

**OREGON BOARD OF DENTISTRY
MINUTES
April 25, 2008**

MEMBERS PRESENT: David Smyth, B.S., M.S., President
Darren S. Huddleston, D.M.D., Vice President
Ronald C. Short, D.M.D.
Rodney S. Nichols, D.M.D.
Melissa G. Grant, D.M.D.
Jill Mason, M.P.H., R.D.H.
Norman Magnuson, D.D.S.
Mary Davidson, R.D.H., LAP
Patricia A. Parker, D.M.D

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)
Andrew Moschogianis, D.D.S., Consultant (portion of meeting)
Lisa Warwick, Office Specialist (portion of meeting)

ALSO PRESENT: Lori Lindley, Esq., Sr. Assistant Attorney General

VISITORS PRESENT: Lynn Ironside, R.D.H., ODHA; Beryl Fletcher, ODA; Douglas Matz, D.M.D., AGD; Diana A. Makhanov, Pacific University; Jasmine Duenas, Pacific University; Marisa Lam, Pacific University; Lisa Rowley, R.D.H., Pacific University; Fred Bremner, D.M.D., ODA; Gary Allen, D.M.D., Willamette Dental.

Call to Order: The meeting was called to order by the President at 7:33 a.m. at the Board office; 1600 SW 4th Ave., Suite 770, Portland, Oregon.

NEW BUSINESS

MINUTES

Dr. Nichols moved and Dr. Short seconded that the minutes of the February 29, 2008 Board meeting be approved as amended. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

ASSOCIATION REPORTS

Oregon Dental Association

ODA had nothing to report.

Oregon Dental Hygienists' Association

Lynn Ironside took the opportunity to introduce three students from Pacific University, Jasmine Duenas, Diana Makhanov and Marisa Lam.

Oregon Dental Assistants Association

No one from ODAA was present.

COMMITTEE AND LIAISON REPORTS

WREB Liaison Report

Dr. Short stated that the information on scoring of the WREB exam was included and that he would encourage the Board to review the process. It makes clear the fact that a student can compensate for a marginal performance in one area by achieving several outstanding performances in other areas, but not the other way around. Students cannot be successful unless they show a minimum level of competence on each section of the Exam. Dr. Short stated that any performance damaging to a patient would not be passing and that is the important aspect to focus on.

The second thing of interest from WREB is the typodont information. Dr. Short stated that he will be attending the WREB meeting in July and that there may be a vote on the curriculum integrated crown prep on a real patient. WREB wants to start using typodonts in 2009 for this portion of the exam and the curriculum integrated crown would be still moving forward during that time. The other option is to continue using a typodont for that portion of the exam although it's not felt that this is an accurate reflection of proficiency. Dr. Short asked for direction from the Board as to which way the Board would like their vote cast. Dr. Huddleston stated that he would vote for immediate typodont and move to integrated curriculum on real patients. Dr. Nichols concurred with the statement, as did the rest of the Board. Dr. Magnuson had nothing to add to Dr. Short's report.

AADE Liaison Report

Dr. Short stated that the AADE meeting was very informative for those attending and that there were two main focus points of the meeting. The first being the pros and cons of a mandatory 5th pre/post doctoral year much like the state of New York has established. Consensus was that most people like the 5th year of training idea, but only New York and a few other states felt that five years of dental education was adequate for licensure without any other requirements. Dr. Short stated that he felt some dental schools may be using the 5th year idea to cover for inadequate training in the typical four years currently required.

The second focal point was regarding the ethical problems that have come up lately. The ethical challenges are becoming more of a problem instead of being a few isolated incidents. Dr. Short stated that Dr. Assael is willing to give a presentation to the Board and stated that he felt that having that presentation made would be very informative. Dr. Short highly encouraged it as there are many problems with ethics, ranging from legal to educational, as well as a general feeling of entitlement and various cultural differences that all have an effect on the ethics of the dental community.

Dr. Short stated that the AADE is currently accepting "Citizen of the Year" nominations. Members are asked to submit nominations from their Board. Dr. Short stated that we could submit a name of an active person who works with exams and other aspects of the dental community. Dr. Nichols stated that we should submit the name of Dr. Short, as he has done many things for the Board in his tenure.

Dr. Nichols moved and Dr. Huddleston seconded that the Board submit Dr. Short's name for nomination. The motion passed with Dr. Huddleston, Dr. Nichols, Dr. Grant, Ms. Mason, Dr.

Magnuson, Ms. Davidson and Dr. Parker voting aye.

