

**OREGON BOARD OF DENTISTRY
MINUTES
February 15, 2013**

MEMBERS PRESENT: Patricia Parker, D.M.D., President
Jonna E. Hongo, D.M.D., Vice-President
Brandon Schwindt, D.M.D. (portion of meeting)
Alton Harvey, Sr
Julie Ann Smith, D.D.S., M.D.
Darren Huddleston, D.M.D.
Jill Mason, M.P.H., R.D.H.
Norman Magnuson, D.D.S.

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

ALSO PRESENT: Lori Lindley, Sr. Assistant Attorney General

VISITORS PRESENT: Donald Bretthauer, ODA; Beryl Fletcher, ODA; T. Boehm, CDC;
Lynn Ironside, RDH, ODHA; Lisa Rowley, RDH, Pacific University;
Steven Timm, DMD, ODA; Gary Allen, DMD, Advantage Dental;
Pamela Lynch, RDH, ODHA; Robynne Peterson, ODAA

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

NEW BUSINESS

MINUTES

Ms. Mason moved and Dr. Magnuson seconded that the minutes of the December 14, 2012 Board meeting be approved as amended. The motion passed with Dr. Hongo, Dr. Schwindt, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

Ms. Mason moved and Dr. Magnuson seconded that the minutes of the January 7, 2013 Special Teleconference Board meeting be approved as amended. The motion passed with Dr. Hongo, Dr. Schwindt, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

ASSOCIATION REPORTS

Oregon Dental Association

Dr. Timms from the Oregon Dental Association introduced the new Executive Director, Don Bretthauer who's been on staff for about three weeks now. The Board extended a warm welcome to Mr. Bretthauer.

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 he attended the WREB Board meeting a few weeks ago. WREB has added the state of Illinois as a new member state. He added that WREB is currently thanking older WREB examiners for their years of dedicated service and moving new examiners into circulation since there have been so many additional states joining as members.

Dr. Magnuson also stated that he wanted to personally thank Oregon board members who currently do examinations for WREB as it's very important for the examination process.

AADB Liaison Report

Dr. Parker stated there was nothing new to report but that the Mid-Year meeting was being held in April this year and she would have a full report after that meeting.

ADEX Liaison Report

Dr. Parker stated there was nothing new to report.

NERB Liaison Report

Dr. Parker stated that she the NERB meeting. She continued that at the previous year's Presidents meeting many people had been asking for a centralized service for providing background checks. In response the AADB has began polling states to find out if a central service to provide background checks would be something in demand.

Dr. Parker also stated that a comprehensive national occupational analysis has been done and has resulted in the scaling exercise from the ADEX exam being removed as it was statistically insignificant with procedures performed by dentists. ADEX has now made the scaling exercise an optional part of the exam, and she clarified that there is still numerous parts of the exam that contains testing regarding perio, and it's just that the specific scaling portion was made optional.

Dr. Parker announced that she had been name chair of NERB's re-credentialing sub-committee. Because of that Dr. Smith will be moving to the steering committee. Dr. Parker added that the Steering committee will now be considered a designated body of NERB and considered parallel to the Board of Directors and therefore subject to all the same legal duties as the Board of Directors.

Additionally she stated that there are two new member states, those being Mississippi and New Mexico and that NERB's attorney spoke about the new statute concerning nonprofit organizations. Also mentioned was that the Credentialing committee will also be focusing on moving new examiners into the rotation much like WREB will be.

Rules Oversight Committee Meeting Report

Dr. Schwindt stated that the Rules commit met on January 22nd and recommended the Board

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send the following rules to public rule hearing as published. 818-001-0002, 818-012-0005, 818-026-0000, 818-026-0020, 818-026-0060, 818-026-0065, 818-026-0070, 818-035-0030, 818-042-0040, 818-042-0110, 818-001-0087, 818-035-0060.

