

**KANSAS DENTAL BOARD MEETING MINUTES  
FRIDAY, APRIL 24, 2020, 9:00 A.M.  
LANDON STATE OFFICE BUILDING, 4<sup>th</sup> FLOOR  
900 SW JACKSON, ROOM 455-S  
TOPEKA, KANSAS 66612**

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

**Call to Order:** Mark Herzog, D.D.S., President, called the telephonic Board meeting to order at 9:10 a.m. The Board meeting was held telephonically only due to the ongoing COVID-19 pandemic and social distancing orders. No Board members or public members were permitted access to the state building or inside the Board office. Board staff operated the meeting from inside the Board office. This was a telephonic meeting only and accessible to all participants toll free.

**Members Present at Call to Order:** Mark Herzog, D.D.S., President; Jarrod Jones, D.D.S., Vice-President; Stephen Zeller, D.D.S., Secretary; Stanley Wint, D.D.S.; Maya Nunley, D.D.S.; Jackie Leakey, R.D.H.; Jill Harding, R.D.H.; and James Kilmartin, Public Member.

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

**Members Absent:** Daniel Thomas, D.D.S.

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

**Attendees:** All attendees appeared telephonically only.

**Moment of Silence:** Mark Herzog, D.D.S., President, recognized the hard work and dedication of Vanda Collins, Senior Administrative Assistant, who passed away unexpectedly from natural causes. Lane Hemsley also summarized Ms. Collins' long-standing, stellar career with the Board. A moment of silence was held to honor Ms. Collins for her enduring impact on the dental community, Board, and its staff.

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

**B. Minutes of November 8, 2019.**

It was moved and seconded to approve the minutes of November 8, 2019. The motion passed unanimously.

**C. Welcome New Board Member: Maya Nunley, D.D.S.**

The Board officially welcomed Maya Nunley, D.D.S., as a new member of the Board. Dr. Nunley replaces Dr. Squire as the Board member of the Fourth Congressional District (Wichita). Dr. Nunley's first term will run until April 30, 2023.

**D. COVID-19 General Discussion.**

Mark Herzog, D.D.S., President, asked the Board's executive director, Lane Hemsley, to provide an overview of the COVID-19 pandemic response and activities from the Board office. Mr. Hemsley provided the Board with an extensive overview of its continuity of operations plan (COOP), executive orders from Governor Laura Kelly, numerous recommendations provided to dental offices from the Kansas Department of Health and Environment, Bureau of Oral Health (KDHE), and its collaborative work with the Kansas Dental Association (KDA).

Due to the pandemic, the KDHE, a cabinet-level agency that exercised chain-of-command authority over the crisis response through the Governor's office, issued numerous written recommendations or suggested practice limitations that resulted in the voluntary closure of many dental practices across the state. These dental practices, in turn, began providing limited emergency services only. As such, the Board discussed the need for each dental office to implement reopening plans based on continued consultation with local and county authorities. The Board also highlighted the need for each dental practice to thoroughly review the office reopening toolkit that the American Dental Association (ADA) planned to release.

**E. Teledentistry Discussion: ADA CDT Codes D0140 and D0170.**

Mark Herzog, D.D.S., recognized Kevin Robertson, the Kansas Dental Association's (KDA) executive director, to discuss teledentistry during the pandemic. According to Mr. Robertson, some third-party insurance companies were paying insurance claims under ADA CDT Codes D0140 and D0170. Although some insurance companies might be reimbursing these claims from dental offices, the Kansas Dental Practices Act ("Act") does not provide for teledentistry. After extended discussion, the Board tabled the discussion and chose not to seek an executive order or legislative amendment to the Act that would permit teledentistry. The Board relegated the review and potential reimbursement of these claims during the pandemic to the third-party insurance companies.

**F. Dental School Graduation Requirements and Clinical Examination Discussion: Marsha Pyle, D.D.S., M.Ed., Dean, UMKC School of Dentistry.**

The Board recognized Marsha Pyle, D.D.S., M.Ed., Dean, UMKC School of Dentistry, to discuss graduation requirements and alternative clinical examination methodologies for dental and dental hygiene students in the Class of 2020. The Board also recognized representatives from WREB and CDCA to discuss proposed modifications to their clinical examinations.

After extended discussion regarding dental students, it was moved and seconded that the Board accept non-patient-based exams for 2020 dental graduates only, which includes manikin-

based operative and endodontics and a periodontal section in a format that the examining agency determines appropriate. The motion passed unanimously.

After extended discussion regarding dental hygiene students, it was moved and seconded that the Board accept Objective Structured Clinical Examination (OSCEs) for 2020 dental hygiene graduates only. The motion passed unanimously.

After extended discussion regarding clinical examination formats, it was also moved and seconded that the Board staff seek an Executive Order from Governor Laura Kelly's office regarding the waiver of clinical examination requirements for both 2020 dental graduates and 2020 dental hygiene graduates only. The motion passed 5 – 3. The Governor's office will be the determining factor in this motion. If no Executive Order is issued, this motion becomes moot.

**G. Stipulation and Consent Orders.**

**1. Stephen B. Koshland, D.D.S. (Case No. 17-1).** 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 on the Board's website. The motion passed unanimously.

**H. Public Forum.**

The Board welcomed members of the public to speak to the Board. There were no additional public comments.

**I. President's Report: Dr. Herzog.**

Dr. Herzog expressed his appreciation to the Board and its staff during the challenges faced from the COVID-19 pandemic. Dr. Herzog was also recognized for his diligence and patience while handling a statewide emergency.

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

Mark Herzog, D.D.S., and Lane Hemsley presented the status of the Investigative Committee cases from January 2, 2020, to March 10, 2020.

**K. Executive Report: Lane Hemsley.**

**1. Budget.** An update was provided on the budget for FY 2020 (July 1, 2019 – June 30, 2020) and FY 2021 (July 1, 2020 – June 30, 2021).

**2. Licensee and Specialty Licensee Report.** License and specialty license reports were provided for January 1, 2020, to March 31, 2020.

**3. SSI Filing for 2020.** The Board was reminded to file Statements of Substantial Interest on or before April 30, 2020.

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

**1. President.** It was moved and seconded to nominate Mark Herzog, D.D.S. The motion passed unanimously.

**2. Vice-President.** It was moved and seconded to nominate Stan Wint, D.D.S. The motion passed unanimously.

**3. Secretary.** It was moved and seconded to nominate Jill Harding, R.D.H. The motion passed unanimously.

**M. New Business / Adjournment.**

The Board welcomed additional topics of discussion from members or the public. There was no new business.

**Adjournment:** It was moved and seconded to adjourn at 12:55 a.m. The motion passed. The meeting was adjourned.

APPROVED BY:

/s/ Jill Harding, R.D.H.  
Jill Harding, R.D.H.  
Secretary, Kansas Dental Board

August 14, 2020  
Date