

**OREGON BOARD OF DENTISTRY
MINUTES
July 30, 2010**

MEMBERS PRESENT: Norman Magnuson, D.D.S., President
Mary Davidson, M.P.H., R.D.H., LAP, Vice President
Jill Mason, M.P.H., R.D.H.
Rodney Nichols, D.M.D.
Darren S. Huddleston, D.M.D.
David Smyth, B.S., M.S.
Patricia Parker, D.M.D.
Jonna E. Hongo, D.M.D.
Alton Harvey, Sr.

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

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

VISITORS PRESENT: Lynn Ironside, R.D.H., ODHA; Beryl Fletcher, ODA; Rick Asai, D.M.D., ODA; Bonnie Marshall, ODAA; Heidi Jo Grubbs, R.D.H., ODHA; Douglas Matz, D.M.D., OAGD

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. Nichols moved and Ms. Mason seconded that the minutes of the May 21, 2010 Board meeting be approved as amended. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

ASSOCIATION REPORTS

Oregon Dental Association

Dr. Asai reminded everyone of the Oregon Dental Association's Mission of Mercy project this coming November and brought registration cards and volunteer forms in case anyone was interested.

Oregon Dental Hygienists' Association

Ms. Ironside stated that she had nothing to report.

Oregon Dental Assistants Association

Ms. Marshall said there was nothing to report.

COMMITTEE AND LIAISON REPORTS

WREB Liaison Report

Dr. Magnuson stated that he attended the WREB meeting last week and that currently WREB is in a state of change. At the moment they have a Board of Directors which involves all active members of WREB and the Executive Committee (President, Vice president and Secretary), who hold executive sessions in private. The current feeling is that decisions are being made and then presented to the Board for "final approval." There are also more states joining WREB. At this point they want to keep the Board at about 15 seats, otherwise there would be too many seats to get anything done. WREB has hired a consultant from Washington, D.C. who specializes in restructuring of non-profit boards. They want to set up a "governing board," which has 9 -11 members, including the president and the vice president. They will eliminate the secretary position, but adding a treasurer, and there will be other members from either the states or public members. That governing board will then run the administrative part of WREB, not the testing itself. Under the main board there will be sub boards, such as the dental exam review board and dental hygiene exam review board that deal with the actual exams. The review board would then present their findings to the governing board for final financial and legal approval.

Dr. Magnuson stated that they would be reviewing bylaws in November and December, so if there was anything that the Board would like him to review at that time, he would be happy to do so.

Mary Davidson stated that there were some score housekeeping changes for the dental hygiene exam, and the process to care portion of the exam is in beta testing right now and will be implemented next year and the process has been going very well. Also, that there were some concerns regarding the restorative portion of the WREB exam among Oregon and Washington educators. Ms. Davidson stated that Leslie Clark was asked to be an educator on a committee in that area, that it was going really well, and that it was a learning experience for everyone involved.

Dr. Magnuson stated that the dental portion of the exam was going computerized this year, so there would be no more filling in the blanks.

WESTERN CONFERENCE

Dr. Magnuson stated that the Western Conference of Dental Examiners and Dental School Deans was very interesting this year. He added that a representative from Minnesota was present at the conference and that, as the Board knows, Minnesota has made some interesting changes to their state, now requiring a dental therapist. This therapist can only work in an office with a dentist in it, they can prep teeth for simple restorations, extract baby teeth, put steel crowns on and place space maintainers and that's about it. Dr. Magnuson took issue with their main problem being access to care issues in remote areas, yet they require this "dental therapist" to work with a dentist, which isn't going to solve the "access to care" issue. Dr. Magnuson stated that there was no answer to that question. They also accept the Canadian Exam that has no patient care. When pressed on the challenges of handling live patient care, he had no answer for that either.

Dr. Magnuson stated that one speaker said that by 2020 there could be 15-20 new dental schools opened up in the country, meaning there could be as many as 1,500 new candidates in that timeframe. He also added that they would be changing the name of the Western Conference as there were no Deans there, although there were a number of associate deans. Also, it was no longer just the western states involved. The name would be decided at a later date.

AADB Liaison Report

Dr. Parker had nothing to report. Mr. Braatz added that there is an upcoming meeting in Orlando that we will be attending.

