

**OREGON BOARD OF DENTISTRY
MINUTES
October 18, 2013**

MEMBERS PRESENT: Jonna E. Hongo, D.M.D., President
Brandon Schwindt, D.M.D., Vice-President
Todd Beck, D.M.D.
Mary Davidson, M.P.H., R.D.H.
Alton Harvey, Sr.
Norman Magnuson, D.D.S.
James Morris
Patricia Parker, D.M.D.
Julie Ann Smith, D.D.S., M.D.
John Tripp, R.D.H.

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

ALSO PRESENT: Lori Lindley, Sr. Assistant Attorney General

VISITORS PRESENT: Brad Fuller, D.D.S., Gentle Dental; Heidi Jo Grubbs, R.D.H., Beryl Fletcher, ODA; Lynn Ironside, R.D.H., ODHA; Gary Allen, D.M.D., Advantage Dental; Lisa Rowley, R.D.H., Pacific University; Tara Bannon, The Bend Bulletin; Steven Timm, D.M.D., ODA; Pamela Lynch, EPP, ODHA; Melanie Knupp, Pacific Dental Services.

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

Dr. Magnuson moved and Dr. Parker seconded that the minutes of the August 16, 2013 Board meeting be approved as amended. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

Ms. Davidson moved and Mr. Harvey seconded that the minutes of the September 5, 2013 Special Teleconference Board meeting be approved as presented. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

ASSOCIATION REPORTS

Oregon Dental Association

Dr. Steven Timm thanked Mr. Braatz and members of the Board for attending the ODA House of Delegates meeting held in Sun River in September. He added that the ODA was planning some upcoming meetings and that the Board would be kept updated on the timing of those. He also took the opportunity to remind everyone that December 13th is the last Risk Management presentation for the year.

Oregon Dental Hygienists' Association

Ms. Ironside had no report. She introduced Ms. Rowley; Ms. Rowley stated that the ODHA would be holding its Fall Dental Health Conference November 8-10 this year and that all information is available on the ODHA website.

Oregon Dental Assistants Association

No one from the ODAA was present.

COMMITTEE AND LIAISON REPORTS

WREB Liaison Report

Dr. Magnuson stated there was an upcoming WREB Board meeting on November 1st so he had nothing new to report.

AADB Liaison Report

Dr. Parker had nothing new to report but stated that the AADB Annual meeting, celebrating its 130th year, will be held in New Orleans at the end of October so a full report would take place at the December Board meeting.

ADEX Liaison Report

Dr. Parker had nothing new to report and stated that the ADEX Annual meeting was coming up November 8-10. She would provide a full report at the December Board meeting.

NERB

Dr. Hongo and Dr. Smith had nothing to report. There is a NERB meeting scheduled on January 7, 2014.

Dental Hygiene Committee Meeting Report

Ms. Davidson reported that the Dental Hygiene Committee met October 10th and made the following recommendations.

Infection Control Continuing Education

The Dental Hygiene Committee recommended that the Board consider adopting a rule requiring Infection Control CE for all licensees as part of their license renewal, in addition to what is considered 'medical emergencies.' Ms. Davidson moved and Dr. Parker seconded that the Board refer the Infection Control CE requirement, to the Rules Oversight Committee. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

Healthcare Provider Requirements

Dr. Beck moved and Dr. Smith seconded that the Rules Oversight Committee review the option of adding healthcare provider CPR certification requirements to all licensees. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

Infection Control Rule Language

Ms. Davidson moved and Dr. Beck seconded that the Board send 818-012-0040(4) the revisions as presented to the Rules Oversight Committee. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

Infection Control Revision to 818-012-0040(4)

*(4) Heat sterilizing devices shall be tested for proper function ~~on a weekly basis~~ by means of a biological monitoring system that indicates micro-organisms kill **each calendar week in which patients are treated.***

Clarification 818-026-0055(c)

Ms. Davidson moved and Dr. Schwindt seconded that the Board send OAR 818-026-0055(c) as presented to the Rules Oversight committee. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

*(c) An anesthesia monitor, in addition to the dental hygienist performing the authorized procedures, is present with the patient at all times **only if the dental hygienist does not hold a nitrous oxide permit or current BLS CPR card.***

Discussion Regarding Jurisprudence Exam Timeline

Ms. Davidson stated that the committee recommends that the Board set a timeline and appoint a committee, possibly of educators, in order to update the Jurisprudence Exam.

