

**OREGON BOARD OF DENTISTRY  
MINUTES  
August 3, 2012**

MEMBERS PRESENT: Patricia Parker, D.M.D., President  
Jonna E. Hongo, D.M.D., Vice-President  
Brandon Schwindt, D.M.D.  
Alton Harvey, Sr.  
Julie Ann Smith, D.D.S., M.D.  
David Smyth, B.S., M.S.  
Darren Huddleston, D.M.D.  
Jill Mason, M.P.H., R.D.H.  
Norman Magnuson, D.D.S.  
Mary Davidson, M.P.H., R.D.H.

STAFF PRESENT: Patrick D. Braatz, Executive Director  
Paul Kleinstub, D.D.S., M.S., Dental Director/Chief Investigator  
Harvey Wayson, Investigator (portion of meeting)  
Michelle Lawrence, D.M.D., Consultant (portion of meeting)  
Rodney Nichols, D.D.S., Consultant (portion of meeting)  
Stephen Prisby, Office Manager (portion of meeting)

ALSO PRESENT: Lori Lindley, Sr. Assistant Attorney General

VISITORS PRESENT: Beryl Fletcher, ODA; Heidi Jo Grubbs, R.D.H., ODHA; Tim Boehm, D.M.D., CDC; Deborah Loy; Lynn Ironside, R.D.H., ODHA; Vickie Woodward, R.D.H., ODHA; Lisa Rowley, R.D.H., Pacific University; Gail Aamodt, R.D.H., Pacific University; Gary Allen, D.M.D., Advantage Dental; Fred Bremner, D.M.D., Clackamas County Dental Society; E. David Granum, D.M.D., Multnomah County Dental Society, Willamette Dental Group; Jeffrey Stewart, D.D.S., ODA; Steve Duffin, D.D.S., Shoreview Dental; Kyle Johnstone, R.D.H., ODHA; Daniel E. Blickenstaff, D.D.S.; Robin Cox, R.D.H., ODHA; Rick Asai, D.M.D.; Dana Shipley, R.D.H., ODHA; Frances Sunseri, D.M.D., AGD; David Dowsett, D.M.D., ODA; Kristen Thomas, R.D.H., ODHA; Bonnie Marshall, ODAA

**Call to Order:** The meeting was called to order by the President at 7:30 a.m. at the Board office; 1600 SW 4<sup>th</sup> Ave., Suite 770, Portland, Oregon.

**NEW BUSINESS**

**MINUTES**

Dr. Magnuson moved and Dr. Hongo seconded that the minutes of the June 1, 2012 Board meeting be approved as amended. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

## **ASSOCIATION REPORTS**

### **Oregon Dental Association**

The ODA had nothing to report.

### **Oregon Dental Hygienists' Association**

The ODHA had nothing to report.

### **Oregon Dental Assistants Association**

The ODAA had nothing to report.

## **COMMITTEE AND LIAISON REPORTS**

### **WREB Liaison Report**

Dr. Magnuson stated that WREB held their first official meeting with the new structure in place. He stated that he attended the Exam Review Committee as well as the Board of Directors meeting, both of which were good meetings. Dr. Magnuson stated that one of the primary things going on at WREB was the fact that they were planning on making some changes to their exam, utilizing psychometrics, to make it more stable. WREB recently added a new psychometrician to its staff and it was under their recommendation that these changes were being implemented. Dr. Magnuson stated everything else was business as usual with nothing additional to report.

Ms. Davidson stated she attended the Dental Hygiene Exam Board Meeting. She stated that there were a few changes, also tied to the use of psychometrics for the hygiene exam. She added that clarification of the remediation process for those who have failed the exam multiple times was provided. Ms. Davidson also wanted to notify everyone that there would be two restorative educational forums offered through WREB. One is scheduled for October 5<sup>th</sup> at Portland Community College in Portland and the other on October 6<sup>th</sup> at Eastern Washington University in Spokane.

Dr. Magnuson stated that there was also a presentation from the ADA regarding a portfolio style exam. It was made exceedingly clear that the ADA is going to propose a model portfolio exam and that the ADA would not be getting into the exam business.

### **Western Conference of Dental Examiners**

Dr. Magnuson stated that he attended the Western Conference of Dental Examiners. He stated that he felt there was a push to have the organization dissolve itself as it has basically the same membership as WREB. It was noted that few members of other organizations and educators seem to show up at the meetings anymore. He added that another meeting was scheduled for January, but Dr. Magnuson stated that he no longer felt it was worth attending.

