

**OREGON BOARD OF DENTISTRY  
MINUTES  
NOVEMBER 21, 2003**

MEMBERS PRESENT: Ronald C. Short, D.M.D., President  
George A. McCully, D.M.D., Vice President  
Melissa G. Grant, D.M.D.  
Kenneth R. Johnson, D.M.D.  
Linda Lee, R.D.H., M.B.A.  
Jean A. Martin, D.D.S., M.P.H.  
Rodney S. Nichols, D.M.D.  
Ellen M. Potts, B.S., R.D.H.  
Richard W. Swart

STAFF PRESENT: Patrick D. Braatz, Executive Director  
Paul Kleinstub, D.D.S., M.S., Dental Director/Chief Investigator  
Daryll Ross, Investigator  
Harvey Wayson, Investigator  
Jerry McNeerney, D.M.D., Consultant (portion of meeting)  
Thomas Waugh, D.M.D., Consultant (portion of meeting)  
Tonaya C. Thompson, Office Specialist (portion of meeting)

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

**Call to Order:** The meeting was called to order by the President at 7:30 a.m. at the Board office; 1515 SW 5<sup>th</sup> Avenue, Suite 602, Portland, Oregon.

**NEW BUSINESS**

**MINUTES**

Ms. Potts moved, and Dr. Martin seconded, that the minutes of the September 19, 2003 Board meeting be approved as published. The motion passed with Dr. McCully, Dr. Grant, Dr. Johnson, Ms. Lee, Dr. Martin, Dr. Nichols, Ms. Potts, and Mr. Swart voting aye.

**ASSOCIATION REPORTS**

**Oregon Dental Association**

Beryl Fletcher, the ODA's Director of Professional Affairs, said all of the ODA's officers were attending the Oregon Health Summit today. She said the Oregon Health Summit was funded by a grant from the Centers for Disease Control and Prevention to the Department of Health and was designed as a forum to discuss oral health issues and access to care.

Mr. Braatz said it was unfortunate that the Oregon Health Summit was scheduled for the same day as the Board Meeting. He said that he did contact the Oregon Department of Human Services and informed them that, because of the conflicting dates, no one from the OBD would be able to attend.

### **Oregon Dental Hygienists Association**

Paul Cosgrove of the ODHA said that all of its officers were also at the Oregon Health Summit. He said there was nothing to report.

## **COMMITTEE AND LIAISON REPORTS**

### **Licensing, Standards and Competency Committee**

A synopsis of discussion points from the November 7, 2003 meeting of the Licensing, Standards and Competency Committee was provided for Board review. The Committee reviewed HB 2240 as well as a draft of suggested rule changes proposed by Mr. Braatz, who said that a number of rules would need to be developed between now and next spring.

He said Ms. Fletcher had volunteered to research retired dentists' programs in other states and the information would be available for review and discussion at the next meeting of the committee. The discussion would center on ideas for allowing retired dentists to work as volunteers, with the possibility of reduced licensure fees and/or continuing education requirements. Such a program might assist in resolving Oregon's issues with access to care. Mr. Braatz said some states do have such programs, but that they vary widely in their applications. He said the Board would also need to find out what dentists' insurers would require.

He said the committee also began a discussion and review of Board rules regarding infection control procedures but decided to wait for the new CDC guidelines due to be released any day.

### **AADE Annual Meeting**

Ms. Potts attended the AADE's annual meeting October 22-23 in San Francisco, California. She said it was wonderful to meet so many examiners from around the country. She attended seminars on Conscious Sedation, which Dr. Nichols also attended. Dr. Nichols said they were very good sessions. He said that Oregon seems to be ahead of many other states in its history of regulating anesthesia. Dr. Martin acknowledged the hard work of former Board and committee members who developed the rules.

## **EXECUTIVE DIRECTOR'S REPORT**

### **Budget Report**

A report showing expenditures and revenue through June 30, 2003 was provided for Board review. Mr. Braatz said that revenues appeared to be higher than budgeted and expenditures were less. He said that some corrections were necessary for the 2003-2005 report and it was not presently available for review; however, it appeared that revenues and expenditures were on track.