Advertising Subcommittee Meeting

Dr. Huddleston thanked everyone involved with the advertising subcommittee meeting and stated that they had come up with a few recommendations that he would like moved to the Rules Oversight Committee for further review.

The first change was in OAR 818-015-0005 – General Provision - to add verbiage as (2) that reads “(2)Advertising shall not be false, deceptive, misleading, or not readily subject to verification and shall not make claims of professional superiority which cannot be substantiated by the licensee, who shall have the burden of proof.” Dr. Nichols suggested verbiage be changed to “and shall be readily verifiable” as well as having the specialties list found in OAR 818-015-0007 – Specialty Advertising – updated to reflect the current names of specialties such as Oral Pathology is actually *Oral & Maxillofacial Pathology*. Dr. Huddleston and other members of the Board agreed.

The second change was clerical, changing current number (2) to (3).

The third change was in section OAR 818-015-0015 – Disclosure Requirements- and requiring a general dentist to state that they are a general dentist and a specialist to state that they are a specialist.

Dr. Huddleston moved and Dr. Nichols seconded that the Board move the proposed rule changes to the Rules Oversight Committee for further review. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

EXECUTIVE DIRECTOR’S REPORT

Budget Status Report

Mr. Braatz attached the budget report for the 2007-2009 biennium, from July 1, 2007 through February 29, 2008, for the Board to review. He stated that the report shows revenue of \$656,123.26 and expenditures of \$624,296.46. Mr. Braatz stated that the budget is performing as expected.

Customer Service Survey Report

Mr. Braatz attached a chart showing current results of the OBD’s State Legislatively Mandated Customer Service Survey showing results through March 31, 2008. The results show that the Board continues to receive positive comments from the majority of those that return the survey and written comments are available for the Board to review.

Board and Staff Speaking Engagements

Thursday, April 3, 2008 – Mr. Braatz and Dr. Kleinstub made a presentation at the Oregon Dental Conference (ODC) entitled “Record Keeping from the Board’s Perspective.” Attached was a chart of the evaluation responses as well as a summary of the written responses from the presentation.

Thursday, April 3, 2008 – Mr. Braatz made a presentation at the ODC entitled “How to Keep Your Office Out of Trouble.” Attached was a chart of the evaluation responses as well as a summary of the written responses.

Thursday, April 3, 2008 – Mr. Braatz and Dr. Kleinstub made a presentation at the ODC as part of the DBIC Risk Management Program.

Saturday, April 5, 2008 – Mr. Braatz made a presentation at the ODC as part of a program entitled “Best Management Practices/Amalgam Separators.”

House Bill 3611

Mr. Braatz attached a press release from Governor Kulongoski announcing that he had signed HB3611, the Amalgam Separator Fix Bill. This means that the deadline for getting into the ODA’s Best Management Practices (BMP) program is now September 1, 2008 and that dentists must get an amalgam separator by 2010. Anyone who uses amalgam must follow the BMP guidelines.

Board Strategic Planning Meeting Update

Mr. Braatz attached an updated summary of the results of the Board Strategic Planning Session.

Ethics and Law Summary

Mr. Braatz attached the Board and Commissions Ethics Law Summary Report that he had been asked to share with all Board members. Mr. Braatz stated that he would answer any questions regarding the new Ethics Laws that went into effect January 1, 2008 and added, as a reminder, that as a Board member there are ethically things you can and cannot do and that if anyone had any questions to please call us.

Western Conferences of Dental Examiners and Dental School Deans

Mr. Braatz asked the Board to authorize himself and Dr. Short to attend the Western Conference from July 11-12 held in Big Sky, Montana. Dr. Short will be attending the WREB Dental ERC Meeting on July 9 and the WREB Board of Directors meeting on July 10 and then attending the Western States Meeting on July 11-12. Mr. Braatz stated that he would like to attend as he had not gone for a few years and felt it would be a good idea as the next meeting will be in Oregon and we’ve stated that we would assist Dr. Short, who is president-elect of the Conference, as much as possible in the planning of that meeting. Dr. Nichols moved and Dr. Magnuson seconded that the Board authorize Mr. Braatz and Dr. Short to attend the meetings in Montana from July 9-12. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

AADE/AADA/ADA Meeting Update

Mr. Braatz stated that he attended the AADE meeting March 9-11 in Chicago along with Dr. Short, Ms. Mason and Sr. AAG Lori Lindley and that Dr. Short had done a great job covering that meeting. Mr. Braatz also stated that he attended the ADA Meeting held at the same time. The topics there mainly focused on teeth whitening businesses that were starting up around the country and how that could be seen as practicing dentistry in Oregon and many other states. Finally, Mr. Braatz stated that the National Dental Examiners’ Advisory Forum Meeting was March 11, also in Chicago. The National Board Exam was discussed, dealing with the falling numbers of candidates taking Part 1 of the exam and an increase in the number of people taking Part 2 of the exam. It also showed that the number of individuals failing the exam is holding steady.