ADEX Liaison Report

Dr. Parker stated there was a half day meeting June 27, 2010 for the 5th Annual ADEX House of Representatives to review bylaws and elect officers and the Board. She stated that they approved an amendment that membership in ADEX will include states that accept the dental or dental hygiene examinations. They approved an amendment that member boards will be entitled to vote on matters related to the examination. They approved an amendment to change the name of the American Association of Dental Examiners to the American Association of Dental Boards where it appears in the bylaws, as a result of the organization's name change. They approved an amendment that would allow the setting of the date of the annual House of Representatives meeting to the Board of Directors. All functions of the Board of Directors shall be recorded in writing at the annual meeting. She also stated that Dr. Guy Champagne was elected president; Dr. Bruce Barrette, Vice-President; Dr. Frank Maggio, Secretary; and Dr. William Pappas, Treasurer.

Dr. Parker said there was some kind of deadlock on the election of a representative for District 5. Mr. Braatz stated that after the meeting they reviewed the bylaws, the vote was not legal and the vote was then decided. But at the time, it was considered a deadlock. Mr. Braatz added that November 5-7, there will be another meeting regarding the Exam.

Committee Meeting Dates

There were no committee meetings to report.

EXECUTIVE DIRECTOR'S REPORT

Budget Status Report

Mr. Braatz attached the latest budget reports for the 2009-2011 Biennium for the Board to review and stated that this report, which is from July 1, 2009 through June 30, 2010, shows revenue of \$1,039,250.31 and expenditures of \$1,008,680.20. The revenue exceeding expenditures is to be expected at this time in the Biennium; the budget appears to be performing as expected. He added that if the Board members have questions on this budget report format, he'd be happy to answer them.

Customer Service Survey Report

Mr. Braatz attached a chart showing the OBD State Legislatively Mandated Customer Service Survey Results from July 1, 2009 through June 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. 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

Wednesday, July 21, 2010 – Mr. Braatz made a presentation to the Oregon Dental Executives Association in Salem.

Friday, July 23, 2010 – Mr. Braatz made a presentation to the Advantage Dental Group in Redmond, Oregon.

Public Advocacy Committee of NERB

Mr. Braatz stated that he attended and served on a panel at the Public Advocacy Educational Conference of the North East Regional Board of Dental Examiners, Inc. (NERB). The focus of the July 30, 2010

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meeting was "Are We OPTIMIZING Public Protection." He stated that there was a very interesting videotape interviewing people on the street and their impressions regarding the licensure and regulation of the dental profession that was produced by the PAC. He is attempting to get a copy to share with the Board at a future meeting.

2011-2013 OBD Budget

Mr. Braatz stated that the final touches were being placed on the 2011-2013 OBD Agency Budget Request. The request will include a substantial fee increase to cover the cost of participating in the new State Health Professionals' Services Program (HPSP). Mr. Braatz stated that he believes there will be an approximate fee increase of \$32.00 on all licensee fees; both new and renewal license fees.

HPSP Program Update

The new state HPSP has been up and running since July 1, 2010. The OBD transferred nine people into the new program from the OBD's program and there will be more new people placed in the program as time goes by. Because of the \$114,000 cost of this new program, Mr. Braatz will be requesting from the Oregon Legislative Emergency Board, an increase in the OBD's spending limitation to cover the cost of participating in this program. Without the approval of this request, the Board does not have sufficient funds to cover the cost.

OBD Strategic Planning Session

There has been previous discussion by the Board about holding another Strategic Planning Session as was done in October 2007. Mr. Braatz wanted to inquire about the Board's desire for such a meeting and the location and time when you would like to hold it. We need to take into account the current state budget crisis, as well as the timing of when all Board members would be available. The Board stated that they would like Mr. Braatz to tentatively plan a strategic planning meeting.

TRIMET Contract

Mr. Braatz asked the OBD to ratify his entering into a contract with TRIMET for the Universal Pass Program which will have the OBD provide transportation passes for employees that are eligible to receive such passes for transportation to and from work. Mr. Braatz stated the Board approved the contract with TRIMET last year. Because of timing with Board meetings, Mr. Braatz was not able to bring the contract to the Board before signing it. Dr. Nichols moved and Ms. Mason seconded that the Board ratify the TriMet contract. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

2010 Dental Hygiene Renewal

Mr. Braatz stated that on July 29, 2010 approximately 1,800 postcards were sent to Oregon licensed Dental Hygienists, whose licenses expire on September 30, 2010, informing them of the Electronic License Renewal Process that was used for the first time by Oregon Dentists whose licenses expired March 31, 2010. We are looking forward to as smooth a process as we did with the dental renewal.