818-001-0002 Definitions

Ms. Mason moved and Dr. Schwindt seconded that the Board send 818-001-0002 to a public rule making hearing as presented. The motion passed with Dr. Hongo, Dr. Schwindt, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

818-012-0005 Scope of Practice

Dr. Schwindt moved and Ms. Mason seconded that the Board send 818-012-0005 to public rule hearing. The motion passed with Dr. Hongo, Dr. Schwindt, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

818-026-0000 Purpose

Dr. Schwindt moved and Dr. Hongo seconded that the Board send 818-026-0000 to public rule hearing. The motion passed with Dr. Hongo, Dr. Schwindt, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

818-026-0020 – Presumption of Degree...

Dr. Schwindt moved and Ms. Mason seconded that the Board send 818-026-0020 to public rule hearing. The motion passed with Dr. Hongo, Dr. Schwindt, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

818-026-0060 Moderate Sedation Permit

Dr. Schwindt moved and Ms. Mason seconded that the Board send 818-026-0060 to public rule hearing. The motion passed with Dr. Hongo, Dr. Schwindt, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

818-026-0065 Deep Sedation Permit

Dr. Schwindt moved and Ms. Mason seconded that the Board send 818-026-0065 to public rule hearing. The motion passed with Dr. Hongo, Dr. Schwindt, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

818-026-0065 (2)(h) and (7)(a) Deep Sedation Permit

Dr. Schwindt moved and Ms. Mason seconded that the Board send 818-026-0065 to public rule hearing as presented. The motion passed with Dr. Hongo, Dr. Schwindt, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

818-026-0070 – General Anesthesia Permit

Dr. Schwindt moved and Ms. Mason seconded that the Board send 818-026-0070 to public rule hearing. The motion passed with Dr. Hongo, Dr. Schwindt, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

818-035-0030 – Additional Functions of EFDA's

Dr. Schwindt moved and Ms. Mason seconded that the Board send 818-035-0030 to public rule hearing. The motion failed with Dr. Parker, Dr. Hongo, Dr. Huddleston and Ms. Mason voting aye and Dr. Schwindt, Mr. Harvey, Dr. Magnuson and Dr. Smith opposed.

Dr. Schwindt stated that silver nitrate is an irreversible procedure and that is in his opinion is a complete step outside of the Board prior decisions of only allowing reversible procedures. In

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addition there is a current lack of supporting evidence that Silver Nitrate actually works.

818-042-0040 – Prohibited Acts

Dr. Schwindt moved that the Board send 818-042-0040 to public rules hearing. The motion died with no second.

818-042-0110 - Certification

Dr. Schwindt moved and Dr. Hongo seconded that the Board send 818-042-0110 to public rule hearing. The motion passed with Dr. Hongo, Dr. Schwindt, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

818-001-0087 - Fees

Dr. Schwindt moved and Dr. Magnuson seconded that the Board send 818-001-0087 to public rule hearing. The motion passed with Dr. Hongo, Dr. Schwindt, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

818-035-0066 – Addition Populations...

Dr. Schwindt moved and Ms. Mason seconded that the Board send 818-035-0066 send to public rule hearing. The motion passed with Dr. Hongo, Dr. Schwindt, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

Rule Review

Dr. Schwindt moved and Ms. Mason seconded that the Board accept the rule review of 818-042-0095 as recommended by the Rules Oversight Committee. The motion passed with Dr. Hongo, Dr. Schwindt, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

Dr. Schwindt moved and Dr. Magnuson seconded that the board accept the rule review of 818-035-0070 as recommended by the Rules Oversight Committee. The motion passed with Dr. Hongo, Dr. Schwindt, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

Implants

Dr. Schwindt stated that there was discussion regarding implants and maintenance of implant information requirements, possibly heading in the direction of providing the specific information regarding the implant to the patient to maintain and provide to next dentist if and when needed. He stated that this was going to be discussed more fully at the Rules Oversight Committee at a later date.

Committee Meeting Dates

There are currently no committee meeting dates set.

EXECUTIVE DIRECTOR'S REPORT

Budget Status Report

Mr. Braatz stated that attached was the latest budget report for the 2011-2013 Biennium. The report runs from July 1, 2011 through December 31, 2012 and shows revenue of \$1,792,021.11 and expenditures of \$1,603,749.22. Mr. Braatz added that revenues continue to be on target and the expenditures to date are actually below what has been budgeted. He also stated that we have just begun the 2013 Online Dental Renewals which is the last large revenue stream that we will have during the 2011 – 2013 Biennium and that the budget appears to be performing as expected.

