

**OREGON BOARD OF DENTISTRY
MINUTES
May 21, 2010**

MEMBERS PRESENT: Jill Mason, M.P.H., R.D.H., President
Norman Magnuson, D.D.S., Vice President
Rodney Nichols, D.M.D.
Darren S. Huddleston, D.M.D.
David Smyth, B.S., M.S.
Mary Davidson, M.P.H, R.D.H., LAP
Patricia Parker, D.M.D.
Jonna E. Hongo, D.M.D.
Brandon Schwindt, 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)
Lisa Warwick, Office Specialist (portion of meeting)
Michelle Lawrence, D.M.D., Dental Consultant (portion of meeting)

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

VISITORS PRESENT: John Bitting, Esq., DOCS Education; Greg Jones, D.M.D., ODA;
Beryl Fletcher, ODA; Christina Swartz, ODA; Lynn Ironside, R.D.H.,
ODHA; Marilyn Chew, R.D.H., ODHA; Laurie Johnson, R.D.H.,
DHS; Gail Aamodt, R.D.H., Pacific University; Gary Allen, D.M.D.,
Willamette Dental Group; Douglas Matz, D.M.D., OAGD; Heidi Jo
Grubbs, R.D.H., ODHA; Pamela Lynch, B.S.DH, R.D.H., ODHA;
Bonnie Marshall, CDA, EFDA, EFODA, Portland Community
College; Robbyne Peterson, ODAA; Minoo A. Salari-Miller, R.D.H.;
Rep. Tina Kotek, HD44; Claudia Black, Governor's Office; Lee
VanderVoo, Portland Monthly.

Call to Order: The meeting was called to order by the President at 8:03 a.m. at the Board office; 1600 SW 4th Ave., Suite 770, Portland, Oregon.

NEW BUSINESS

MINUTES

Dr. Hongo moved and Dr. Magnuson seconded that the minutes of the March 19, 2010 Board meeting be approved as amended. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

ASSOCIATION REPORTS

Oregon Dental Association

Dr. Jones stated the ODA would be involved in a Mission of Mercy (MOM) program November 22-23. Approximately 150-200 adult patients will be helped on a first-come-first-served basis.

Oregon Dental Hygienists' Association

ODHA had nothing to report.

Oregon Dental Assistants Association

ODAA had nothing to report

COMMITTEE AND LIAISON REPORTS

WREB Liaison Report

Dr. Magnuson stated that there was not much to report regarding WREB. Most of the discussion was regarding the re-governance of the WREB Board. He also added that he would have a report on the Western Conference of Dental Examiners and Dental School Deans that he would be attending, July 23-24, in Seattle, WA.

AADB Liaison Report

Dr. Parker stated the Mid-Year Meeting was held April 11-13 and that Ms. Mason, Mr. Braatz and herself were in attendance. Dr. Parker stated the topic was "Scope of Practice." New allied team members were described and discussed. There are many different names and scopes of practice for these new team members. Examples: DHAT – Dental Health Aid Therapist; ADHP – Advanced Dental Hygiene Practitioner; CDHC – Community Dental Health Coordinator; OPA – Oral Prevention Assistant; ADT – Advanced Dental Therapist.

Dr. Tankersley, ADA president, spoke about the impact on the profession for expansion of scope of practice. Dr. W. Ken Rich, ADA Sixth District Trustee, discussed ADA's proposed models. The CDHC and OPA are those models. The concept of the CDHC is to reach the underserved communities and that the CDHC will come from the community they serve, giving them a better understanding of the culture, language and barriers to care.

The OPA would be an allied member providing preventive services for patients with plaque-induced gingivitis. They would collect diagnostic data, provide preventive services and do general office duties. There was also a speaker who discussed OMFS scope of practice issues.

There was also some discussion about the emerging dental workforce models, implications for regulatory agencies and different states' dental scope of practice acts. The AADB Annual Meeting will be October 7 – 8, 2010 in Orlando, FL.

ADEX Liaison Report

Dr. Huddleston stated that he wouldn't be able to attend the June meeting for ADEX. Dr. Parker was willing to attend in his place. Dr. Magnuson moved and Dr. Hongo seconded to send Dr. Parker as Dr. Huddleston's replacement. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

Committee Meeting Dates

Mr. Braatz stated that on July 29, 2010 the Administrative Workgroup will meet to discuss the Executive Director's annual review, with the results presented to the Board on July 30, 2010.