Mr. Braatz stated that a committee will be formed and it should be updated in 2014, probably in the spring. Ms. Davidson asked that progress be reviewed at the December Board meeting.

Discussion Regarding House Bill 2611 – Cultural Competency CE for Licensees

Ms. Davidson stated that the committee recommends that the Board discuss HB 2611 requirements for cultural competency education and decide if they want to implement any specific requirements for licensees. Mr. Braatz stated that currently under HB 2611, the law states that the Board MAY require but it does not have to. In addition, they have not defined cultural competency at this point.

Dental Hygiene Committee Meeting Dates

Ms. Davidson also stated that the Dental Hygiene Committee set the next meeting dates for 2014. The dates are as follows: March 6, June 12, September 11 and December 11 with all meetings being scheduled in the evening.

EXECUTIVE DIRECTOR'S REPORT

Budget Status Report

Mr. Braatz stated that the Board would find attached the latest budget report for the 2013 - 2015 Biennium. This report, which is from July 1, 2013 through August 31, 2013, shows revenue of

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\$297,483.21 and expenditures of \$170,513.44. He stated that if Board members have questions on this budget report format that he was happy to answer any questions.

Customer Service Survey Report

Mr. Braatz stated that the Board would find attached the latest chart which shows the OBD State Legislatively Mandated Customer Service Survey Results from July 1, 2013 through September 30, 2013. 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

Board and Staff Speaking Engagements

Friday, September 6, 2013 – Mr. Braatz made a presentation on “Updates from the OBD” to the Oregon Dental Association House of Delegates in Sun River, Oregon.

Wednesday, September 18, 2013 – Mr. Braatz made a presentation on “Updates from the OBD” to the Marion Dental Research Group in Salem, Oregon.

Monday, October 7, 2013 – Mr. Braatz made a presentation on “Updates from the OBD” to the Orthodontics Study Club in Portland, Oregon.

Office Lease Update

Mr. Braatz stated that the Board has signed a lease for our new office space located in the Crown Plaza building. He added that we have a move date of December 6, 2013 with the Board being operational in the new space on December 9, 2013.

Annual Performance Report

Mr. Braatz stated that he had attached the 2012 – 2013 Annual Performance Report for the OBD’s review.

Newsletter

Mr. Braatz stated that we’re currently working on trying to get the newsletter to the publisher around November 1st.

UNFINISHED BUSINESS

RULES

OAR 818-012-0005(3)

Dr. Beck moved and Dr. Schwindt seconded that the Board amend 818-012-0005(3) as revised and make it effective January 1, 2014. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

[3\) A dentist may utilize Botulinum Toxin Type A to treat a condition that is within the scope of the practice of dentistry after completing a minimum of 16 hours in a hands on clinical course\(s\) in which the provider is approved by the Academy of General Dentistry Program Approval for Continuing Education \(AGD PACE\) or by the American Dental Association Continuing Education Recognition Program \(ADA CERP\).](#)

Dr. Magnuson wanted to go on record stating that he did not like the fact that we're going down the a path to require education for a procedure that is NOT permanent yet we allow others that are permanent to happen without education requirements.

Dr. Hongo wanted to go on record stating that this is an honor system requirement since it is not a certification or permit. It would only be if someone had a complaint filed against them that it would come into question.

OAR 818-012-0040(4)

Dr. Schwindt moved and Dr. Beck seconded that the Board amend 818-012-0040(4) as presented and make it effective January 1, 2014. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

(4) Heat sterilizing devices shall be tested for proper function on a weekly basis by means of a biological monitoring system that indicates micro-organisms kill. Testing results shall be retained by the licensee for the current calendar year and the two preceding calendar years.

