

**KANSAS DENTAL BOARD MEETING MINUTES  
FRIDAY, AUGUST 9, 2013, 9:00 A.M.  
LANDON STATE OFFICE BUILDING, 5<sup>th</sup> FLOOR  
900 SW JACKSON, ROOM 509  
TOPEKA, KANSAS**

**A. Call To Order / Approval of the Agenda.**

**Call To Order:** Glenn Hemberger, D.D.S., President, called the Board meeting to order at 9:02 a.m.

**Members Present At Call To Order:** Glenn Hemberger, D.D.S., President; Charles Squire, D.D.S., Vice-President; Susan Rodgers, R.D.H., Secretary; Jeff Stasch, D.D.S.; Donna Thomas, D.D.S.; Scott Hamilton, D.D.S. (telephone); Jarrod Jones, D.D.S.; Jackie Leakey, R.D.H.; and James Showalter, Public Member.

**Members Arriving After Call To Order:** None.

**Members Absent:** None.

**Staff Present:** Randy Forbes, Attorney for the Board; Lane Hemsley, Executive Director; Melissa Graham, Administrative Officer; and Vanda Collins, Senior Administrative Assistant.

**Attendees:** Susan Hemberger, R.D.H.; Roger Stevens, D.D.S.; Wanda Droge; Kevin Robertson; Jeff Seaman, D.D.S.; and Kathy Weno, D.D.S.

**Approval Of The Agenda:** It was moved and seconded to approve the agenda. The motion passed.

**B. Welcome New Board Member: Jarrod Jones, D.D.S.**

The Board officially welcomed Jarrod Jones, D.D.S., as the newest member of the Board. Dr. Jones replaces Roger Stevens, D.D.S., as an at-large member. Dr. Jones is looking forward to his term on the Board.

**C. Minutes of May 3, 2013.**

It was moved and seconded to approve the minutes of May 3, 2013. The motion passed.

**D. Manhattan Area Technical College – Kylie Austin, R.D.H.: Proposed Continuing Education Course for Dental Hygienists on Local Anesthesia and Nitrous Oxide.**

The Board welcomed Kylie Austin, R.D.H., Director of Dental Hygiene at Manhattan Area Technical College (MATC), who appeared by telephone. Over the past two years, MATC has been contacted on numerous occasions by hygienists who want to take a course that would allow them to obtain certification in local anesthesia administration and nitrous oxide in the State of Kansas. In addition, several local hygienists that currently hold the certification have indicated an interest in the course in order to review and refresh their skills. The course is limited to dental hygienists and is not intended for dental assistants.

It was moved and seconded to approve the course, subject to final approval from Lane Hemsley on minor structural changes in the course outline and clarification of the actual course units each student must complete in order to acquire at least 16 hours of instruction for the nitrous oxide portion of the course as the Board requires under K.S.A. 65-1444(b). The motion passed. Ms. Austin will submit an updated course description and course proposal to Mr. Hemsley for final approval. After Mr. Hemsley's final approval, MATC will be authorized to offer the course.

**E. Majority Presence Rule Discussion (K.S.A. 65-1435(d) and K.S.A. 65-1435(f)).**

The Board welcomed Kevin Robertson, Executive Director, Kansas Dental Association (KDA). Mr. Robertson stressed that a KDA committee is currently working on a conceptual draft only for a possible amendment to the majority presence rule found in K.S.A. 65-1435(d) and K.S.A. 65-1435(f). The KDA's conceptual draft, which has not been approved by the subcommittee or the KDA membership, includes a number of alternatives, some of which follow:

1. Elimination of the 125 mile radius currently found in K.S.A. 65-1435(f)(1);
2. Permitting a dentist licensed and practicing in Kansas at least 15 hours a week to own 3 satellite offices in addition to the primary practice location;
3. Sharing responsibility for office policies (not clinical care) with the dentists at the satellite offices;
4. Ensuring that the name of each dental office does not misrepresent who is actually performing dentistry at the office; and
5. Requiring each licensee to notify the Board of each office that the licensee owns, including the satellite offices.

While these alternatives are conceptual in nature, the KDA will continue to work on various alternatives for a possible change to the majority presence rule. The Board took no action and awaits future notification from the KDA regarding its continued work on the conceptual draft.

The Board took a break at 10:15 a.m.

The Board reconvened at 10:35 a.m.

**F. Dental Assistant Discussion (K.S.A. 65-1423(a)(8) and K.A.R. 71-6-1 to K.A.R. 71-6-6).**

The Board discussed the efficacy of the registration requirements for supragingival scaling assistants as outlined in K.A.R. 71-6-5. In order to evaluate the efficacy of the program, it was moved and seconded to request the name of each supragingival scaling assistant that a dentist employs on the dentist's license renewal form. The motion passed.

