

SD State Board of Dentistry
Regular Meeting
St. Charles Building; Pierre, SD
May 22, 2009; 10:00 am

President Randy Sachau called the meeting to order at 10:00am CST.

Present were: G. Randy Sachau, Audrey Ticknor, Robin Hattervig, Roy Seaverson and Jennifer Stalley. Guests were Paul Knecht, Suzanne Luken, Raye Brown, Pat Stearns.

The Board reviewed the minutes from the regular Meeting on February 13, 2009. Motion to approve minutes by Hattervig. Second by Seaverson. Motion carried.

Audrey Ticknor reviewed the financial report. Investigation expenses were reviewed by the Board. Motion to approve the financial report by Ticknor. Second by Hattervig. Motion carried.

Stearns gave an office update. Stearns reported that renewal season is underway and that the majority of licensees are utilizing the online renewal system. Stearns reported that several audit letters went out as a pilot of the newly implemented continuing education audit. Sachau suggested that more audits be sent out in the fall. The Board discussed the process for reviewing the audits. Consensus was that Hattervig and Ticknor will review audits and office staff will assist.

Old Business:

The Board discussed the Expanded Function Course at the Lake Area Tech Dental Assisting Program. Rhonda Bradberry was not available to give an update on the course. This course is meant to assist those who previously held DANB certification, but let their license lapse. Those individuals can take this course and then apply for reinstatement of their license.

Sachau led a discussion about advertising and concerns over current statutory scheme and how that relates to issues currently being encountered. The Board has received complaints regarding advertising. Given the current statutory scheme, the Board can only take action in extreme cases. Discussion was held regarding a statute or rule change. Stalley discussed that the law and the rule more than likely will require the same intent and that the Board would need to change the law and rule to give the Board the authority it is looking for. Motion to look at wording to change the statute to put the onus on the dentist for compliance by Hattervig. Second by Seaverson. Motion carried.

Ticknor led a discussion regarding dental hygienist use of laser and provided the documentation to the Board. Ticknor suggested the Board expect a certain supervisory level when dental hygienists are using lasers in practice. Ticknor stated that supervision in some states require direct supervision and some general supervision. Ticknor suggested that the Board look at the same supervision requirements the Board allows for nitrous and local. The Board took no official position on dental hygienist use of lasers.

Raye Brown led a discussion on the Public Health Supervision proposal. Discussion was had.

Board moved to Agenda Item 6D (New Business)

Attorney General Larry Long general discussed the idea of a Patient Assistance Fund. The State Bar Association currently utilizes a Client Assistance Fund. Each lawyer is assessed a fee during license renewal. That money goes into the Client Assistance Fund. In cases of hardship, the State Bar has the ability to utilize this fund for people who have been abused or taken advantage of by lawyers. Attorney General Long encouraged the Board to start such a fund with the State Board of Dentistry and agreed to contribute some monies from the Consumer Protection Office to get the fund started. Attorney General Long agreed to draft a proposal and bring it to the Board for review. Discussion was had.

Jennifer Stalley presented an update on the board manual and complaint procedure compiled by the office. Discussion was had.

Jennifer Stalley led a discussion of the proposed Midwest Solutions, Inc. contract. Discussion was had. Motion to approve the three contracts with Midwest Solutions, Inc. by Hattervig. Second by Seaverson. Motion carried.

Jennifer Stalley led a discussion of the proposed investigator contracts. Discussion was had. Motion to approve the investigator contracts with Dr. Pat Coyne and Dr. Vince Jones by Seaverson. Second by Hattervig. Motion carried.

Jennifer Stalley led a discussion about the contracts for CRDTS examiners. Motion to approve the CRDTS examiners contracts by Ticknor. Second by Hattervig. Motion carried.

Sachau led a discussion regarding the attorney RFP's received and recommendation for action. Discussion was had.

New Business:

Discussion was had regarding the request by Dr. Mounce for a declaratory ruling that Oregon, California and Hawaii state board exams are equivalent to regional boards, therefore satisfying rule 20:43:03:04(4) for licensure. Discussion was had. Motion that the Board approve a declaratory ruling in the matter by Seaverson. Second by Hattervig. Motion carried.

Discussion was held regarding the request for guidance on the use of Botox and dermal fillers by dentists and how these relate to the current Dental Practice Act. The Board determined that the use of Botox and dermal fillers is not prohibited by the current Dental Practice Act, but the Board would expect practitioners using such products to prove that they have the training and experience to provide safe care.

Discussion was held regarding reimbursement policy for days when CRDTS exams are not administered, but CRDTS examiners are traveling. Motion by Seaverson to reimburse for travel days not to exceed one day before and one day after scheduled exams effective today. Second by Ticknor. Motion carried.

Discussion was held regarding Joint Commission on National Dental Examinations new policy on pass/fail grading and how this policy relates to the Board's current rules. Discussion was had.

Discussion was held regarding adoption of a policy regarding delegates to AADE meetings. No formal policy was adopted.

The Board discussed the situation where a dental hygienist is found to be working without a license and what responsibility falls on the dentist employing the dental hygienist. Consensus was to send these types of issues through the complaint process that is currently in place and handle them on a case by case basis.

Dentist Credential applicants were:

Richard Ernest Mounce

Joyce Ann Jeffries

Michael Scot Freimuth

Motion by Hattervig to approve licenses for Dr. Jeffries and Dr. Mounce. Second by Seaverson. Motion carried.

Dental Hygienist Credential applicants were:

Kristina Anne Boyster

Kimberly Ann McCoy

Candace Mangold

Kathleen Lohr

Motion to approve dental hygienist applicants for licensure by credential verification by Hattervig. Second by Seaverson. Motion carried.

Dentist Regular applicants were:

Paige Elizabeth Elwood

Lee Thomas Gertsen

Shelby Lee Keeton

Matthew Victor Krivarchka

Min Kyu Kim

Nicholas Matthew Renemans

Chelsey Layne Roberts

Christopher James Saylor

Tyler James Schuurmans

Kim Elaine Suga

Motion to approve regular applicants for dental licenses by Hattervig. Second by Seaverson. Motion carried.

Dental hygienist Regular applicants were:

Ashley Carol Borchert

Sara Lynne Bratten
Ann T. Burbach
Spring Renae Douthwaite

Motion to approve regular applicants for dental hygienist licenses by Hattervig. Second by Seaverson. Motion carried.

Other Business:

Date was set for meeting to approve new graduate licenses. Board will meet by teleconference June 11, 2009.

Motion to approve minutes of Disciplinary Hearing Teleconference on May 12, 2009 by Ticknor. Second by Seaverson. Motion carried.

South Dakota Dental Association asked the Board to sponsor a speaker for its convention. Motion to approve sponsorship by Seaverson. Second by Hattervig . Motion carried.

Next Board meeting dates are October 16, 2009, February 5, 2010, June 11, 2010 and October 15, 2010.

Board discussed elections. Seaverson moved that the current officers continue to serve in their positions for another term. Second by Hattervig. Motion carried.

There being no further business, the meeting adjourned at 4:30 pm.

Audrey Ticknor, Secretary