### **Board and Staff Speaking Engagements**

Mr. Braatz said he attended the Open House of Portland Community College's newly remodeled Dental Hygiene and Dental Assisting Program facilities, Thursday, November 6, 2003.

Mr. Braatz attended a meeting of the Oregon Society of Periodontists, also on November 6, where he gave a presentation and remarks.

Mr. Braatz also attended the Oregon Dental Hygienists' Association Annual Meeting in Springfield, Oregon, November 14, 2003, and staffed an informational table about the Board. He said Jo Ann Bones, the Board's former Executive Director, appeared as a guest speaker and was made an honorary member of the ODHA.

#### **American Association of Dental Administrators Meeting**

Mr. Braatz said he was pleased to have the opportunity to attend his first annual meeting of the AADA. He also served as the Board's liaison to the AADE liaison breakfast meeting. He said a number of presentations dealt with current topics of the day such as Oral Conscious Sedation, Post Graduate Year of Training in lieu of examinations, and a Consumers' Perspective on Licensure, Examinations, and Discipline. Ms. Potts was also in attendance.

He said Oregon seemed to be way ahead of the curve concerning licensing and examination issues. He noted that some states now allow individuals who fail clinical exams to become licensed by taking post-graduate courses. The individuals would then be limited to practicing in that state. He said it appeared that many students feel clinical exams are unnecessary.

#### **American Dental Association**

Mr. Braatz said he stayed in San Francisco to attend the opening session of the ADA's annual meeting and tour the exhibit hall. He said he was very impressed with the number of people there – some 50,000 were in attendance.

#### **International College of Dentists Convocation and Dinner**

The Chair of the Wisconsin Dentistry Examining Board, who was inducted as a member, had invited Mr. Braatz to attend the event. Mr. Braatz said the convocation was very moving, and he was pleased to have the opportunity to meet so many dentists from around the country.

#### **Review, Discussion, and Adoption of Revised and Newly Developed Agency and Patient Records Policies**

Mr. Braatz said he was proposing to the Board to revise its current policy on sharing agency records with third parties, and had developed a new policy on patient records in accordance with Oregon Law. He said the Board's legal counsel had reviewed both proposed policies and concurred. The proposed policies were provided for Board review. Dr. Johnson moved, and Dr. Nichols seconded, that the Board accept the policies as written. The motion passed with Dr. McCully, Dr. Grant, Dr. Johnson, Ms. Lee, Dr. Martin, Dr. Nichols, Ms. Potts, and Mr. Swart voting aye.

#### **DANB Letter**

A letter from DANB regarding a computerized examination and potential costs was provided for Board review. Mr. Braatz said DANB would do a study regarding the proposed conversion, which they would present to the Board in 2004. Dr. McCully expressed concern at the proposed increase in fees, which would be almost double. He said there would need to be a significant benefit in order to justify that, such as allowing dental assistants to take the exam in rural areas of the state. Mr. Braatz said that an increase in the number of testing sites was among the benefits a computerized test would offer, along with instantaneous results and the ability for dental assistants to take the exam at their convenience. He said it would be very important when the results of the study are presented to consider whether the benefits would justify the increased fees. Dr. Martin

agreed that the increase seemed very high and expressed concern that DANB's actual cost of administering the exam might be less. Mr. Braatz suggested the Board ask Cindy Durley, DANB's Executive Director, to come speak in person at the conclusion of the study. He said that DANB is aware of the Board's concerns.

### **Communication with the Oregon State Bar, Oregon Board of Accountancy, and Oregon Society of Certified Public Accountants regarding Senate Bill 390**

Mr. Braatz said he had contacted the Oregon State Bar, Oregon Board of Accountancy, and the Oregon Society of Certified Public Accountants to ask about the possibility of communicating with each of their memberships regarding Senate Bill 390 and ownership. Mr. Braatz had drafted an article, a version of which the Oregon Board of Accountancy published on their web site. A copy of the web page was provided for Board review. He said the article was also included in the Oregon State Bar Bulletin and web site as well as the Oregon Society of Certified Public Accountants' web site.

