

**OREGON BOARD OF DENTISTRY
MINUTES
December 17, 2010**

MEMBERS PRESENT: Norman Magnuson, D.D.S., President
Mary Davidson, M.P.H., R.D.H., L.A.P., 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.
Brandon Schwindt, 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
Harvey Wayson, Investigator
Michelle Lawrence, D.M.D., Consultant
Lisa Warwick, Office Specialist

ALSO PRESENT: Lori Lindley, Senior Assistant Attorney General

VISITORS PRESENT: Lynn Ironside, R.D.H., OHDA; Lisa Rowley, R.D.H., Pacific University; Frances Sunseri, D.M.D., AGD; Vickie Woodward, R.D.H., ODHA; Christina Swartz, ODA; Jill Price, D.M.D., ODA; Robynne Peterson, ODAA; Heidi Jo Grubbs, R.D.H., ODHA; Hildie Oliver, R.D.H., ODHA

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. Hongo moved and Mr. Harvey seconded that the minutes of the October 1, 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, Dr. Schwindt, and Mr. Harvey voting aye.

Ms. Davidson moved and Ms. Mason seconded that the minutes of the November 1, 2010 Special Teleconference Board meeting be approved as amended. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

ASSOCIATION REPORTS

Oregon Dental Association

Christina Swartz from the Oregon Dental Association thanked the Board members who participated in Oregon's Mission of Mercy in November. She also stated that at the recent ADA meeting there was a proposal adopted for all state Boards to consider the formal acceptance of using Medical CE requirements for Dental CE. She added that she brought the resolution and the results, as well as some of the background, as she would like to submit that proposal to the Board for consideration. Mr. Braatz stated that we would put it on a future agenda.

Oregon Dental Hygienists' Association

Ms. Ironside stated that although there wasn't a formal report she wanted to thank Dr. Hongo and Mr. Harvey for attending the ODHA's opening session of this year's annual meeting. Ms. Ironside mentioned that current ODHA President Heidi Jo Grubbs, as well as Treasurer Hildie Oliver, were both in attendance today.

Oregon Dental Assistants Association

Robynne Peterson of ODAA stated that they had nothing to report.

COMMITTEE AND LIAISON REPORTS

WREB Liaison Report

Dr. Magnuson stated that the WREB bylaws have changed and WREB would now have two boards. One will be a Board of Directors which will be 9 to 11 members who are elected by the states and will be responsible for the business aspects of running WREB. There will also be an Exam Review Board which will have control over the exam process. He stated that WREB is expecting the process to take about a year to transition fully. An election will likely decide who is on the Board of Directors, while every member state is guaranteed a seat on the Exam Board. Dr. Huddleston moved and Ms. Mason seconded that the Board support WREB's bylaws changes.

Dr. Huddleston announced that he recently accepted a committee assignment with WREB for the Operative Committee.

AADB Liaison Report

Dr. Parker stated that the AADB meeting was held in Orlando December 3-4. The main topics discussed focused on the merging of Part 1 and 2 of the National Board, which is progressing nicely; the fact that there is no CODA accreditation for the Michigan model of dental therapists; ADA airway emergency management; and the feasibility of no live patients in exams. Dr. Parker added that there were also some resolutions adopted. There was support for ADA Resolution 13 which allows medical continuing education courses to be accepted for dental continuing education. There was opposition for Resolution 42, which was the portfolio style exam system.

Mr. Braatz added that the upcoming Mid-year Meeting will focus on education and there will be a few presentations regarding dental schools and their changes over the years. He added that the Annual Meeting will be held in October in Las Vegas.

ADEX Liaison Report

Dr. Parker stated that ADEX had a very interesting presentation from the California Dental Board regarding the Portfolio Exam which they now accept and seem to be very happy with. Examiners are instructors from the school and the exams are done in the school. Dr. Parker

also stated that the National Exam Part 3 was discussed as well.

