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DEPARTMENT OF STATE

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DIVISION OF PROFESSIONAL REGULATION

<b>PUBLIC MEETING NOTICE:</b>	<b>BOARD OF DENTISTRY &amp; DENTAL HYGIENE</b>
<b>DATE AND TIME:</b>	<b>Thursday, December 18, 2014 at 3:00 p.m.</b>
<b>PLACE:</b>	<b>Cannon Building, Second-Floor Conference Room A 861 Silver Lake Boulevard, Dover, DE 19904</b>
<b>APPROVED:</b>	<b>January 15, 2015</b>

#### **MEMBERS PRESENT**

Brian McAllister, DMD, Professional Member, President  
Thomas A. Mercer, DDS, Professional Member, Secretary  
Lucinda Bunting, DMD, Professional Member  
Sharon Welsh, DDS, Professional Member  
Carol Argo, RDH, Professional Hygiene Member  
Nathaniel Gibbs, Public Member  
Debra Bruhl, RDH, Hygiene Advisory Member  
Mary Trinkle, RDH, Hygiene Advisory Member  
Buffy Parker, RDH, Hygiene Advisory Member

#### **MEMBERS ABSENT**

John Lenz, DDS, Professional Member  
June Ewing, Public Member

#### **DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

Flora Peer, Administrative Specialist II  
Amanda McAtee, Administrative Specialist II  
Jennifer Singh, Deputy Attorney General

#### **PUBLIC PRESENT**

#### **CALL TO ORDER**

Dr. McAllister called the meeting to order at 3:11p.m.

#### **REVIEW AND APPROVAL OF MEETING MINUTES**

The Board reviewed the minutes of the October 16, 2014 Board meeting. Ms. Argo made a motion, seconded by Ms. Parker, to approve the minutes as presented. By unanimous vote, the motion carried.

## **UNFINISHED BUSINESS**

### **BILL REGARDING QUALIFICATIONS OF LICENSURE FOR DENTAL HYGIENISTS LICENSED IN OTHER JURISDICTIONS**

Ms. Singh explained the proposed changes for the Board. Ms. Singh stated an inactive status had been added per the Boards discussion. Dr. Mercer questioned if a temporary license could be issued to those who have pending criminal charges. Ms. Singh stated that would not be possible. Dr. McAllister asked for clarifications on what the Board can do if one was found guilty. Ms. McAtee explained the Division would be notified. Ms. Singh requested assistance from the Board for the memo to the Division. Ms. Bruhl made a motion, seconded by Dr. Welsh, to approve the proposed changes as written. The motion carried by unanimous vote.

## **NEW BUSINESS**

### **RATIFICATION OF LICENSES/PERMITS ISSUED BY DPR SINCE LAST BOARD MEETING**

#### Dentists – None

#### Dental Hygienists

Ms. Argo made a motion, seconded by Dr. Mercer, to ratify the dental hygiene license of:

Casey M. DiMaio

Shirley O. Ganao

Suzanne J. Zagorianakos

Barbara J. Murphy

By unanimous vote, the motion carried.

#### Restricted Permit I

Dr. Bunting made a motion, seconded by Dr. Mercer, to ratify the restricted permit of:

Hayoung Lim

By unanimous vote, the motion carried.

#### Restricted Permit II – None

#### Unrestricted Permit

#### Dentist - Limited Resident

Dr. Bunting made a motion, seconded by Dr. Mercer, to ratify the dentist limited resident license of

Ahmad Eltehay

By unanimous vote, the motion carried.

#### Academic License – None

## **EXAM SCORE RESULTS**

The Board discussed score results announcements. Ms. McAtee suggested starting the meeting at 3:30 to give the examiners time to go over scores. Dr. McAllister questioned if the Board will announce scores as average or pass/fail. Ms. Argo made a motion, seconded by Dr. Mercer, that scores would be announced pass/fail and the score percentage would be sent via email. By unanimous vote the motion carried.

#### Discussion of Regulations Regarding the Exam Score Appeal Process

Ms. Singh asked the Board about going into executive session for the informal meetings. Ms. Singh stated that the informal meetings should be done in open session. The Board discussed the appeal process. Dr. McAllister stated the importance of having the informal meeting. Ms. Parker made a motion, seconded by Ms. Argo to change the informal meeting from executive session to public

session. By unanimous vote the motion carried. Ms. Singh stated that she had prepared minor changes to the regulation for the appeal process. The Board discussed the changes. Dr. McAllister shared his research into appeals process for the Board. The discussion of regulations regarding the exam score appeal process was tabled until the March meeting.