OAR 818-013-0001(16)-(22)

Dr. Magnuson moved and Dr. Schwindt seconded that the Board amend 818-013-0001 as presented and make it effective January 1, 2014. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

OAR 818-013-0005(3)

Dr. Smith moved and Ms. Davidson seconded that the Board amend 818-013-0005 as presented and make it effective January 1, 2014. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

OAR 818-026-0060(1)(A)

Dr. Parker moved and Dr. Magnuson seconded that the Board amend 818-026-0060(1)(A) as published and make it effective January 1, 2014. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

(A) Completion of a comprehensive training program in enteral and/or parenteral sedation that satisfies the requirements described in Part ~~III~~ V of the ADA Guidelines for Teaching Pain Control and Sedation to Dentists and Dental Students (2007) at the time training was commenced.

OAR 818-035-0030(1)(e)

Dr. Parker moved and Ms. Davidson seconded that the Board amend OAR 818-035-0030(1)(e) and make it effective January 1, 2014. The motion failed with Dr. Schwindt, Dr. Beck, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Smith, and Mr. Tripp voting nay. Ms. Davidson and Dr. Parker were in favor.

(e) Administer and dispense silver nitrate solution, antimicrobial solutions or other antimicrobial agents in the performance of dental hygiene functions.

OAR 818-042-0040(6)

Dr. Magnuson moved and Dr. Schwindt seconded that the Board amend OAR 818-042-0040(6) and make it effective January 1, 2014. The motion failed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting nay.

(6) Administer or dispense any drug except silver nitrate solution, fluoride, topical anesthetic, desensitizing agents or drugs administered pursuant to OAR 818-026-0060(11), 818-026-0065(11), 818-026-0070(11) and as provided in 818-042-0070 and 818-042-0115.

OAR 818-042-0060(c)

Dr. Magnuson moved and Dr. Schwindt seconded that the Board adopt the revised version of 818-042-0060 and amend rule 818-042-0060(c) as published and make it effective January 1, 2014. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

(c) Passes a clinical examination approved by the Board and graded by the Dental Assisting National Board, Inc. (DANB), or any other testing entity authorized by the Board, consisting of exposing, developing and mounting a full mouth series of radiographs or by exposing and mounting a digital full mouth series of radiographic images (14 to 18 periapical and 4 bitewing radiograph[s]ic images) within one hour and under the supervision of a person permitted to take radiographs in Oregon. No portion of the clinical examination may be completed in advance; a maximum of three retakes is permitted (i.e., three individual radiographic exposures, not three full mouth series); only the applicant may determine the necessity of retakes. The radiograph[s]ic images should be [taken] acquired on an adult patient with at least 24 fully erupted teeth. The full mouth series [radiographs] must be submitted for grading within six months after [they are] it is taken.

ART and EPP's

Dr. Schwindt moved and Dr. Parker seconded that the Board send the idea of ART restorative technique for EPP hygienists to the Licensing Standards Committee. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

Anesthesia Committee Meeting Rules

Dr. Schwindt moved and Dr. Parker seconded that since the post operative vital signs for N2O was removed. It appears pre-operative was left in by error and he'd like the Anesthesia Committee to review that. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

Dr. Schwindt moved and Dr. Beck seconded that the Board have the Anesthesia Committee revisit the definition of moderate sedation to discuss bringing Oregon's rules into line with the ADA language which bases it on level of consciousness versus drugs used. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

CORRESPONDENCE

The Board received a copy of the Joint Staff Report on the Corporate Practice of Dentistry
Released by the US Senate and submitted by James R. Moriarty.

OTHER BUSINESS

Approval of Soft Reline Course

Ms. Ross submitted her soft reline course for review and approval. Ms. Davidson moved and Mr. Tripp seconded that the Board approve the course as presented. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

Articles and News of Interest (no action necessary)

Nothing to Report

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

Licenses appeared pursuant to their Consent Orders in case number **2005-0117**.