Ms. Mason stated that there were some changes regarding the hygiene portion of the dental board regarding the validity of the perio pocket measurements. She stated that the pocket measurements were important to the hygiene exam and still part of it, but had been removed from the dental exam. Dr. Huddleston stated that dental candidates will still have to identify pocket depth, they just won't be graded on the measurements on that portion of the exam. It was also noted that next year's meeting is scheduled for November 4, 5, and 6.

Committee Meeting Dates

There was nothing to report.

EXECUTIVE DIRECTOR'S REPORT

Budget Status Report

Mr. Braatz stated that the latest budget reports for the 2009-2011 Biennium were attached for the Board's review. This report, which is from July 1, 2009 through October 31, 2010, shows revenue of \$1,412,692.24 and expenditures of \$1,297,247.00. He stated that if the Board had any questions, he would be happy to answer them.

Customer Service Survey Report

Mr. Braatz stated that attached is a chart which shows the OBD State Legislatively Mandated Customer Service Survey Results from July 1, 2010 through October 31, 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

Thursday, October 21, 2010 – Mr. Braatz made a presentation to the Southern Willamette Dental Society in Albany. Former Board member Dr. Ken Johnson was in attendance and asked that he send greetings to the Board.

Friday, December 3, 2010 - Dental Director/Chief Investigator Dr. Paul Kleinstub spoke as a part of the Risk Management Program put on by DBIC to the Multnomah County Dental Society at the Oregon Convention Center in Portland.

Friday, December 9, 2010 – Mr. Braatz and Dental Director/Chief Investigator Dr. Paul Kleinstub made a presentation to the Central Oregon Dental Society at Eagle Crest in Redmond.

November 6, 2011 - Dr. Hongo and Mr. Harvey attended the ODHA Annual Meeting in Newberg.

2011-2013 Budget

Mr. Braatz notified the Board that the OBD 2011 – 2013 Agency Budget Request has been approved and recommended by the DAS BAM Analyst assigned to the OBD. He added that with the election of a new Governor there are extended periods for the Governor to submit the State Budget. At this point we have not been informed as to what, if any, changes will be made to the 2011-2013 OBD Governor's Budget Request. He reminded the Board that the state currently has a \$3.2 billion deficit.

Emergency Board Request

Mr. Braatz stated that he appeared before the Emergency Board on December 15, 2010 regarding the OBD's request to increase our expenditure limitation by \$113,146, to cover the cost of participating in the State HPSP Program. The E Board approved our request.

2011 Dental Renewal

Mr. Braatz stated that the 2011 Dental Renewal postcards will be sent out January 17, 2011 to approximately 1,800 Dental licensees who are going to be eligible for renewal. This will mark the second dental renewal that will be online.

He added that we had recently mailed 275 Continuing Education Audit Letters, which are approximately 15% of the eligible license renewals. He reminded the members of the Board that they were automatically audited. Mr. Braatz also stated that we have worked to make the necessary changes to further streamline this process based on feedback from licensees and OBD staff.

LC DRAFT 1178– Hygiene

Mr. Braatz stated that the ODHA has provided the Board a draft of LC1178 in a meeting with Lynn Ironside and Paul Cosgrove. In summary, the ODHA has presented to the OBD Legislative Draft 1178 which would create a statutory Dental Hygiene Committee as a part of the Board and removing authority from the Board to regulate Dental Hygienists, yet remain a part of the Board and be funded by the Board. Mr. Braatz added that this is just a draft and that Mr. Cosgrove has stated that this Draft will be amended. The ODHA has asked for input from the Board regarding changes, modification, corrections, or clarifications that would make the Legislative Draft 1178, which will be introduced as a Bill on December 27, 2010, better. Mr. Braatz stated the he had also included some background on a similar issue from the October 10, 2008 Board Meeting.