### **AADB Liaison Report**

Ms. Mason stated that there was a meeting coming up in October.

Mr. Braatz stated that he and Ms. Lindley have been asked to do a presentation regarding Groupon and Living Social contract agreements and that Ms. Lindley is also scheduled to give a presentation on ethics.

### **ADEX Liaison Report**

Dr. Parker stated that there was a meeting held June 8 - 9. Several new states have started accepting the ADEX exam, 43 in total. CRTA will also be administering the ADEX exam. Dr.

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Parker stated that a new committee was created to revise/review test calibrations and that they also appointed a committee to seek alternative methods for the periodontal exam with the hope that the exam would eventually be used as a model for a national exam. Dr. Parker stated that there was nothing else to report other than an upcoming meeting being held in November.

### **Dental Hygiene Committee Meeting Report**

Ms. Mason stated that the Dental Hygiene Committee met July 20, 2012. Ms. Mason stated that the Dental Hygiene Committee would like the Public Health Continuing Education situation reviewed. Dr. Magnuson stated that he would take it to the Licensing, Standards and Competency Committee for review.

Dr. Magnuson moved and Dr. Schwindt seconded to send the Dental Hygiene Committee recommendation regarding the use of Silver Nitrate as an antimicrobial that dental hygienists are allowed to use while treating patients to the Rules Oversight Committee for review. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye. Dr. Hongo was opposed.

### **Rules Oversight Committee Meeting Report**

Dr. Schwindt stated that the Rules Oversight Committee met July 25, 2012.

#### **818-042-0090 – Addition Functions of EFDAs**

Dr. Schwindt moved and Dr. Hongo seconded that the Board send 818-042-0090 forward to a public rule hearing as presented. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye. Dr. Magnuson was opposed.

#### **818-035-0020 – Authorization to Practice**

Dr. Schwindt moved and Dr. Hongo seconded that the Board send 818-035-0020 forward to a public rule hearing as presented. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

#### **818-035-0072 – Restorative Functions of Dental Hygienists**

Ms. Mason moved and Ms. Davidson seconded that the Board send 818-035-0072 forward to a public rule hearing as presented. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Ms. Mason, Dr. Smith and Mr. Smyth voting aye. Dr. Huddleston, Dr. Magnuson and Dr. Schwindt were opposed.

#### **818-042-0095 – Restorative Functions of Dental Assistants**

Ms. Mason moved and Ms. Davidson seconded that the Board send 818-042-0095 forward to a public rule hearing as presented. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Ms. Mason, Dr. Smith and Mr. Smyth voting aye. Dr. Huddleston, Dr. Magnuson and Dr. Schwindt were opposed.

### **Committee Meeting Dates**

Mr. Braatz stated that no current committee dates were set but that committees would be meeting soon. He stated that all appropriate parties would be notified of dates and to keep your eye on the Board website as information would be posted there as soon as possible under the “Committee Meeting Information” link on the left hand side of the Board’s main page.

## **EXECUTIVE DIRECTOR'S REPORT**

### **New OBD Staff Member**

Mr. Braatz introduced the new Office Manager, Stephen Prisby, who was hired in July. Stephen is replacing Sharon Ingram who retired this past winter.

### **Budget Status Report**

Mr. Braatz attached the latest budget report, from July 1, 2011 through June 30, 2012, for the Board to review. The report shows revenue of \$1,260,897.53 and expenditure of \$1,117,345.22. He added that this technically marks the end of the first fiscal year of the budget and it appears to be performing as expected.

### **Customer Service Survey Report**

Mr. Braatz attached the latest Legislatively Mandated Customer Service Survey results for the Board to review. Mr. Braatz stated that the majority of comments returned with the surveys are positive and all comments are retained for the Board's review.

### **Board and Staff Speaking Engagements**

Tuesday, July 17, 2012 - Dental Director/Chief Investigator Dr. Paul Kleinstub made a presentation to the Dental Hygiene Students at Carrington College in Portland Oregon.

Tuesday, July 10, 2012 – Mr. Braatz and Licensing Manager, Teresa Haynes, made a presentation to the graduating Dental Hygiene students at Pacific University in Hillsboro, Oregon.