Customer Service Survey Report

Mr. Braatz attached a chart showing the OBD State Legislatively Mandated Customer Service Survey Results from July 1, 2012 through December 31, 2012.

He stated that the results of the survey show that the OBD continues to receive positive comments from the majority of those that return the surveys. A booklet containing the written comments that are on the survey forms, which staff has reviewed, are available on the table for Board members to review as well.

Board and Staff Speaking Engagements

Saturday, January 12, 2013 – Mr. Braatz made a presentation on “Corporate Dentistry” to the Northeast Regional Boards of Dental Examiners, Inc. Public Advocacy Committee in Orlando Florida.

Wednesday, January 16, 2013 - Dr. Paul Kleinstub Dental Director/Chief Investigator made a presentation on the “Dental Practice Act/Jurisprudence Examination” to the Senior Dental Students at OHSU School of Dentistry, in Portland.

Friday, January 18, 2013 – Mr. Braatz made a presentation on “Record Keeping” to Advantage Dental in Redmond.

Wednesday, January 23, 2013 - Dr. Paul Kleinstub, Dental Director/Chief Investigator and Mr. Braatz made a presentation on the “Board of Dentistry” to the Senior Dental Students at OHSU School of Dentistry in Portland.

2013 Dental Renewal

Mr. Braatz stated that on January 23, 2013 the OBD mailed 1815 postcards informing dentists whose Oregon License will expire March 31, 2013 that the on-line renewal was available. As of today, February 15, 2013, 673 dentists have renewed their license.

EPP Report

Mr. Braatz stated that attached was the full report of the EPP Dental Hygienist in Oregon as a result of SB 738 that was implemented a little over one year ago.

OBD 2013-2015 Governor’s Balanced Budget

Mr. Braatz stated that he has attached the 2013 – 2015 Governor’s Balanced Budget. OBD Board President Patricia Parker and Mr. Braatz appeared before the Oregon Legislature’s Education Subcommittee of the Joint Ways and Means Committee on Monday, February 11, 2013 at 8:30 am for the OBD Budget Hearing. If Board Members have questions about the OBD Budget Mr. Braatz stated that he would be happy to answer them.

Legislative Update

Mr. Braatz stated that attached the Board would find a list of the Oregon Legislative Bills that the OBD is currently tracking that will have a direct impact in the Board or impact on the Board as a state agency.

Mr. Braatz reviewed some of the more significant bills currently in circulation that may impact the Board. He also indicated that legislative session moves quickly and he would be keeping the information coming as various bills are dropped, added or amended.

Board Member Appointment

Mr. Braatz stated that Dr. Hongo was reappointed to the Board with her term ending April 1, 2016 and Dr. Schwindt has also been reappointed with his term ending April 1, 2017. The new Dental member of the Board will be Dr. Todd Beck of Portland with a term expiration March 31, 2017 and the Boards new Public member will be Mr. James Morris of Portland with a term ending March 31, 2017. The Governor's Office is still working on replacing Ms. Mason's hygiene seat.

Oregon Dental Conference

Mr. Braatz stated that the ODC will be held at the Oregon Convention Center in Portland, April 4-6. He added that the OBD will once again have a presence at the ODC and we will have a table outside the Exhibit Hall. In addition, Mr. Braatz added that he and Dr. Kleinstub will be presenting as a part of the DBIC Risk Management Seminar on Thursday, April 4, 2013, as well as two other courses entitled "Record Keeping from the Board's Perspective" and "Ask the Board."

Mr. Braatz stated that Board staff has submitted all Board members' names to the ODA so those of you that have not registered will have name badges that allow you access to the Exhibit Hall. Mr. Braatz stated that he encourages all Board members to be available at the table and if possible, attend the course entitled "Ask the Board."