OBD Strategic Planning Session

Mr. Braatz stated that he is still waiting on a few Board members to provide dates for a possible spring Strategic Planning Session. He also stated that he thinks that it looks like we may not be able to put this planning session together until next fall as there are simply too many projects currently going on.

AADB & AADA Mid-year Meetings

Ms. Mason moved and Mr. Smyth seconded that the Board allow Mr. Braatz to attend the Mid-year meetings. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

OBD Office Lease

Mr. Braatz stated that he had been notified by our current property management company that PSU, the new owners of the building, would like us to leave by June of 2012. Mr. Braatz stated that he plans to have DAS review our lease to see if we can be forced to move and also to talk with PSU to see if we can stay, at least until our lease is up as there is currently no money budgeted for a move.

OBD Committees

Mr. Braatz stated that there were numerous committee items pending for review and they will be scheduled to meet soon.

Newsletter

Mr. Braatz stated that his new aim for the Newsletter is February.

UNFINISHED BUSINESS

RULES

Adoption of Division 13 – Health Professionals’ Services Program

The Board adopted Division 13 – Health Professionals’ Services Program as an emergency temporary rule. It needs to be made permanent. He noted that no changes have been made and it should become effective February 1. Ms. Mason moved and Dr. Hongo seconded that Division 13 temporary ruled be repealed and Division 13 be adopted as published. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

Discussion of Division 15 – Advertising

Mr. Braatz stated the he included the entire packet of information from the previous meetings. Dr. Huddleston said that our goal was to make the rules simpler. He said that it was easier just to say general dentist instead of following specific guidelines involving font size and more. Ms. Davidson stated that her issue is that we are disciplining people although this advertising issue is not causing public harm and suggested that we should use a different way to approach this subject. Dr. Huddleston stated then the real question should be is the public at harm by not saying general dentistry? Ms. Davidson asked if it was possible to give them 30 days to become compliant. Dr. Schwindt stated that the 30 days to become compliant is a good stop gap until we can revisit fully the issue and fix it. Dr. Magnuson stated staff needs direction on what exactly needs to be done. Dr. Nichols stated that he thinks the rule is fine and we need to enforce it.

Dr. Schwindt stated that we need to have a committee meeting and that in the meantime Dr. Schwindt moved and Dr. Hongo seconded to amend current protocol and send a letter saying that the doctors must be compliant within 30 days or we will pursue a civil penalty, and to send Division 15 – Advertising, to the Rules Committee for review. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

CORRESPONDENCE

The Board received a letter from Dr. Douglas Boyd

Dr. Boyd sent a letter asking the Board to reconsider the requirement to take ACLS as he would like to take the ADA course on airway management. Dr. Nichols said that it was a great course to take but that it should not replace ACLS. Dr. Nichols stated that we should send the question to the Anesthesia Committee to reevaluate the rules, and possibly adopting that course. Dr. Magnuson stated that these issues will be sent to the Anesthesia Committee and directed Mr. Braatz to write a letter to Dr. Boyd that we would be reviewing this issue but that under current rule he still needs to take an ACLS course.

OTHER BUSINESS

Articles and News of Interest (no action necessary)

Kentucky Dental Board Newsletter, Fall 2010

- Oregon Medical Board Newsletter, Falls 2010
- State Legislative Report, October 2010
- State Legislative Report, November 2010
- State Legislative Report, December 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 **2008-0256, 1995-0034, 2006-0226, 1997-0091, and 2009-0277.**

LICENSING ISSUES

OPEN SESSION: The Board returned to Open Session.

CONSENT AGENDA

2011-0075, 2011-0062, 2011-0054, 2011-0052, 2011-0041, 2011-0051, 2011-0053, 2011-0081, 2011-0086, 2011-0073, 2011-0043, and 2011-0058 Ms Davidson moved and Dr. Hongo 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, Dr. Schwindt, and Mr. Harvey voting aye.