Friday, July 20, 2012 - Mr. Braatz made a presentation to Advantage Dental Group in Redmond, Oregon.

### **Public Health Continuing Education Courses**

Dr. Kleinstub stated that he reviewed a variety of curricula in various residency programs and he stood by his previous decision of where the presented CE courses fell. He stated that he had not seen anything that would otherwise change that opinion at this point.

Mr. Braatz stated that Dr. Kleinstub has two titles with the Board of Dentistry, those being Dental Director and Chief Investigator. Mr. Braatz added that Board staff relies on Dr. Kleinstub's opinion but if the Board as a whole feels he is incorrect they could override his position but as it stands now that he's made that decision. The Board has the opportunity to act if it chooses to.

Ms. Mason stated that she would like to encourage Board staff to take a broader view of what is considered dental public health.

### **Tri-Met Contract**

Mr. Braatz asked the Board to ratify his entry into a contract with Tri-Met for the Universal Pass Program for Board Staff that are eligible for the program.

Dr. Magnuson moved and Dr. Hongo seconded that the Board ratify the Tri-Met Contract for the Universal Pass Program. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

### **Best Practices Self-Assessment**

Mr. Braatz reminded the Board that as part of the legislatively approved Performance Measures, the Board needs to complete the attached Best Practices Self-Assessment so that it can be included as a part of the 2011 Performance Measures Report. (Attachment #1)

### **Newsletter**

Mr. Braatz stated that he was hoping to have a Newsletter mailed by the end of fall 2012.

## **UNFINISHED BUSINESS**

### **CORRESPONDENCE**

#### **The Board received a letter from Steven Duffin, D.D.S.**

Dr. Duffin sent a letter to the Board regarding the use of Silver Nitrate and Fluoride Varnish to arrest active caries in patients.

#### **The Board received a letter from David Fuller, D.M.D.**

Dr. Fuller sent a letter to the Board regarding the lack of test scores kept by the Oregon Board of Dentistry in previous years.

#### **The Board received a letter from Floyd Kasch, D.M.D.**

Dr. Kasch sent a letter in support of possible upcoming rule changes for restorative hygienists and assistants.

#### **The Board received a letter from Frances A. Sunseri, D.M.D.**

Dr. Sunseri sent a letter in opposition to possible upcoming rule changes for restorative hygienists and assistants.

#### **The Board received a letter from Kaz Rafia, D.D.S.**

Dr. Rafia sent a letter in opposition to possible upcoming rule changes for restorative hygienists and assistants.

#### **The Board received a letter from Sheena Kansal, D.D.S.**

Dr. Kansal sent a letter in opposition to possible upcoming rule changes for restorative hygienists and assistants.

#### **The Board received a letter from Daniel Yaillen, D.M.D.**

Dr. Yaillen sent a letter in opposition to possible upcoming rule changes for restorative hygienists and assistants.

#### **The Board received a letter from Parisa Sepeheri, D.D.S.**

Dr. Sepeheri sent a letter in opposition to possible upcoming rule changes for restorative hygienists and assistants.

#### **The Board received a letter from Jill Price, D.M.D.**

Dr. Price sent a letter in opposition to possible upcoming rule changes for restorative hygienists and assistants.

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**The Board received a letter from David Skvorak, D.D.S.**

Dr. Skvorak sent a letter in opposition to possible upcoming rule changes for restorative hygienists and assistants.

**The Board received a letter from Fred A. Bremner, D.M.D.**

Dr. Bremner sent a letter in opposition to possible upcoming rule changes for restorative hygienists and assistants.

**The Board received a letter from Jeffery Stewart, D.D.S.**

Dr. Stewart sent a letter in opposition to possible upcoming rule changes for restorative hygienists and assistants.

**The Board received a letter from Tyler Bryan, D.M.D.**

Dr. Bryan sent a letter in opposition to possible upcoming rule changes for restorative hygienists and assistants.

**The Board received a letter from Steven Timm, D.M.D.**

Dr. Timm sent a letter in opposition to possible upcoming rule changes for restorative hygienists and assistants.

**The Board received a letter from David Fuller, D.M.D.**

Dr. Fuller sent a letter in opposition to possible upcoming rule changes for restorative hygienists and assistants.

