

**KANSAS DENTAL BOARD MEETING AGENDA
FRIDAY, APRIL 12, 2024, 9:00 A.M.
LANDON STATE OFFICE BUILDING, 5TH FLOOR
900 SW JACKSON, ROOM 509
TOPEKA, KANSAS 66612**

A. Call to Order / Approval of the Agenda.

Call to Order: Jill Ellner, D.D.S., President, called the Board meeting to order at 9:00 a.m.

Members Present at Call to Order: Jill Ellner, D.D.S., President; Rita Burnett, D.D.S., Vice-President; Rachael Wiebe, R.D.H., Secretary; Maya Nunley, D.D.S.; Lacey Randa, D.D.S.; Jonas Lichty, D.D.S.; Kevin Waite, Public Member (telephone).

Members Arriving After Call to Order: None.

Members Absent: Davette McCoy, R.D.H.

Staff Present: Brenda Head, Attorney for the Board; Lane Hemsley, Executive Director; Charity Carlat, Senior Administrative Specialist; and Katie Mulkey, Senior Administrative Assistant.

Attendees: Virtual appearances by various members of the public.

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

B. Minutes of January 12, 2024.

It was moved and seconded to approve the minutes of January 12, 2024. The motion passed unanimously.

C. Business Entity Name Request: John Humphrey, D.D.S.

The Board welcomed John Humphrey, D.D.S., to discuss his proposed business entity name request for “KC Breathe Works, LLC.” The Board’s staff initially denied the name request because the staff were unable to determine whether the name would convey to the public that it was a recognized specialty dental office in accordance with the Board’s specialty regulations, K.A.R. 71-2-1 *et seq.*

According to Dr. Humphrey, in or around 2020, he became more interested and educated in tongue tie releases, lip ties, earlier dental intervention techniques, and orthodontic expansion. Due to growing relationships with ENTs and the continued expansion in this area of his dental practice, he wants to separate this portion of his dental practice through a proposed business entity, “KC Breathe Works, LLC.” All procedures through the proposed business entity would be done in his dental office. As noted, the Board’s staff declined the name.

After extended discussion regarding the procedures that would take place and a review of the Board’s specialty regulations, K.A.R. 71-2-1 *et seq.*, it was moved and seconded to deny the proposed business entity name. The motion passed unanimously. The business entity name of “KC Breathe Works, LLC” was denied. Board staff was further directed not to approve the name.

Dr. Humphrey expressed his appreciation for the Board’s willingness to consider the proposal. Additionally, he indicated his intent to continue practicing dentistry under his current business model as per the Board’s directives.

D. Level II Sedation Course Approval Request: Colorado Surgical Institute.

The Board received information from Colorado Surgical Institute regarding a Level II sedation course. There were no representatives from Colorado Surgical Institute who appeared to address the Board. As such, it was moved and seconded to table the discussion until representatives were able to address the Board. The motion passed unanimously.

E. Level II Sedation Course Approval Request: Vesper Institute.

The Board welcomed Joy Santoro, President, Vesper Institute, to outline its proposed Level II sedation course. Currently, the sedation course, which has both online and in-person components, is taught in Ohio with the supervision of oral surgeons who hold licenses in various states. Prior to taking the course, each participant is required to obtain ACLS training and a temporary license from the Ohio Dental Board, which generally has a 30-day temporary license acquisition timeline. The Indiana Dental Board has also approved the sedation course, which maintains recognition from the Academy of General Dentistry (AGD).

The course consists of 89.25 didactic hours. As part of the course, there is a 10-hour simulated man (simMan) emergency day. Although not all-encompassing, the following topics are covered: (1) Crash cart, monitoring, and paperwork; (2) airway management; (3) emergency medicine; (4) treatment planning; (5) sedation increments; (6) sedation competency; (7) pharmaceuticals; (8) sedation mock emergency drills; (9) medical emergencies in the dental office; (10) anaphylactic training; (11) indications and contraindications; and (12) venipuncture with a focus on proper technique and anatomy. Vesper Institute relied on the 2016 American Dental Association (ADA) Guidelines for purposes of course development.

