

**KANSAS DENTAL BOARD MEETING MINUTES
FRIDAY, NOVEMBER 8, 2013, 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 9:02 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; Donna Thomas, D.D.S.; Scott Hamilton, D.D.S.; Jackie Leakey, R.D.H.

Members Arriving After Call To Order: None.

Members Absent: Jeff Stasch, D.D.S.; Jarrod Jones, D.D.S.; James Showalter, Public Member.

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

Attendees: Kevin Robertson; Tim Brewer, D.D.S.; Russell Coad, D.D.S.; Reenie Olson, R.D.H.

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

B. Minutes of August 9, 2013.

It was moved and seconded to approve the minutes of August 9, 2013. The motion passed.

C. 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).

The Board welcomed Denise Maseman, R.D.H., Wichita State University Dental Hygiene Department (WSU), who appeared by telephone. Ms. Maseman indicated that WSU regularly receives requests for dental hygiene students to participate in a variety of civic events, such as health fairs and Special Olympics. The requests come with little advance notice and

WSU has no ability to develop a written affiliation agreement. Ms. Maseman inquired into the following: (1) Whether a written affiliation agreement remains necessary for WSU to participate in the civic events; and (2) if the dental hygiene students could perform a screening without a written affiliation agreement. After discussion of K.S.A. 65-1423(a)(9) and K.A.R. 71-10-1 through K.A.R. 71-10-4 from the Board's attorney, Randy Forbes, the Board concluded as follows: (1) A written affiliation agreement remains necessary for WSU to participate in the civic events; and (2) the dental hygiene students cannot perform a screening without a written affiliation agreement. Ms. Maseman will continue to work with WSU's legal office to resolve the written affiliation agreements with the civic events and organizations.

D. Draft Amendment to Continuing Education Regulation (K.A.R. 71-4-1).

Following its decision at the Board meeting on August 9, 2013, the Board received a draft amendment to K.A.R. 71-4-1. The draft amendment would require dentists to obtain at least two hours of continuing education in ethics during each license renewal cycle. It would also require dental hygienists to obtain at least one hour of continuing education in ethics during each license renewal cycle. It was moved and seconded to approve the draft amendment consistent with the Kansas Rules and Regulations Filing Act, K.S.A. 77-415 *et seq.* Mr. Hemsley will work with the appropriate state agencies to amend the regulation.

E. CODA Accreditation Site Visits for 2014.

The Board received an invitation to participate in the 2014 site visits performed by the Commission on Dental Accreditation (CODA). The site visits will occur at Wichita Area Technical College and Flint Hills Technical College. After discussion, the Board agreed to submit the names of Charles Squire, D.D.S., and Susan Rodgers, R.D.H., to CODA for consideration in the 2014 site visits.

F. Stipulation and Consent Orders.

1. **Roger Nolte, D.D.S. (Case Nos. 13-27 and 13-39).** 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. **De'Shondra Leonard, D.D.S. (Case No. 12-141).** 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.

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

The Board continued its discussion on the current and future status and implementation of K.S.A. 65-1435(d) and K.S.A. 65-1435(f), commonly referred to as the majority presence or 50% rule. The Board took no action on the matter.

H. 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 continued its discussion on the possibility of reaching some policy decisions regarding various procedures that dental assistants could perform consistent with K.S.A. 65-1423(a)(8) and K.A.R. 71-6-1 to K.A.R. 71-6-6. The Board decided to extend the discussion to its meeting on January 31, 2014.

I. Public Forum.

The Board welcomed members of the public to speak to the Board. Kevin Robertson, Executive Director of the Kansas Dental Association (KDA), inquired into whether the Kansas Mission of Mercy (KMOM) should explore the possibility of obtaining a written affiliation with each educational institution. The inquiry was based on the earlier conversation the Board had with Denise Maseman, R.D.H., at Wichita State University Dental Hygiene Department. After further discussion, Mr. Robertson indicated that the KDA will seek to implement written affiliation agreements for future KMOM events.

The Board took a break at 10:30 a.m.
The Board reconvened at 10:45 a.m.

J. President's Report: Dr. Hemberger.

1. HIPAA Privacy Rule and E-mail. Glenn Hemberger, D.D.S., discussed best business practices and American Dental Association resources for transmitting protected health information through e-mail or other electronic means.

2. Community Water Fluoridation. Glenn Hemberger, D.D.S., asked whether the Board would be willing to take a position on community water fluoridation in Kansas. It was moved and seconded that the Board support existing and future community water fluoridation throughout Kansas. The motion passed unanimously.

**K. 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 July 1, 2013, through September 30, 2013.

L. Executive Report: Lane Hemsley.

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

2. Licensee and Specialty Licensee Report. License and specialty license reports from July 21, 2013, to October 20, 2013, were presented to the Board.

3. License Renewal Fees Discussion. Lane Hemsley recommended that the Board reduce license renewal fees by \$25 for the next two renewal cycles for all dentists and dental hygienists. The \$25 reduction would result in a license renewal fee of \$275 for dentists and \$125 for dental hygienists. The \$25 reduction would be effective for a period of two license renewal cycles for calendar years 2014 and 2015. As a result, all licensees would experience the \$25 license renewal fee reduction. After that time, the cost of license renewal fees and the balance of the Board's fee fund will be reassessed. It was moved and seconded to implement a \$25 reduction of license renewal fees for the next two license renewal cycles in calendar years 2014 and 2015. The motion passed unanimously.


M. New Business / Adjournment.

1. Periodontal Portion of Regional Exams. Charles Squire, D.D.S., received a report from former Board member Roger Stevens, D.D.S., regarding the periodontal portion of clinical exam requirements for the five regional testing agencies (i.e., CRDTS, WREB, SERTA, CITA, and NERB). Recently, some regional testing agencies have determined that the periodontal portion of the clinical exam is now optional to participating candidates. Thus, the Board was asked to determine whether it will grant licensure to candidates who do not participate in the periodontal portion of a clinical exam. Attorney Randy Forbes advised the Board that K.S.A. 65-1428(b) requires an examination to contain, among other subjects, the subject of peridontia. Consequently, it was moved and seconded to require candidates to participate and successfully complete a periodontal portion of a regional clinical exam. The motion passed unanimously.

2. Future Board Meetings. Friday, January 31, 2014 (Landon State Office Building, Topeka); 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 11:29 a.m. The motion passed. The meeting was adjourned.

APPROVED BY:



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

1/31/14

Date