EXECUTIVE DIRECTOR'S REPORT

Budget Status Report

Mr. Braatz attached the latest budget reports for the 2009-2011 Biennium, from July 1, 2009 through March 31, 2010. This report shows revenue of \$937,007.57 and expenditures of \$705,158.20. Mr. Braatz added that the expenditures exceeding revenue is to be expected at this time in the Biennium due to our revenue stream and the budget appears to be performing as expected.

Customer Service Survey Report

Mr. Braatz attached the graph showing the OBD State Legislatively Mandated Customer Service Survey Results from July 1, 2009 through April 30, 2010. The results of the survey show that the OBD continues to receive positive comments from the majority of those that return the surveys. The 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

Wednesday, March 31, 2010 - Board member Mary Davidson, M.P.H., R.D.H., L.A.P. made a presentation to Pacific University Dental Hygiene students in Hillsboro.

Thursday, April 8, 2010 - Paul Kleinstub, D.D.S., Chief Investigator/Dental Director and Mr. Braatz made two presentations, "Record Keeping from the Board's Perspective," and "Ask the Board" at the Oregon Dental Conference.

Thursday, April 15, 2010 - Paul Kleinstub, D.D.S., Chief Investigator/Dental Director, made a presentation to Gentech Dental Group in Portland.

Thursday, April 22, 2010 – Mr. Braatz made a presentation to the Coos Bay Dental Society as part of the DBIC Risk Management Program at the Red Lion in Coos Bay.

Monday, April 26, 2010 - Paul Kleinstub, D.D.S., Chief Investigator/Dental Director made a presentation to the Dental Hygiene students at Apollo College in Portland.

Friday, April 30, 2010 - Paul Kleinstub, D.D.S., Chief Investigator/Dental Director made a presentation to the Dental Hygiene students at Portland Community College in Portland.

Friday, May 7, 2010 - Teresa Haynes, Licensing Manager, and Mr. Braatz made a presentation to the Dental Hygiene students at Portland Community College in Portland.

Saturday, May 8, 2010 - Mr. Braatz made a presentation to the Kaiser Permanente Dental Group at the Doubletree Hotel in Portland.

Tuesday, May 11, 2010 - Teresa Haynes, Licensing Manager, and Mr. Braatz made a presentation to the Dental Hygiene students at Lane Community College in Eugene.

Wednesday, May 12, 2010 - Teresa Haynes, Licensing Manager, and Mr. Braatz made a presentation to the Dental Hygiene students at Mt. Hood Community College in Gresham.

Monday, May 17, 2010 - Mr. Braatz made a presentation to the Dental Assisting students at Portland Community College in Portland.

House Bill 2345 Health Professionals' Program (HPP)

Mr. Braatz stated that the current HPP cost figure for next biennium is \$225,000, although it seems to fluctuate with time. Currently, we do not have the funds to cover that estimate and we will have to raise fees to cover that cost. Mr. Braatz stated that at this time he would need the Board to decide if they were going to participate in the HPP or not.

Dr. Hongo moved and Mr. Smyth seconded that that Board opt into the HPP. The motion passed with Dr. Magnuson, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye. Dr. Nichols was opposed.

WREB Restorative Examination

Mr. Braatz stated that he is not sure what more the OBD can do regarding this situation. WREB has responded to Ms. Clarke's issue. The rules allow for "other approved exam," and to date there are none. Mr. Braatz asked the Board for direction as to what response should be made.

Dr. Huddleston stated that he didn't know if people who take the exam understand what kind of training goes into examiners. The WREB examiners are very well trained and calibrated. It's as standardized as possible and Dr. Huddleston wanted that to be made very clear. Dr. Huddleston also added that restorations are not an easy process, it's difficult and the training is very important. Ms. Mason asked that our members of the WREB Board, Dr. Magnuson as well as Ms. Davidson, take these concerns to the WREB Board of Directors meeting in July.

AADB & AADA Annual Meetings

Mr. Braatz stated the next meeting would be October 5-8 in Orlando, Florida. Ms. Davidson moved and Dr. Hongo seconded that the Board send Mr. Braatz. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

New Board Member Appointment

The Board's second public member will be Mr. Alton Harvey, Sr. He will be attending the July 30, 2010 meeting. Mr. Braatz stated that he seemed to have a great sense of humor and that he'd be a great asset to the Board.

