

Kansas Dental Board
Minutes of November 5, 2010

The Kansas Dental Board met on November 5, 2010, at 9:00 a.m. in Rm 106 of Landon State Office Bldg, Topeka, Kansas.

1. MEETING CALLED TO ORDER: Ms. Denise Maus, RDH, President, called the meeting to order at 9:00 a.m.

2. MEMBERS PRESENT: Ms. Denise Maus, RDH, President; Dr. Glenn Hemberger, DDS, Vice President; Dr. Michael Milford, DDS, Secretary; Dr. Richard Darnall, DDS; Ms. Susan Rodgers, RDH; Dr. Karen Callanan, DDS; and Dr. Roger Stevens, DDS.

STAFF PRESENT: Betty Wright, Executive Director; Melissa Graham, Admin. Officer; Mr. Clint Patty

ABSENT. Dr. Richelle Roy, DDS; Jim Showalter, Public Member; Steve Johnson, DDS.

3. APPROVAL OF AGENDA: It was moved (M) and seconded (S) to approve the agenda. The motion passed.

4. Approval of minutes. It was (M) and (S) to approve the minutes of the August 20, 2010 meeting. The motion passed.

5. Report of the President. Ms. Maus discussed the Annual AADB conference in Orlando, Oct 2010. There was a demonstration of a manikin used to simulate a patient for teaching or for use for exams. AADB is not encouraging manikins for use in testing. The next mid-year meeting of the AADB will be April 3-4, 2011 and will focus on anesthesia. Guidelines and pain control.. Ms. Maus will stay an extra day for her to attend the Joint Commission meeting. The Annual AADB meeting will be Oct 8,9, 2011 in Las Vegas.

The board discussed the new American Academy of Dental Hygienists. It was moved (M) and seconded (S) to approve as a dental organization whose CE would be accepted by the board.

The board discussed the recent development of 3, organizations (the Kellogg Foundation, KAMU, Kansas Action for Children) who are proposing DHATs, dental health therapists.

It was moved (M) and seconded (S) to discontinue providing information on the closed investigative cases in the board packets. The motion failed.

10:10 a.m. Board took a break.

10:25 a.m. reconvened.

6. Public Forum – Dr. Kathy Weno stated that the Office of Oral Health will be starting a new sealant program across Kansas, made possible by a federal grant.

7. Executive Report – Betty Wright provided a mini-laptop and an iPad for consideration. The board chose the Ipad as a way for sharing board information. **It was moved (M) and seconded (S) to purchase 4 Ipads, along with a one year warranty and a “mobile-me” in case of theft or loss, for use by those members on the Investigative Committee, plus the Executive Director/or admin. Officer.**

8. BOARD ACTIONS: The following Stipulation Orders were presented by Clint Patty, atty:

Stipulation and Final Agency Order – Ross Hildebrand, DDS – Case 10-62 -Fined \$500.

After 3 inspections that with findings, 1999, 2008 and in April 2010 failed to keep high-speed handpieces properly bagged until immediately before use. **It was (M) and (S) to approve the stipulation. The motion passed.**

Stipulation and Final Agency Order – Jennifer Hudson, DDS – Case 08-111. Fined \$1000 and agrees to successfully complete within 90 days a refresher course in the field of dental restorations. On numerous occasions: failed to diagnose decay and placed restorations without treating decay; treated patients without obtaining adequate x-rays of diagnostic quality; failed to record diagnostic findings in the patient's record; provided unnecessary treatment, including excessive x-rays when treating children. **It was (M) and (S) to approve the stipulation. The motion passed.**

Stipulation and Final Agency Order – Yvette McMullen, DDS – Case 10- 56 – Probation until completion of probation for the Colorado dental board and take the Kansas jurisprudence exam. **It was (M) and (S) to approve the stipulation. The motion passed.**

Stipulation and Final Agency Order – Nancy Whitcomb, RDH – Case 9-20 – Must provide evidence of CE compliance in Kansas. Order mirrors the Missouri Dental Board order, the Missouri board fined \$500 for failure to complete CE requirements for the 2008 renewal **It was (M) and (S) to approve the stipulation. The motion passed.**

Stipulation and Final Agency Order – Andre Kandy, DDS – Case 09-109 – Fined \$2000 and voluntary surrender of license. From July 2007 to March 2008 conducted a dental office in Kansas while out of the state. In January 2008 received insurance payment for a space maintainer that ultimately was not provided to the patient. **It was (M) and (S) to approve the stipulation. The motion passed.**

Stipulation and Final Agency Order – Scott Nearing, DDS – Case 09-15 – Fined \$1000. On one or more occasions allowed an unlicensed dental assistant to practice dentistry by placing a final crown. **It was (M) and (S) to approve the stipulation. The motion passed.**

Stipulation and Final Agency Order – Arnold Barber, DDS – Case 09-100 – Mirrors the Missouri Dental Board order with probation until June 2, 2014. Conditions are to remain in compliance with the Missouri Disciplinary Order including all continuing education and maintaining a practice monitor (from Missouri order "for the purpose of reviewing and insuring compliance with all applicable drug laws and drug regulations. **It was (M) and (S) to approve the stipulation. The motion passed.**

9. There was discussion regarding confusion upon application by hygienists, whether or not they have had a clinical course for local anesthetic. Betty Wright is to write to the Kansas schools and request that they supply a certificate for having successfully passed a course in local anesthesia and/or a nitrous course that meets approval by the board. All out of state educated hygienists applying for new licensure need to present proof of having taken such course in local anesthesia and nitrous oxide as well.

10. There was discussion on whether or not a dentist must be present during clinical practice at hygiene schools. It was the consensus of the board that the supervision requirements in clinical situation in hygiene schools are the same as that of licensed dental hygienists. If a new patient is being seen or anesthesia is being provided there must be on-site supervision by a dentist. Rules for general supervision otherwise apply for patients who have been seen by a dentist in the past 12 months.

11. The board had, by consensus, agreed that all licensees should have as part of the renewal of their license a BLS cpr course for the health care provider. Clint Patty will draft language to be inserted within KAR 71-4-1 for review of the Regulatory Review Committee at the next board meeting.

Next meeting dates: Feb. 11, 2011 LSOB Rm 108; May 6, Aug. 12.

It was (M) and (S) to adjourn at 2:15 p.m. The motion passed. The meeting was adjourned.

The following guests were present for the board meeting: Kathy Hunt, RDH; Krista Hahn, RDH; Kathy Weno, DDS, KDHE.



Michael Milford, DDS Secretary date