OBD Mailings

Mr. Braatz stated that over the last two weeks the OBD has sent to all OBD Licensees who currently hold a Class 1, 2, 3, or 4 Anesthesia Permit a new license with the new anesthesia permit classifications and the newly amended Division 26 Oregon Administrative Rules. We also included in that mailing to all Dentists, information about the Division 15 Advertising Rules, and to the Dental Hygienists we included information about the new LAP Law and Administrative Rule change. Information regarding the LAP amendments was sent to Dental Hygienists who do not hold an anesthesia permit and the Advertising Rules were also sent to Dentists who do not hold

an anesthesia permit.

Dental Assistants

There are a number of issues that have come up recently regarding the various examinations that are required for Dental Assistants to take radiographs as well as other expanded functions. The Board needs to be aware that the OBD does not regulate Dental Assistants but rather what functions beyond basic functions do we allow Dentists and Dental Hygienists to delegate to Dental Assistants. The requirement to have graduated from an accredited program is only one of the pathways toward these certifications. On-the-job training is allowed, so having two different standards for obtaining additional certifications would be a serious problem for the OBD. Having an examination levels that playing field.

Dental Assisting National Board (DANB)

DANB has requested that we transition from written examinations to computerized examinations for the various dental assisting examinations we require. Their request seems reasonable and is the way the majority of other regulatory examinations are given. Dr. Parker moved and Dr. Hongo seconded that the Board transition as requested by DANB. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

Newsletter

We are overdue on sending out the next Newsletter and hope that we can get it out sometime in early fall. Articles are always welcome.

UNFINISHED BUSINESS

RULES

Adoption of Temporary Administrative Rules – HPSP Program

Dr. Hongo moved and Dr. Huddleston seconded that the temporary administrative rules governing the HPSP Program be adopted. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

CORRESPONDENCE

The Board received a letter from Fred Quarnstrom, D.D.S.

The Board directed Mr. Braatz send a letter to Dr. Quarnstrom for his input and notify him that his concerns will be raised at the next Anesthesia Advisory Committee meeting, which is a public meeting.

The Board received a letter from Eliza Norris, Co Director – Practical Dental Assisting of Oregon, LLC

The Board directed Mr. Braatz to send Ms. Norris a letter stating that this matter will be reviewed by the Licensing Standards and Competency Committee at its next scheduled meeting.

The Board received a letter from Bonnie Marshall, CDA, EFDA, EOFDA, AAS, MADAA

The Board directed Mr. Braatz to request DANB make a presentation to the Board regarding DANB testing for the radiologic proficiency exam so they can have further clarification on the matter from both perspectives, before they make any further decision.

The Board received a letter from Christina Olsson, R.D.H., L.A.P.

Ms. Olsson asked the Board to clarify if Oakridge, OR would be considered an underserved
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population. Ms. Mason moved and Dr. Parker seconded that Oakridge Oregon is indeed an underserved population for the state of Oregon. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye. The Board further stated that the Board will send the definition of “underserved” to the Dental Hygiene Committee for further review.

The Board received a letter from Sheri Tooks, C.D.A., R.D.H., M.S. - CODA

Dr. Magnuson will attend the OHSU School of Dentistry accreditation site visit on May 26, 2011, Dr. Parker will attend Concorde Career College Accreditation site visit, April 19-20, 2011 and Dr. Nichols will attend the Linn Benton Community College site visit May 11-12, 2011.

The Board received a letter from Dr. Mark Christianson – American Dental Association

Dr. Christianson sent a letter to the Board notifying us of the replacement of MDDE part 1 and 2 with an integrated exam and that it will take a minimum of five years to fully implement.

OTHER BUSINESS

Committee Appointments

Dr. Huddleston moved and Dr. Hongo seconded that the Board approve the committees as appointed. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

Articles and News of Interest (no action necessary)

- Dr. Kenneth Johnson
- State Legislative Report – July 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

Licensees appeared pursuant to their Consent Orders in case numbers 1995-0034, 1997-0091, and 2005-0117.

LICENSING ISSUES

OPEN SESSION: The Board returned to Open Session.

