

WEST VIRGINIA BOARD OF DENTISTRY

MINUTES - GENERAL SESSION

Dates: May 30, 2020

Location: Hilton Garden Inn
606 Emily Drive
Clarksburg, WV 26301

Members Present: Samuel V. Veltri, DDS, President
John E. Bogers, DDS
David G. Edwards, DDS
C. Richard Gerber, DDS
Lewis D. Gilbert, DDS
Stan W. Kaczkowski, DDS
Mary Beth Shea, RDH
Beverly L. Stevens, COMSA

Members Absent: William E. Ford, III

Staff Present: Mrs. Susan M. Combs, Executive Director

Board Counsel: Mr. Keith D. Fisher, Assistant Attorney General

Guests Present: Mr. Richard Stevens, WV Dental Association

May 30, 2020

The Complaint Committees met to review complaints and disciplinary matters with no decisions or votes being made on April 30, 2020.

The Budget and Personnel Committees held a joint meeting to discuss the Board's finances, review the 2021 budget and to review personnel issues, including, but not limited to possible salary increases, with no decisions or votes being made.

Thereafter, the Board's President, Dr. Veltri, 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 eight of the nine Board members. Therefore, the meeting of the West Virginia Board of Dentistry was called to order.

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

At this time the Board President, re-arranged the topic list and moved the budget and personnel committee reports, as well as the elections to the top of the list.

The next order of business was a report by the budget committee concerning the Board's finances, which appear to be adequate to conduct the legislatively mandated business of the Board, and the 2021 budget. The committee will continue to be engaged with the staff in the review of financial and administrative processes. Also, the Board reviewed the financial reports, as well as the PCard report from January through May 2020, which includes the Ghost Travel report, with all board members having the opportunity to review the PCard logs, documentation and receipts at this time. The Personnel Committee made recommendations for raises for the Executive Director and Administrative Assistant at 10% for the 2021 fiscal year. Mrs. Beverly L. Stevens made a motion to accept the budget report along with the financial and Pcard report, as well as the recommendations of the Personnel Committee to increase the salaries of Mrs. Combs and Ms. Lesko. Dr. Stan W. Kaczkowski seconded the motion, which unanimously passed.

The next order of business was a discussion concerning the elections for the 2021 fiscal year. After short discussion the Board declined to have an election and to continue with current officers.

The next order of business were the minutes from the following meetings: January 16, 2020 - Committee on Expanded Duties; January 17 & 18, 2020; March 16, 2020 - Emergency Meeting; March 18, 2020 - Emergency Meeting; March 24, 2020 - Emergency Meeting; April 7, 2020 - Licensing Review Committee; April 14, 2020 - Emergency Meeting; April 27, 2020 - Emergency Meeting; and April 29, 2020 - Emergency Meeting. Upon motion by Dr. John E. Bogers, and properly seconded by Dr. Lewis D. Gilbert, and unanimously passed, all of the minutes were approved as distributed.

The next order of business was a general legislative discussion, concerning bills passed during the 2020 legislative session, final filed rules, forms for low income waiver, military waiver and petition for eligibility, and a letter from Dr. Steven Whitaker concerning adding Oral Medicine as a specialty to the practice act. All documents were distributed for information purposes only. Assignment of Committees to review the Mobile and Portable Dental Unit Rule will be visited at the next meeting.

The next order of business was a review of the licensure requirements during the COVID19 pandemic and the Board guidance regarding provisional licensure. As a matter of clarification for the Board's current guidance Dr. David G. Edwards made a motion to require 2020 Dental Hygiene graduates take a hands-on exam on a live patient or manikin prior to February 1, 2021. The manikin exam will only be accepted for 2020 graduates and must be taken prior to February 1, 2021. Mrs. Mary Beth Shea seconded the motion, which passed unanimously. The Board received a question whether it would waive part 2 of the national boards for a provisional license. National Boards, part 1 and 2 are required for licensure and/or provisional licensure. Also, the Board received a question if it would waive the periodontic portion clinical boards. The periodontic portion will be required for full licensure. The Board received a question in regards to CPR card renewals during the pandemic. The Board has been informed the American Heart Association has extended the

expiration dates of cards expiring March through July, 2020, by three months. This should help our licensees in finding a CPR course in a more timely manner.