### **Review and Update of Privacy Forms**

Mr. Braatz said that Board staff had updated some forms used with initial and renewal of licensure to comply with legislative changes regarding the collection of Social Security numbers. The forms were provided for Board review.

### **Web Site Updates**

Mr. Braatz said the Board's web site was up-to-date with revised forms and new information. He said that changes might continue over the next year due to standardization of state web sites. He said he would meet with DAS staff over the next few months to see what changes might be needed. He added that the state operated over a million web pages. He said all updates to the Board's web site had to be requested through DAS, and that they planned to have that changed so that Board staff can make the updates.

### **Anesthesia Synopsis/Rules**

Mr. Braatz said Board staff prepared and mailed a synopsis of the revised anesthesia rules, which became effective October 1, to licensees who reside in Oregon and bordering states. A copy of the synopsis was provided for Board review. Mr. Braatz said that despite the care taken for clarity and succinctness in the drafting of the synopsis, many of the document's readers said they had some difficulty understanding the changes.

### **Review and Adoption of Memorandum of Understanding (MOU) with DHS**

A copy of the current MOU was provided for Board review, along with an updated draft. Mr. Braatz said the Board would need to review and adopt the updated MOU, which referred to the training and certification of dental assistants to take radiographs in a dental office. Dr. McCully said he was opposed to the MOU. He said the governor had sent the message that it was the responsibility of DHS to train and license radiology technicians. Dr. Martin agreed. Dr. Nichols said the Board should continue to have as much control as possible. Ms. Lindley said that the MOU delegates the authority to approve radiology instructors to the Board. Teresa Haynes, the Board's Licensing and Examination manager, pointed out the increase in workload that would occur if the Board took on all responsibilities relative to the certification of dental assistants to take radiographs.

Dr. McCully moved, and Ms. Potts seconded, that the Board postpone action in this matter until its January 23, 2004 meeting. The motion passed with Dr. McCully, Dr. Grant, Dr. Johnson, Ms. Lee, Dr. Martin, Dr. Nichols, Ms. Potts, and Mr. Swart voting aye.

## **Newsletter**

Mr. Braatz said it was time again to propose ideas for the Board's next newsletter, and asked Board members to submit their ideas at their earliest convenience.

## **UNFINISHED BUSINESS**

### **COMMITTEE MEETING DATES**

Mr. Braatz said the Board would need to set committee meeting dates for the coming weeks. After some discussion, the Board agreed on the following schedule of committee meeting dates:

- Rules Oversight Committee  
January 9, 2004, at 9:00 a.m.
- Communications Committee  
January 9, 2004, at 5:00 p.m.

The Licensing, Standards and Competency Committee would wait to set a meeting date until the new CDC guidelines were released. Mr. Braatz noted that the Dental Hygiene Committee would meet December 12, 2003, at 2:00 p.m.

## **CORRESPONDENCE**

**The Board received a letter from Geoffrey Grant, BSc., D.M.D., M.S.D.,** requesting that the Board consider accepting passage of the written portion of the Canadian Board exams as a requirement for licensure. After some discussion with counsel, the Board determined that this could be accomplished through a rule change and would be addressed at the next meeting of the Rules Committee.

**The Board received a letter from April Love, D.D.S.,** regarding access to care, fluoridation, and the scope of practice of dental hygienists. No action was necessary.

**The Board received a letter from Robert H. Woolf, D.D.S.,** requesting clarification of the Board's updated anesthesia rule requiring an additional individual, holding a Health Care Provider BLS/CPR certificate, to be present in the operatory when Class 3 anesthesia is administered. Dr. Nichols said he did recall discussing the issue in a meeting of the Anesthesia Committee, although it was not included in the minutes of the meeting. He said that no resolution regarding the rule had been reached. Mr. Braatz noted that although that change was not included in the first draft of proposed changes, it was in each subsequent draft. Dr. Nichols said that the new rule is in keeping with ADA guidelines, which was the committee's intent. Mr. Braatz would draft a response to Dr. Woolf.