July Board Meeting Change

Mr. Braatz asked the Board to move the July 23, 2010 Board Meeting to July 30, 2010 as Dr. Magnuson will be at the Western Conference and Mr. Braatz will be attending a meeting with Advantage Dental Care in Redmond. Mr. Braatz stated that all members, with the exception of Dr. Schwindt, will be okay with moving the meeting. Dr. Huddleston moved and Dr. Parker seconded that the Board meeting date be moved. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2011 Meeting Dates

Dr. Hongo moved and Ms. Davidson seconded that the Board accept the meeting dates as published. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

Radiologic Proposed Rule Changes

Mr. Braatz attached the current rules regarding dental radiographs and the proposed amendments to those rules, specifically regarding Hand Held X-ray Systems, for the Board to review.

Mr. Braatz, along with Beryl Fletcher of the ODA, attended two meetings regarding the new Hand Held X-ray System rules. The original proposed rules by DAS RPS would not have allowed these hand held devices to be used on a regular basis by dentists and dental hygienists. This would not have been in the best interest of the public, and it would have been specifically problematic for LAP Dental Hygienists who have been given the authority to take x-rays in their practice setting without the supervision of a dentist and would be using this type of equipment.

It was suggested that Mr. Braatz have an article in the upcoming newsletter regarding these amendments.

ODHA Letter to Governor Kulongoski

Mr. Braatz stated that Ms. Black from the Governor's Office and Ms. Mason met to review the letter sent to the Governor's Office by the ODHA regarding their concerns with the OBD. Mr. Braatz wanted to address one concern regarding Board member training, and presented the "Board Members Handbook" which is presented and reviewed with all incoming Board members. He added that a few other concerns raised were the times of Board meetings, who sits on Board committees (voting) vs. Advisory committees (non-voting) and adequate space in the Board Conference Room.

Dr. Nichols stated that unfortunately his impassioned request at the end of public session at the last meeting was misinterpreted and found offensive by some and contributed to this situation. He stated that never the less, he would still urge that everyone cooperate, communicate, and collaborate.

Newsletter

Mr. Braatz stated that the next Newsletter is due in June and articles from Board members are always welcome.

UNFINISHED BUSINESS

RULES

818-001-0087 – Fees

Dr. Hongo moved and Dr. Magnuson seconded that the Board adopt the fee changes as published. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

Dr. Magnuson moved and Dr. Hongo seconded that the Board amend the Anesthesia Permit classification names to match the rest of the Dental Practice Act. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

818-015-0007 - Specialty Advertising

Dr. Magnuson moved and Dr. Magnuson seconded that the Board adopt 818-015-0007(1)(i) as published. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

818-021-0017 – Application to Practice as a Specialist

Dr. Nichols moved and Dr. Magnuson seconded that the Board adopt the 818-021-0017(3)(a) as published. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

818-021-0070 – Continuing Education – Dental Hygiene

Dr. Hongo moved and Dr. Nichols seconded that the Board adopt 818-021-0070(6) as published. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

818-026-0000 – Purpose

Dr. Magnuson moved and Dr. Hongo seconded to adopt 818-026-0000(1) as published. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

818-0261-0010 – Definitions

Dr. Hongo moved and Mr. Smyth seconded that the Board adopt the amendments to 818-026-0010 as published. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

818-026-0020 – Presumption of Degree of Central Nervous System Depression

Dr. Magnuson moved and Dr. Parker seconded that the Board adopt the amendments to 818-026-0020 as published. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

818-026-0030 – Requirement for Anesthesia Permit, Standards and Qualifications of an Anesthesia Monitor

Dr. Magnuson moved and Dr. Parker seconded to adopt the amendments to 818-026-0030 with the amendment to line 160 adding “Deep Sedation” to the list of Anesthesia classifications. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

818-026-0035 – Classes of Anesthesia Permit

Dr. Magnuson moved and Dr. Hongo seconded that the Board adopt the amendments to section 818-026-0035 as published. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

818-026-0040 – Qualifications, Standards Applicable, and Continuing Education Requirements for Anesthesia Permits: Nitrous Oxide

Dr. Hongo moved and Ms. Davidson seconded that the Board adopt the amendments to 818-026-0040 as published. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

818-026-0050 – Minimal Sedation Permit

Dr. Hongo moved and Dr. Magnuson seconded that the Board adopt 818-026-0050 as published. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