CONSENT AGENDA

2010-0192, 2010-0248, 2010-0245, 2010-0217, 2010-0191, 2010-0207, 2010-0239, 2010-0234, 2010-0225, 2010-0208, 2010-0193, 2010-0247, 2010-0211, 2010-0189, 2010-0198 and 2010-0202 Ms. Mason moved and Dr. Nichols seconded that the above referenced cases be closed with No Further Action per the staff recommendations. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

COMPLETED CASES

2010-0041, 2010-0090, 2010-0047, 2010-0044, 2010-0105, 2010-0103, 2010-0036, 2010-0140, 2010-0010, 2010-0069, 2010-0151, 2010-0080 and 2010-0018 Ms. Mason moved and Mr. Smyth

seconded that the above referenced cases be closed with a finding of No Violation of the Dental Practice Act or No Further Action per the Board recommendations. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye. Dr. Hongo recused herself from case 2010-0105.

2010-0045 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 seating crowns on implants, acceptable crown margins are produced. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

2010-0230 Dr. Parker 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 pay a \$500.00 civil penalty 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 30 days of the effective date of the Order. The motion passed with Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye. Ms. Davidson was opposed.

2010-0117 Dr. Huddleston 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. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

2009-0254 Dr. Hongo moved and Dr. Parker seconded that the Board close the matter with a Letter of Concern, addressing the issues of insuring that when informed consent is obtained prior to providing treatment, PARQ is documented in the patient record; that an exam is scheduled within 15 business days of a hygienist's first unsupervised treatment; that when providing lower priority treatments before treating obvious carious lesions, a justification is documented in the patient record; that periodontal therapy is provided before billing for periodontal maintenance therapy; and that AHA guidelines are followed when treating post heart attack patients. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

2010-0052 Dr. Nichols 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 and that when treatment is provided, a diagnosis is documented prior to providing the treatment. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

2010-0095 Ms. Davidson moved and Mr. Smyth seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that referrals to specialists are made when there is a potential need for the evaluation of questionable pathology. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

2010-0144 Mr. Harvey moved and Dr. Nichols 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 record and that a dental justification is documented prior to providing treatment. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

2010-0025 Mr. Smyth moved and Dr. Parker seconded that the Board for Respondent #1, close
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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 should be documented in the patient records; for Respondent #2, close the matter with a Letter of Concern addressing the issue of ensuring that when pathology is evident on radiographs, the patient is informed and the pathology is documented in the patient records, and that when treatment is planned, every effort is made to ensure that the patient has a clear understanding of the proposed treatment. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

2010-0231 Dr. Parker 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 pay a \$500.00 civil penalty 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 30 days of the effective date of the Order. The motion passed with Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye. Ms. Davidson was opposed.

2010-0048 Dr. Huddleston 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 and that when treatment complications occur, the complications are documented in the patient records. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

2010-0078 Dr. Hongo moved and Dr. Parker seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that when a written request is made for patient records, complete copies of the patient's records, including radiographs, are provided in a timely manner. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

2010-0227 Dr. Nichols 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 pay a \$500.00 civil penalty 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 30 days of the effective date of the Order. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

2009-0279 Ms. Davidson moved and Mr. Harvey seconded that the Board for both Licensees, issue a Notice of Proposed Disciplinary Action and offer both Licensees a Consent Order in which the Licensees would agree to be reprimanded. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

2010-0233 Mr. Harvey moved and Dr. Nichols seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that any advertising that is placed is in compliance with the Board's rules. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

2010-0091 Mr. Smyth moved and Dr. Hongo seconded that the Board close the matter with a Letter of Concern reminding the Licensee that it is incumbent upon them to assure advertising they do complies with the rules of the Board. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

2010-0256 Dr. Parker moved and Ms. Davidson seconded that the Board close the matter with a

Letter of Concern reminding the Licensee that written requests for patient records must be provided to the patient or patient's guardian within 14 days, per OAR 818-012-0030 (9)(a). The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

2010-0229 Dr. Huddleston moved and Mr. Smyth seconded that the Board issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order in which the Licensee would agree to pay a \$500.00 civil penalty 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 30 days of the effective date of the Order. The motion passed with Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye. Ms. Davidson was opposed.

