

**FULL BOARD MEETING MINUTES OF THE
BOARD OF DENTISTRY
301 S. PARK AVE. - HELENA, MT- 4TH FLOOR LARGE CONFERENCE ROOM
MARCH 27, 2015-10:00 A.M. TO 3:30 P.M.**

1. CALL TO ORDER- ESTABLISH QUORUM-INTRODUCTION OF BOARD & STAFF MEMBERS

PRESENT: (00:00:25)

Board Members Present:

Dr. Terry Klise
Ms. Luella Vogel
Mr. James Madison
Dr. Aimee Ameline
Dr. Dale Chamberlain
Mr. Cliff Christenot
Dr. David Johnson
Ms. Diane Klemann

Board Members Not Present:

Dr. George Johnston
Ms. Jennifer Porter

Staff Present:

Mr. Dennis Clark, Executive Officer
Mr. Mark Jette, Board Counsel
Ms. Juanita Kazmierowski, Administrative Specialist
Mr. Todd Younkin, Division Administrator

Public Present:

Chris Hirt
David Hemion

The Presiding Chair has determined that the individual(s) under discussion at this meeting have a right to privacy which outweighs the public's right to know. Therefore, the Presiding Chair of the Full Board has decided to consider the unlicensed practice complaint(s) in closed session unless the respondent(s) and all other persons who enjoy the right of privacy wave that right and request that the complaint be discussed in open session.

We have identified one (1) complaint to be considered in closed session pursuant to the determination of privacy rights. Following the closed session, the Chair will summarize the Board's disposition of the complaints in open session.

2. APPROVAL AND TENTATIVE MODIFICATION OF AGENDA ORDER: (00:03:49)

Agenda of March 27, 2015

MOTION (00:04:09) Dr. Aimee Ameline moved to approve the agenda as presented, Mr. James Madison seconded. The motion carried.

3. APPROVAL OF MINUTES: (00:04:48)

Review open minutes of December 5, 2014
Review closed minutes of December 5, 2014
Review open minutes of December 9, 2014

4. PUBLIC OPPORTUNITY TO COMMENT: (00:07:31)

“Under this item, the Board will offer an opportunity to members of the public in attendance to comment on any public matter under the jurisdiction of the Board that is not on the agenda of this meeting. While the Board cannot take action on any issues presented, the board will listen to comments and may ask staff to place the issue on a subsequent agenda for possible Board action. The presiding officer may limit the comment period in order to proceed with the board meeting.”

5. DIVISION ADMINISTRATOR TODD YOUNKIN UPDATE: (00:10:40)

- Current financial report –Dennis Clark, Executive Officer
- Discussion of the board’s financial process, fixed expenses vs. discretionary, partially discretionary expenses and fiscal year 2015 appropriation, board budget, projected cash balance at fiscal year-end (June 30, 2015).
- Appropriation for fiscal year 2016 –Todd Younkin, Division Administrator, Dennis Clark, Executive Officer.
- Discussion:
Process and Procedures regarding the Adjudication Panel-Mark Jette, Board Counsel

6. BOARD ACTION:**a. NON-ROUTINE APPLICATIONS: (00:56:52)****CREDENTIALING:****Joseph Shara, DDS (00:56:57)**

MOTION (01:03:10) Mr. Cliff Christenot moved to approve the non-routine credentialing application for Dr. Joseph Shara, Dr. Dale Chamberlain seconded. The motion carried.

Hardev Patel, DDS (01:04:56)

MOTION (01:09:24) Mr. Cliff Christenot moved to approve the non-routine credentialing application for Dr. Hardev Patel, Dr. Aimee Ameline, seconded. The motion carried.

b. UNLICENSED PRACTICE (CLOSE SESSION): (01:11:19)

2015-DEN-UNLIC-127

c. DISCUSS LITIGATION STRATEGY - BOARD OF DENTISTRY VS DENTURIST ASSOCIATION OF MONTANA CLOSED SESSION per 2-3-203(4)(a) MCA**d. MONTANA PROFESSIONAL ASSISTANCE PROGRAM (MPAP) REPORT: (01:36:22)**

Quarterly report - Mr. Mike Ramirez- via phone

e. SUPREME COURT DECISION REGARDING FEDERAL TRADE COMMISSION (FTC) VS. NORTH CAROLINA BOARD OF DENTISTRY ON TEETH WHITENING (01:14:29)**f. LEGISLATION: (01:15:59)**

SB 76 – Administrative suspension by a licensing board or the department of a license in routine matters as an alternative to disciplinary proceedings. Signed by Governor, 2/27 **(01:16:13)**

SB 79 - An act clarifying the funding requirements with respect to professional and occupational licensing boards – Transmitted to house 2/26, house committee “concurrent” 19-0 on 3/13. 2nd reading concurred 3/23 84-16, 3rd reading concurred in House 3/24, 79-21. **(01:17:29)**