LICENSING ISSUES

OPEN SESSION: The Board returned to Open Session.

CONSENT AGENDA

2014-0046, 2014-0031, 2014-0047, 2014-0045, 2014-0027 and 2014-0020

Dr. Schwindt moved and Mr. Morris seconded that the above referenced cases be closed with No Further Action per the staff recommendations. The motion passed with Dr. Schwindt, Ms. Davidson, Mr. Harvey, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye. Dr. Beck and Dr. Magnuson recused themselves.

COMPLETED CASES

2014-0008, 2013-0183, 2012-0215, 2012-0193, 2012-0225, 2014-0017, 2012-0027, 2012-0021 and 2014-0015 Dr. Schwindt moved and Dr. Parker 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. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye. Dr. Magnuson recused himself from case 2013-0183 and Dr. Schwindt recused himself from case 2012-0215.

CROCKETT, BENJAMIN D., D.D.S. 2012-0212

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Ms. Davidson moved and Mr. Harvey 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 \$2,000.00 civil penalty, and complete the balance of the 40 hours of continuing education for the licensure periods 4/1/09 to 3/31/11 and 4/1/11 to 3/31/13, within 90 days of the effective date of this Order. As soon as possible following completion of the continuing education the licensee shall provide the Board with documentation certifying the licensee's completion. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

GERHARDS, MICHAEL C., D.D.S. 2012-0194

Mr. Harvey moved and Ms. Davidson 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 \$3,000.00 civil penalty to be paid within 60 days, to make a restitution payment to patient MB in the amount of \$740.00, to complete 20 hours of Board approved community service to be completed within six months, and monthly submission of spore testing results for a period of one year from the effective date of the Order. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

2011-0077

Mr. Morris moved and Mr. Harvey seconded that the Board issue a Letter of Concern reminding the licensee that all prescriptions provided to the patient have a dental justification recorded in the chart, that when using SOAP as a means of documenting patient interaction each note contains adequate information to meet the PARQ requirements, that when a complication occurs there is proper documented discussion regarding the complication utilizing SOAP note format or PARQ, and that all periapical radiographs used for treatment be of adequate quality and timely proximity to treatment prior to initiating treatment. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Smith, and Mr. Tripp voting aye. Dr. Parker recused herself.

HALD, TAMARA S., D.D.S. 2010-0068

Dr. Beck moved and Dr. Magnuson 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 \$6,000.00 civil penalty, complete 40 hours of community service within 12 months, and monthly submission of spore testing results for a period of one year from the effective date of the Order. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

2012-0201

Mr. Tripp moved and Ms. Davidson seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that the administration of nitrous oxide is appropriately documented, that all treatment that is provided is documented, and that every effort is made to place restorations with appropriate contour and finishing. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

KIM, MICHAEL Y., D.D.S. 2012-0228

Dr. Magnuson moved and Dr. Parker seconded that the Board issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order incorporating a reprimand, a \$11,000.00 civil penalty; 40 hours of Board approved community service to be completed within

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one year; and monthly submission of weekly spore testing results for a period of one year from the effective date of the Order. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

LIND, STEVEN, D.M.D. 2012-0105

Dr. Parker moved and Dr. Smith seconded that the Board issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order incorporating a reprimand, a \$6,000.00 civil penalty, 40 hours of Board approved community service, monthly submission of spore testing results for a period of one year from the effective date of the Order, and a license restriction during which Licensee will place no implants until completion of a Board approved mentorship. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

McDONALD, JOHN L., D.M.D. 2013-0169

Ms. Davidson moved and Mr. Harvey 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 \$2,000.00. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

McKIM, JOHN P., D.M.D. 2011-0207

Mr. Harvey moved and Ms. Davidson seconded that the Board issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order incorporating a reprimand, a \$11,000.00 civil penalty, refund ODS \$732.00 on behalf of patient PJ, complete three hours of Board approved continuing education in record keeping, complete 40 hours of Board approved community service, and monthly submission of spore testing results for a period of one year from the effective date of the Order. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

MONTROSE, ALAN M., D.M.D. 2012-0210

Mr. Morris moved and Dr. Beck seconded that the Board issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order incorporating a reprimand, a \$6,000.00 civil penalty and a completion of 40 hours of Board approved community service. In addition, for a period of one year of the effective date of the Order, licensee shall submit, by the fifteenth of each month, the results of the previous month's biological monitoring and testing of sterilization devices. The motion passed with Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye. Dr. Schwindt recused himself.