**The Board received a letter from Gary Boehne, D.M.D.**

Dr. Boehne sent a letter in opposition to possible upcoming rule changes for restorative hygienists and assistants.

**The Board received a letter from Bruce L. Stoutt, D.M.D.**

Dr. Stoutt sent a letter in opposition to possible upcoming rule changes for restorative hygienists and assistants.

**The Board received a letter from Rickland Asai, D.M.D.**

Dr. Asai sent a letter in opposition to possible upcoming rule changes for restorative hygienists and assistants.

**The Board received a letter from Nipoon Dave, D.D.S.**

Dr. Dave sent a letter in opposition to possible upcoming rule changes for restorative hygienists and assistants.

**The Board received a letter from Dr. Ligia Morrison, D.D.S.**

Dr. Morrison sent a letter in opposition to possible upcoming rule changes for restorative hygienists and assistants.

## **OTHER BUSINESS**

### **Advantage Dental Expanded Practice Permit C.E. Provider Request**

Dr. Schwindt moved and Dr. Hongo seconded that the Board approve the request. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

### **Heald College Sealant Instructor Application**

Dr. Hongo moved and Dr. Huddleston seconded that the Board deny the application. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

### **Soft Reline Instructor Application – Stephanie Bobbit**

Mr. Smyth moved and Ms. Mason seconded that the Board approve the application. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

**EXECUTIVE SESSION:** The Board entered into Executive Session pursuant to ORS 192.606 (1)(f), (h) and (k); ORS 676.165; ORS 676.175 (1), and ORS 679.320 to review records exempt from public disclosure, to review confidential investigatory materials and investigatory information, and to consult with counsel.

## **PERSONAL APPEARANCES AND COMPLIANCE ISSUES**

Licensee appeared pursuant to their Consent Order in case number **2008-0256**

## **LICENSING ISSUES**

**OPEN SESSION:** The Board returned to Open Session.

### **CONSENT AGENDA**

**2012-0195, 2012-0217, 2012-0220, 2012-0205, 2012-0160, 2012-0211, 2012-0202, and 2012-0218** Dr. Hongo moved and Dr. Magnuson seconded that the above referenced cases be closed with No Further Action per the staff recommendations. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

### **COMPLETED CASES**

**2012-0002, 2011-0236, 2012-0197, 2011-0157, 2012-0230, 2012-0104, 2012-0199, 2012-0135, 2012-0142, 2012-0093, 2012-0125, and 2011-0178** Dr. Hongo moved and Mr. Smyth seconded that the above referenced cases be closed with a finding of No Violation of the Dental Practice Act or No Further Action per the Board recommendations. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

**BARRY, ANNE G., D.M.D., & KECK-ERICKSON, NICOLE L., D.M.D. 2012-0158**

Ms. Davidson moved and Mr. Harvey seconded that the Board, with regard to Respondent #1 issue a Notice of Proposed Disciplinary Action and offer a Consent Order incorporating a reprimand; with regard to Respondent #2 issue a Notice of Proposed Disciplinary Action and offer a Consent Order incorporating a reprimand. The motion passed with Ms. Davidson, Mr. Harvey, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye. Dr. Hongo recused herself and Dr. Huddleston was opposed.

**2012-0011**

Mr. Smyth moved and Ms. Davidson seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that treatment notes accurately document the specific treatment that was provided. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

**BELL, THOMAS M., D.D.S. & DODDS, JACQUE J., R.D.H. 2011-0117**

Mr. Harvey moved and Ms. Mason seconded that the Board, with regard to Respondent #1, issue a Notice of Proposed Disciplinary Action and offer a Consent Order incorporating a reprimand, and a civil penalty in the amount of two thousand dollars (\$2,000.00); with regard to Respondent #2 issue a Notice of Proposed Disciplinary Action and offer a Consent Order incorporating a reprimand, and a civil penalty in the amount of three thousand five hundred dollars (\$3,500.00). The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

**2011-0228**

Dr. Huddleston moved and Mr. Harvey seconded that the Board, for Respondent #1, close the matter with a finding of No Violation of the Dental Practice Act; for Respondent #2, close the matter with a Letter of Concern addressing the issue of ensuring that when informed consent is obtained prior to providing treatment, PARQ or its equivalent is documented in the patient records; and for Respondent #3, close the matter with No Further Action. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