Legislative Concepts

Mr. Braatz stated that on April 4, he submitted five Legislative Concepts on behalf of the Board as listed below.

- Board Compensation change
- Permission to expend the revenue currently collected from Restorative Function Endorsement Applicants
- Fee changes for Dental and Dental Hygiene Initial Application, to cover the cost of the

- National FBI Background Checks that we are doing on all new applicants. (+\$40)
- Fee Changes for Dental and Dental Hygiene Renewal Application to cover the cost of participating in the National Practitioner Data Bank (NPDB) and HealthCare Integrity Data Bank (HIPDB) new Proactive Disclosure Service (PDS) (+\$15)
- Fee increase for amount charged for data requests of Licensees purchased by the public. (+\$25)

Of all these, only the Board Compensation concept will move forward as a Legislative Concept; the rest will be part of the OBD 2009-2011 Biennial Budget.

Newsletter

Mr. Braatz reminded the Board that the deadline for the OBD's summer newsletter is fast approaching and that we would need articles soon.

UNFINISHED BUSINESS

CORRESPONDENCE

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

Dr. Asai asked the Board to consider two points. First, in the future that if an article is included in the Board's newsletter, and it does not express the views of the Board, that a disclaimer be included stating that. Dr. Asai's second point encouraged the Board to adopt some ethical guidelines to help the Board when ethical issues may arise. The Board directed staff to send a letter thanking Dr. Asai for his comments.

The Board received a letter from Joseph E. Carlisle, D.M.D., American Dental Society of Anesthesiology (ADSA)

Dr. Carlisle's letter was in regard to the ADA's recent Guideline changes for the Use of Sedation and General Anesthesia and asking the Board to consider using the ADSA's exam categories as part of our educational qualifiers.

The Board received a letter from Anthony Ziebert, D.D.S., CODA

Dr. Ziebert wanted the Board to be aware that CODA currently has a call out for nominations to fill upcoming vacancies. If anyone is interested or knows of anyone else who may be, let them know.

The Board received a letter from Linda S. Trickey, R.D.H.

Ms. Tricky asked the Board to review current rules and consider an umbrella policy that would allow professionally trained inactive dental hygienists to reinstate their license by paying past fees and/or a reinstatement fee in conjunction with taking appropriate CE courses for an unlimited amount of time. The Board directed staff to send a letter thanking her for her thoughts.

The Board received a letter from Dr. Mark Feldman, President, ADA

Dr. Feldman sent a letter notifying us of some major staffing changes taking place at the ADA.

OTHER BUSINESS

Pacific University Dental Assistant and Hygiene CE Restorative Program

Dr. Magnuson moved and Ms. Davidson seconded that the Board approve Pacific University's Dental Assisting and Dental Hygiene Restorative Continuing Education Programs as presented.

The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye. Ms. Mason recused herself.

Clark College Hygiene CE Restorative Program

Dr. Short moved and Dr. Magnuson seconded that the Board approve Clark College's Hygiene Continuing Education Program. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye. Ms. Mason recused herself.

Lane Community College Hygiene and Dental Assisting CE Restorative Program

Dr. Short moved and Dr. Magnuson seconded that the Board approve Lane Community College's Dental Hygiene Restorative CE programs. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

Dr. Short moved and Ms. Davidson seconded that the Board approve the Dental Assisting Restorative Program CE Program. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

OAR - Division 21 - Exam/Licensing

The Board reviewed Division 21 for any possible revisions they would like to see made.

Election of Officers

Dr. Short moved and Dr. Nichols seconded that the Board elect Dr. Darren Huddleston as President. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

Dr. Nichols moved and Ms. Davidson seconded that the Board elect Ms. Mason as Vice-President. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

The evaluators for the upcoming year will be Ms. Mason and Dr. Grant.

Dr. Huddleston presented a plaque to Mr. Smyth for serving this past year as president of the Oregon Board of Dentistry. Mr. Smyth thanked everyone, with special thanks to Dr. Short and Dr. Nichols.