The next order of business were Regional Board Reports and membership representation as well as information concerning the Commission on Dental Competency Assessments Annual Meeting Summary and the upcoming meeting of the Southern Regional Testing Agency. Board members were assigned to posts of the Southern Regional Testing Agency and proxy forms were signed and collected for the upcoming meeting.

The next order of business was a review of the CDC Guidance for Healthcare Settings updated May 18, 2020, which were taken for information purposes.

The next order of business were letters the Board sent to elected officials concerning the inability of West Virginia Dentists to obtain personal protective equipment for their practices. The Board discussed sending letters to other officials and national reporters with a carbon copy to all state dental boards.

The next order of business were accreditation actions from the Commission on Dental Accreditation, which were taken for information purposes.

The next order of business was a question concerning the employment of dental hygienists with public health permits. The question was as follows: Can a dentist employ 5 public health permitted hygienists, but only 2 are providing services in a nursing home while the other 3 are working under direct supervision? After review of the question, the answer would be yes. A dentist can employ more than 4 public health permitted hygienists, but only 4 can practice public health at one time under that dentists supervision.

The next order of business was the regulatory review report issued by the Board and reported to The Legislative Rule Making Review Committee, which was taken for information purposes.

The next order of business was an update by Susan Combs concerning the licensing software with GL Solutions. Meetings with GL are held on a regular basis and Susan reported she continues to learn more about the system. There were a few issues with online renewals for anesthesia permits and qualified monitors, but those have been resolved and those renewals were mailed a couple of weeks ago. Corporation and PLLC renewals were mailed the end of April and seem to be going smoothly so far. Also, the new phone system the office purchased from the statewide contract through SEGRA has been installed and is working well.

At this time the Board wanted to discuss more personnel issues. 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 discuss personnel matters, including but not limited to staffing policies as well as to review complaints and investigations.

Upon motion by Mrs. Mary Beth Shea, and properly seconded by Dr. C. Richard Gerber, and unanimously passing, the guests left the room and the Board went into an Executive Session. Thereafter, the Board came back into a general session upon motion by Dr. David G. Edwards, and properly seconded by Dr. Stan W. Kaczowski, which unanimously passed.

Dr. Stan W. Kaczowski made a motion to alter the Board's policy regarding the use of investigators, by utilizing investigators in the Attorney General's office whenever possible and discharging the current investigators, with the exception of the OSHA investigator Dina Vaughan, but recommend updating her employment paperwork. Mrs. Beverly L. Stevens seconded the motions, which passed unanimously.

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 minutes; safety policy; and workplace security.

The next order of business were future meetings, which were taken for information and included:

WV Board of Dentistry Calendar, the Board meeting in July will most likely be moved to July 24 & 25, 2020.

WV Dental Association 114th Annual Session

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

DANB Certified Press (2)

Decisions Article RE NC Dentists Testing for COVID19

National Practitioner Data Bank

WV Dental Association (2)

WV Dental Association 114th Annual Session

The next order of business was the consideration of the recommendations by the complaint committees of the Board. Upon motion by Dr. David G. Edwards, and properly seconded by Dr. Lewis D. Gilbert, and unanimously passed, the Board approved the committee recommendations.

The next order of business was the reinstatement application of dental license number 3677. Upon a motion by Mrs. Beverly L. Stevens, and properly seconded by Dr. David G. Edwards, and unanimously passed to approve the reinstatement upon completion of the application requirements.

At this time the meeting was adjourned upon motion of Dr. David G. Edwards, properly seconded by Dr. Lewis D. Gilbert, and unanimously passing, with the next regular meeting scheduled for July 24 & 25, 2020, at The Greenbrier Hotel, White Sulphur Springs, West Virginia.