**The Board received a letter from Thomas R. Osterlind, D.D.S.,** discussing some concerns regarding the synopsis of anesthesia rule changes and the requirement for a third person to be present when Class 3 anesthesia is administered. Mr. Braatz said that he would draft a response.

**The Board received a letter from Robert Bailey, Secretary, Joint Commission on National Dental Examinations, ADA,** regarding vacancies on National Board Test Construction Committees. No action was necessary.

**The Board received a letter from Molly Nadler, Executive Director, AADE,** regarding the NPDB Executive Committee Meeting, September 23, 2003. No action was necessary.

**The Board received a letter from Scott Houfek, D.D.S., Chairman, Dental Examination Review Committee, CRDTS,** regarding changes to the 2004 examination. No action was necessary.

**The Board received a report of major actions of DANB's Board of Directors in August 2003, prepared by Carla Schneider, C.D.A., R.D.A., Secretary, DANB Board of Directors.** No action was necessary.

## **OTHER BUSINESS**

### **"Evidence-Based Dentistry" Presentation**

Dr. Short introduced George Muck, D.D.S., Dental Director, Regence Blue Cross Blue Shield of Oregon, who gave a presentation on Evidence-Based Dentistry. He said that Evidence-Based Dentistry would help doctors learn how to read and evaluate medical evidence and medical studies instead of relying on manufacturers for information. He said it would also address the projected increase in access to care issues by encouraging doctors to focus on preventative strategies.

### **Articles and News of Interest (no action necessary)**

- DHS, Oregon's Oral Health Summit, brochure, October 27, 2003
- WREB, Fall 2003
- ADA, State Legislative Report, October 2003
- Arizona State Board of Dental Examiners, Newsletter, September 2003
- Ohio State Dental Board, The Facts on Amended Substitute SB 51, Summer 2003
- Mississippi State Board of Dental Examiners, The Dental Digest, June 2003
- ADA, State Legislative Report, September 2003
- Minnesota Board of Dentistry, Updates, Fall 2003
- Missouri Dental Board, Newsletter, October 2003
- ADA, State Legislative Report, November 2003

**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**

Applicants appeared to discuss licensing issues in case numbers 2002-0203 and 2004-0064.

**OPEN SESSION:** The Board returned to Open Session.

## **LICENSING ISSUES**

**2004-0064** Dr. McCully moved, and Ms. Lee seconded, that the Board grant a dental hygiene license to Kira R. Angel, R.D.H. The motion passed with Dr. McCully, Dr. Grant, Dr. Johnson, Ms. Lee, Dr. Martin, Dr. Nichols, Ms. Potts, and Mr. Swart voting aye.

**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 2003-0023, 2003-0149, 2000-0179, and 1999-058. Licenses appeared to discuss compliance issues in case numbers 1995-0034 and 1999-0174.

**OPEN SESSION:** The Board returned to Open Session.

#### **CONSENT AGENDA**

**2004-0082, 2004-0081, 2004-0034, 2004-0079, 2004-0070, 2004-0041, 2004-0067, 2004-0062, 2004-0080, 2004-0040, and 2004-0073** Dr. McCully moved, and Dr. Martin seconded, that these cases be closed with No Further Action, per the staff recommendations.

#### **COMPLETED CASES**

**2003-0241, 2004-0058, 2004-0015, 2003-0217, 2004-0017, 2003-0247, 2004-0050, 2003-0249, 2003-0144, 2004-0014, 2003-0216, 2004-0026, 2003-0232, 2004-0010, 2004-0012, 2003-0221, and 2003-0213** Dr. McCully moved, and Mr. Swart seconded, that these cases be closed with a finding of No Violation of the Dental Practice Act or No Further Action, per the recommendations. The motion passed with Dr. McCully, Dr. Grant, Dr. Johnson, Ms. Lee, Dr. Nichols, Ms. Potts, and Mr. Swart voting aye. Dr. Martin abstained from voting on Case 2003-0217.