NORDSTROM, MARC A., D.M.D. 2013-0001

Dr. Smith moved and Mr. Harvey 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 \$12,000.00 civil penalty, to make a restitution payment in the amount of \$1,091.00 to patient MG, complete 40 hours of community service within 12 months, and monthly submission of spore testing results for a period of one year from the effective date of the Order. The motion passed with Dr. Schwindt, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Smith, and Mr. Tripp voting aye. Dr. Beck and Dr. Parker recused themselves.

OGAWA, KEITH F., D.D.S. 2014-0013

Dr. Beck moved and Mr. Harvey seconded that the Board issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order in which the Licensee would be reprimanded and pay a \$2,000.00 civil penalty within 30 days of the effective date of the Order. The motion passed

with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

2013-0214

Mr. Tripp moved and Ms. Davidson seconded that the Board close the matter with a Letter of Concern reminding the Licensee that it is the Licensee's responsibility to assure spore testing is done on a weekly basis. Also, refer this case to the Oregon Department of Public Health for investigation. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

O'SHEA, HOLLY L., D.M.D. 2012-0223

Dr. Magnuson 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. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

PHAM, JOHN, D.D.S. 2014-0023

Dr. Parker moved and Mr. Morris seconded that the Board issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order incorporating a reprimand; surrender of his Oregon moderate sedation permit; a license restriction by which Licensee shall not provide implant or veneer treatments; successful completion of 22 hours of continuing education, "Dental Ethics and Conduct" offered by Behavioral Dental Resources.com within one (1) year of the effective date of this Order; and no petition to modify this Consent Order for a period of five (5) years. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

RAFIA, KASRA D.D.S. 2013-0002

Ms. Davidson moved and Mr. Harvey 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 \$3,000.00 civil penalty within 30 days of the effective date of the Order, 20 hours of Board approved community service to be completed within six months, and monthly submission of spore testing results for a period of one year from the effective date of the Order. The motion passed with Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye. Dr. Schwindt recused himself.

SABIN, MICHAEL J., D.M.D. 2012-0209

Mr. Harvey moved and Ms. Davidson seconded that the Board issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order incorporating a reprimand, a \$3,000.00 civil penalty and a completion of 20 hours of Board approved community service. In addition, for a period of one year of the effective date of the Order, licensee shall submit, by the fifteenth of each month, the results of the previous month's biological monitoring and testing of sterilization devices. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

2014-0009

Dr. Beck moved and Dr. Magnuson seconded that the Board issue a Letter of Concern to ensure biologic monitoring rules are adhered to and direct staff to open an investigation on the secondary dentist referenced in the matter for violation of biologic monitoring rules. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

SAVAGE, JAMES D., D.D.S. 2013-0192

Mr. Morris moved and Dr. Parker 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 \$12,000.00 civil penalty, complete 40 hours of community service within 12 months, and monthly submission of spore testing results for a period of one year from the effective date of the Order. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

SHADER, JOHN M., D.M.D. 2013-0080

Dr. Smith moved and Dr. Beck 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 \$500.00; with regard to Respondent #2 close the matter with a Letter of Concern reminding the Licensee that it is Licensees responsibility to assure renewal of Licensees license to practice in a timely manner. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

SHAMLOO, JAMSHEED J., D.M.D. 2014-0062

Mr. Tripp moved and Dr. Parker seconded that the Board issue a Notice of Proposed License Revocation and issue the Notice only if Licensee has not paid the \$5,000.00 civil penalty by 11/1/13. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