818-026-0055 – Dental Hygiene and Dental Assistant Procedures Performed Under Minimal Sedation

Dr. Magnuson moved and Dr. Hongo seconded that the Board adopt 818-026-0055 as published. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

818-026-0060- Moderate Sedation Permit

Dr. Nichols moved and Dr. Huddleston second that the Board amend 818-026-0060 (1), line 496,

by replacing “adult case experiences” with “dental patient experiences” and line 500 by replacing “patients” with “dental patients” and adopt 818-026-0060 as amended. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

818-026-0065 – Deep Sedation

Dr. Hongo moved and Dr. Nichols seconded that the Board adopt 818-026-0065 as published. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

818-026-0070 – General Anesthesia Permit

Dr. Nichols moved and Dr. Parker seconded that the Board amend 818-026-0070(2)(h), line 806, adding “laryngeal mask airways” to the list and adopt 818-026-0070 as amended. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

818-026-0080 – Standards Applicable When a Dentist Performs Dental Procedures and a Qualified Provider Induces Anesthesia

Dr. Hongo moved and Dr. Nichols seconded that the Board adopt 818-026-0080 as published. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

818-026-0100 – Effective Date

Ms. Davidson moved and Dr. Hongo seconded that the Board repeal 818-026-0100 from the Oregon Administrative Rules. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

818-026-0110 – Office Evaluations

Dr. Magnuson moved and Dr. Hongo seconded that the Board adopt 818-026-0110 as published. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

818-026-0120 – Reporting of Death, Serious Complications or Injury

Dr. Magnuson moved and Dr. Hongo seconded that the Board adopt 818-026-0120 as published. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

818-026-0130 – Anesthesia Committee

Dr. Hongo moved and Dr. Magnuson seconded that the Board adopt 818-026-0130 as published. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

818-035-0065 – Limited Access Permit

Dr. Magnuson moved and Dr. Huddleston seconded that the Board adopt 818-035-0065 as published. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Hongo and Dr. Schwindt voting aye. Dr. Parker and Ms. Davidson were opposed.

818-035-0075 – Initial Issuance of Permit Fee

Dr. Hongo moved and Dr. Magnuson seconded that the Board repeal 818-035-0075 from the Oregon Administrative Rules. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

818-042-0040 – Prohibited Acts

Dr. Magnuson moved and Ms. Davidson seconded that the Board adopt 818-042-0040 as published. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

CORRESPONDENCE

The Board received a letter from John C. Cosby, D.M.D., President, CRDTS

Dr. Cosby sent a letter to all dental boards that currently accept the CRDTS exam reminding them that the National Boards I & II are a separate exam and not required by CRDTS in order to pass the CRDTS exam. CRDTS is asking all exam boards to make sure they receive proof of passage for the National Boards Part I & II independently and not to rely on State Boards for that information.

Cindy Durley, DANB

Ms. Durley sent a letter to the Board reviewing DANB's holistic scoring methodology, which has been in place since October 2008.

Pamela Lynch, R.D.H.

Ms. Lynch sent a letter to the Board voicing her displeasure with the current Board and committee meeting process, stating that Board meeting times were too early, the Board room is too small, committee meetings are too late and did not have easy access for the public. Ms. Lynch also voiced her concerns regarding LAP rules and the Board of Dentistry's role in enforcing those rules.

OTHER BUSINESS

Soft reline course approval – Ben Sutter, D.M.D.

Dr. Hongo moved and Dr. Nichols seconded that the Board approve Dr. Ben Sutter's application for Soft Reline Instructor. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

Election of Officers

Mr. Smyth moved and Dr. Nichols seconded that Dr. Magnuson be appointed as Board President. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

Dr. Huddleston nominated Ms. Davidson as Vice President. Dr. Parker moved to accept the nomination and Dr. Hongo seconded. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

Dr. Magnuson presented a plaque to Ms. Mason thanking her for her term as President.

Articles and News of Interest (no action necessary)

- ADG Transcript, April 2010 Issue
- Idaho Board of Dentistry, April 2010
- Kentucky Board of Dentistry, Spring 2010
- State Legislative Report, April 2010

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 numbers **2007-0071, 2009-0138, and 2006-0226.**

LICENSING ISSUES

OPEN SESSION: The Board returned to Open Session.