**2004-0022** Dr. Nichols moved, and Mr. Swart seconded, that the Board issue a Notice of Proposed Disciplinary Action to Respondent #1 and offer the Licensee a Consent Order in which the Licensee would agree to be reprimanded and to pay a \$5000 civil penalty; for Respondent #2, close the matter with a finding of No Violation. The motion passed with Dr. McCully, Dr. Grant, Dr. Johnson, Ms. Lee, Dr. Martin, Dr. Nichols, Ms. Potts, and Mr. Swart voting aye.

**2003-0150** Ms. Lee moved, and Ms. Potts seconded, that the Board close the matter with a Letter of Concern addressing the issue of ensuring that when medication is prescribed, a dental justification is documented in the patient record; that when informed consent is obtained prior to providing treatment, PARQ or its equivalent is documented in the patient records; that when medication is prescribed the amount of the medication is documented; and that when pathology is diagnosed, the pathology is documented in the patient records. The motion passed with Dr. McCully, Dr. Grant, Dr. Johnson, Ms. Lee, Dr. Martin, Dr. Nichols, Ms. Potts, and Mr. Swart voting aye.

**2004-0088** Mr. Swart moved, and Dr. Martin seconded, that the Board issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order incorporating a reprimand and a \$5,000 civil penalty, which will not occur if the Board receives the records requested within 10 days of notification. The motion passed with Dr. McCully, Dr. Grant, Dr. Johnson, Ms. Lee, Dr. Martin, Dr. Nichols, Ms. Potts, and Mr. Swart voting aye.

**2003-0212** Dr. Grant moved, and Mr. Swart seconded, that the Board close the matter with No Further Action other than to send Respondent #2 a letter recommending improvement upon communications between patients and office staff. The motion passed with Dr. McCully, Dr. Grant, Dr. Johnson, Ms. Lee, Dr. Martin, Dr. Nichols, Ms. Potts, and Mr. Swart voting aye.

**2003-0077** Ms. Potts moved, and Mr. Swart seconded, that the Board issue Respondent #1 a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order incorporating a reprimand, 40 hours of community service within six months, and completion of Continuing Education hours for the 2000-2002 licensure period within six months; issue Respondent #2 a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order incorporating a reprimand, 24 hours of community service within six months, and completion of Continuing Education hours for the 2000-2002 licensure period within six months. The motion passed with Dr. Grant, Dr. Johnson, Ms. Lee, Dr. Nichols, Ms. Potts, and Mr. Swart voting aye. Dr. McCully and Dr. Martin voted no.

**2004-0007** Dr. Martin moved, and Dr. Johnson seconded, that the Board close the matter with a finding of No Violation of the Dental Practice Act with regard to Respondents #1 and #2. The motion passed with Dr. McCully, Dr. Grant, Dr. Johnson, Ms. Lee, Dr. Martin, Dr. Nichols, Ms. Potts, and Mr. Swart voting aye.

**2003-0191** Dr. Johnson moved, and Dr. Martin seconded, that for Respondent #1, the Board close the matter with a Letter of Concern addressing the issue of ensuring that all persons under Licensee's supervision are properly certified and hold the necessary permits for the position for which they are hired; for Ms. Judy Woodward, instruct its Counsel to prepare a cease and desist letter, with a warning that future violations of the Oregon Dental Practice Act will result in an enjoinder action being taken pursuant to ORS 679.027. The motion passed with Dr. McCully, Dr. Grant, Dr. Johnson, Ms. Lee, Dr. Martin, Dr. Nichols, Ms. Potts, and Mr. Swart voting aye.

**2003-0251** Dr. Nichols moved, and Dr. Johnson seconded, that the Board close the matter with a letter of concern reminding the Licensee to review patient records and radiographs prior to treating patients. The motion passed with Dr. McCully, Dr. Grant, Dr. Johnson, Ms. Lee, Dr. Martin, Dr. Nichols, Ms. Potts, and Mr. Swart voting aye.

**2003-0224** Ms. Lee moved, and Mr. Swart seconded, that the Board close the matter with a Letter of Concern to Respondent #1 addressing the issue of ensuring that all persons under Licensee's supervision are properly certified and hold the necessary permits for the positions for which they are hired. The motion passed with Dr. McCully, Dr. Grant, Dr. Johnson, Ms. Lee, Dr. Martin, Dr. Nichols, Ms. Potts, and Mr. Swart voting aye.