2010-0228 Dr. Hongo moved and Dr. Nichols 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 pay a \$500.00 civil penalty 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 30 days of the effective date of the Order. The motion passed with Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye. Ms. Davidson was opposed.

2010-0232 Dr. Nichols 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 pay a \$500.00 civil penalty 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 30 days of the effective date of the Order. The motion passed with Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye. Ms. Davidson was opposed.

2010-0269 Ms. Davidson moved and Dr. Hongo seconded that the Board close the matter with a Letter of Concern addressing the issues of insuring that when treatment is provided, accurate patient records are maintained and that rebates are not offered to patients for the referral of new patients. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

2010-0210 Mr. Harvey moved and Mr. Smyth seconded that the Board vote to close the matter with a Letter of Concern reminding the Licensee that the Licensee is responsible for the content of advertisements relating to the Licensee's business. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

2010-0072 Mr. Smith moved and Mr. Harvey 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 when informed consent is obtained prior to providing treatment, PARQ or its equivalent is documented in the patient records; and that when treatment is provided, the treatment is accurately documented in the patient records. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Mr. Smyth, Dr. Parker, and Mr. Harvey voting aye. Dr. Hongo and Dr. Huddleston recused themselves.

2010-0111 Dr. Parker moved and Dr. Hongo seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that original treatment notes are maintained and entered into the patient records in a timely manner and that prior to restoring a tooth, every effort is made to remove any existing caries. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

2010-0172 Dr. Huddleston 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 when informed consent is obtained prior to providing treatment, PARQ or its equivalent is documented in the patient records; and that when treatment is provided, the treatment is accurately documented in the patient records. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

2010-0188 Dr. Nichols 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 and pay a \$1,500.00 civil penalty. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

2010-0046 Dr. Hongo moved and Ms. Smyth 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 a dental justification is documented when prescriptions are written or treatment is provided; and that when there is a treatment complication, the complication is documented in the patient records. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

2009-0289 Dr. Nichols 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 and pay a Civil Penalty in the amount of \$10,000. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

PREVIOUS CASES REQUIRING BOARD ACTION

2010-0085 Ms. Davidson moved and Mr. Harvey seconded that the Board, for Respondent #3, issue an Amended Notice of Proposed Disciplinary Action to include the additional allegation of a false statement, and accept the Licensee's offer of a Consent Order incorporating a reprimand, 30 hours of community service to be completed within six months of the effective date of the Order, documentation of continuing education for the licensure period 10/1/07 to 9/30/09, and require the Licensee to submit documentation verifying continuing education for renewal cycles 2009-2011 and 2011-2013. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

2005-0117 Dr. Hongo moved and Dr. Parker seconded that the Board vote to grant the Licensee's request and reinstate the Licensee's dental license providing the Licensee agrees to the terms of a Consent Order incorporating a reprimand; a six-month suspension of the Licensee's dental license as of 7/24/09; a \$5,000 civil penalty paid within nine months from the date the Licensee begins to practice dentistry; a requirement that Licensee only practice dentistry in a group setting with no ownership or managerial responsibilities for a period of five years; Licensee may only practice 15 hours a week for the first six months after the Licensee begins to practice dentistry; not reapply for a DEA registration for a period of five years; completion of three hours of continuing education in record keeping within six months of the effective date of this Order; completion of 40 hours of Board approved community service within six months of the effective date of this Order; submit documentation verifying completion of the required continuing education for the licensure periods 4/1/09 to 3/31/11 and 4/1/11 to 3/31/13 with each license renewal of those periods; and those protocols to support the Licensee's recovery and protect the public. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr.

Parker, Dr. Hongo, and Mr. Harvey voting aye.

2008-0256 Mr. Smyth moved and Dr. Nichols seconded that the Board grant the Licensee's request and reinstate the Licensee's dental license providing the Licensee agrees to the terms of a Consent Order incorporating a reprimand and the Board's protocols to support the Licensee's recovery and protect the public. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

2009-0138 Dr. Parker moved and Mr. Smyth seconded that the Board move to accept the Licensee's license retirement providing the Licensee agrees to the terms of an Amended Consent Order relieving the Licensee of the requirements of the Licensee's Consent Order, dated 10/3/09, and incorporating a provision whereby the Licensee agrees that the terms of the Licensee's Consent Order will be reinstated if the Licensee applies for reactivation of the Licensee's Oregon dental license. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

2008-0031 Dr. Huddleston moved and Dr. Hongo seconded that the Board grant the Licensee's request and issue an Order of Release releasing the Licensee from the terms of the Licensee's Second Amended Consent Order. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

2009-0153 Dr. Hongo moved and Mr. Harvey seconded that the Board accept the Consent Order proposed by the Licensee and close the matter. The motion passed with Ms. Davidson, Ms. Mason, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye. Dr. Nichols recused himself.