COMPLETED CASES

2010-0259, 2011-0018, 2010-0185, 2010-0138, 2011-0060, 2010-00156, 2010-0218, 2010-0109, 2010-0181, 2010-0021, 2010-0028, 2011-0025, 2010-0128, 2010-0272, 2010-0158, 2010-0238, and 2010-0160 Ms. Davidson moved and Dr. Huddleston 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, Dr. Schwindt, and Mr. Harvey voting aye. Dr. Hongo and Dr. Nichols recused themselves from case 2010-0160 and Dr. Parker and Dr. Schwindt recused themselves from case 2010-0259.

2011-0050 Mr. Smyth moved and Dr. Hongo seconded that the Board with regard to Respondent #1 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 office within 30 days of the effective date of the Order; with regard to Respondent #2 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 office 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. Dr. Schwindt, Ms. Davidson and Dr. Magnuson were opposed.

2011-0002 Mr. Alton moved and Dr. Hongo 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 Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye. Dr. Parker recused herself.

2010-0173 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 agrees to write off the balance of patient D.S.'s account and pay \$409.00 in restitution, per Board protocol. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2010-0165 Dr. Hongo 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 all treatment that is provided is documented in the patient records; 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, Dr. Schwindt, and Mr. Harvey voting aye.

2010-0216 Dr. Nichols moved and Mr. Smyth seconded that the Board issue a Notice of Proposed Disciplinary Action and refer the matter to the Oregon Department of Justice Medicaid Fraud unit. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye. Dr. Parker recused herself.

2010-0220 Ms. Mason moved and Dr. Parker 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 when treatment is provided, the treatment is documented in the patient records; that when pathology is evident on radiographs, every effort is made to carefully review the radiographs; and when pathology is present, the pathology is documented in the patient records. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2011-0019 Dr. Parker moved and Mr. Harvey seconded that the Board issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order in which the Licensee would agree to pay a \$500.00 civil penalty, per Board protocol. The motion passed with Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye. Dr. Schwindt recused himself. Ms. Davidson was opposed.

2011-0087 Mr. Smyth moved and Mr. Harvey seconded that the Board move to endorse the issuing of the Notice of Proposed License Suspension on 11/30/10. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2010-0183 Mr. Harvey 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 be reprimanded. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2010-0155 Dr. Huddleston moved and Ms. Davidson seconded that the Board move to endorse the Licensee's referral to HPSP; withdraw the Licensee from HPSP; accept the Licensee's offer

to (retire/resign) the Licensee's dental hygiene license; and close the case with no further action. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2011-0082 Dr. Huddleston moved and Dr. Parker seconded that the Board vote to issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order incorporating a reprimand and 40 hours of community service to be completed within one year. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Schwindt, and Mr. Harvey voting aye. Dr. Hongo was opposed.

2011-0021 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 be reprimanded and to pay a civil penalty in the amount of \$5,000.00. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2010-0172 Dr. Schwindt 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 records; that a dental justification is documented prior to providing treatment; and that when complete copies of records are requested by a patient, the complete copies are provided to the patient in a timely manner. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2010-0062 Dr. Nichols moved and Ms. Mason seconded that the Board issue a Notice of Proposed Disciplinary Action and offer a Consent Order incorporating a reprimand; \$5,700.00 restitution in the form of a cashier's, bank, or official check made payable to the patient and delivered to the Board office within 60 days of the effective date of the Order, per standard Board protocol; and Licensee shall pay a \$5,000.00 civil penalty, per Board protocol. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2010-0178 Ms. Mason moved and Dr. Nichols seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that prior to allowing an EFDA certified dental assistant to polish a patient's teeth, either a dentist or a dental hygienist determines the teeth are free of calculus. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, and Mr. Harvey voting aye. Dr. Schwindt recused himself.