Articles and News of Interest

- State Legislative Report, March 2008
- State Legislative Report, April 2008
- The Pontic, Arizona Board of Dental Examiners, March 2008
- The Bulletin, AADE, Winter 2008
- DC Board of Dentistry Newsletter, April 2008
- Your Oregon, Your Health
- Kentucky Board of Dentistry, Spring Newsletter, 2008
- Joint Commission on National Dental Examination Newsletter, April 2008

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 **2003-0209, 1995-0034, 2003-0149, and 1999-0064.**

LICENSING ISSUES

OPEN SESSION: The Board returned to Open Session.

CONSENT AGENDA

2008-0199, 2008-0178, 2008-0204, 2008-0154, 2008-0196, 2008-0193, 2008-0188, 2008-0180, 2008-0182, and 2008-0186 Dr. Grant moved and Dr. Nichols seconded that the above referenced cases be closed with No Further Action per the staff recommendations. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

COMPLETED CASES

2008-0039, 2008-0160, 2008-0192, 2008-0171, 2008-0153, 2008-0068, 2008-0155, 2008-0170, 2008-0012, 2008-0121, 2008-0147, 2008-0150, 2008-0093, 2007-0170, 2007-0185 and 2008-0091 Dr. Grant 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 staff recommendations. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2008-0145 Dr. Huddleston moved and Dr. Magnuson seconded that the Board close the matter with a strongly worded Letter of Concern stating before any surgical treatment, appropriate diagnostic radiographs are taken and the dentist uses caution when determining appropriate amounts of anesthetic not to exceed recommended dosing. The Letter of Concern also states the dentist is aware of when the appropriate time to refer the patient before complications can arise. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2008-0138 Ms. Mason moved and Dr. Grant seconded that the Board close the matter with a Letter of Concern reminding Licensee that it is Licensee's responsibility to assure that advertisements placed by Licensee comply with the Board's rules on advertising. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2008-0073 Dr. Magnuson moved and Dr. Nichols seconded that the Board, with regard to Respondent # 1, close the matter with a Letter of Concern reminding Licensee that Licensees have a responsibility to assure timely renewal of their licenses to practice; with regard to Respondent # 2, close the matter with a Letter of Concern reminding Licensee that Licensee has a responsibility to assure employees under Licensee's supervision have timely renewal of their licenses to practice. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2008-0024 Dr. Parker moved and Ms. Davidson seconded that the Board issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order in which Licensee would agree to be reprimanded, pay a \$1,000.00 civil penalty, provide 10 hours of community service within three months of the effective date of the Order, and complete the 36 hours of continuing education

needed to satisfy the Board's continuing education requirements within six months of the effective date of the Order. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2008-0136 Ms. Davidson moved and Dr. Grant seconded that the Board close the matter with a strongly worded Letter of Concern addressing the issue of ensuring that when there is apparent pathology evident on radiographs, the pathology is documented. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2008-0102 Dr. Nichols moved and Dr. Magnuson 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. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2008-0165 Dr. Short moved and Dr. Nichols seconded that the Board issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order in which Licensee would agree to be reprimanded, to pay a \$1,000.00 civil penalty, provide 10 hours of community service, and complete the three hours of continuing education needed to satisfy the Board's continuing education requirements. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye. Dr. Grant recused herself.

2008-0059 Dr. Huddleston moved and Dr. Grant 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 prior to providing treatment, a dental justification is documented in the patient records. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2008-0164 Ms. Mason moved and Dr. Grant seconded that the Board accept the Temporary Stipulated Order signed by Ms. Hernandez and instruct the Oregon Department of Justice to proceed with the injunctive action. In addition, authorize the Board to release investigative information to other similar agencies pursuant to ORS 676.177. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2008-0123 Dr. Magnuson moved and Dr. Nichols seconded that the Board, with regard to Respondent # 1, issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order in which Licensee would agree to be reprimanded, provide 10 hours of community service within three months of the effective date of the Order, complete the continuing education hours required for re-licensure within 60 days of the date of the Order, and pay a \$3,000.00 civil penalty; with regard to Respondent # 2, issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order in which Licensee would agree to be reprimanded, provide 10 hours of community service within three months of the date of the Order, complete the continuing education hours required for re-licensure within 60 days of the date of the Order, and pay a \$3,000.00 civil penalty; with regard to Respondent #3, issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order in which Licensee would agree to pay a \$2,000.00 civil penalty. The motion passed with Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye. Dr. Huddleston recused himself.