SB 286 - Limit agency rulemaking if it burdens property rights – Transmitted to house 2/26, House committee hearing 3/13. Tabled in House Committee 3/24. **(01:29:19)**

HB 438 – Provide for review committee for healthcare licensing scopes of practice- Tabled 2/16
(01:30:40)

HB 568 – Provide for suicide prevention and training for primary care providers – Did not transmit
(01:31:43)

HB 238 - Increase adjustments to Medicaid dental conversion factor - Did not transmit (01:35:08)

LC 0253 - Generally revise licensing board funding and fine deposits – Draft on hold as of 3/26

HB 624 – Establish a Board of Medical Dentistry- House Business and Labor Committee. Tabled 3/26
(01:35:36)

g. RULE REVIEW: (02:22:28)

Advertising Rules

[24.138.3101 GENERAL STANDARDS FOR SPECIALTIES](#)

[24.138.3102 SPECIALTY ADVERTISING](#)

[24.138.3103 STANDARDS FOR MULTIPLE-SPECIALITY ANNOUNCEMENTS](#)

Discussion to clarify language

h. LETTERS, REQUESTS AND CORRESPONDENCE: (02:28:49)

American Student Dental Association letter regarding non-patient based clinical exam.

**i. CODA ACCREDITATION SITE VISIT DENTAL HYGIENE PROGRAM AT MSU GREAT FALLS:
(02:41:10)**

September 17-18, 2015

j. SCREENING PANEL ACTION REPORT: (02:43:28) Mr. Christenot.

k. MONTANA PRESCRIPTIVE DRUG REGISTRY PROGRAM (MPDR) (02:44:20)

Update letters from the program manager Donna Peterson

7. EXECUTIVE OFFICER REPORT: (02:46:36)

Licensing Statistics

8. BOARD/NATIONAL ASSOCIATIONS: (02:48:45)

a. AMERICAN ASSOCIATION OF DENTAL BOARDS (AADB): (02:48:47)

Approve new board member Diane Klemann, RDH to attend the AADB mid-year meeting in Chicago April 26-27, 2015

Approve a Dental Hygienist and Dentist to attend the AADB conference November 3-4, 2015 in Washington D.C.

MOTION (03:03:30) Dr. David Johnson moved not to approve travel to attend the AADB meeting in Chicago in April 2015, instead to approve travel for the AADB conference in November 2015, Dr. Dale Chamberlain seconded. The motion carried

b. AMERICAN ASSOCIATION OF DENTAL ADMINISTRATORS: (03:05:36)

Approve travel to the AADA meeting November 1-2, 2015 in Washington D.C.

c. WESTERN REGIONAL EXAMINATION BOARD: DENTAL EXAMINERS REVIEW BOARD (DERB) AND HYGIENISTS EXAMINERS REVIEW BOARD (HERB): (03:06:57)

Meeting Updates

d. AMERICAN BOARD OF DENTAL EXAMINERS (ADEX): (03:12:32)

Annual report

e. SOUTHEAST REGIONAL TESTING AGENCY (SERTA): (03:12:56)

Press release

f. JOINT COMMISSION ON NATIONAL DENTAL EXAMS (JCNDE): (03:13:34)**g. AMERICAN ASSOCIATION OF ORTHODONTISTS (AAO): (03:15:33)**

"Do it yourself" teeth straightening offered by out of state businesses Informational

9. NOMINATIONS FOR BOARD PRESIDENT, VICE PRESIDENT AND SECRETARY TREASURER: (03:15:48)

MOTION (03:21:48) Dr. Dale Chamberlain moved to nominate Ms. Luella Vogel for a third term as Secretary Treasurer, Mr. James Madison seconded. The motion carried.

MOTION (03:23:06) Dr. Dale Chamberlain moved to nominate the current vice president Dr. Aimee Ameline to president and nominate Dr. David Johnson to vice president, Mr. Cliff Christenot seconded. The motion carried.

MOTION (03:26:58) Dr. Dale Chamberlain moved to establish an ad hock committee comprised of Dr. Terry Klise, Dr. David Johnson and Mr. James Madison to evaluate the renewal of the MPAP contract Madison and Diane seconded. The motion carried.

10. SET AND CONFIRM FUTURE BOARD MEETINGS: (03:41:19)

- Confirm Friday, June 12, 2015, September 25, 2015 and December 11, 2015.
- Set spring 2015 date.
- Schedule possible meeting dates for the Dental Hygiene, Anesthesia and Denturistry committees.

11. ADJOURNMENT: (03:49:11)

New agenda items may be added up to "three business days" before the meeting. For the most accurate agenda, please consult the web site at www.dentistry.mt.gov the board may reorder the agenda at the beginning of the meeting.

AMERICANS WITH DISABILITIES ACT:

The Department of Labor & Industry is committed to providing meeting access through reasonable accommodation under the Americans with Disabilities Act. Please contact the Board office prior to the proposed meeting date for further information.