SMITH, GRANT M., D.D.S. 2013-0097

Dr. Magnuson moved and Dr. Smith seconded that the Board ratify the inclusion of case 2013-0097 in the Notice of Proposed License Suspension issued 6/24/13, and the Final Default Order, dated 8/16/13. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

STEBBINS, ROBERT L., D.D.S. 2012-0184

Dr. Parker moved and Mr. Harvey 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 \$6,000.00 civil penalty to be paid within 90 days, to complete 40 hours of Board approved community service to be completed within one year, and monthly submission of spore testing results for a period of one year from the effective date of the Order. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

PREVIOUS CASES REQUIRING BOARD ACTION

BACHMAN, JAMES, V., D.M.D. 2012-0213

Ms. Davidson moved and Dr. Magnuson seconded that the Board deny Licensee's request and affirm the Board's action of April 4, 2013. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

BLODGETT, KELLY J., D.M.D. 2013-0130

Mr. Harvey moved and Ms. Davidson seconded that the Board deny Licensee's request and affirm the Board's action of 8/16/13. The motion passed with Dr. Schwindt, Dr. Beck, Ms.

Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

CHVATAL, BRAD A., D.M.D. 2013-0039

Mr. Morris moved and Dr. Smith seconded that the Board deny Licensee's request and affirm the Board's action of 8/16/13. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye. Dr. Magnuson recused himself.

2012-0111

Dr. Smith moved and Dr. Beck seconded that the Board close the matter with a Letter of Concern reminding Licensee to ensure appropriate sterilization monitoring is being performed while working in a dental practice. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

GRUBBS, HEIDI J., R.D.H. 2011-0044

Dr. Beck moved and Mr. Harvey seconded that the Board reinstate Licensee's dental hygiene license providing she agree to a Consent Order incorporating a reprimand, 80 hours of community service within one year, and enrollment in the State's Health Professionals' Services Program, per the Board's protocols. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker and Dr. Smith voting aye. Mr. Tripp recused himself.

2008-0287

Mr. Tripp moved and Dr. Magnuson seconded that the Board grant Licensee's request and release Licensee from the requirements of his Voluntary Diversion Agreement and his contract with HPSP. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

NOUREDINE, HADI A., D.M.D. 2012-0188

Dr. Magnuson moved and Dr. Beck seconded that the Board deny Licensee's request and affirm the Board's action of 8/16/13. The motion passed with Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye. Dr. Schwindt recused himself.

LICENSURE AND EXAMINATION

Ratification of Licenses Issued

Dr. Smith moved and Dr. Parker seconded, that licenses issued be ratified as published. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

Dental Hygiene

H6561	GRETCHEN L MARCOULIER, R.D.H.	8/12/2013
H6562	MARGARET F HODGES, R.D.H.	8/12/2013
H6563	ELENA B HELLER, R.D.H.	8/12/2013
H6564	SHERRY L CANTLEN, R.D.H.	8/12/2013
H6565	MARA O ZANDER, R.D.H.	8/12/2013