After extended discussion, it was moved and seconded to approve the sedation course. The motion passed unanimously.

F. Patient Use of Marijuana Prior to Dental Treatment Inquiry: Kelly Farmer, D.D.S.

The Board received a written request from Kelly Farmer, D.D.S., requesting an opinion from the Board regarding how to deal with patients who have consumed marijuana prior to a dental appointment. After discussion, the Board recommended that each dentist should continue to exercise their professional judgment regarding whether dental treatment of the patient can be achieved safely and effectively.

G. Stipulation and Consent Orders.

1. Dharti Gandhi, D.D.S. (Case No. 23-76). Attorney Brenda Head 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.

H. Legislative Update.

1. S.B. 103 / H.B. 2565: 20% Rule Modification. Lane Hemsley provided the Board with a progress report on the bill, which would remove the 20% Rule from the dental practices act. The Kansas Dental Association (KDA) is opposed to the bill. The Association of Dental Support Organizations (ADSO) supports the bill. To date, the bill has stalled in committee.

2. H.B. 2453: Dentist and Dental Hygienist Compact for Interstate Practice. Lane Hemsley provided the Board with a progress report on the bill, which passed overwhelmingly in both the House and Senate. The Governor is expected to sign the bill, which will then become a law. Following passage into law, the Board's staff will work with the Compact Commission regarding future implementation.

3. H.B. 2642: Bona Fide Relationship / In-Person Examination. Lane Hemsley provided the Board will a progress report on the bill, which was not given a committee hearing and will not receive further action this legislative session.

I. Recognition of Steve Johnson, D.D.S.

On behalf of all past and current Board members, Lane Hemsley thanked Steve Johnson, D.D.S., for his 25 years of hard work and dedicated service to the Board. Dr. Johnson was the Board's first and only independent contractor, who helped develop the Board's current sanitation and sedation inspection processes and procedures. During his tenure, Dr. Johnson also worked on over 1,000 investigations regarding allegations of substandard or inadequate dental care. Dr. Johnson was subsequently given a plaque commending a lifetime of service to the Board.

J. Public Forum.

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

K. President's Report: Dr. Ellner.

Dr. Ellner encouraged each Board member to consider becoming an examiner for one or more regional clinical testing agencies, such as CRDTS or CDCA-WREB.

**L. Investigations Report: Dr. Ellner / Lane Hemsley.
Inspections Report: Dr. Johnson.**

Jill Ellner, D.D.S., and Lane Hemsley presented the status of the Investigative Committee cases from January 1, 2024, to March 27, 2024.

M. Executive Report: Lane Hemsley.

1. Budget. An update was provided on the budget for FY 2024 (July 1, 2023 – June 30, 2024) and FY 2025 (July 1, 2004 – June 30, 2025).

2. Licensee and Specialty Licensee Report. License and specialty license reports were provided for January 1, 2024, to April 1, 2024.

3. SSI Filings for 2023. All Board members were reminded to timely file a Statement of Substantial Interest (SSI) report on or before April 30, 2024.

4. CE Audit Update. An update was provided regarding the passage and corrective action rate for the continuing education audits, which is applicable to dentists and dental hygienists.

5. Website Update. The Board's newly renovated website, which is overseen by the state's IT department, is now live.

6. Licensing Database Update. An update was provided regarding the Board staff's progress on the discovery phase of the construction of a new licensing database with the state's IT department and a third-party vendor, Accela. After the discovery phase is completed, the project will be moved to the construction phase. The go-live date of the new licensing database is not yet known, but the anticipated timeline currently remains between 18 – 24 months.

N. New Business / Adjournment.

It was moved and seconded to adjourn at 12:45 p.m. The motion passed. The meeting was adjourned.

APPROVED BY:

s/ Rachael Wiebe, R.D.H.
Representative, Kansas Dental Board

August 2, 2024
Date