**DOW, ROGER C., D.M.D. 2012-0018**

Dr. Smith moved and Ms. Mason seconded that the Board issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order in which the Licensee would agree to be reprimanded and to take at least three hours of Board approved continuing education in record keeping. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

**ERICKSON, IAN M., D.M.D. & SCHWARZER, PETER D.M.D. 2012-0149**

Ms. Mason moved and Dr. Hongo seconded that the Board, with regard to Respondent #1, issue a Notice of Proposed Disciplinary Action and offer a Consent Order incorporating a reprimand; with regard to Respondent #2 move the Board close the matter and take no further action at this time; with regard to Respondent #3 issue a Notice of Proposed Disciplinary Action and offer a Consent Order incorporating a reprimand. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye. Dr. Huddleston recused himself.

**HENDY, JOHN A., D.D.S. 2011-0226**

Dr. Magnuson moved and Mr. Smyth seconded that the Board issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order in which the Licensee would agree to make a restitution payment in the amount of \$6,804.00 to the patient within 90 days of the effective date of the Order. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye. Dr. Huddleston recused himself.

**HULL, JUDY J., R.D.H., & HULL, STEPHEN E., D.M.D. 2012-0133**

Ms. Davidson moved and Mr. Harvey seconded that the Board, with regard to Respondent #1, issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order that would reinstate the Licensee's dental hygiene license following completion of the application process, providing the Licensee agrees to be reprimanded and pay a civil penalty in the amount of \$2000.00; for Respondent #2, issue a Notice of Proposed Disciplinary Action and offer a Consent Order incorporating a reprimand and a civil penalty in the amount of \$2,000.00 per Board protocol. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye. Dr. Parker recused herself.

**2012-0022**

Mr. Smyth moved and Ms. Davidson seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that when dental radiographs are taken, the radiographs include coverage of all areas of concern and that treatment notes accurately document all contacts with the patient. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

**2012-0101**

Mr. Harvey moved and Ms. Mason seconded that the Board close the matter with a Letter of Concern reminding Licensee to assure that, when prescribing medications, a dental justification is documented in the patient record. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

**RADTKE, EDWIN P., D.M.D. 2012-0138**

Dr. Huddleston moved and Mr. Harvey seconded that the Board issued a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order incorporating a \$6,000 civil penalty. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

**RHODES, BRADFORD J., D.M.D. 2012-0171**

Dr. Schwindt moved and Dr. Magnuson seconded that the Board issue a Notice of Proposed Disciplinary Action Proposed Disciplinary Action and offer the Licensee a Consent Order in which the Licensee would agree to be reprimanded, pay an \$8,000.00 civil penalty, and make a restitution payment in the amount of \$1,262.00. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

**SCHWAM, STEPHEN P., D.D.S. 2009-0253**

Dr. Smith moved and Ms. Mason seconded that the Board issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order in which the Licensee would agree to be reprimanded, pay a civil penalty in the amount of \$2500.00 per Board protocols, make a restitution payment to patient JM in the amount of \$16,603.00 per Board protocols, and be restricted from providing orthodontic care except under the supervision of a Board approved orthodontist, per board protocol for close supervision. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

**WADDELL, KEN W., D.M.D. 2011-0229**

Ms. Mason moved and Dr. Smith seconded that the Board issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order in which the Licensee would agree to be reprimanded and pay a \$5000.00 civil penalty. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Smith and Mr. Smyth voting aye. Dr. Schwindt recused himself.

**ZEHTAB, HAMID R., D.M.D. 2012-0203**

Dr. Magnuson moved and Mr. Smyth seconded that the Board issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order in which the Licensee would agree to be reprimanded and pay a \$20,000.00 civil penalty. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

**PREVIOUS CASES REQUIRING BOARD ACTION**

**BLODGETT, KELLY J., D.M.D. 2011-0213**

Ms. Davidson moved and Mr. Harvey seconded that the Board issue a Final Default Order incorporating a reprimand, a \$1,000 civil penalty, six hours of continuing education in the area of orofacial radiology within six months, and a requirement that Licensee submit documentation verifying completion of 40 hours of continuing education for the licensure periods 4/1/11 to 3/31/13 and 4/1/13 to 3/31/15. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye. Dr. Huddleston recused himself.