H6566	CATHERINE M WILSON, R.D.H.	8/12/2013
H6567	HOLLY A MARSH, R.D.H.	8/12/2013
H6568	KAYLA L RODRIGUES, R.D.H.	8/12/2013
H6569	JESSICA A THOMPSON, R.D.H.	8/15/2013
H6570	DEREK T BLEVINS, R.D.H.	8/15/2013
H6571	KRISTEN M MITCHELL, R.D.H.	8/15/2013
H6572	BRITTANY D VIGOREN, R.D.H.	8/15/2013
H6573	MELISSA A JACOBSON, R.D.H.	8/15/2013
H6574	RACHELLE L MILNER, R.D.H.	8/15/2013
H6575	GERARDO REYNAGA-GONZALEZ, R.D.H.	8/16/2013
H6576	AMBER K BENSON, R.D.H.	8/22/2013
H6577	AMANDA S JOHNSON, R.D.H.	8/22/2013
H6578	BRIANNA K WINTER, R.D.H.	8/22/2013
H6579	TOMAS P NICACIO, R.D.H.	8/22/2013
H6580	ANN C ARCHER, R.D.H.	8/22/2013
H6581	KRISTEN M GALLAWAY, R.D.H.	8/22/2013
H6582	BRIANI C KOMODA, R.D.H.	8/22/2013
H6583	CAITLIN C CHAR, R.D.H.	8/22/2013
H6584	MELODY L MC GEE, R.D.H.	8/22/2013
H6585	TYFINI R BRYANT, R.D.H.	8/22/2013
H6586	ASHLEY N TOMANKA, R.D.H.	8/22/2013
H6587	MANDY E WENGERT, R.D.H.	8/23/2013
H6588	CAROLINE ROSS MAIER, R.D.H.	8/23/2013
H6589	OLGA A VOLODKINA, R.D.H.	8/23/2013
H6590	NICOLE R OSBORN, R.D.H.	8/23/2013
H6591	JENNA M BIEBER, R.D.H.	8/23/2013
H6592	KARI A HUNT, R.D.H.	8/23/2013
H6593	AMY N HUNTER, R.D.H.	8/23/2013
H6594	HAILEY R RAMBO, R.D.H.	8/23/2013
H6595	ANGELA J GORDON, R.D.H.	8/23/2013
H6596	JULIE HUYNH, R.D.H.	8/23/2013
H6597	JULIE Y BARNECK, R.D.H.	8/23/2013
H6598	VERONICA MENDEZ HERNANDEZ, R.D.H.	9/6/2013
H6599	PENNY L MOORE, R.D.H.	9/6/2013
H6600	CINDY L PAGE, R.D.H.	9/6/2013
H6601	BRITTA B WEHRLE, R.D.H.	9/6/2013
H6602	ALEXANDRA N FOX, R.D.H.	9/6/2013
H6603	KELSEY G WITTNER, R.D.H.	9/6/2013
H6604	ABIGAIL D ELLIS, R.D.H.	9/6/2013
H6605	TIANA L FERNANDEZ, R.D.H.	9/6/2013
H6606	MEGAN A SPEAKS, R.D.H.	9/6/2013
H6607	JENNIFER M SUMEGA, R.D.H.	9/6/2013
H6608	JENNIFER M JORDAN, R.D.H.	9/9/2013
H6609	KREA C FETTERS, R.D.H.	9/9/2013

H6610	AUBREY R PETERS, R.D.H.	9/9/2013
H6611	KRISTIN N KINTZ, R.D.H.	9/9/2013
H6612	AMIE M GRANGER, R.D.H.	9/9/2013
H6613	JASMIN E GOMEZ, R.D.H.	9/9/2013
H6614	OLGA I ZLATOVA, R.D.H.	9/9/2013
H6615	ERIN R SCHWARTZ, R.D.H.	9/9/2013
H6616	AMBER L MC GEE, R.D.H.	9/9/2013
H6617	SIERRA M BRANDON, R.D.H.	9/11/2013
H6618	KYLE R ISAACS, R.D.H.	9/16/2013
H6619	ANTONIA R HORNE, R.D.H.	9/16/2013
H6620	JAIME K HAYASHI, R.D.H.	9/18/2013
H6621	KATHERINE L MCALISTER, R.D.H.	9/18/2013
H6622	AMERICA M CABALLERO, R.D.H.	9/19/2013
H6623	MICHELLE D BUTTERFIELD, R.D.H.	9/19/2013
H6624	DANIELLE N BARS, R.D.H.	9/19/2013
H6625	DARIEN J SUMNER, R.D.H.	9/19/2013
H6626	LINZI D FLOOD, R.D.H.	9/19/2013
H6627	INGRID A SCHMIDT, R.D.H.	9/19/2013
H6628	ELZBIETA WIETRZYNSKA, R.D.H.	9/19/2013
H6629	CHELSEA J HANSON, R.D.H.	9/23/2013
H6630	KELLI M COOPER, R.D.H.	10/3/2013
H6631	KAREN PEREZ, R.D.H.	10/3/2013
H6632	STEPHANIE A SLIMAK, R.D.H.	10/3/2013
H6633	ROSA M ORTIZ MENDOZA, R.D.H.	10/3/2013
H6634	BRENNA R SOUTHWICK, R.D.H.	10/3/2013
H6635	LINDSEY K REEVES, R.D.H.	10/3/2013
H6636	AMANDA M WATTENBARGER, R.D.H.	10/3/2013
H6637	LAUREN M MC CAULEY, R.D.H.	10/3/2013
H6638	NICOLE B BONNELL, R.D.H.	10/3/2013

