 17 motions sent to the Board for review after healthy discussion. Mr. Dunn recommended that a motion be made to move all the rule recommendations to public rule making after going through each of the 17 rules.

It was determined that recommended changes to rule 818-42-0060 would not be included in the motion because of current proposed legislation.

Mr. Prisby clarified that the proposed Board of Dentistry Draft rule regarding HB 4096 would allow the practitioner to volunteer in Oregon for no payment and they would adhere to rules in the Oregon Dental Practice Act and can practice no more than 30 days total, within a calendar year.

Ms. Riedman moved and Dr. Kansal seconded that the Board send OARs 818-001-0002, 818-012-0005, 818-012-0007, 818-012-0030, 818-012-0032, 818-021-0012, 818-021-0015, 818-021-0017, 818-021-0030, 818-021-0040, 818-021-0060, 818-021-0070, 818-021-0076, and 818-042-0040 to a public rulemaking hearing. The motion passed unanimously.

### **Anesthesia Committee Meeting – March 18, 2022**

Dr Sharifi reported on a productive Anesthesia Committee Meeting.

Ms. Ludwig moved and Dr. Aldrich seconded that the Board send OARs 818-026-0010, 818-026-0020, 818-026-0050 and 818-026-0055 from the Anesthesia Committee Meeting to the Rules Oversight Committee as presented. The motion passed unanimously.

Mr. Prisby offered guidance on a Memo recommending committee meetings & rulemaking activities in 2023. Mr. Prisby suggested May 10<sup>th</sup> for the Public Rules Hearing and recommended a date in the middle of July (11<sup>th</sup> or 12<sup>th</sup>) for the Licensing Standards Committee.

CDCA-WREB-CITA Annual Meeting Summary was shared.

Oregon Board of Dentistry Committee and Liaison Assignments for May 2022 - April 2023 were posted.

## **EXECUTIVE DIRECTOR'S REPORT**

### **Board and Staff Updates**

Mr. Prisby noted that Dr. Kansal had trained and prepared to be an observer for the CDCA-WREB-CITA exam scheduled to take place in Arizona but was unable to travel due to weather hazards.

### **OBD Budget Status Report**

Mr. Prisby presented the latest budget report for the 2021 - 2023 Biennium. This report, which is from July 1, 2021 through, December 31, 2022 shows revenue of \$2,535,126.46 and expenditures of 2,656,574.50.

### **Customer Service Survey**

Mr. Prisby shared the legislatively mandated survey results from July 1, 2021 – January 31, 2023. The results of the survey show that the OBD continues to receive positive ratings from the majority of those that submit a survey.

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

Mr. Prisby noted that Samantha Plumlee gave a license application zoom presentation to the graduating dental hygiene students at OIT in Salem & Klamath Falls on Wednesday, February 15, 2023.

### **Dental License Renewal – OHA Health Care Workforce Questionnaire**

Mr. Prisby shared that the 2023 dental license renewal was going smoothly. Mr. Prisby also shared an attachment of the questions which the OHA mandates and which are incorporated into license renewals; the OHA health care workforce questionnaire. This information is collected by the OHA in collaboration with the OBD, as part of legislatively mandated Health

Care Workforce Database reporting, ORS 676.410 and Oregon Administrative Rules (OARs) 409-026-0100 through 409-026-0140.

### **Governor Kotek's Expectations of Agency Leaders**

Mr. Prisby noted that Governor Kotek has laid out her expectations of all agency directors in an emailed document. The document was presented. Mr. Prisby reported on a meeting of small boards/agencies (small being less than 50 employees) on February 3rd which provided more information and context on the Governor's directives.

### **ORS 192 Handout - Executive Sessions**

Mr. Prisby shared the Oregon Government Ethics Commission handout regarding meeting in closed executive sessions. Lori Lindley, AAG shared a general comment that Board members should refrain from answering questions about their opinions on legislative topics because they do not have authority to speak on behalf of the Board. If they have an opinion as a dentist, Board members may share they are only speaking on behalf of themselves as a dentist. Further, any request for comments from Board Members should be forwarded to Executive Director Prisby.

### **OBD Budget Bill - HB 5011 Presentation**

Mr. Prisby included the presentation to the Joint Committee On Ways and Means Subcommittee On Education which was held on February 20, 2023. Mr. Prisby took time to review the budget presentation and spent time explaining the need for proposed fee increases and reduction options, including moving one FTE to .5 FTE effective January 1, 2024. He also highlighted the OBD's execution and achievement of promulgating dental therapy rules, implementing a new strategic plan, onboarding five new board members and other achievements in the current 2021-2023 Biennium.

### **2023 Legislation being monitored**

Mr. Prisby shared a report of 2023 legislation which he is tracking for the OBD.

### **2023 Legislative Calendar**

Mr. Prisby included a legislated calendar and noted the session is scheduled to end in June.