2008-0120 Dr. Parker moved and Ms. Davidson seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that when pathology is evident on radiographs, every effort is made to diagnose the pathology, inform the patient, and document the pathology in the patient records. The motion passed with Dr. Huddleston, Dr. Short, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye. Dr. Nichols was opposed.

2008-0076 Ms. Davidson moved and Dr. Grant seconded that the Board, with regard to Respondent #1, move the Board close the matter with a Letter of Concern reminding Licensee that Licensees have a responsibility to assure timely renewal of their licenses to practice; with regard to Respondent #2, move the Board close the matter with a Letter of Concern reminding Licensee that they have a responsibility to assure employees under Licensee's supervision have timely renewal of their licenses to practice. The motion passed with Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye. Dr. Huddleston recused himself.

2008-0144 Dr. Nichols moved and Dr. Grant seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that when treatment is provided, the treatment is accurately documented in the patient record. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2008-0146 Dr. Short moved and Ms. Mason seconded that the Board grant Licensee's request, allowing Licensee to withdraw their License and Permit Reinstatement Application, refund their fees totaling \$790, and close the case with No Further Action. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2008-0180 Dr. Huddleston moved and Dr. Magnuson seconded that the Board issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order in which Licensee agrees to be reprimanded; pay \$3,813.00 in restitution in the form of a cashier's, bank, or official check made payable to the patient and delivered to the Board offices within 60 days of the effective date of the Order; pay a civil penalty in the amount of \$5,000.00 in the form of a cashier's, bank, or official check, made payable to the Oregon Board of Dentistry and delivered to the Board offices within 90 days of the effective date of the Order; and successfully complete three hours of Board pre-approved, continuing education in the area of Record Keeping within six (6) months of the effective date of this Order, unless the Board grants an extension, and advises the Licensee in writing. This ordered continuing education is in addition to the continuing education required for the licensure period 4/1/2008 to 3/31/2010. Within six months of the effective date of the Order, Licensee shall submit documentation to the Board verifying completion of the course. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, and Dr. Parker voting aye. Ms. Davidson recused herself.

2008-0130 Ms. Mason moved and Dr. Parker seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that the Board's continuing education requirements for re-licensure are met in a timely manner. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2008-0132 Dr. Magnuson moved and Dr. Grant 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. The motion

passed with Dr. Huddleston, Dr. Short, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye. Dr. Nichols was opposed.

2008-0075 Dr. Parker moved and Ms. Davidson seconded that the Board, with regard to Respondent #1, move the Board close the matter with a Letter of Concern reminding Licensee that Licensees have a responsibility to assure timely renewal of their licenses to practice; with regard to Respondent #2, move the Board close the matter with a Letter of Concern reminding Licensee that Licensee has a responsibility to assure employees under Licensee's supervision have timely renewal of their licenses to practice. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2008-0137 Ms. Davidson moved and Dr. Parker seconded that the Board issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order in which Licensee would agree to be reprimanded and pay a \$5,000.00 civil penalty per the protocol. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2008-0113 Dr. Nichols moved and Dr. Parker 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, that all new patients complete a health history prior to the initiation of treatment, and that a dental diagnosis is documented prior to providing treatment. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2008-0207 Dr. Short moved and Dr. Nichols seconded that the Board accept the Interim Consent Order signed by Licensee. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

PREVIOUS CASES REQUIRING BOARD ACTION

2003-0056 Dr. Huddleston moved and Dr. Parker seconded that the Board grant Licensee's request and issue an Order of Dismissal. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2003-0209 Dr. Short moved and Dr. Grant seconded that the Board grant Licensee's request and issue an Order of Dismissal. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2008-0031 Ms. Mason moved and Dr. Magnuson seconded that the Board direct Staff to advise Licensee of the Board's approval of the supervising dentists, and to advise the supervising dentists of their responsibilities to the Board; and accept Licensee's proposed Order. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2008-0100 Dr. Magnuson moved and Dr. Nichols seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that the continuing education hours for maintenance of Licensee's nitrous permit were completed in a timely manner and retract the Notice of Proposed Disciplinary Action previously issued by the Board in this matter. The motion

passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2008-0013 Dr. Grant moved and Dr. Magnuson seconded that the Board to close the case with No Further Action. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2003-0149 Dr. Nichols moved and Dr. Short seconded that the Board grant Licensee's request and issue an Order of Dismissal releasing Licensee from probation. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2007-0150 Dr. Parker moved and Dr. Nichols seconded that the Board accept Licensee's proposal and offer Licensee a Consent Order incorporating a reprimand; Board approved continuing education consisting of three hours of record keeping and six hours of diagnosis and treatment planning; and 20 hours of Board approved community service. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2006-0207 Ms. Davidson moved and Dr. Grant seconded that the Board offer Licensee a Consent Order in which Licensee would agree to be reprimanded, to pay a \$10,000.00 civil penalty, to provide 25 hours of pro bono dental care, and to take a three hour Board approved course in record keeping. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2007-0282 Dr. Nichols moved and Dr. Magnuson seconded that the Board issue Licensee a Default Order. The motion passed with Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye. Dr. Huddleston recused himself.

2006-0104 Dr. Short moved and Ms. Mason seconded that the Board issue a Notice of Proposed Disciplinary Action and offer Licensee an Amended Consent Order in which the Board rescinds its acceptance of Licensee's dental license retirement; vacates the ordered provisions of Licensee's Consent Order, dated 1/4/08; and incorporates a reprimand, surrender of Licensee's Oregon dental license, and an agreement Licensee shall never reapply for an Oregon dental license and shall never apply for reinstatement of Licensee's Oregon dental license. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

2008-0077 Dr. Huddleston moved and Ms. Davidson seconded that the Board issue Applicant a Default Order. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

LICENSURE AND EXAMINATION

Ratification of Licenses Issued

Dr. Nichols moved, and Dr. Grant seconded, that licenses issued be ratified as published. The motion passed with Dr. Huddleston, Dr. Short, Dr. Nichols, Dr. Grant, Ms. Mason, Dr. Magnuson, Ms. Davidson and Dr. Parker voting aye.

Dental Hygiene

H5356	NICHOL K STEWART, R.D.H.	3/13/2008
H5357	HEIDI C MCGILL, R.D.H.	3/13/2008
H5358	AMY L MADSON, R.D.H.	3/14/2008
H5359	ARIEL VU, R.D.H.	4/1/2008
H5360	KIMBERLY C DUDLEY, R.D.H.	4/1/2008
H5361	ERIKA N BURROWS, R.D.H.	4/1/2008
H5362	KEELA K SUTTON, R.D.H.	4/1/2008
H5363	ASHLEE Q MCCARTHY, R.D.H.	4/1/2008
H5364	IGOR A SITNIK, R.D.H.	4/1/2008
H5365	TONI N BAHEN, R.D.H.	4/8/2008
H5366	CHRISTIE M ALLBRITTON, R.D.H.	4/8/2008
H5367	STARR L THOMPSON, R.D.H.	4/8/2008
H5368	CHERYL A SMITH, R.D.H.	4/8/2008
H5369	CHELSEA K KOCH, R.D.H.	4/8/2008
H5370	KAREN N THOMPSON-SIEGRIST, R.D.H.	4/8/2008
H5371	MEGHAN K PARKER, R.D.H.	4/8/2008
H5372	JAMIE L STEIN, R.D.H.	4/8/2008
H5373	KAYLA M SEAHOLM, R.D.H.	4/8/2008
H5374	JESSICA L DARNELL, R.D.H.	4/8/2008
H5375	MELISSA J FRANK, R.D.H.	4/8/2008
H5376	PEARL K HOFFMAN, R.D.H.	4/11/2008

Dentists

D9057	BLAIR H STRUBLE, D.M.D.	2/20/2008
D9059	DANIEL PETRISOR, D.M.D.	2/27/2008
D9060	MATTHEW W GEBHARDT, D.D.S.	3/13/2008
D9061	NOAH A AGARD, D.D.S.	3/13/2008
D9062	JULIE A SMITH, D.D.S.	3/13/2008
D9063	MARK P SWENSEN, D.D.S.	3/13/2008
D9064	MATTHEW A ROANE, D.M.D.	3/20/2008
D9065	MALIN G FRIESS, D.M.D.	3/20/2008
D9066	LISA J GUERRERO, D.D.S.	3/20/2008
D9067	PATRICIA C FINN, D.D.S.	3/26/2008
D9068	BRENT R CORBRIDGE, D.M.D.	3/26/2008
D9069	RYAN PITMAN, D.M.D.	4/1/2008
D9070	STEPHEN B TAYLOR, D.M.D.	4/8/2008
D9071	BENJAMIN Y SZU, D.D.S.	4/8/2008

Specialists

D9058	TUONG NGUYEN	2/20/2008
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