DENTISTS

D9940	JAMES P DURIN, D.M.D.	8/5/2013
D9941	NICHOLAS R BACKOWSKI, D.M.D.	8/5/2013
D9942	JOSEPH W PECK, D.M.D.	8/12/2013
D9943	HEATHER D ROGERS, D.D.S.	8/12/2013
D9944	BRIAN H KIM, D.D.S.	8/12/2013
D9945	CHANG S PARK, D.M.D.	8/12/2013
D9946	RACHEL B ERICKSON, D.M.D.	8/12/2013
D9947	RICHARD S BOHNSTEDT, D.M.D.	8/12/2013
D9948	KELLI R FOWLES, D.M.D.	8/12/2013
D9949	WILLIAM R TREVOR, D.D.S.	8/12/2013
D9950	TYLER S WAY, D.M.D.	8/12/2013
D9951	AMBER L WATTERS, D.D.S.	8/12/2013

D9952	CAITLIN M DENNING, D.D.S.	8/12/2013
D9953	KYLE S DENNING, D.D.S.	8/12/2013
D9954	ANNE M FAUCHEU, D.M.D.	8/15/2013
D9955	DEEP KARAN S DHILLON, D.D.S.	8/23/2013
D9956	BRUCE L RICHARDSON, D.M.D.	9/3/2013
D9957	CHRISTINE NGUYEN, D.M.D.	9/6/2013
D9958	BRADLEY B FIELD, D.D.S.	9/6/2013
D9959	ANDREW S LAYBOURN, D.M.D.	9/9/2013
D9960	PAUL A BRANNEN, D.M.D.	9/9/2013
D9961	ANDREW M BROADSWORD, D.M.D.	9/11/2013
D9962	LEVI JAMES-OLIVER SHULL, D.M.D.	9/13/2013
D9963	AMANDA E DAY, D.D.S.	9/13/2013
D9964	KEVIN PRATES, D.D.S.	9/16/2013
D9965	JEFFREY STUART CASEBIER, D.M.D.	9/19/2013
D9966	KYLE A MALLOY, D.M.D.	9/19/2013

Nonresident Permit – R. Rutner, D.D.S.

Dr. Parker moved and Dr. Magnuson seconded that the Board approve Dr. Rutner’s Nonresident Permit. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

Orthodontic Specialty Examination

Ms. Davidson moved and Dr. Schwindt seconded that the Board approve the exam as presented. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

Public Health Specialty Examination

Mr. Harvey moved and Dr. Magnuson seconded that the Board approve the exam as presented. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

Request for Investigative Information case 2011-0184, 2012-0031, 2012-0147, 2012-0172 and 2013-0035

Mr. Morris moved and Dr. Magnuson seconded that the Board approve the request for investigative files as presented. The motion passed with Dr. Schwindt, Dr. Beck, Ms. Davidson, Mr. Harvey, Dr. Magnuson, Mr. Morris, Dr. Parker, Dr. Smith, and Mr. Tripp voting aye.

Announcement

No announcements

ADJOURNMENT

The meeting was adjourned at 1:06 p.m. Dr. Hongo stated that the next Board meeting would take place December 20, 2013.

Approved by the Board December 20, 2013.

_____/S/_____
Jonna E. Hongo, D.M.D.
President