CONSENT AGENDA

2010-0163 and 2010-0175 Dr. Magnuson 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. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

COMPLETED CASES

2009-0287, 2009-0231, 2010-0028, 2010-0033, 2010-0023, 2009-0278, 2010-0073, 2007-0061, 2010-0038, 2010-0049, 2010-0182 and 2010-0040 Dr. Magnuson moved and Mr. Smyth seconded that the above referenced cases be closed with a finding of No Violation of the Dental Practice Act or No Further Action per the Board recommendations. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye. Dr. Schwindt recused himself from case 2009-0278. Dr. Hongo recused herself from case 2010-0040.

2010-0030 Mr. Smyth moved and Dr. Magnuson seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that when obtaining informed consent prior to providing treatment, the patient has a clear understanding of what treatment is being proposed; that when preparing teeth for crowns, there is adequate occlusal reduction done; that the licensee's renewal continuing education requirements are met in a timely manner; and that certifications made to the Board are accurate. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2010-0022 Ms. Davidson moved and Mr. Smyth seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that when administering nitrous oxide, the patient's vital signs, the amount of nitrous oxide administered, and the patient's condition upon discharge are documented; that all treatment provided is documented; and that when obtaining informed consent prior to providing treatment, PARQ or its equivalent is documented in the patient records. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker and Dr. Schwindt voting aye. Dr. Hongo recused herself.

2009-0244 Dr. Huddleston moved and Dr. Nichols seconded that the Board accept the Licensee's resignation of their license to practice dentistry in the state of Oregon. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2010-0135 Dr Hongo moved and Ms. Davidson seconded that the Board close the matter with a

Letter of Concern reminding the Licensee to assure Licensee possesses all Oregon Board of Dentistry required certificates before advertising as a specialist. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2010-0035 Dr. Schwindt moved and Dr. Hongo 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. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2010-0032 Dr. Huddleston moved and Dr. Hongo 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. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2010-0031 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. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2010-0104 Mr. Smyth 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, would agree to attend at least three hours of a Board approved record keeping continuing education course within six months of the signed order and to pay a civil penalty in the amount of \$2,000.00. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2010-0037 Dr. Parker moved and Dr. Hongo seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that a dental justification is documented prior to providing treatment, that every effort is made to ensure that the requirements for maintenance of the Licensee's nitrous oxide permit are met in a timely manner, and to remind the Licensee of the importance of communication between professionals within the dental group for continuity of care of their patients. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2010-0141 Mr. Smyth moved and Dr. Magnuson seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that prior to initiating endodontic therapy or prescribing medication, a dental justification is documented in the patient records; and that all treatment provided to a patient is documented in the patient records. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker and Dr. Schwindt voting aye. Dr. Hongo recused herself.

2010-0161 Ms. Davidson moved and Dr. Huddleston seconded that the Board close the matter and take No Further Action at this time. The motion passed with Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye. Dr. Magnuson recused himself.

2010-0011 Dr. Huddleston moved and Ms. Davidson seconded that the Board close the matter with a strongly worded 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 a dental justification is documented prior to providing treatment; that complications to treatment are documented in the patient records; that all treatment and medications prescribed are adequately documented in the patient records; and that continuing education requirements for maintenance of the Licensee's nitrous oxide permit are met in a timely manner. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2010-0050 Dr. Hongo moved and Dr. Magnuson seconded that the Board close the matter with a Letter of Concern addressing the issues of insuring that when treatment is provided, the name of the restorative material is documented in the patient record; when an occlusal adjustment is done, the tooth is identified and the treatment is documented; and that appropriate treatment is planned for and then documented in the patient record. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2010-0184 Dr. Schwindt moved and Dr. Nichols seconded that the Board close the case with a determination of No Further Action. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2010-0009 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 a patient is seen for fixed prosthodontic treatment, every effort is made to ensure that there are adequate pre-treatment records taken and also that the patient is fully informed of the risks of limited treatment when there are overriding larger treatment needs that could affect the prognosis for the final outcome and longevity of the limited treatment. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2010-0152 Dr. Parker moved and Dr. Hongo seconded that the Board allow the Applicant to withdraw their application for reinstatement of their Oregon dental license and close the case with No Further Action. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2010-0053 Dr. Hongo 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 and requiring the Licensee to take three hours of continuing education in record keeping within six months of the effective date of the Order. The motion passed with Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye. Dr. Magnuson recused himself.

