

WEST VIRGINIA BOARD OF DENTISTRY

MINUTES - GENERAL SESSION

- Dates:** October 28 & 29, 2016
- Location:** The Hilton Garden Inn
6 Emily Drive
Clarksburg, WV 26301
- Members Present:** Stanley W. Kaczowski, DDS, President
Charles L. Smith, DDS, Secretary
Byron H. Black, DDS
John E. Bogers, DDS
Mr. William E. Ford, III
C. Richard Gerber, DDS
Mary Beth Shea, RDH
Beverly L. Stevens, COMSA
Samuel V. Veltri, DDS
- Staff Present:** Mrs. Susan M. Combs, Executive Secretary
Mr. Evan M. Dewey, Administrative Assistant
Mr. Walt Williams, Investigator
- Board Counsel:** Ms. Betty A. Pullin, Assistant Attorney General

October 28, 2016

The Complaint Committees met to review complaints and disciplinary matters with no decisions or votes being made.

Thereafter, the Board's President, Dr. Kaczowski, determined this meeting was properly noticed with the Secretary of State's office and a sufficient number of Board members were in attendance to constitute a quorum. The quorum was determined by the presence of Dr. Kaczowski, Dr. Black, Dr. Bogers, Mr. Ford, Dr. Gerber, Mrs. Shea, Dr. Smith, Mrs. Stevens and Dr. Veltri. Therefore, the meeting of the West Virginia Board of Dentistry was called to order.

The first order of business was the meeting notice to the Secretary of State which was distributed for information purposes only.

The next order of business were the minutes from the July, 2016 meeting. Upon motion by Dr. C. Richard Gerber, and properly seconded by Dr. Byron H. Black, and unanimously passed, the minutes from the July meeting were approved as distributed.

The next order of business were the Board appointments made by Governor Tomblin. Mrs. Beverly L. Stevens was appointed to a second term expiring June 30, 2021. Dr. Samuel V. Veltri was appointed to an initial term, replacing Dr. George D. Conard, Jr., of which will expire June 30, 2021. Dr. John E. Bogers was appointed to an initial term, replacing Dr. L. Edward Eckley, of which will expire June 30, 2021.

The next order of business were newsletters, which were taken for information purposes, from the following:

- American Association of Dental Boards
- Commission on Dental Competency Assessments - June Forum Notes
- Dental Assisting National Boards
- Federation of Association of Regulatory Boards - FARB Focus
- Health Care Highlights
- The Organization for Safety, Asepsis and Prevention (OSAP)
- WV Board of Dentistry
- WV Dental Association

The next order of business was a report for the months of August & September from Richard Hetke, Executive Director of the American Association of Dental Boards, which was taken for information purposes only.

The next order of business was the President's message from the American Association of Dental Boards, which was taken for information purposes.

The next order of business were the testing agency committee assignments. Dr. C. Richard Gerber will remain with the Southern Regional Testing Agency's, Strategic Planning Committee. Dr. Vince Veltri will take assignment with the Central Regional Dental Testing Service's, Steering Committee. Mrs. Mary Beth Shea will take assignment with the Central Regional Dental Testing Service's, Dental Hygiene Exam Committee. Drs. John Bogers and Stan Kaczowski will take assignment to the Council of Interstate Testing Agency's, Board of Directors.

The next order of business was an invitation from the Commission on Dental Accreditations for a member of the Board to observe the accreditation site visit at West Liberty University scheduled for October 2017. Mrs. Shea & Mrs. Steven's names were turned in as members interested in attending.

The next order of business were the Summer actions of the Commission on Dental Accreditations, which were taken for information purposes.

The next order of business was an update of the Expert Review Assessment program by the American Association of Dental Boards, which was taken for information purposes.

The next order of business were highlights of the American Board of Dental Examiners,

House of Representatives meeting in August 2016, which were taken for information purposes.

The next order of business were the amended by-laws of the Council of Interstate Testing Agencies, which were amended in January 2016.

The next order of business was a letter from the American Board of Dental Examiners concerning a contingent acceptance of the American Board of Dental Examiners ADEX exam in the State of California, which was taken for information purposes.

The next order of business was a matter concerning the presentation of David Perkins at the American Board of Dental Examiners meeting in Chicago over the Summer of 2016, which was taken for information purposes.

The next order of business was a review of the WV Attorney General's Best Practices for Prescribing Opioids in West Virginia and a letter thanking the Board for its support and guidance during production of these guidelines, which was taken for information purposes.

The next order of business was a letter from the Bureau of Public Health requesting the Board increase the requirements for tobacco cessations continuing education, which was taken for information purposes.

The next order of business was an email from the WV Dental Association ENews concerning Section 1557 of the Affordable Care Act. The Board directed the staff to include information in the renewal mailings of licensed dentists concerning this requirement.