**2003-0237** Mr. Swart moved, and Dr. Nichols seconded, that the Board close the matter with a Letter of Concern to Respondent #1 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 medication is prescribed, the dental justification, dosage and amount of medication are documented; that dental assistants are appropriately supervised; and that the continuing education requirements for maintenance of an anesthesia permit are met. The motion passed with Dr. McCully, Dr. Grant, Dr. Johnson, Ms. Lee, Dr. Martin, Dr. Nichols, Ms. Potts, and Mr. Swart voting aye.

**2003-0061** Dr. Grant moved, and Dr. Martin seconded, that the Board close the matter with a Letter of Concern ensuring that Licensee take CE courses appropriate to licensure renewal as per Board standards. The motion passed with Dr. McCully, Dr. Grant, Dr. Johnson, Ms. Lee, Dr. Martin, Dr. Nichols, Ms. Potts, and Mr. Swart voting aye.

**2004-0011** Ms. Potts moved, and Dr. Martin 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's records. The motion passed with Dr. McCully, Dr. Grant, Dr. Johnson, Ms. Lee, Dr. Martin, Dr. Nichols, Ms. Potts, and Mr. Swart voting aye.

**2003-0214** Dr. Martin moved, and Mr. Swart seconded, that the Board accept the license resignation of Licensee, issue a Notice of Proposed Disciplinary Action, and offer the Licensee a Consent Order incorporating a reprimand and a \$1,000 reimbursement to the patient. The motion passed with Dr. Grant, Dr. Johnson, Ms. Lee, Dr. Martin, Dr. Nichols, Ms. Potts, and Mr. Swart voting aye. Dr. McCully recused.

**2003-0223** Dr. Johnson moved, and Dr. McCully seconded, that the Board close the matter with a Letter of Concern addressing the proper documentation of informed consent by recording PARQ or its equivalent in the record; that Licensee's insurance billing practices be addressed, assuring that, in future, only fees that have been billed to the patient are submitted to the insurance company for payment; and that the problem of office staff personnel denying access to care without Licensee's knowledge be addressed. The motion passed with Dr. McCully, Dr. Grant, Dr. Johnson, Ms. Lee, Dr. Martin, Dr. Nichols, Ms. Potts, and Mr. Swart voting aye.

**2003-0199** Dr. Nichols moved, and Ms. Potts 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 medication is prescribed, a dental justification is documented. The motion passed with Dr. McCully, Dr. Grant, Dr. Johnson, Ms. Lee, Dr. Martin, Dr. Nichols, Ms. Potts, and Mr. Swart voting aye.

**2003-0035** Ms. Lee moved, and Dr. Nichols seconded, that the Board combine this case with case 2003-0036, issue a Notice of Proposed Disciplinary Action, and offer the Licensee a Consent Order in which the Licensee would agree to be reprimanded; to pay a \$5,000 civil penalty; to attend at least eight hours of a course in the diagnosis and treatment of periodontal disease; and to not store, order, or dispense controlled substances until the implementation of a Board-approved plan that safeguards the acquisition, storage, and dispensing of controlled substances. The motion passed with Dr. McCully, Dr. Grant, Dr. Johnson, Ms. Lee, Dr. Martin, Dr. Nichols, and Mr. Swart voting aye. Ms. Potts recused.

**2003-0245** Mr. Swart moved, and Ms. Lee seconded, that the Board close the matter with a Letter of Concern addressing the issue of ensuring that when treatment is recommended, the records and radiographs are of diagnostic quality. The motion passed with Dr. McCully, Dr. Grant, Dr. Johnson, Ms. Lee, Dr. Martin, Dr. Nichols, Ms. Potts, and Mr. Swart voting aye.