2008-0254 Dr. Nichols moved and Dr. Huddleston seconded that the Board grant the Licensee's request. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

2006-0200 Ms. Davidson moved and Mr. Smyth seconded that the Board issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order incorporating a reprimand and a \$1,000 civil penalty. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

2010-0017 Mr. Harvey moved and Dr. Hongo seconded that the Board issue a Default Order incorporating a reprimand and ordering the Licensee not to seek reinstatement of the Licensee's Oregon dental license or apply for a new dental license. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

LICENSURE AND EXAMINATION

Ratification of Licenses Issued

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

Dental Hygiene

H5783	CHARLENE M PARIERA, R.D.H.	5/12/2010
H5784	HEATHER N DEWEY, R.D.H.	5/12/2010
H5785	LEE M PORTER, R.D.H.	5/12/2010
H5786	DESIREE DURSTELER, R.D.H.	5/14/2010
H5787	DONNA J BORIA, R.D.H.	5/18/2010
H5788	SYDNEY M CRAVEN, R.D.H.	5/18/2010
H5789	ALYSSE T M NGUYEN, R.D.H.	5/18/2010
H5790	BAILEY RENEE SMITH, R.D.H.	5/25/2010
H5791	MELISSA BRITTANY DANIELLE MCEWEN, R.D.H.	6/9/2010
H5792	BRENDA J GEE, R.D.H.	6/9/2010
H5793	VALERIE J BLUEMEL, R.D.H.	6/9/2010
H5794	KEETA M HAMILTON, R.D.H.	6/9/2010
H5795	KRYSTAL N HINKLE, R.D.H.	6/9/2010
H5796	ASHLEY RAE TICKNOR, R.D.H.	6/17/2010
H5797	SHAUNNA LYNN JENNINGS, R.D.H.	6/17/2010
H5798	EMY L ROADY, R.D.H.	6/22/2010
H5799	DORATHY A SCHAFFER, R.D.H.	6/25/2010
H5800	MORGAN H OHMAN, R.D.H.	6/25/2010
H5801	TRAONNA MAY NELSON, R.D.H.	6/25/2010
H5802	LORA L SMITH, R.D.H.	6/25/2010
H5803	ABIGAIL D BRADFORD, R.D.H.	7/12/2010
H5804	SARAH ANNE LE BLANC, R.D.H.	7/12/2010
H5805	CORTNEY B BALAS, R.D.H.	7/12/2010
H5806	GABRIELLE DENIS MAHONEY, R.D.H.	7/12/2010
H5807	SARAH L BRAINARD, R.D.H.	7/12/2010
H5808	KRISTI LYNN HEINZE, R.D.H.	7/12/2010
H5809	THUY-ANH NGOC VO, R.D.H.	7/12/2010
H5810	CARMEN COLETTE MORIN, R.D.H.	7/12/2010
H5811	ANGELA LEE HOOLEY, R.D.H.	7/16/2010
H5812	DORIE J HARRIS, R.D.H.	7/16/2010
H5813	EMILY KATHRYN HIGLEY, R.D.H.	7/16/2010
H5814	JILLIAN A BARRON, R.D.H.	7/16/2010
H5815	CRYSTAL I MILLER, R.D.H.	7/16/2010
H5816	ABBY RAE STUMPF, R.D.H.	7/16/2010
H5817	HEIDI R JOHNSON, R.D.H.	7/16/2010
H5818	JENNIFER M HALVORSEN, R.D.H.	7/16/2010
H5819	STEPHANIE A MCLEAN, R.D.H.	7/16/2010
H5820	JAMI S DICKERSON, R.D.H.	7/16/2010
H5821	TYLER J KAADY, R.D.H.	7/16/2010