**DENNEHY, ANNE H., D.D.S. 2011-0068**

Mr. Smyth moved and Ms. Davidson seconded that the Board deny Licensee's request to resolve this matter with a Letter of Concern and affirm the Board's action of 8/19/11. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

**DENSLEY, DIX C., D.D.S. 2007-0000**

Mr. Harvey moved and Dr. Hongo seconded that the Board accept Licensee's offer to resolve the matter with a Consent Order incorporating a reprimand and a \$500 civil penalty. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

**FRYE, RAYMOND L., D.M.D. 2012-0064 & 2012-0117**

Dr. Huddleston moved and Dr. Magnuson seconded that the Board deny Licensee's request and offer Licensee a Consent Order incorporating a reprimand, a \$20,000 civil penalty and three hours of Board approved continuing education in record keeping to be completed within six months of the effective date of this Order. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

**GAGNEJA, PRASHANT B.D.S. 2010-0216**

Mr. Smyth moved and Dr. Magnuson seconded that the Board accept respondent's proposed Consent Order incorporating a reprimand and a requirement that, if and when the Board issues him a dental license, he complete 250 hours of pro bono surgical treatment in a hospital operating room within 36 months and provide monthly reports to the Board on the pro bono work. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Smith and Mr. Smyth voting aye. Dr. Schwindt and Dr. Parker recused themselves.

**GREHN, CYNTHIA M., R.D.H. 2011-0147**

Dr. Schwindt moved and Mr. Harvey seconded that the Board deny Licensee's request to re-word the Notice of Proposed Disciplinary Action and offer Licensee a Consent Order incorporating a reprimand, a \$1,000 civil penalty, 20 hours of community service to be completed within three months, and require Licensee to submit, with Licensee's license renewals, documentation verifying completion of 24 hours of continuing education for the licensure periods 10/1/10 to 9/30/12 and 10/1/12 to 9/30/14. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

**HAZEL, MICHAEL C., D.M.D. 2011-0186**

Ms. Mason moved and Dr. Smith seconded that the Board deny Licensee's request to resolve the matter with a Letter of Concern and affirm the Board's action of 2/10/12. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

**HERRERA, LILIA D.D.S. 2011-0219**

Dr. Magnuson moved and Mr. Smyth seconded that the Board deny Licensee's request and affirm the Board's action of 6/1/12. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

**HUSER, SHELLERY R., R.D.H. 2009-0105**

Ms. Davidson moved and Mr. Smyth seconded that the Board issue an Amended Notice of Proposed License Revocation. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

**KAMI, PAUL K., D.M.D. 2011-0087 and 2011-0156**

Mr. Smyth moved and Dr. Magnuson seconded that the Board issue a Final Order of License Revocation. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

**2008-0254**

Mr. Harvey moved and Dr. Magnuson seconded that the Board grant Licensee's request providing Licensee agree to the terms of an Amended Voluntary Diversion Agreement wherein Licensee may purchase the dental practice of Dr. B. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

**LOXLEY, EMINE C., D.M.D. 2011-0078**

Dr. Huddleston moved and Dr. Smith seconded that the Board reaffirm the Board's actions on 8/19/11 and 2/10/12 and refer the case to hearing. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

**2011-0202**

Dr. Schwindt moved and Dr. Smith seconded that the Board grant Licensee's request, issue an Order of Dismissal dismissing the Notice of Proposed Disciplinary Action, dated 2/17/12 and the Amended Notice of Proposed Disciplinary Action, dated 7/17/12, and close the matter with a STRONGLY worded Letter of Concern addressing the issue of ensuring that Licensee make every effort to diagnose and document pathology evident on radiographs. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

**SHAMLOO, JAMSHEED J., D.M.D. 2012-0119**

Mr. Smyth moved and Dr. Magnuson seconded that the Board issue a Final Default Order incorporating a reprimand and a \$5,000 civil penalty. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

**STALEY, CHARLES R., D.M.D. 2011-0172**

Ms. Mason moved and Ms. Davidson seconded that the Board deny Licensee's request and affirm the Board's action of 2/10/12. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

**WALLE, NEIL M., D.D.S. 2010-0197**

Dr. Magnuson moved and Ms. Davidson seconded that the Board accept Licensee's offer whereby he agrees to complete two fully banded orthodontic cases on patients referred by Advantage Smiles for Kids; Licensee shall submit his diagnosis, treatment plans, and study models for a required Board review and pre-approval; Licensee shall fully identify the patients treated; and every six months Licensee shall submit to the Board his treatment notes as part of his Consent Order. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye

**LICENSURE AND EXAMINATION****Ratification of Licenses Issued**

As authorized by the Board, licenses to practice dentistry and dental hygiene were issued to applicants who fulfilled all routine licensure requirements. It is recommended the Board ratify

issuance of the following licenses. Complete application files will be available for review during the Board meeting. Dr. Magnuson moved and Dr. Huddleston seconded that licenses issued be ratified as published. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

### Dental Hygiene

H6222	KAREN L LANG, R.D.H.	6/4/2012
H6223	ESTHER RIOS, R.D.H.	6/4/2012
H6224	SHEENA DENEICE VELA, R.D.H.	6/7/2012
H6225	JESENIA ASHLEY CISNEROS, R.D.H.	6/7/2012
H6226	SHELBY MORGAN PRINCE, R.D.H.	6/7/2012
H6227	BRITTNEY R POTTER, R.D.H.	6/7/2012
H6228	JENNIFER JOHANNA LYMAN, R.D.H.	6/7/2012
H6229	MICHELLE J LANE, R.D.H.	6/7/2012
H6230	MAKAYLA M CULLEY, R.D.H.	6/14/2012
H6231	MICHELLE V CHINDAVONG, R.D.H.	6/14/2012
H6232	CHELSIE ANN NOTE, R.D.H.	6/14/2012
H6233	GIANG Q NGO, R.D.H.	6/14/2012
H6234	KOURTNI PRUITT, R.D.H.	6/19/2012
H6235	CARINNE KAY MUNSON, R.D.H.	6/28/2012
H6236	LISA DEANNE GLAZIER, R.D.H.	6/28/2012
H6237	LINDA MEE-YOUNG LEE, R.D.H.	6/28/2012
H6238	TERI LYNN DOUGLAS, R.D.H.	7/11/2012
H6239	DELIA V CERBU, R.D.H.	7/11/2012
H6240	YI-CHIN YANG, R.D.H.	7/11/2012
H6241	SARA HOURANPAY, R.D.H.	7/11/2012
H6242	SON T NGUYEN, R.D.H.	7/11/2012
H6243	BRITTANY N GREEN, R.D.H.	7/11/2012
H6244	KAYLEE E JOHNSON, R.D.H.	7/11/2012
H6245	SYLVIA ANN GALBASINI, R.D.H.	7/11/2012
H6246	SARA MARIE BENZ, R.D.H.	7/11/2012
H6247	TESSA REBECCA LOWE, R.D.H.	7/11/2012
H6248	WHITNEY PAIGE ROBINSON, R.D.H.	7/20/2012
H6249	DIANNA S THIEN, R.D.H.	7/20/2012
H6250	ANNA A DOROSHENKO, R.D.H.	7/20/2012
H6251	CAITLIN DEE ROTH, R.D.H.	7/20/2012
H6252	EMILY YOUNG CHOO POPP, R.D.H.	7/20/2012
H6253	DANIEL MARTINEZ, R.D.H.	7/20/2012
H6254	CHRISTIE M COBB, R.D.H.	7/20/2012
H6255	ALEKSANDR YANCHUK, R.D.H.	7/20/2012
H6256	EVELIN N JAMES, R.D.H.	7/20/2012
H6258	LAUREN GWEN BARKER, R.D.H.	7/20/2012
H6259	SARAH ANN PEARSON, R.D.H.	7/20/2012
H6260	MEGAN VAN NOY, R.D.H.	7/20/2012