2010-0177 Dr. Parker moved and Dr. Hongo seconded that the Board, for Respondent #1, move to issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order incorporating: a reprimand; a civil penalty of \$25,000.00; reimbursement payment of \$517.92 made to ODS on behalf of patients CA, KM, and EU; reimbursement payment of \$24.08 made to Advantage Dental on behalf of the patient EU; reimbursement payment of \$321.00 made to CITCHS on behalf of patient KM; restitution payment of \$270.00 made to patient RT; restitution payment of \$350.00 made to patient CA; restitution payment of \$406.00 made to patient SH; complete a minimum of 10 hours of continuing education in a Board approved course in ethics; complete a minimum 6 hours of continuing education in a Board approved course in periodontics; complete a minimum 3 hours of continuing education in a Board approved course in record keeping, all to be completed within twelve months of the effective date of the Order; restrict Licensee's practice, preventing her from providing scaling and root planing, supportive

periodontal maintenance, and six week periodontal re-evaluation procedures until the Board approved course in periodontics is completed. For Respondent #2, close the matter with a finding of No Violation. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2010-0014 Mr. Smyth moved and Dr. Hongo seconded that the Board move to issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order incorporating a reprimand; payment of \$2,243.00 made to Dr. Tselnik on behalf of patient CO, the balance remaining on retreatment of teeth #'s 5, 14, 19, and 31; restitution payment of \$2,282.00 made to patient CO for retreatment of teeth #'s 5, 14, 19, and 31; complete a minimum of 20 hours of continuing education in a Board approved course in endodontics, of which a minimum of 15 hours would be hands-on; complete a minimum 3 hours of continuing education in a Board approved course in record keeping; complete a minimum of 16 hours of continuing education in a Board approved course in diagnosis and treatment planning; and all to be completed within eighteen months of the effective date of the Order; restrict Licensee's practice, preventing Licensee from providing root canal therapy procedures until the Board approved course in endodontics is completed. The motion passed with Ms. Davidson, Ms. Mason, Dr. Huddleston, Mr. Smyth, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye. Dr. Nichols and Dr. Parker recused themselves.

2010-0194 Mr. Harvey moved and Ms. Davidson 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 Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Schwindt, and Mr. Harvey voting aye. Dr. Hongo recused herself.

PREVIOUS CASES REQUIRING BOARD ACTION

2001-0120 Dr. Huddleston moved and Dr. Hongo seconded the Board grant the Licensee's request and issue an Order of Dismissal. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2009-0117 Dr. Hongo moved and Mr. Smyth seconded that the Board deny the Licensee's request and refer the case to hearing. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2010-0165 Dr. Schwindt moved and Dr. Hongo seconded the Board have an orthodontist review the case and send it to hearing, if appropriate. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2005-0117 Dr. Nichols moved and Ms. Davidson seconded the Board grant the Licensee's request providing the Licensee agrees to the terms of a Second Amended Consent Order requiring licensee to complete 40 hours of community service within six months of the first of either entering private practice or securing malpractice insurance. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2010-0042 Ms. Mason moved and Mr. Smyth seconded the Board move to rescind the 10-1-10 Board action to issue a Notice and close the matter with a strongly worded Letter of Concern

addressing the issues of insuring that one complete dental record is maintained; that when radiographs are taken, the type and amount of films are documented in the patient record; that when copies of radiographs are provided by the patient or another practitioner, and are used to make diagnoses and provide treatment, that it is documented in the patient record; and that when radiographs and records are given to a patient, it is documented in the patient record. The motion passed with Ms. Davidson, Ms. Mason, Mr. Smyth, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye. Dr. Nichols and Dr. Huddleston were opposed.