### **AADA & AADB 2023 Mid-Year Meetings**

Mr. Prisby noted the American Association of Dental Administrators (AADA) and the American Association Dental Boards (AADB) 2023 Mid-Year Meetings will both be held virtually this year. The AADB Meeting is on April 21 & 22. The AADA Meeting is on April 25. He attached relevant info distributed recently from AADA and AADB.

### **Newsletter**

Mr. Prisby noted the next Newsletter will be produced in the summer to capture all the important news that comes from the 2023 Legislative Session, Governor's Directives and OBD updates.

### **UNFINISHED BUSINESS AND RULES**

OBD Staff presented an updated Dental Therapy Verification of Collaborative Agreement. Dr. Smorra pointed out two possible changes to the Collaborative Agreement. After discussion it was recommended that the possible language changes be put to the Dental Therapy committee for review.

## **CORRESPONDENCE**

Dr. Manu Chaudhry, DDS requested, via email, guidance from the OBD regarding alternate use of D8660 with Handicapping Malocclusions. Lori Lindley noted that the Board has no jurisdiction over codes.

Dr. Mitchell Levine, DMD put forth a letter regarding American Academy of Dental Sleep Medicine as an ongoing resource for patients with obstructive sleep apnea.

## **OTHER ISSUES**

Health Professionals' Services Program (HPSP) Satisfaction Report was posted.

Oregon Health Authority's Dental Program Update was presented.

Dentist and Dental Hygienist Compact was posted.

Dr. Kansal moved and Ms. Riedman seconded that the Board move discussion of the Dentist and Dental Hygienist Compact to the Licensing Standards Committee. The motion passed unanimously.

## **NEWSLETTERS & ARTICLES OF INTEREST**

CODA's Annual Report 2022

DANB Article – Reasons dental assistants change offices or jobs

US Court rules dental therapists can receive Medicaid payments

OHA Presentation from January 24, 2023

ADA-FTC letter from January 5, 2023

Commission on Dental Accreditation letter to CODA dated January 16, 2023

Ginny Jorgensen, EFDA Opinion piece: Solution to declining dental workforce isn't less training – it's more support

**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 2:00 p.m.

## **CONSENT AGENDA**

**2023-0126, 2023-0085, 2023-0073, 2023-0078, 2023-0084, 2023-0077, 2023-0080, 2023-0116, 2023-0120, 2022-0044**

Mr. Dunn moved and Dr. Sharifi seconded that the Board close the matters with a finding of No Violation or No Further Action. The motion passed unanimously.

## **COMPLETED CASES**

**2023-0005, 2023-0050, 2023-0064, 2023-0058, 2023-0068, 2023-0033, 2023-0069, 2023-0081, 2022-0129, 2023-0037**

Mr. Dunn moved and Dr. Sharifi seconded that the Board close the matters with a finding of No Further Action or No Violation. The motion passed unanimously.

**Cook, Jonathan T, D.D.S.; 2023-0091**

Dr. Aldrich moved and Mr. Dunn seconded that the Board issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order incorporating a reprimand, a \$2,000.00 civil penalty to be paid within 90 days of the effective date of the Order, a \$2,000.00 civil penalty to be paid within 120 days of the effective date of the Order, a \$2,000.00 civil penalty to be paid within 160 days of the effective date of the Order, Licensee shall adhere to, participate in, and complete all aspects of any and all residential care programs, continuing care programs and recovery treatment plans recommended by Board approved care providers, enrollment in a Board approved alcohol monitoring service for a minimum of 48 months at the Licensee's expense, notify the Board within 48 hours of any positive tests for substance abuse usage, agree that upon a positive test result for substance abuse usage that Licensee will refrain from practice until an evaluation is completed from a Board approved evaluator, Licensee shall not use controlled substances, mood altering drug or alcohol at any place or time, unless prescribed by a licensed practitioner for a bona fide medical condition and upon prior notice to the Board and care providers, except that prior notice to the Board and providers shall not be required in the case of a bona fide medical emergency and Licensee will not order, stock, distribute or have access to any controlled substance other than for medical emergencies. The motion passed unanimously.

**2023-0063**

Ms. Ludwig moved and Dr. Kansal seconded that the Board close the matter with a strongly worded Letter of Concern reminding Licensee to assure that he, other dentist licensees working for him, and the dental hygienists licensees working for him are documenting periodontal health or a periodontal diagnosis (Gingivitis or Periodontitis) in the patient treatment record notes, or an appropriate diagnosis on the periodontal form utilized in the office, prior to determining a periodontal treatment plan and performing the indicated treatment procedures for patients being treated; that he demonstrates acceptable supervision of all dental hygienists; and that he conducts weekly biological monitoring of his sterilization devices. The motion passed unanimously.

**2023-0109**

Dr. Kalluri moved and Dr. Sharifi seconded that the Board close the matter with a Letter of Concern reminding Licensee to carefully review all CE requirements prior to each renewal to ensure that all required CE has been completed in compliance with the DPA as written at time of renewal. The motion passed unanimously.