2010-0019 Mr. Smyth moved and Dr. Parker seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that the continuing education requirements for license renewal are met in a timely manner and that signed certifications made to the Board are accurate. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2010-0017 Ms. Davidson moved and Dr. Hongo 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 never reinstate the Licensee's expired license or apply for a new license. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2010-0051 Dr. Hongo moved and Dr. Nichols seconded that the Board close the matter with a

strongly worded Letter of Concern addressing the issue of ensuring that every effort is made to diagnose and treat pathology evident on radiographs and that the requirements of maintenance of the Licensee's nitrous oxide permit are met on a continuing basis. The motion passed with Dr. Magnuson, Dr. Nichols, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye. Dr. Huddleston recused himself.

2010-0079 Dr. Schwindt moved and Dr. Hongo 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, complete a D-PACE evaluation and pay a \$1,000.00 civil penalty. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2010-0116 Dr. Nichols moved and Dr. Parker seconded that the Board issue a Notice of Proposed Disciplinary Action for failure of sterilization compliance and initiate inspection of the offices involved. Following inspection of any sterilization irregularities discovered by OBD inspectors, issue an emergency license suspension after consultation with the Senior Assistant Attorney General. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

PREVIOUS CASES REQUIRING BOARD ACTION

2009-0116 Dr. Parker moved and Mr. Smyth seconded that the Board issue an Order of Dismissal dismissing the Notice of Proposed Disciplinary Action issued on May 21, 2009 and close the matter with a Letter of Concern addressing the issue of ensuring that a dental justification is documented prior to providing treatment. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2008-0256 Mr. Smyth moved and Dr. Magnuson seconded that the Board approve the treatment regimen provided by Resurrection Behavioral Health as meeting the requirements of Licensee's Order for Level III treatment. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2009-0232 Ms. Davidson moved and Dr. Hongo seconded that the Board accept the Consent Order proposed by the Licensee and close the matter. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2008-0031 Dr. Parker moved and Ms. Davidson seconded that the Board terminate the current restriction on the Licensee's license. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2009-0270 Dr. Hongo moved and Ms. Davidson seconded that the Board vote to issue a Default Order. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2004-0173 Dr. Schwindt moved and Dr. Nichols seconded that the Board release Licensee from the Board's Voluntary Diversion Agreement, dated 9/23/05. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2004-0204 Dr. Nichols moved and Dr. Parker seconded that the Board release Licensee from the

Board's Voluntary Diversion Agreement, dated 2/2/05. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2004-0224 Dr. Parker moved and Mr. Smyth seconded that the Board release Licensee from the Board's Voluntary Diversion Agreement, dated 8/25/05. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2005-0059 Mr. Smyth moved and Dr. Magnuson seconded that the Board ratify Licensee's Voluntary Diversion Agreement, dated 9/24/07; not transfer Licensee's case to the State's HPP; release Licensee from the Agreement; and close the case with No Further Action. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2006-0086 Ms. Davidson moved and Dr. Nichols seconded that the Board move to transfer Licensee's diversion to the State's HPP and close the case with a determination of No Further Action. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2007-0072 Dr. Parker moved and Mr. Smyth seconded that the Board release Licensee from the Board's Voluntary Diversion Agreement. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2007-0116 Dr. Hongo moved and Dr. Nichols seconded that the Board release Licensee from the Board's Voluntary Diversion Agreement. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2007-0304 Dr. Schwindt moved and Dr. Hongo seconded that the Board ratify Licensee's Voluntary Diversion Agreement (VDA), dated 1/14/08; release Licensee from the VDA; and close the case with a finding of No Further Action. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2008-0087 Dr. Nichols moved and Mr. Smyth seconded that the Board ratify Licensee's Voluntary Diversion Agreement, dated 12/24/08; transfer Licensee's diversion to the State's HPP; and close the case with a determination of No Further Action. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2008-0146 Dr. Parker moved and Ms. Davidson seconded that the Board transfer Licensee's diversion file to the State's Health Professionals Program. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2008-0206 Mr. Smyth moved and Dr. Nichols seconded that the Board ratify Licensee's Voluntary Diversion Agreement, dated 10/6/08; transfer Licensee's diversion to the State's HPP; and close the case with a determination of No Further Action. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2008-0254 Ms. Davidson moved and Dr. Hongo seconded that the Board transfer Licensee's diversion to the State's HPP, deny Licensee's request for an opportunity to operate as a sole

practitioner, and close the case with a determination of No Further Action. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2008-0287 Dr. Parker moved and Dr. Nichols seconded that the Board ratify Licensee's Voluntary Diversion Agreement, dated 10/20/08; transfer Licensee's diversion to the State's HPP; and close the case with a determination of No Further Action. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2009-0178 Dr. Hongo moved and Ms. Davidson seconded that the Board transfer Licensee's diversion to the State's HPP and close the case with a determination of No Further Action. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2009-0230 Dr. Schwindt moved and Dr. Hongo seconded that the Board transfer Licensee to the State's Health Professionals' Services Program and close the case with No Further Action. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