#### Retired and Inactive Status

The Board discussed retired status. Dr. Welsh stated that she would look into retired status in other states. The matter was tabled for further discussion at the March 19, 2015 meeting.

#### Quality of Care / Physicians Providing Dental Fluoride

Dr. McAllister stated that there is a quality of care issue if staff and auxiliary staff in offices were applying fluoride. Dr. McAllister stated that changes were made to limit that in the dental profession. Ms. Welsh stated physicians providing fluoride could be misleading, a parent could think that their child received dental care. Ms. Singh stated the scope of practice for physicians, if there was something that would endanger the public, a complaint could be filed against the physician. Ms. Singh stated that this could be brought up to hygiene society.

#### Discussion on the Transfer of Patient Records

The Board discussed the transfer of patient records. Dr. Bunting questioned if, a patient with an outstanding balance at another office, could have records sent to a different office. Ms. Singh stated in the Boards rules and regulations, § 1195(c), Whenever a patient changes from the care of one dentist to another dentist, the prior dentist shall transfer the records of the patient to the new dentist upon the written request of either the new dentist or the patient. The matter was tabled for further discussion at the March meeting.

### **REVIEW OF HEARING OFFICER RECOMMENDATIONS**

#### **CONTINUING EDUCATION APPROVAL**

Erik S. Bradley D.D.S "Staff Training Day", March 20, 2015, Requesting 4 CPE

Dr. Mercer summarized the course "*Staff Training Day*". Dr. Bradley requested four continuing education credits. Dr. Mercer made a motion, seconded by Dr. Bunting to approve "*Staff Training Day*" under practice management for 4 CPEs. By unanimous vote, the motion carried.

#### **COMPLAINT UPDATES**

##### New Complaints

09-16-14

09-17-14

09-18-14

##### Dismissed by the Division of Professional Regulation

09-24-13

09-25-13

09-30-13

09-31-13

09-32-13

09-01-14

##### Forwarded to the Office of the Attorney General

#### **DISCIPLINE AND COMPLIANCE**

Keith Nguyen , Payment, Report and Continuing Education Submission

Dr. McAllister reviewed the documents submitted by Dr. Nguyen. Dr. McAllister stated that Dr. Nguyen was complaint.

## **CORRESPONDENCE**

### **REVIEW OF AUDITS**

#### Review of Continuing Education – Infection Control Certificates Outside of Audit Period

Ms. Peer stated that the majority of the infection control credits sent in by those who were deficient had been completed outside of the audit period. Dr. McAllister made a motion seconded by Ms. Bruhl to accept the infection control courses completed outside of the audit period. By unanimous vote, the motion carried.

#### Adriane Sklodowski - Request Continuing Education Approval - CPE Outside of Audit Period

Dr. McAllister reviewed Ms. Sklodowski's request for the Board. Ms. Sklodowski requested approval for 7 CPEs completed outside of the audit period due to a health issue. Ms. Bruhl made a motion, seconded by Dr. Bunting, to accept the 7 CPE credits completed outside of the audit period. By unanimous vote, the motion carried.

### **OTHER BUSINESS BEFORE THE BOARD**

#### Meals During Exam

Del tech had called the Division to find out if the examiners would need breakfast on the exam days.

#### Certification of Facilities Administering Anesthesia

Dr. McAllister requested that the Board discuss certification of facilities administering anesthesia at the March meeting. Dr. McAllister also requested that Dr. Petrunich would be asked to attend the meeting and to discuss the certification process.

### **PUBLIC COMMENT**

There was no public comment.

### **NEXT MEETING**

The next meeting will be January 15, 2015 at 3:00 p.m. in Conference Room A located on the second floor of the Cannon building at 861 Silver Lake Boulevard, Dover, DE.

### **ADJOURNMENT**

There being no further business to discuss, Dr. McAllister made a motion, seconded by Mr. Gibbs, to adjourn the meeting at 5:11 p.m. By unanimous vote, the motion to adjourn carried.

Respectfully Submitted,



Flora Peer  
Administrative Assistant II

*The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.*