2010-0268 Dr. Parker moved and Dr. Hongo seconded that the Board offer the Licensee a reworded Consent Order in which the Licensee would agree to a reprimand and complete 50 hours of community service within six months. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2009-0277 Mr. Smyth moved and Ms. Davidson seconded the Board deny the Licensee's request to reinstate the Licensee's Oregon dental license. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2008-0277 Mr. Harvey moved and Mr. Smyth seconded that the Board endorse the Consent Order as signed by the Board's President. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

2006-0226 Dr. Huddleston moved and Dr. Nichols seconded the Board move to offer the Licensee an Interim Consent Order, effective 1/15/11, by which the Board would suspend the requirements of Licensee's Consent Order, dated 11/23/07; and the Licensee would agree not to practice dentistry pending further order of the Board. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

1997-0091 Dr. Hongo moved and Dr. Davidson seconded that the Board grant the Licensee's request and offer the Licensee an Eighth Amended Consent Order worded to enhance the possibility for Licensee to obtain employment with the Federal Indian Health Service or comparable position and direct that the frequency of urinalysis testing be reduced from 24 to 12 random tests per year. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

LICENSURE AND EXAMINATION

Ratification of Licenses Issued

Mr. Smyth moved and Ms. Davidson 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, Dr. Schwindt, and Mr. Harvey voting aye.

Dental Hygiene

H5911	DANIELLE J CLUKA, R.D.H.	9/23/2010
H5912	JESSICA CRISAN, R.D.H.	9/23/2010

H5913	NANCY W WONG, R.D.H.	9/23/2010
H5914	KERRIS R MORGAN, R.D.H.	9/28/2010
H5915	DOAN TRANG N TRAN, R.D.H.	9/28/2010
H5916	EILEEN ALICE DERR, R.D.H.	9/28/2010
H5917	NORMA BURKE, R.D.H.	9/28/2010
H5918	BEATRIZ ALVAREZ, R.D.H.	10/8/2010
H5919	ALISSA WITNEY CLINTON, R.D.H.	10/8/2010
H5920	BRITTANY KAY DEROUSSE, R.D.H.	10/8/2010
H5921	NICOLE MARIE EVANS, R.D.H.	10/8/2010
H5922	CARRIE F JOHNSTON, R.D.H.	10/8/2010
H5923	MELISSA MAY LECHER, R.D.H.	10/8/2010
H5924	HOLLY M STANCIL, R.D.H.	10/12/2010
H5925	HOLLY KAY THORSEN, R.D.H.	10/12/2010
H5926	ANISSA SALEM YAFAI, R.D.H.	10/20/2010
H5927	MELODY G.M. BEESON, R.D.H.	10/20/2010
H5928	WENDY L ARMOUR, R.D.H.	10/20/2010
H5929	ARIANN V MCCOLM, R.D.H.	10/20/2010
H5930	KRISTEN M KERR, R.D.H.	10/21/2010
H5931	COURTNEY A BEFUS, R.D.H.	10/25/2010
H5932	AMANDA C X LEONG, R.D.H.	10/25/2010
H5933	HEATHER BENDER, R.D.H.	10/25/2010
H5934	MELISSA S HOLM, R.D.H.	10/25/2010
H5935	TIFFANY N RAMEY, R.D.H.	10/25/2010
H5936	PAZ GLORIA BISSELL, R.D.H.	10/26/2010
H5937	KASIE M GILLESPIE, R.D.H.	10/26/2010
H5938	SARAH A METLEN, R.D.H.	11/3/2010
H5939	LAURA CODY STAFFORD, R.D.H.	11/3/2010
H5940	SHEENA M BRAVO, R.D.H.	11/3/2010
H5941	APRIL R SUMMER, R.D.H.	11/3/2010
H5942	MYTIEN THI TRAN, R.D.H.	11/3/2010
H5943	JONI R COOPER, R.D.H.	11/3/2010
H5944	WESLEY ANN WELLMAN, R.D.H.	11/3/2010
H5945	BENIAMIN MURESAN, R.D.H.	11/3/2010
H5946	NANCY HUCKVALE, R.D.H.	11/3/2010
H5947	JANE ELIZABETH PFAENDLER, R.D.H.	11/3/2010
H5948	BRITTNEY RENAE LIDSTONE, R.D.H.	11/3/2010
H5949	CYNTHIA B KONDRASKY, R.D.H.	11/11/2010
H5950	DIANNE CHILOM-WHEELER, R.D.H.	11/11/2010
H5951	JAIMIE N DIDIER, R.D.H.	11/11/2010
H5952	CORINA TUDORACHE, R.D.H.	11/11/2010
H5953	PHUONG DIEN, R.D.H.	11/6/2010
H5954	FAMIE SANTILLAN-CHIN, R.D.H.	11/16/2010
H5955	RACHEL L REYES, R.D.H.	11/16/2010
H5956	KRISTEN LEIGH CRAWFORD, R.D.H.	11/18/2010
H5957	JENNIFER SOHAL, R.D.H.	11/22/2010
H5958	JULIE CHRISTINE SINGER, R.D.H.	11/22/2010
H5959	KIMBERLY N EDWARDS, R.D.H.	11/22/2010