**DENTISTS**

H6208	KAREN A DAUGHERTY, R.D.H.	4/3/2012
H6209	KATHLEEN M BIGELOW, R.D.H.	4/5/2012
H6210	AYMAN ESMAT ALGOHARY, R.D.H.	4/24/2012
H6211	KELLY E MANNING, R.D.H.	4/24/2012
H6212	NATALIE R BARKER, R.D.H.	4/25/2012
H6213	KRISTA JEWELINE BECK, R.D.H.	4/25/2012
H6214	SUL-AH MOON, R.D.H.	5/2/2012
H6215	WHITNEY NICCOLE BARTLETT, R.D.H.	5/17/2012
H6216	MARIA GUADALUPE RIOS, R.D.H.	5/17/2012
H6217	STEFANIE E SCOTT, R.D.H.	5/17/2012
H6218	DAYVIN MYCAL KNEMEYER, R.D.H.	5/17/2012
H6219	ALEAH R WRIGHT, R.D.H.	5/17/2012
H6220	CARLEY RAE CHANDLER, R.D.H.	5/17/2012
H6221	JESSICA ELIZABETH BARRETT, R.D.H.	5/17/2012
D9711	JENNIFER RUBEL, D.M.D.	4/3/2012
D9712	ELIZABETH IRENE KATZ, D.M.D.	4/3/2012
D9713	HAN NGOC VU, D.D.S.	4/3/2012
D9714	TODD R COCKRELL, D.M.D.	4/5/2012
D9715	CAMERON GLEN EDWARDS, D.D.S.	4/24/2012
D9716	ERIC L GREGG, D.M.D.	4/24/2012
D9717	GARTH W HATCH, D.D.S.	4/24/2012
D9718	THOMAS S STINCHFIELD, D.D.S.	4/25/2012
D9719	REID J KETCHER, D.M.D.	4/27/2012
D9720	CHRISTINE A WOODWARD, D.D.S.	5/2/2012
D9721	SUZAN NGUYEN, D.M.D.	5/17/2012

**Reinstatement of License**

Ms. Davidson moved and Ms. Mason seconded that the Board reinstate the license of C. Nicholson, III. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye

**Investigative Summary Case No. 2011-174**

Mr. Harvey moved and Dr. Magnuson seconded that the Board grant the request to release the investigative summary. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye

**EXECUTIVE SESSION: The Board will meet in Executive Session pursuant to ORS 192.660(2)(i), to conduct the annual review and evaluation of the Executive Director. No final action will be taken in Executive Session.**

**OPEN SESSION:** The Board returned to Open Session.

### **ADMINISTRATIVE REVIEW**

#### **REVIEW**

Mr. Smyth moved and Dr. Magnuson seconded that the Board accept Mr. Braatz's performance rating as presented by the Administrative Workgroup. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

#### **ADMINISTRATIVE GOALS**

Mr. Harvey moved and Dr. Magnuson seconded that the Board approve the goals presented for the Executive Director for the 2012-2013 year. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

#### **EXCEPTIONAL PERFORMANCE LEAVE WITH PAY**

Dr. Magnuson moved and Ms. Davidson seconded that the Board grant Mr. Braatz the 40 hours of exceptional performance leave with pay in the event that the state reinstates its availability for those who've been granted its use in the course of the next year. The motion passed with Ms. Davidson, Mr. Harvey, Dr. Hongo, Dr. Huddleston, Ms. Mason, Dr. Magnuson, Dr. Schwindt, Dr. Smith and Mr. Smyth voting aye.

#### **Announcement**

No announcements

### **ADJOURNMENT**

The meeting was adjourned at 2:10 p.m. Dr. Parker stated that the next Board meeting would take place on October 5, 2012.

Approved by the Board October 5, 2012.

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Patricia A. Parker, D.M.D.  
President

## Best Practices Self-Assessment

Annually, Board members are to self-evaluate their adherence to a set of best practices and report the percent total best practices met by the Board (percent of yes responses in the table below) in the Annual Performance Progress Report as specified in the agency Budget instructions.

### Best Practices Assessment Score Card

Best Practices Criteria	Yes	No
1. Executive Director's performance expectations are current.		
2. Executive Director receives annual performance feedback.		
3. The agency's mission and high-level goals are current and applicable.		
4. The Board reviews the Annual Performance Progress Report.		
5. The Board is appropriately involved in review of agency's key communications.		
6. The Board is appropriately involved in policy-making activities.		
7. The agency's policy option budget packages are aligned with their mission and goals.		
8. The Board reviews all proposed budgets.		
9. The Board periodically reviews key financial information and audit findings.		
10. The Board is appropriately accounting for resources.		
11. The agency adheres to accounting rules and other relevant financial controls.		
12. Board members act in accordance with their roles as public representatives.		
13. The Board coordinates with others where responsibilities and interest overlap.		
14. The Board members identify and attend appropriate training sessions.		
15. The Board reviews its management practices to ensure best practices are utilized.		
Total Number		
Percentage of total:		