Smoking Cessation Prescriptions

Ms. Mason asked the Board to review its policy on smoking cessation. Ms. Mason stated that this was brought up because OHSU wanted to increase its smoking cessation program as a tool for their dental students. In 1996 the Board's policy stated that tobacco cessation was within the scope of practice of dentistry, but since that time many other drugs have been introduced and felt it would be beneficial for the Board should review the policy. The Board could then either go on record stating that smoking cessation is within the scope of dentistry or possibly add a list of allowed prescription for dentist to prescribe for smoking cessation.

Dr. Smith stated that in her opinion cessation counseling is clearly within the scope but actual prescribing should be referred to the patients' primary care physicians as there are too many risks with the current drugs available. Dr. Schwindt agreed that the newer medication are different and include stronger and more varied reactions and he too felt that the Board should review its current policy.

Dr. Hongo moved and Dr. Schwindt seconded that Licensing and Standard Committee should review and rewrite the policy as needed. The motion passed with Dr. Hongo, Dr. Schwindt, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

CAFR Gold Star Award 2012

Mr. Braatz stated that the State Controller's Office has once again issued the OBD a FY 2012 Gold Star Certificate signifying that the OBD has provided accurate and complete fiscal year end information in a timely manner.

Governor's State of the State

Mr. Braatz stated that attached was a of the Governor's State of the State Address that he wanted to share with the Board.

HPSP Satisfaction Survey

Mr. Braatz stated that the most recent satisfaction survey from the HPSP program was attached for the Boards review.

Denturist Program

HB2145 passed last legislative session allowing denturist to do other things; an example would be teeth whitening. As a result, and to avoid complication or issues, the Denturist Program is asking for a few volunteers for a Coordinating Workgroup with proposed meeting dates of March 25, April 29, and July 22. Dr. Smith volunteered to attend the meetings.

Affirmative Action Report

Mr. Braatz stated that attached the Board would find the most current Affirmative Action Report which has been accepted and approved by the Governor's Affirmative Action Office.

Newsletter

Mr. Braatz stated that the newsletter is currently in production and that we are waiting to approve the final set of proofs. Mr. Braatz stated that his target date for mailing is the last week of February.

UNFINISHED BUSINESS

CORRESPONDENCE

The Board received an email from Kristi Jacobo

Ms. Jacobo sent an email to the Board regarding CDT code 0191 asking who can use this code. Mr. Braatz stated that his initial response was that a standard hygienist could not use this code but an EPP hygienist as well as EPP hygienist who have a collaborative agreement, but he felt the Board needed to make a final decision on this.

The Board directed Mr. Braatz to respond by stating that the Board has have nothing to do with the CDT code but the functions described can be performed by any licensed dental hygienists.

The Board received a letter from Guy S. Shampaine, DDS, - Chairman NERB

Dr. Shampaine sent a letter to the board thanking him for his participation in this year's Educational Conference.

OTHER BUSINESS

Request for Approval of EPP Dental Hygiene CE Provider – PCC Study Club

Ms. Mason moved and Dr. Hongo seconded that the course be approved as presented. The motion passed with Dr. Hongo, Dr. Schwindt, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

Articles and News of Interest (no action necessary)

No Articles

Board Member Recognition

Mr. Braatz presented plaques to Dr. Huddleston and Ms. Mason for their years of dedication to the Board.

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

Licensees appeared pursuant to their Consent Orders in case numbers **2008-0256, 2005-0117, and 1997-0091.**

OPEN SESSION: The Board returned to Open Session.

2011-0208

Dr. Schwindt moved and Ms. Mason seconded that the Board 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 that a dental diagnosis is documented to justify treatment that is subsequently provided. The motion passed with Dr. Hongo, Dr. Schwindt, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

MARTIN, ELIZABETH J. R.D.H., 2012-0173

Dr. Schwindt moved and Dr. Magnuson seconded that the Board issue a Notice of Proposed Disciplinary Action and offer a Consent Order incorporating a reprimand and a civil penalty in the amount of \$1,000.00. The motion passed with Dr. Hongo, Dr. Schwindt, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

Dr. Schwindt left at 12:40 p.m.

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.

LICENSING ISSUES

OPEN SESSION: The Board returned to Open Session.