**G. Stipulation and Consent Orders.**

1. **Richard R. Potts, D.D.S. (Case No. 13-21).** Attorney Randy Forbes presented the Stipulation and Consent Order. It was moved and seconded to approve the Stipulation and Consent Order, a copy of which will be posted to the Board's website. The motion passed unanimously.

2. **Brian Jenkins, D.D.S. (Case No. 1567-01).** Attorney Randy Forbes presented the Stipulation and Final Agency Order. It was moved and seconded to approve the Stipulation and Final Agency Order, a copy of which will be posted to the Board's website. Susan Rodgers, R.D.H., and Scott Hamilton, D.D.S., recused themselves from voting on the motion. A vote was subsequently taken of all other members present and the motion passed unanimously.

**H. Wichita State University – Denise Maseman, R.D.H.: Dental Hygiene Extern Program Inquiry (K.A.R. 71-10-1 to K.A.R. 71-10-4).**

Denise Maseman, R.D.H., requested an opportunity to reschedule her appearance before the Board. The Board took no action and will reschedule the topic at Ms. Maseman's request.

**I. Public Forum.**

The Board welcomed members of the public to speak to the Board. Former Board Member Denise Maus, R.D.H., appeared by telephone. Ms. Maus encouraged the Board to become involved with the regional testing agencies and ensure that each testing agency continues to meet the Board's licensing requirements in the future.

**J. President's Report: Dr. Hemberger.**

1. **Recognition of Roger Stevens, D.D.S.** Glenn Hemberger, D.D.S., thanked Roger Stevens, D.D.S., for his 8 years of hard work and dedicated service to the Board in a multitude of areas, including his significant and continued contributions to the Board while working with the regional testing agencies, WREB and CRDTS. Dr. Stevens then provided an overview of the testing agencies. The Board also presented Dr. Stevens with a plaque for his service.

**K. Investigations Report: Dr. Hemberger / Melissa Graham.  
Inspections Report: Dr. Johnson.**

1. **Complaint Process and Investigative Committee Discussion.** Glenn Hemberger, D.D.S., Melissa Graham, and Lane Hemsley provided an overview of the Board's investigatory process. The Board also received a report on the status of the investigative committee cases from April 1, 2013 – June 30, 2013.

**L. Executive Report: Lane Hemsley.**

1. **Budget.** An update was provided on the budget for FY 2013 (July 1, 2012 – June 30, 2013).

2. **Licensee and Specialty Licensee Report.** License and specialty license reports from April 16, 2013, to July 20, 2013, were presented to the Board.

3. **ECP Report.** A total of 23 registered dental hygienists successfully completed the ECP III Training Course at the University of Missouri – Kansas City. Board Member Susan Rodgers, R.D.H., was one of the 23 who successfully completed the course. Ms. Rodgers provided additional information to the Board regarding the course materials and outcome.

4. **New Website ([www.dental.ks.gov](http://www.dental.ks.gov)).** The Board's new website is fully functional and accessible in the public domain.

**M. Designation of Board Meeting Dates for 2014.**

1. Friday, January 31, 2014.
2. Friday, April 25, 2014.
3. Friday, August 8, 2014.
4. Friday, November 7, 2014.

**N. New Business / Adjournment.**

1. **AADB Newsletter.** Jeff Stasch, D.D.S., requested that a copy of the AADB publications be forwarded to the Board. The Board's staff will forward the AADB publications after they are released in electronic format.

2. **Testing Services.** Jackie Leakey, R.D.H., and Susan Rodgers, R.D.H., requested that the Board's staff work to make contacts with the North East Regional Board (NERB), Southern Regional Testing Agency (SRTA), and other regional testing agencies in order to acquire information on testing requirements.

3. **ECP III Course Clarification.** Administrators of the ECP III Course at the University of Missouri – Kansas City have asked for additional clarification regarding what constitutes "medical services" in K.S.A. 65-1456(h)(4)(I). The provision reads: "[T]he tasks and procedures are limited to . . . (I) use of local anesthetic, including topical, infiltration and

block anesthesia, when appropriate to assist with procedures where *medical services* are available in a nursing home, health clinic or any other settings if the dental hygienist has completed a course on local anesthesia and nitrous oxide as required in this act . . . ." (Emphasis added.) Jeff Stash, D.D.S., and Susan Rodgers, R.D.H., will work on a proposal for what constitutes "medical services" to present at the next Board meeting.

4. **Future Board Meetings.** Friday, November 8, 2013; Friday, January 31, 2014; Friday, April 25, 2014; Friday, August 8, 2014; and Friday, November 7, 2014. All meetings are scheduled to be held in the Landon State Office Building, Topeka, Kansas.

**Adjournment:** It was moved and seconded to adjourn at 12:25 p.m. The motion passed. The meeting was adjourned.

APPROVED BY:

  
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Susan Rodgers, R.D.H.  
Secretary, Kansas Dental Board

11-9-13  
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Date