**2003-0243** Dr. Grant moved, and Mr. Swart seconded, that the Board close the matter with a Letter of Concern addressing the issue of ensuring that when pathology is diagnosed, it is documented in patient records; that all medications prescribed are documented in patient records; and that when informed consent is obtained prior to providing treatment, PARQ or its equivalent is documented in the patient's records. The motion passed with Dr. McCully, Dr. Grant, Dr. Johnson, Ms. Lee, Dr. Martin, Dr. Nichols, Ms. Potts, and Mr. Swart voting aye.

**2003-0244** Ms. Potts moved, and Dr. Johnson seconded, that the Board close the matter with a Letter of Concern addressing the issue of ensuring that when pathology is diagnosed, it is documented in the patient records; that all medications prescribed are documented in patient records; and that when informed consent is obtained prior to providing treatment, PARQ is documented in the patient records. The motion passed with Dr. McCully, Dr. Grant, Dr. Johnson, Ms. Lee, Dr. Martin, Dr. Nichols, Ms. Potts, and Mr. Swart voting aye.

**2003-0229** Dr. Martin moved, and Mr. Swart seconded, that the Board close the matter with a Letter of Concern reminding the Licensee that, although there will always be a potential for unforeseen problems that cannot be accounted for, Licensee is obligated to present *estimated* cost of services to patients upon request. The motion passed with Dr. McCully, Dr. Grant, Dr. Johnson, Ms. Lee, Dr. Martin, Dr. Nichols, Ms. Potts, and Mr. Swart voting aye.

**2003-0205** Dr. Johnson moved, and Dr. Nichols seconded, that the Board close the matter with a Letter of Concern reminding the Licensee that it is a Licensee's responsibility to assure that all required certificates, licenses, and permits are renewed. The motion passed with Dr. McCully, Dr. Grant, Dr. Johnson, Ms. Lee, Dr. Martin, Dr. Nichols, Ms. Potts, and Mr. Swart voting aye.

**2003-0242** Dr. Nichols moved, and Dr. Martin seconded, that the Board close the matter with a finding of No Violation. The motion passed with Dr. McCully, Dr. Grant, Dr. Johnson, Ms. Lee, Dr. Martin, Dr. Nichols, Ms. Potts, and Mr. Swart voting aye.

## **PREVIOUS CASES REQUIRING BOARD ACTION**

**1995-0034** Ms. Lee moved, and Dr. Grant seconded, that the Board approve Licensee's request for relief from urinalysis testing. The motion passed with Dr. McCully, Dr. Grant, Dr. Johnson, Ms. Lee, Dr. Martin, Dr. Nichols, Ms. Potts, and Mr. Swart voting aye.

**2000-0205** Mr. Swart moved, and Dr. McCully seconded, that the Board accept Licensee's offer of a Consent Order incorporating a reprimand, a \$1,000 civil penalty, 360 hours of community service within three years, payment of \$1,755 in restitution, and a requirement to complete continuing education hours for the licensure period 4/1/99 to 3/31/01. The motion passed with Dr. McCully, Dr. Grant, Dr. Johnson, Ms. Lee, Dr. Martin, Dr. Nichols, Ms. Potts, and Mr. Swart voting aye.

**1999-0174** Dr. Grant moved, and Ms. Potts seconded, that the Board grant Licensee's request for relief from attendance at AA meetings and offer the Licensee a Second Amended Consent Order wherein the attendance at AA meetings is eliminated; the opportunity to apply for relief from probation is changed to five years from September 1999; and including all other provisions of Licensee's previous Orders.

**2003-0166** Ms. Potts moved, and Dr. Martin seconded, that the Board reaffirm its decision to close the matter with No Further Action. The motion passed with Dr. McCully, Dr. Grant, Dr. Johnson, Ms. Lee, Dr. Martin, Dr. Nichols, Ms. Potts, and Mr. Swart voting aye.

**2003-0203** Dr. Nichols moved, and Ms. Potts seconded, that the Board issue the Applicant a dental license providing the Applicant agrees to a Consent Order incorporating standard protocol provisions to protect the public and support recovery of Applicant; in addition, the Applicant shall confirm current competency by one or more means approved by the Board, which may include:

1. Take and pass the WREB;
2. Complete Board-approved competency schooling at OHSU School of Dentistry; or
3. Be granted a license in another state and practice for a specified time period of six months without adverse Board action due to complaint.

