

SD Board of Dentistry
Regular Board Meeting
St. Charles Hotel; Pierre, SD
October 20, 2006; 10:00 am

Dr. Jim Nyberg called the meeting to order at 10:00 am. Present were: Nyberg, Herb McClellan, Joan Adam, Robin Hattervig, Audrey Ticknor, Randy Sachau, Geoffrey Johnson, Steve Willard and Pat Stearns. Guests were: Suzanne Luken (SDDHA), dentists Ed Lynch, Chuck Anderson, and oral surgeons Jay Crossland and Roger Wilson.

The meeting opened with input from the guests into the proposed sedation/anesthesia administrative rules changes. It was anticipated that a formal rules hearing would be held in January.

Dr. Ed Lynch spoke first. He is not opposed to regulation and believes that anything that causes sedation should be regulated. He questioned how the rules would apply to anxiolysis. He usually gives valium and nitrous in combination and would seek whatever permit is appropriate. He also asked if the office inspection and its accompanying requirements could be defined in the rules.

Dr. Chuck Anderson spoke about the benefit of using triazolam to treat anxiolysis. He never uses nitrous in combination with pills in his office and require a physician's statement prior to allowing his patients to take triazolam.

Dr's Crossland and Wilson spoke about the impact of the rules changes on oral surgeons. They commented that anesthesia is safe, and that a tragedy connected to anesthesia would be immense in SD. They believed that the Board's primary responsibility should be to ensure that the practitioners are prepared for an emergency. They also asked for more detail on the inspections.

Wilson suggested that all the anesthesia and inspection protocols be in a single document. Perhaps the ADA guidelines could be in the practice act. He also suggested that the document should include training and certification expectations for staff. He wondered if certain equipment would be required.

The group discussed defining anxiolysis as using pills, but not using it in conjunction with nitrous or in combination with other drugs or in multiple doses (Texas does that). Anderson's concern is that a dentist may over medicate in order to only give one dose. The group agreed that it makes more sense to say that multiple doses can be given as long as the dosage doesn't exceed the recommended maximum.

There was a discussion of whether advanced life support should be required for those persons who hold a permit for conscious sedation. No conclusion was reached nor action taken.

Each of the testifiers were very supportive of the DOCS guidelines and have commented that in more than a million cases, they have not had a single death.

At 11:00 am Nyberg convened the regular meeting.

Audrey Ticknor requested that the minutes of the last meeting be changed on page two to read, "She will investigate methods of distributing the DVD", rather than "she will contact Julie Ellingsworth to discuss distribution." The group agreed. Motion to approve the minutes of the last meeting as amended by Ticknor. Second by Adam. Motion carried.

Willard reviewed the year-end financial statement and the financial statement through the date of the meeting. He also informed the group that an audit was being conducted as per state requirements. Motion to approve the financial statement by Herb McClellan. Second by Robin Hattervig. Motion carried.

Willard discussed the continued project of moving the Board's database to the internet. The SD Pharmacy Association has a model that the Board could emulate. Willard's estimate was that the cost would be less than \$30,000 and that they seek completion for the next licensing cycle. The Board was very supportive. Motion to proceed with the "website" project as discussed within the financial limits identified by Ticknor. Second by Hattervig. Motion carried.

Old Business

There was a discussion of a request by Dr. Joshua Bower to receive a parenteral sedation permit. Motion to grant a parenteral sedation permit to Joshua Brower by McClellan. Second by Hattervig. Motion carried with 5 voting yes, 2 voting no (Sachau, Johnson). The group discussed Brower's practice of releasing records for a price.

Motion by Sachau that Willard inform Brower that records are available to anyone at a reasonable cost and that \$20 for records is not reasonable. Second by Ticknor. Motion carried.

The group discussed the continuing education that is necessary to administer nitrous versus the education necessary to monitor nitrous. They agreed that an online course would be satisfactory for monitoring, but that it would not be adequate to teach the administration of nitrous.

At this time, the most common nitrous course is 16 hours and has been offered by USD since 1993. USD has prepared a 4-hour course to supplement the 16-

hour course that would specifically train participants to administer nitrous. The Board considered the question of whether the 4-hour course would be adequate for those seeking to administer nitrous and how recently they would have had to take the course in order to satisfy the requirements. Motion by Johnson that if a qualified applicant can demonstrate proof of having taken the 16 hours course within the last 5 years, then they may take the 4 hour refresher course in order to qualify to administer nitrous. Second by McClellan. Motion carried. Sachau suggested that a letter from an employing dentist stating that the applicant is qualified to administer nitrous be submitted in addition to the application. For all applications going forward, the 16-hour course is required for certification.

The group discussed dental advertising. Willard was directed to review language from other States (Utah was discussed specifically) so the Board could consider limiting advertising by administrative rule.

New Business.

Hattervig reported on his attendance at the AADE meeting recently held in Las Vegas.

Hattervig then reviewed some examples of continuing education courses to seek the Board's input into which category of education would be appropriate for those courses within the Practice Act. He recommended that eventually the group revise the continuing education guidelines. The group briefly reviewed the associated administrative rules and agreed to discuss the issue in the future.

There was a discussion of a request by both South East Technical Institute and Western Iowa Tech who were seeking approval as providers of continuing education courses for dental assistants. Motion by Sachau to approve both institutions as providers. Second by Hattervig. Motion carried.

There was a discussion of licensure by credential in general. The group agreed that the Board should be as accommodating as possible for out of state candidates with licenses in good standing who had difficulty making the Board interview. Temporary licenses may be used and that when appropriate, the regular license process should be used whenever possible rather than credentials verification.

The group discussed two complaints. They agreed that Sachau could serve as the technical resource and point of contact for the office.

The group interviewed candidates for licensure. Candidates for dentist were: Melissa Stevens, Rick Fuchs. Dentist by credential: Christopher Reneer, John Zimmer, Jay Crossland, Erik Wiseman. For dental hygienist, candidates were: Lacy Johnson, Jeana Breshahan, Sandy Gaul, Krin Mattson, Erin DeJong. Dental hygienist by credential: Terry Beagles.

Corporate candidates were: Dr Nelson Dr Sigaty Family Dentistry Prof L.L.C, Mark T Lavin, D.D.S, P.C., Hofer Family Dentistry, Inc, David A. Rempel, D.D.S, P.C., Shawd Downtown Dental Clinic P.C, Shawd Harrisburg Dental Clinic P.C., Kassube & Lankford Midwest Periodontics, Prof. LLC, Advanced Family Dental, P.C., Drs Michael & Darcie Briggs, DDS, PC, Hull Dental Health, PC

Motion to approve all applicants for licensure by Hattervig. Second by Johnson. Motion carried.

The group-discussed reinstatement for certain permits or certifications, in particular expanded functions. There was a question as to how to determine the proficiency of an individual who had let their certificate lapse and a reluctance to have them start the certification process from scratch. They agreed that administrative rule 20:43:08:06 should be applied whereby the supervising dentist would submit a document attesting to the clinical proficiency of the applicant.

Nyberg asked if there was any other business. There was none and the meeting adjourned at 4:00 pm.

Steve Willard