**McNaughton, Hallie Lee, D.M.D. 2023-0061**

Dr. Kansal moved and Mr. Dunn seconded that the Board issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order incorporating a reprimand, two hours of Board approved continuing education in the area of infection control within 30 days of the effective date of the Order, take and pass the Dental Jurisprudence Test within 60 days of the date of the effective date of the Order; and submit monthly submission of spore testing results for a period of one year to the Board. The motion passed unanimously.

**2023-0007**

Dr. Sharifi moved and Ms. Riedman seconded that the Board close the matter with a Letter of Concern reminding Licensee to assure that (1) he documents a description of all radiographic images, and (2) heat sterilizing devices are tested for proper function by means of a biological monitoring system each calendar week in which scheduled patients are treated. The motion passed unanimously.

**2023-0045**

Ms. Riedman moved and Mr. Dunn seconded that the Board close the matter with a Letter of Concern reminding Licensee to assure that when he diagnoses a dental problem (tooth decay) for his patients that he documents the finding(s) and documents the procedures performed to remedy the findings (removed tooth decay). The motion passed unanimously.

**2023-0113**

Ms. Brixey moved and Dr. Kansal seconded that the Board close the matter with a Letter of Concern reminding Licensee to carefully review all CE requirements prior to each renewal to ensure that all required CE has been completed in compliance with the DPA as written at time of renewal, and that Licensee maintains at all times a current BLS for Healthcare Providers level certification. The motion passed unanimously.

**2023-0036**

Dr. Aldrich moved and Dr. Kansal seconded that the Board close the matter with a Letter of Concern reminding Licensee to assure she always maintains a current PDMP registration. The motion passed unanimously.

**2023-0052**

Ms. Ludwig moved and Dr. Kansal seconded that the Board close the matter with a Letter of Concern reminding Licensee to assure that he be vigilant, and with due diligence, when performing pediatric procedures per parent consent vs. performing procedures from a purely professional context, that he exposes radiographic images when indicated, and that he performs weekly biological monitoring of his sterilization devices. The motion passed unanimously.

**2023-0014**

Dr. Kalluri moved and Mr. Dunn seconded that the Board close the matter with a strongly worded Letter of Concern reminding licensee to assure he (1) updates his address with the Oregon Board of Dentistry within 30 days of any address changes; (2) improves his documentation of patient records to reflect a description of all radiographic images, dental materials used, and a dental diagnosis for justification of treatment. The motion passed unanimously.

**PREVIOUS CASES REQUIRING BOARD ACTION****Sullivan, John K, D.D.S.; 2022-0095**

Dr. Sharifi moved and Ms. Riedman seconded that the Board issue a Notice of Proposed Disciplinary Action, and offer Licensee a Consent Order incorporating a reprimand restriction from surgical placement of any and all dental implants until Licensee completes a Board approved Mentorship Program on surgical procedures and placement of intraosseous implants UNTIL Mentorship is completed; take and pass the Dental Jurisprudence Test within 30 days of the effective date of the Order; complete six hours of Board approved continuing education in



dental record keeping, within 90 days of the effective date of the Order. The motion passed unanimously.

### **LICENSE & EXAMINATION ISSUES**

#### **Request for reinstatement of Dental Hygiene license – Emilie Mae Keimig, R.D.H.**

Ms. Riedman moved and Mr. Dunn seconded that the Board reinstate the dental hygiene license of Emilie Mae Keimig, R.D.H. The motion passed unanimously.

#### **Request for reinstatement of Dental Hygiene license – Quyanna Miller, R.D.H.**

Mr. Dunn moved and Ms. Riedman seconded that the Board reinstate the dental hygiene license of Quyanna Miller, R.D.H. The motion passed unanimously.

#### **Request for reinstatement of Dental Hygiene license – Michelle Gaffaney, R.D.H.**

Dr. Kansal moved and Dr. Aldrich seconded that the Board reinstate the dental hygiene license of Michelle Gaffaney, R.D.H. The motion passed unanimously.

#### **Request for approval of Nonresident Permit – Sassan Kafayi, D.D.S.**

Dr. Aldrich moved and Dr. Kansal seconded that the Board approve the nonresident permit of Sassan Kafayi, D.D. S. The motion passed unanimously.

#### **Request for approval of Nonresident Permit – Hana Mansoor, D.D.S.**

Ms. Ludwig moved and Dr. Kansal seconded that the Board approve the nonresident permit of Hana Mansoor D.D. S. The motion passed unanimously.

#### **Request for approval of Soft Reline Course – Trista Herrera, EFDA**

Dr. Kalluri moved and Ms. Brixey seconded that the Board approve the Soft Reline Course put forth by of Trista Herrera, EFDA. The motion passed unanimously.

### **RATIFICATION OF LICENSES**

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

### **ADJOURNMENT**

The meeting was adjourned at 2:17 p.m. Dr. Javier stated that the next Board Meeting would take place on April 28, 2023.

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/S/  
Jose Javier, D.D.S.  
President