The motion passed with Dr. McCully, Dr. Grant, Dr. Johnson, Ms. Lee, Dr. Martin, Dr. Nichols, Ms. Potts, and Mr. Swart voting aye.

## **LICENSURE AND EXAMINATION**

### **Ratification of Licenses Issued**

Dr. McCully moved, and Dr. Martin seconded, that licenses issued be ratified as published. The motion passed with Dr. McCully, Dr. Grant, Dr. Johnson, Ms. Lee, Dr. Martin, Dr. Nichols, Ms. Potts, and Mr. Swart voting aye.

### **Dental Hygienists**

H4712	Susan M. Frashour, R.D.H.	September 25, 2003
H4713	Annette K. Adams, R.D.H.	September 25, 2003
H4714	Sharity L. Ludwig, R.D.H.	September 30, 2003
H4715	Janet E. Wylie, R.D.H.	October 2, 2003
H4716	Kelli L. Brookreson, R.D.H.	October 15, 2003
H4717	Kara J. Hart, R.D.H.	October 22, 2003
H4719	Maria L. DeSylva, R.D.H.	November 12, 2003
H4720	Heather R. Alverson, R.D.H.	November 12, 2003
H4721	Marjan Shekarriz, R.D.H.	November 12, 2003
H4722	Deborah K. Rowan, R.D.H.	November 12, 2003
H4723	Lori A. Somers, R.D.H.	November 12, 2003

### **Dentists**

D8332	Melanie Y. Bian, D.D.S.	September 9, 2003
D8333	Bryce O. Evans, D.M.D.	September 10, 2003
D8334	Ziad F. Kaady, D.M.D.	September 16, 2003
D8335	Carolyn M. Hahn, D.D.S.	September 16, 2003
D8336	Jimmy S. Yun, D.D.S.	September 16, 2003
D8337	Lisa Newkirk, D.D.S.	September 17, 2003
D8338	Jon B. Engelby, D.M.D.	September 19, 2003
D8339	Lyudmila Ignatyev, D.D.S.	September 25, 2003
D8340	Melinda M. Clark-Jensen, D.M.D.	September 25, 2003
D8341	Young-Ok Stella Chang, D.D.S.	October 1, 2003

D8342	Russell A. Lieblich, D.M.D.	October 1, 2003
D8343	Brian W. Dudar, D.D.S.	October 6, 2003
D8344	Zachery H. Brumbach, D.D.S.	October 9, 2003
D8345	Catherine M. Quas, D.M.D.	October 15, 2003
D8346	Jeffrey J. Johnson, D.D.S.	October 15, 2003
D8347	Allen W. Tam, D.M.D.	October 15, 2003
D8348	Brian D. Sass, D.M.D.	October 15, 2003
D8349	Darren K. Le, D.D.S.	October 22, 2003
D8350	Brian J. Kovanda, D.M.D.	October 28, 2003
D8351	Kara A. Hobson, D.D.S.	November 12, 2003
D8352	David A. Wang, D.D.S.	November 12, 2003
D8353	Darin G. O'Bryan, D.D.S.	November 12, 2003
D8354	Serena S. Mull, D.M.D.	November 12, 2003

**Reinstated**

D4698	Richard J. Sutter, D.D.S.	October 27, 2003
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**Specialty Examinations**

Dr. McCully moved, and Mr. Swart seconded, that the Board accept the outlines and proposed examiners for specialty examinations as published. The motion passed with Dr. McCully, Dr. Grant, Dr. Johnson, Ms. Lee, Dr. Martin, Dr. Nichols, Ms. Potts, and Mr. Swart voting aye.

**Announcement**

Public Member Rick Swart announced that he would be resigning from the Board, as he was leaving Oregon for a new position in Nevada. He thanked the Board for their hard work in protecting the citizens of Oregon.

**ADJOURNMENT**

The meeting was adjourned at 3:15 p.m. Dr. Short noted that the next Board meeting would take place January 23, 2004.

Approved by the Board January 23, 2004.

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Ronald Short, D.M.D.  
President