

**KANSAS DENTAL BOARD MEETING MINUTES
FRIDAY, AUGUST 7, 2015, 9:00 A.M.
LANDON STATE OFFICE BUILDING, 5TH FLOOR
900 SW JACKSON, ROOM 560
TOPEKA, KANSAS 66612**

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 Squires, D.D.S., Vice-President; Susan Rodgers, R.D.H., Secretary; Jackie Leakey, R.D.H.; Jarrod Jones, D.D.S.; Jeff Stasch, D.D.S.; Donna Thomas, D.D.S.; and James Kilmartin, Public Member (telephone).

Members Arriving After Call To Order: None.

Members Absent: Scott Hamilton, D.D.S.

Staff Present: Randy Forbes, Attorney for the Board; Lane Hemsley, Executive Director; Charity Carlat, Senior Administrative Specialist; and Vanda Collins, Senior Administrative Assistant.

Attendees: Wanda Droge; Carrie Larsen; Julia Skidmore, D.D.S.; Denise Maus, R.D.H.; Reenie Olson, R.D.H.; Brennan Fagan; Greg Johnson, D.D.S.; Eric Johnson, D.D.S.; Junetta Everett, R.D.H.; and Cathleen Taylor-Osborne, D.D.S.

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

B. Minutes of April 10, 2015.

It was moved and seconded to approve the minutes of April 10, 2015. The motion passed.

C. Stipulation and Consent Orders.

1. **Eric C. Johnson, D.D.S. (Case No. 11-16).** Attorney Randy Forbes presented the Stipulation and Consent Order. Jarrod Jones, D.D.S., recused himself from voting. It was moved and seconded to approve the Stipulation and Consent Order, a copy of which will be posted on the Board's website. The motion passed unanimously.

2. **Gregory K. Johnson, D.D.S. (Case 11-17).** Attorney Randy Forbes presented the Stipulation and Consent Order. Jarrod Jones, D.D.S., recused himself from voting. It was moved and seconded to approve the Stipulation and Consent Order, a copy of which will be posted on the Board's website. The motion passed unanimously.

D. Reappointment of Charles Squire, D.D.S., to the Kansas Dental Board.

The Board would like to congratulate Charles Squire, D.D.S., to his second term to the Kansas Dental Board. Dr. Squire's term will run until April 30, 2019.

E. Virtual Dental Examinations Presentation.

The Board welcomed Julia Skidmore, D.D.S., to make a presentation on virtual dental examinations, which is also known as teledentistry. Dr. Skidmore asked to appear before the Board in order to pursue and obtain legislative, regulatory, or Board authority to perform beta testing for a pilot program on teledentistry. After extended discussion regarding the potential challenges and benefits of implementing teledentistry in Kansas, it was moved and seconded to appoint a Board subcommittee to research the status of teledentistry in other states and consult with potential interested parties, such as insurers and professional associations. The motion passed unanimously. Jeff Stasch, D.D.S., Charles Squire, D.D.S., and Susan Rodgers, R.D.H., were appointed to the subcommittee. The teledentistry subcommittee will provide an update of its progress at the November 2015 Board meeting.

F. K.A.R. 71-6-5.

Attorney Randy Forbes presented a letter from the Attorney General's Office regarding the denial of the Board's proposed changes to K.A.R. 71-6-5. After discussion, it was moved and seconded to allow Mr. Forbes to redraft K.A.R. 71-6-5 to make it consistent with recommendations and directions from the Attorney General's Office. The motion passed.

The Board took a break at 10:23 a.m.

The Board reconvened at 10:40 a.m.

G. CDCA Membership.

At the request of the Board, the Board's staff contacted the Commission on Dental Competency Assessments (CDCA), formerly known as NERB, to obtain information on how to become a voting member state. The Board already accepts CDCA's regional clinical examinations and there is no cost to the Board to become a CDCA member. In order for the Board to become a voting member of CDCA, it would need to make a formal written request. After discussion, the Board took no action.

H. Public Forum.

The Board welcomed Denise Maus, R.D.H., who is a former Board member and current WREB and CRDTS Examiner. Ms. Maus informed the Board that there was an increased need

to add dental hygiene examiners for CRDTS and asked the Board to consider adding a dental hygiene examiner for the 2016 season. The Board will continue to work with CRDTS as needed.

The Board also welcomed Junetta Everett, R.D.H., from Delta Dental. Ms. Everett inquired into the procedure for updating the frequently asked questions on the Board's website and how Delta Dental could obtain answers to various procedural or billing questions prior to Board meetings. The Board's staff will continue to work with Delta Dental to obtain answers to questions through the Board or the Board's investigator on an as needed basis.

I. President's Report: Dr. Hemberger.

1. Procedural Questions under the Kansas Administrative Procedure Act. Glenn Hemberger, D.D.S., asked Attorney Randy Forbes to provide an overview of the procedures required for a disciplinary action, including the issuance of emergency agency orders, under the Kansas Administrative Procedure Act (KAPA), K.S.A. 77-501 *et seq.* Mr. Forbes provided a detailed review of the KAPA and answered questions from the Board regarding the investigative committee and disciplinary process.

2. Evidence-Based Dentistry (EBD). The Board discussed Evidence-Based Dentistry (EBD). The American Dental Association (ADA) defines EBD as "an approach to oral healthcare that requires the judicious integration of systematic assessments of clinically relevant scientific evidence, relating to the patient's oral and medical condition and history, with the dentist's clinical expertise and the patient's treatment needs and preferences." According to the ADA, EBD integrates the dentist's clinical expertise, the patient's needs and preferences, and the most current, clinically relevant evidence. All three are part of the decision-making process for patient care.

**J. Investigations Report: Dr. Hemberger / Lane Hemsley.
Inspections Report: Dr. Johnson.**

Glenn Hemberger, D.D.S., and Lane Hemsley presented the status of the Investigative Committee cases from January 1, 2015, to July 8, 2015.

K. Executive Report: Lane Hemsley.

1. Budget. An update was provided on the budget for FY 2016 (July 1, 2015 – June 30, 2016).

2. Licensee and Specialty Licensee Report. License and specialty license reports from March 16, 2015, to June 30, 2015, were presented to the Board.

L. New Business / Adjournment.

- 1. Designation of Board Meeting Dates for 2016.**
 - a. Friday, January 22, 2016.
 - b. Friday, April 8, 2016.

- c. Friday, August 19, 2016.
- d. Friday, November 18, 2016.

2. Clarification of Section H.2. of the Board Minutes Dated January 16, 2015, titled "Dental Assistants and the Placement and Removal of Composite or Amalgam Restorations."

The Board received a written request to clarify previous Board minutes. After extended the discussion, it was moved and seconded to replace the minutes with the following clarification:


a. Dental Assistants and the Placement or Removal of Composite Restorations. The Board interprets K.S.A. 65-1423(a)(8)(A) as prohibiting a dental assistant from placing or removing composite restorations. That is, placing or removing composite restorations constitutes the removal of or addition to the hard or soft tissue of the oral cavity that is not permitted by a nonlicensed person under K.S.A. 65-1423(a)(8)(A).

b. Dental Assistants and the Placement or Removal of Amalgam Restorations. The Board interprets K.S.A. 65-1423(a)(8)(A) as prohibiting a dental assistant from removing an amalgam restoration, but permits a dental assistant to place an amalgam restoration. That is, removing amalgam restorations constitutes the removal of or addition to the hard or soft tissue of the oral cavity that is not permitted by a nonlicensed person under K.S.A. 65-1423(a)(8)(A).

The motion passed.

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

APPROVED BY:


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

11-13-15
Date