H5960	JODI VANCE, R.D.H.	12/2/2010
H5961	KATIE M MULLENS, R.D.H.	12/2/2010

Dentists

D9522	NOLAN WAYNE KORANDO, D.D.S.	9/27/2010
D9523	JASON L MURRAY, D.D.S.	9/28/2010
D9524	NAVID O NEWPORT, D.D.S.	9/28/2010
D9525	JODY A GILL, D.M.D.	9/28/2010
D9526	SHELBY B HILES, D.D.S.	10/8/2010
D9527	COLE R JOHNSON, D.M.D.	10/12/2010
D9528	ERIC MATZELLE, D.M.D.	10/12/2010
D9529	LIBERTY JEAN FRANKLIN, D.D.S.	10/20/2010
D9530	KAI-UWE H HAHN, D.M.D.	10/20/2010
D9531	DONNA J MATTSHECK, D.M.D.	10/21/2010
D9532	ALLISON GAGE HALLIN, D.M.D.	10/25/2010
D9533	DON B NGUYEN, D.M.D.	11/3/2010
D9534	MANA SARAGHI, D.M.D.	11/3/2010
D9536	KELSEY M PETERSON, D.M.D.	11/3/2010
D9537	SAMUEL L BELAU, D.D.S.	11/11/2010
D9538	DAWN L NGUYEN, D.M.D.	11/11/2010
D9539	JONATHAN C GARCIA, D.D.S.	11/18/2010
D9540	TRISTAN S GALLOWAY, D.D.S.	11/18/2010
D9541	CARL E STUBBLEFIELD, D.M.D.	12/2/2010

Specialty Exam Approval

Dr. Nichols moved and Dr. Hongo seconded that the Board accept the Pediatric Dentistry Specialty Exam results as presented. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

Review and Approval of Local Anesthesia Course

Ms. Mason moved and Ms. Davidson seconded that the Board approve the course presented by Ms. Norma Burke. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

Non-Resident Permit Request

Dr. Parker moved and Dr. Nichols seconded that the Board approve the Non Resident Permit request for Dr. Robert M. Keenan. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

Public Records Request – Fee Waiver

Dr. Schwindt moved and Dr. Nichols seconded that the Board deny Ms. Lee van der Voo's request for a fee waiver. The OBD is an Other Funds agency funded by the licensees that it regulates. To waive or reduce the cost for providing copies of records would create an undue

financial burden on the agency and the licensees. The OBD has never reduced or waived the cost of providing copies of public records that had such a high cost to the Board. The motion passed with Ms. Davidson, Ms. Mason, Dr. Nichols, Dr. Huddleston, Mr. Smyth, Dr. Parker, Dr. Hongo, Dr. Schwindt, and Mr. Harvey voting aye.

Announcement

No announcements

ADJOURNMENT

The meeting was adjourned at 2:10 p.m. Dr. Magnuson stated that the next Board meeting would take place February 11, 2011.

Approved by the Board February 11, 2011.

Signature on File

Rodney S. Nichols, D.M.D.
Acting President