CONSENT AGENDA

2013-0084 Dr. Hongo moved and Ms. Mason seconded that the above referenced cases be closed with No Further Action per the staff recommendations. The motion passed with Dr. Hongo, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

COMPLETED CASES

2012-0087, 2013-0126, 2011-0076, 2012-0052, 2013-0120, 2012-0074, 2012-0165, 2013-0134, 2012-0045, 2013-0104, 2011-0201, 2012-0086, 2012-0124, 2012-0078, 2012-0061, 2011-0198, 2012-00161, 2012-0036 and 2012-0079 Dr. Hongo moved and Ms. Mason 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 Dr. Hongo, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

ANGLE, DARRELL, L. D.D.S., 2012-0031, 2012-0172 & 2013-0081

Dr. Huddleston moved and Dr. Smith seconded that the Board issue a Notice of Proposed Disciplinary Action. The motion passed with Dr. Hongo, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

BLACK, STEVEN W., D.D.S., 2013-0081

Mr. Harvey moved and Dr. Magnuson seconded that the Board issue a Notice of Proposed Disciplinary Action and offer a Consent Order. The motion passed with Dr. Hongo, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye. Dr. Schwindt recused himself.

2012-0080

Dr. Smith moved and Dr. Hongo seconded that the Board close the matter with a STRONGLY worded Letter of Concern addressing the issues of ensuring that all treatment that is provided is completely documented in the patient records and that a dental diagnosis is documented in the patient records as justification for all treatment that is provided and for all prescriptions that are written. The motion passed with Dr. Hongo Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

POOL, KARLA J., R.D.H. 2012-0226

Ms. Mason moved and Dr. Magnuson seconded that the Board with respect to Respondent #1, move to close the matter with a determination of No Violation; and, with respect to Respondent #2, move to issue a Notice of Proposed License Suspension. The motion passed with Dr. Hongo, Mr. Harvey, Dr. Smith, Ms. Mason and Dr. Magnuson voting aye. Dr. Huddleston recused himself.

2011-0224

Dr. Magnuson moved and Dr. Hongo seconded that the Board close the matter with a STRONGLY worded Letter of Concern addressing the issue of ensuring that current radiographs are available prior to extracting multiple teeth and that when extracting multiple teeth, the condition of the patient's mouth corresponds to the current radiographs. The motion passed with Dr. Hongo, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

KARLIN, HANNA, D.M.D., 2012-0077

Dr. Huddleston 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, to complete at least three hours of a Board approved course in record keeping, and make a restitution payment in the amount of \$961.00 to the patient. The motion passed with Dr. Hongo, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

LEWIS, ANTHONY J., R.D.H., 2012-0177

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

MOTLAGH, MARYAM M., D.M.D., & ZAVARI, BITA, D.M.D., 2012-0071

Dr. Smith 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, and a civil penalty in the amount of one thousand dollars (\$1,000.00); with regard to Respondent #2

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issue a Notice of Proposed Disciplinary Action and offer a Consent Order incorporating a reprimand, and a civil penalty in the amount of one thousand dollars (\$1,000.00). The motion passed with Dr. Hongo, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

2013-0079

Dr. Magnuson moved and Mr. Harvey seconded that the Board close the matter with a Letter of Concern reminding the Licensee that the Licensee is responsible for the content of marketing advertisements and how they comply with the Board rules. The motion passed with Dr. Hongo, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

PREVIOUS CASES REQUIRING BOARD ACTION

BOLOURI, ALIREZA F., D.M.D 2012-0224

Dr. Huddleston moved and Dr. Hongo seconded the Board accept Licensee's proposal and offer Licensee a re-worded Consent Order incorporating a reprimand, three hours of continuing education in the area of record keeping, and cessation of placing posterior mandibular implants until completion of a Board approved continuing education course, with a hands-on facet, on implants. The motion passed with Dr. Hongo, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

BURNS, TIMOTHY W., D.D.S., 2012-0083 & 2012-0167

Mr. Harvey moved and Dr. Magnuson seconded that the Board move to deny Licensee's request and affirm the Board's action of 12/14/12. The motion passed with Dr. Hongo, Dr. Schwindt, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