Dentists

D9424	RAINI A SPITZE, D.D.S.	5/12/2010
D9425	TODD J OYAMA, D.M.D.	5/12/2010
D9426	BENJAMIN LAMBETH, D.D.S.	5/13/2010
D9427	CHRISTOPHER R OPDAHL, D.D.S.	5/18/2010
D9428	ANDREW MARTIN BALLARD, D.D.S.	5/25/2010
D9429	KYLE W DIMOND, D.D.S.	5/25/2010
D9430	JOSEPH B YOUNG, D.M.D.	5/25/2010
D9431	SASCHA SCHUBERT, D.M.D.	5/25/2010
D9432	BRANDT L CULLEN, D.D.S.	6/7/2010
D9433	MICHAEL B HARPER, D.M.D.	6/7/2010
D9434	ANNETTE M PEARSON, D.D.S.	6/7/2010
D9435	MICHAEL SHAWN MCCORMACK, D.D.S.	6/9/2010
D9436	MICHAEL G GOODE, D.D.S.	6/17/2010
D9437	ROBERT R PERRY, D.D.S.	6/17/2010
D9438	DHARMINI PATHMANATHAN,	6/17/2010
D9439	ANGELA ISABELL JUSTICE, D.D.S.	6/17/2010
D9440	CURTIS B BEDONT, D.M.D.	6/22/2010
D9441	JOHN D MORIARITY, D.D.S.	6/25/2010
D9442	HAFSTEINN EGGERTSSON, D.D.S.	6/25/2010
D9443	ALAN P CHEN, D.M.D.	6/25/2010
D9444	FREDERICK N HANOSH, D.D.S.	6/25/2010
D9445	KENNETH J PEARSON, D.D.S.	6/25/2010
D9446	HEATHER N BILES, D.D.S.	6/25/2010
D9447	ADAM G KIRKPATRICK, D.D.S.	6/25/2010
D9448	DAVID J LILLIAN, D.D.S.	6/25/2010
D9449	JENNIFER MILOT, D.D.S.	6/25/2010
D9450	KATHRYN JO BALL, D.M.D.	7/12/2010
D9451	STEPHEN D DAVIS, D.D.S.	7/12/2010
D9452	GREGORY W BENNETT, D.M.D.	7/16/2010
D9453	JENNIFER MARIE WILLIAMS, D.M.D.	7/16/2010
D9454	JASON L WALKER, D.M.D.	7/16/2010
D9455	CHRISTOPHER LOUIS FLEMMING, D.M.D.	7/16/2010
D9456	DANIEL JAMES FLOYD, D.M.D.	7/16/2010
D9457	CHRISTIAN HANSON, D.M.D.	7/16/2010
D9458	BRYCE R DOTY, D.M.D.	7/16/2010
D9459	CALIE ROA,	7/16/2010
D9460	THOMAS EVANS CLARK, D.M.D.	7/16/2010
D9461	G. MICHAEL CALLINAN, D.D.S.	7/16/2010
D9462	VICKY P CHEN, D.M.D.	7/16/2010
D9463	RYAN JAMES VOGEL, D.M.D.	7/16/2010
D9464	NICHOLAS ALEXANDER SMITH, D.M.D.	7/16/2010
D9465	NATHAN C BRAXMEYER, D.M.D.	7/16/2010
D9466	JESSE R GRIDLEY, D.M.D.	7/16/2010

Specialty Exam Approval

Mr. Smyth moved and Dr. Hongo seconded that the Board approve the Endodontic and Periodontal Specialty Exams. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye. The Board is awaiting further information regarding the Oral and Maxillofacial Surgery Exam.

Request for Reinstatement – Robert Sears, D.D.S.

Dr. Parker moved and Dr. Nichols seconded that the Board reinstate Dr. Sears' dental license. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

Request for Reinstatement – Laraine Elsten, RDH

Dr. Huddleston moved and Dr. Hongo seconded that the Board reinstate Ms. Elsten's hygiene license. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

Request for Release of Investigative File- 2010-0141

Dr. Nichols moved and Mr. Harvey seconded that the Board deny the request for the release of the investigative file for case 2010-0141. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

Request for Release of Investigative File – 2010-0051

Dr. Hongo moved and Mr. Smyth seconded that the Board grant the request for the release of the investigative file for case 2010-0051. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye.

Announcement

No announcements

ADJOURNMENT

The meeting was adjourned at 2:43 p.m. Dr. Magnuson stated that the next Board meeting would take place October 1, 2010.

Approved by the Board October 1, 2010.

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