2010-0026 Dr. Nichols moved and Dr. Magnuson seconded that the Board transfer Licensee to the State's Health Professionals' Services Program and close the case with No Further Action. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

LICENSURE AND EXAMINATION

Ratification of Licenses Issued

Ms. Davidson moved and Dr. Magnuson seconded that licenses issued be ratified as published. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

Dental Hygienists

H5762	KELLY ELIZABETH HAWKINS, R.D.H.	4/2/2010
H5763	ELIZABETH A PHAM, R.D.H.	4/2/2010
H5764	BILLIE-JEAN ABREU, R.D.H.	4/2/2010
H5765	PORSCHA MARIE BOYD, R.D.H.	4/2/2010
H5766	VANESSA RAMIREZ, R.D.H.	4/2/2010
H5767	JENNIFER A JENKINSON, R.D.H.	4/2/2010
H5768	MICHELLE Y NGUYEN, R.D.H.	4/2/2010
H5769	CYNTHIA E VITUS, R.D.H.	4/2/2010
H5770	BRANDY D GOLD, R.D.H.	4/8/2010
H5771	LAURA BLANCO, R.D.H.	4/8/2010
H5772	JACQULINE J FIEGI, R.D.H.	4/8/2010
H5773	CHERISH S SWEEDEN, R.D.H.	4/14/2010
H5774	ASHLEY M KIRK, R.D.H.	4/14/2010
H5775	AMANDA R KOENIG, R.D.H.	4/14/2010
H5776	CLAUDINE L STEVENSON, R.D.H.	4/14/2010
H5777	NADINE J ARKENS, R.D.H.	4/21/2010
H5778	LINDSAY A SUTPHIN, R.D.H.	4/21/2010

H5779	MICHELLE M HANKE, R.D.H.	4/21/2010
H5780	JENNIFER K BOETTCHER, R.D.H.	4/27/2010
H5781	KRISTLE JEAN WARREN, R.D.H.	4/27/2010
H5782	SHARON D TATTERSALL, R.D.H.	05/4/2010

Dentists

D9393	HOUTAN ALAYAN, D.D.S.	2/12/2010
D9394	ZHANNA P DEVYATKINA, D.M.D.	2/12/2010
D9395	DIEP N PHAM, D.M.D.	2/12/2010
D9396	CRAIG R BRANDON, D.D.S.	2/12/2010
D9397	MELISSA J BASSHAM, D.D.S.	2/22/2010
D9398	JUDD E PARTRIDGE, D.M.D.	2/22/2010
D9399	RYAN R BAILEY, D.D.S.	2/24/2010
D9400	SAMSON S DEREBE, D.M.D.	2/24/2010
D9401	JEFFREY D THOMAS, D.D.S.	3/09/2010
D9402	MADALINA IVAN, D.D.S.	3/09/2010
D9403	EMERSON T ROWLEY, D.M.D.	3/09/2010

Specialty Exam Approval

Dr. Parker moved and Dr. Hongo seconded that the Board approve the specialty exam information as presented and issue Candidate OS201 an Oral and Maxillofacial Surgery Specialty License. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

Request for Reinstatement of License # H4421 Trelawny Wilson, R.D.H.

Mr. Smyth moved and Dr. Nichols seconded that the Board reinstate Dental Hygiene License H4421. The motion passed with Dr. Magnuson, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Ms. Davidson, Dr. Parker, Dr. Hongo and Dr. Schwindt voting aye.

Announcement

No announcements

ADJOURNMENT

The meeting was adjourned at 2:15 p.m. Ms. Mason stated that the next Board meeting would take place July 30, 2010.

Approved by the Board July 30, 2010

_____/S/_____
 Norman D. Magnuson, D.D.S.
 President