The next order of business was a general legislative discussion and the proposed rules, series 1, which includes the rules for background checks. The Executive Secretary updated the Board on the rules which were modified pursuant to request of the legislative rule making review committee. The Board discussed limited faculty and student license which is something the WVU School of Dentistry would like to see accomplished in the practice act. The Board directed the Executive Secretary to write the Dean of the school and request details in writing concerning proposed language for the dental practice act and any companion language that would be required for rules prior to the January meeting. The Board will review at that time.

The next order of business were the financial reports for the first quarter of fiscal year 2017 and the PCard report, which includes the Ghost travel account, for the period of July through September 2016. The financial and PCard reports were accepted as distributed, with all board members having the opportunity to review the PCard logs, documentation and receipts at this time.

The next order of business was an update by Evan Dewey concerning the progress of the licensing software with GL Solutions, which was taken for information purposes at this time. A representative from GL Solutions visited the office since the last Board meeting which resulted in an agreed to resolution in order to move the project forward.

The next order of business were the Board of Risk and Insurance Management related safety requirements. The following were reviewed: Driver safety; drug & alcohol free workplace; workplace harassment; IT and information policy; protecting personally identifiable information; safety committee appointment document; safety inspection checklist; safety policy; and workplace security.

The next order of business was the Board's annual report for the fiscal years 2015 and 2016 which was distributed for information purposes only.

The next order of business was the Federation of Associations of Regulatory Boards, Model Board Member Code of Conduct, which was distributed for information purposes.

The next order of business were future meetings as follows:

WV State Auditor's Licensing Boards Seminar - November 29, 2016
Commission on Dental Competency Assessments - January 12 - 14, 2017
Council of Interstate Testing Agencies - January 13 - 14, 2017
WV Board of Dentistry - January 20 & 21, 2017
WV Dental Association - January 20-22, 2017
Southern Conference of Dental Deans & Examiners - January 20-22, 2017
Federation of Associations of Regulatory Boards - January 26-29, 2017
WV Board of Dentistry - March 31 & April 1, 2017
American Association of Dental Boards - April 23 & 24, 2017
WV Board of Dentistry - July 19 & 20, 2017

Upon motion by Dr. C. Richard Gerber, and properly seconded by Mrs. MaryBeth Shea, and unanimously passing, the Board directed the Executive Secretary to write a letter to the appropriate individual in the Attorney General's Office requesting Attorney Pullin's attendance at the upcoming American Association of Dental Boards' and Attorney's Roundtable meetings in April and October 2017.

The next order of business was a letter from the American Association of Orthodontists concerning SmileDirectClub's treatment and business model. The Board President appointed Dr. Charles L. Smith to work with Attorney Pullin to review this information and report back to the Board to determine if the Board should take a position concerning this matter.

At this time the President announced the need for an Executive Session to consider matters under provisions contained in Chapter 6, Article 9A, Section 4, not limited to, but primarily for those contained in Subsections (4) and (6). Specifically to review complaints and investigations.

Upon motion by Dr. Charles L. Smith, and properly seconded by Dr. C. Richard Gerber, and unanimously passed, the Board went into an Executive Session. Thereafter, the Board came back into a general session upon motion by Dr. Charles L. Smith, and properly seconded by Mrs. Beverly

L. Stevens, and unanimously passing.

The next order of business was a proposed Consent Decree and Order between the Board and Mrs. Gina Croston (Case number 2012-DB-0039H). As recommended by the Complaint Committee, Mrs. Beverly L. Stevens made a motion the Board approve the proposed action. Mr. William E. Ford, III, seconded the motion, the motion passed unanimously.

The next order of business was consideration of all other recommendations by the complaint committees of the Board. Upon motion by Dr. Byron H. Black, and properly seconded by Dr. John E. Bogers, and unanimously passed, the Board approved all other recommendations.

At this time the President announced the need for an Executive Session to consider matters under provisions contained in Chapter 6, Article 9A, Section 4, not limited to, but primarily for those contained in Subsections (4) and (6). Specifically to give law exams and interview the applicants in the morning. Upon motion by Dr. Charles L. Smith, and properly seconded by Dr. Byron H. Black, and unanimously passed, the Board went into executive session and recessed until morning.

October 29, 2016

The morning started with an Executive Session for the purposes of giving the law examination and interviewing applicants for licensure. Thereafter, and upon motion by Dr. Charles L. Smith, and properly seconded by Mrs. Beverly L. Stevens, and unanimously passed, the Board went into General Session.

The next order of business was the approval of all applicants appearing today for licensure. Upon motion by Dr. Charles L. Smith, and properly seconded by Mrs. MaryBeth Shea, and unanimously passed, the board approved all applicants for licensure pending completion of their applications as determined during interviews. At this time the President of the Board requested MaryBeth Shea to review information from other states to determine a proper protocols for the reinstatement of a dental hygiene license.

At this time the meeting was adjourned with the next regularly scheduled meeting scheduled for January 20 & 21, 2017 at the Marriott Town Center, Charleston, West Virginia.