

**KANSAS DENTAL BOARD MEETING MINUTES
FRIDAY, JANUARY 31, 2014, 9:00 A.M.
LANDON STATE OFFICE BUILDING, 5th FLOOR
900 SW JACKSON, ROOM 560
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 9:00 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; Scott Hamilton, D.D.S.; Jarrod Jones, D.D.S.; Jeff Stasch, D.D.S.; Donna Thomas, 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: Kathy Hunt; Kevin Robertson; Reenie Olson, R.D.H.; Stephanie Witt, R.D.H.; Wanda Droge; Kimberly D. Coad.

Approval Of The Agenda: It was moved and seconded to approve the agenda with the addition of the following under Paragraph E (Stipulation and Consent Orders):

3. David G. Hall, D.D.S. (Case Nos. 11-84 and 12-9).
4. Jennifer Hudson, D.D.S. (Case Nos. 10-130, 11-57, and 11-107).

The motion passed.

B. Minutes of November 8, 2013.

It was moved and seconded to approve the minutes of November 8, 2013. The motion passed.

C. Flint Hills Technical College Dental Assisting Program Inquiry: Monica Graves.

The Board welcomed Monica Graves from the Flint Hills Technical College Dental Assisting Program (Flint Hills). Ms. Graves appeared by telephone. Ms. Graves advised the Board that the American Dental Association Commission on Dental Accreditation (CODA) is asking Flint Hills to provide a self-study, part of which includes a list of various extra oral and intra oral functions that must be evaluated as either permitted or prohibited under the Kansas Dental Practices Act, K.S.A. 65-1421 *et seq.* After extensive discussion about the list, the Board authorized Flint Hills to provide its draft response to CODA as follows:

Flint Hills Technical College Dental Assisting Program does not loosely interpret the Kansas Dental Practices Act, therefore many of the items on the list are not provided to an in-depth instructional level.

The Kansas Dental Practices Act does not have a descriptive listing of what a dental assistant can or cannot do; rather it is left to the interpretation of the individual dentist and what they are willing to delegate. Dentists have the ability to train within their office to the level that is at their discretion with the exception of the procedures outlined in K.S.A. 65-1423(a)(8).

D. ECP III Course Clarification: Jeff Stasch, D.D.S., and Susan Rodgers, R.D.H.

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 Stasch, D.D.S., and Susan Rodgers, R.D.H., discussed a number of different alternatives with the Board. After discussion, it was determined that Dr. Stasch and Ms. Rodgers will continue to research the alternatives and identify additional proposals for what constitutes “medical services” to present at the next Board meeting.

The Board took a break at 10:25 a.m.

The Board reconvened at 10:40 a.m.

E. Stipulation and Consent Orders.

1. **David S. Steele, D.D.S. (Case No. 13-38).** 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. **Jahn E. Roedemeier, D.D.S. (Case No. 12-18).** 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.

3. **David G. Hall, D.D.S. (Case Nos. 11-84 and 12-9).** 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.

4. **Jennifer Hudson, D.D.S. (Case Nos. 10-130, 11-57, and 11-107).** Attorney Randy Forbes presented the Stipulation and Consent Order and subsequently recommended that the Board enter Executive Session for purposes of discussing investigative meeting materials. It was moved and seconded to enter into Executive Session from 10:50 a.m. to 11:10 a.m. The motion passed unanimously. It was further moved and seconded to extend the Executive Session to 11:20 a.m. The motion passed unanimously. The Board concluded its Executive Session at 11:20 a.m. It was moved and seconded to reject the Stipulation and Consent Order. The motion passed unanimously.

F. Public Forum.

The Board welcomed members of the public to speak to the Board. Kevin Robertson, Executive Director of the Kansas Dental Association (KDA), was recognized. Mr. Robertson advised the Board that a hearing has been scheduled on House Bill 2372, which would require municipalities to notify water consumers that fluoride lowers the I.Q. of children. Based on the Board's prior support of community water fluoridation efforts as outlined in the meeting minutes of November 8, 2013, the Board directed Lane Hemsley to write a letter opposing House Bill 2372. Mr. Robertson also advised the Board that students at KMOM will not be providing direct patient care, so it is not necessary to enter into collaborative agreements with the educational institutions. Finally, Mr. Robertson indicated that the AEGD Program and the KDHE Bureau of Oral Health are both working to make some personnel changes.

The Board also recognized Kimberly Coad, who operates Compass Medical Services (Compass). Compass seeks and acquires federal contracts that are funded with federal monies to provide dental services to military personnel at various Kansas military installations. Ms. Coad indicated that, while she hires Kansas licensed dentists to provide services under a contract, other companies and business competitors hire dentists licensed in other states. Ms. Coad inquired into whether the hiring of dentists licensed in other states is permissible under United States Department of Defense regulations and the Kansas Dental Practices Act. After discussion, the Board recommended that Ms. Coad continue to consult with her private attorney regarding the application of the Department of Defense regulations to the federal contracts.

G. President's Report: Dr. Hemberger.

1. **Selection of Legislative Committee for 2014.** Charles Squire, D.D.S., and Jeff Stasch, D.D.S., will serve on the Board's legislative committee for 2014.

2. Selection of Investigative Committee for 2014. Charles Squire, D.D.S., Chair, Glenn Hemberger, D.D.S., and Donna Thomas, D.D.S., will serve on the Board's investigative committee for 2014.

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

Glenn Hemberger, D.D.S., and Melissa Graham presented the status of the Investigative Committee cases from October 1, 2013, through December 31, 2013.

I. Executive Report: Lane Hemsley.

1. Budget. An update was provided on the budget for FY 2014 (July 1, 2013 – June 30, 2014) and FY 2015 (July 1, 2014 – June 30, 2015).

2. Licensee and Specialty Licensee Report. License and specialty license reports from October 21, 2013, to December 31, 2013, were presented to the Board.

3. Online License Renewal Report. An update was provided on the online license renewal rates. As of January 31, 2012, the online license renewal rate was only 20%. As of January 24, 2014, the online license renewal rate had quadrupled to over 82%. The Board's new website, coupled with postcard, e-mail, and web-based reminders for license renewals, has resulted in cost savings and efficiencies for the Board over the last two license renewal cycles.

J. Election of Officers (K.S.A. 74-1405).

1. President. It was moved and seconded to nominate Glenn Hemberger, D.D.S. The motion passed unanimously.

2. Vice-President. It was moved and seconded to nominate Charles Squire, D.D.S. The motion passed unanimously.

3. Secretary. It was moved and seconded to nominate Susan Rodgers, R.D.H. The motion passed unanimously.

K. New Business / Adjournment.

1. Future Board Meetings. Friday, April 25, 2014 (DCF Learning Center, Topeka); Friday, August 8, 2014 (Landon State Office Building, Topeka); and Friday, November 7, 2014 (Landon State Office Building, Topeka).

Adjournment: It was moved and seconded to adjourn at 12:10 p.m. The motion passed. The meeting was adjourned.

APPROVED BY:

Jackie Peakey RDH

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

4-25-14

Date