2011-0220

Dr. Smith moved and Dr. Hongo seconded that the Board issue an Order of Dismissal dismissing the Notice of Proposed Disciplinary Action, dated 6/18/12, and close the matter with a Letter of Concern addressing the issue of ensuring that prior to providing treatment, informed consent is obtained from the patient or the patient's guardian, and the obtaining of informed consent is documented in the patient records. The motion passed with Dr. Hongo, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

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

Ms. Mason moved and Dr. Hongo seconded the Board deny Licensee's proposal and offer Licensee a Consent Order incorporating a \$4,334 restitution payment to patient PC. The motion passed with Dr. Hongo, Mr. Harvey, Dr. Smith, Ms. Mason and Dr. Magnuson voting aye. Dr. Huddleston recused himself.

REGAN, MICHAEL C., D.M.D., 2010-0186

Dr. Magnuson moved and Mr. Harvey seconded that the Board accept Licensee's proposal and offer Licensee a re-worded Consent Order incorporating a reprimand, a \$5,000 civil penalty, three hours of Board approved continuing education in the area of record keeping, and cessation of placing implants until completion of the Board approved 21 hour course, "Implant Mentoring I," or a comparable course including hands-on training. The motion passed with Dr. Hongo, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

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

Dr. Huddleston moved and Dr. Hongo seconded that the Board offer Licensee a Consent Order incorporating a reprimand; payment of \$9,936 in restitution to patient JM, to be paid within four months of the effective date of the Order; a \$2,500 civil penalty to be paid within six months of the effective date of the Order; and restriction from providing orthodontic treatment except under the close supervision of a Board approved orthodontist.. The motion passed with Dr. Hongo, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

SULLENS, SHELLEY R., D.M.D., 1997-0091

Ms. Mason moved and Dr. Hongo seconded that the Board grant Licensee's request and issue an Order of Dismissal, dismissing all Consent Orders related to this case. The motion passed with Dr. Hongo, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

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

Dr. Hongo moved and Dr. Magnuson seconded that the Board reject Licensee's offer and affirm the Board's action of 8/3/12. The motion passed with Dr. Hongo, Dr. Schwindt, Mr. Harvey, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

LICENSURE AND EXAMINATION

Ratification of Licenses Issued

Dr. Huddleston moved and Dr. Magnuson seconded that licenses issued be ratified as published. The motion passed with Dr. Hongo, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

License Reinstatement John D. Beals, DDS

Dr. Huddleston moved and Ms. Mason seconded that the Board reinstated Dr. Beals Oregon Dental License. The motion passed with Dr. Hongo, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

License Reinstatement S. William Cheah, DDS

Mr. Harvey moved and Ms. Mason seconded that the Board reinstate Dr. Cheah's Oregon Dental License. The motion passed with Dr. Hongo, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

License Reinstatement Cindy L McKay, RDH

Dr. Smith moved and Ms. Mason seconded that the Board reinstate Ms. McKay's' Oregon Dental Hygiene License. The motion passed with Dr. Hongo, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

Non-Resident Permit Yusuke Suzuki, DMD

Ms. Mason moved and Dr. Smith seconded that grant Ms. Suzuki a Non-Resident Permit. The motion passed with Dr. Hongo, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

Request for Release of Investigative Files

Dr. Magnuson moved and Dr. Smith seconded that the Board release investigative file for 2012-

0024 pursuant to the law. The motion passed with Dr. Hongo, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

Dr. Magnuson moved and Dr. Smith seconded that for 2010-0216 the Board release the investigative query information to Washington State Dental Quality Assurance commission pursuant to law. The motion passed with Dr. Hongo, Mr. Harvey, Dr. Smith, Dr. Huddleston, Ms. Mason and Dr. Magnuson voting aye.

Announcement

No announcements

ADJOURNMENT

The meeting was adjourned at 1:26 p.m. Dr. Parker stated that the next Board meeting would take place April 19, 2013.

Approved by the April 19, 2013

_____/S/_____
Patricia Parker, D.M.D.
President