

**OREGON BOARD OF DENTISTRY
MINUTES
September 16, 2005**

MEMBERS PRESENT: Melissa G. Grant, D.M.D., President
Rodney S. Nichols, D.M.D, Vice President
George A. McCully, D.M.D.
Ellen M. Potts, B.S., R.D.H.
Ronald C. Short, D.M.D.
Jean A. Martin, D.D.S., M.P.H.
David Smyth
Jill Mason, M.P.H., R.D.H.
Darren S. Huddleston, D.M.D.

STAFF PRESENT: Patrick D. Braatz, Executive Director
Daryll Ross, Investigator
Harvey Wayson, Investigator
Jerry McNerney, D.M.D., Consultant (portion of meeting)
Thomas Waugh, D.M.D., Consultant (portion of meeting)

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

VISITORS PRESENT: Lynn Ironside, R.D.H., ODHA; Thomas Pollard, D.M.D., ODA;
Fred Bremner, D.M.D., ODA; Mary Harrison, C.D.A., ODAA;
Cynthia Hallett, CDA, ODAA; Beryl Fletcher, ODA; Vickie
Woodward, 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 Avenue, Suite 770, Portland, Oregon.

NEW BUSINESS

MINUTES

Mr. Smyth moved and Dr. McCully seconded that the minutes of the July 8, 2005 Board meeting be approved as amended. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

ASSOCIATION REPORTS

Oregon Dental Association

Dr. Fred Bremner, representing the ODA, introduced Dr. William Pollard the newly elected Vice President of the ODA to the Board. Dr. Pollard as a part of his duties as Vice President of the ODA, will be attending Board Meetings as the Liaison from the ODA to the Board.

Oregon Dental Hygienists' Association

Lynn Ironside, R.D.H., announced that the ODHA will hold their 2005 ODHA House of Delegates on October 28 & 29 at the Hilton Eugene and Conference Center in Eugene, Oregon.

Invitations will be sent to members of the Board and OBD staff shortly.

Oregon Dental Assistants Association

Mary Harrison, C.D.A., announced that the ODAA will hold their Annual Conference on October 22, 2005 at PCC.

COMMITTEE AND LIAISON REPORTS

WREB Liaison Report

Dr. Short reported that he had attended the WREB Board of Directors meeting as well as the Western States Conference that was held in July at Mt. Hood. The minutes of the WREB Board of Director's Meeting were included in the Board packet.

Dr. McCully asked that the Board at the November meeting review the WREB proposal for a change in the WREB By-Laws; specifically the change that would do away with the individuals sending in proxies to the annual WREB Meeting. He felt that the Board should give some direction to Dr. Short, who will be attending the WREB Annual Meeting.

AADE Liaison Report

Dr. Short reviewed briefly the information that has been given to the Board regarding the new ADEX Examination.

2004 Survey of Clinical Testing Agencies

Presented to the Board for informational purposes.

Committee Meetings

Dr. Nichols reported on the Licensing, Standards and Competency Committee that met on Wednesday, September 7, 2005. He reviewed the draft minutes from the meeting.

Dr. Nichols reported that the Committee reviewed the tabled rule regarding the change to 818-042-0070 Expanded Function Dental Assistants (EFDA).

There was a motion from the Committee recommending to the Board that the current language in the tabled Proposed Administrative Rule is not workable and that no proposal to change the language is recommended from the Committee. The Committee requested that the Board send back to the Committee a charge to look at the issue of increasing Expanded Functions for Dental Assistants, by reviewing the upcoming and yet to be released Position Paper from DANB; as well as review of the current rules and regulations of other states; along with a thorough review of Division 42; and that the OBD specifically give direction to the Committee as to the OBD members' real intent and direction for changes to the Expanded Functions Dental Assistant rules.

Dr. Martin moved and Dr. Short seconded that the Board charge the Licensing, Standards and Competency Committee with a comprehensive review of Division 42. In doing the review, the Committee should take into account the Position Paper of the ADAA/DANB Alliance "Addressing A Uniform National Model for the Dental Assisting Profession, September 2005;" the "AADE Composite 16th Edition January 2005;" and the "ADA 2004 Survey of Legal Provision for Delegating Intraoral Functions to Dental Assistants and Dental Hygienists" with the goal of simplification, expansion of duties that can be performed by dental assistants, creating a rule

that is specific enough for educators to know what needs to be placed in the dental assisting curriculum, for the educational accreditors to be able to review curriculum in determining accreditation of educational programs, and for practitioners to easily know what assistants are allowed and not allowed to do. The motion passed with Dr. Nichols, Dr. McCully, Dr. Martin, Dr. Short, Dr. Huddleston, Ms. Potts, Ms. Mason and Mr. Smyth voting aye.

Committee Meeting Dates

The Board deferred to later in the meeting the setting of Committee meeting dates for the upcoming months.

EXECUTIVE DIRECTOR'S REPORT

Budget Status Report

Mr. Braatz included a preliminary budget report for the 2003-2005 Biennium. Due to June 30, 2005 being the close of a fiscal year as well as a biennium, final reports are not available until September 30, 2005. Mr. Braatz stated that it appears that the OBD had actual revenues of \$1,627,346.67 which is \$20,509.70 less than was budgeted. Actual OBD expenses were \$1,479,706.87 which is \$193,739.30 less than had been budgeted. He assured the Board that they were in good financial shape to begin the 2005-2007 Biennium.

Summary of Agency Head Financial Transactions

Mr. Braatz reminded the Board that they must review agency head financial transactions yearly, typically during the meeting following the close of the fiscal year and that a motion must be made that will be placed in the Minutes. Dr. McCully moved and Dr. Short seconded that the Board approve the Summary of the Agency Head Financial Transactions as presented. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

Board and Staff Speaking Engagements

There have been no speaking engagements by staff or the Board since the last meeting.

Oral Health Advisory Board Updates

The last meeting of the Oral Health Advisory Board was canceled.

Legislative Update

Mr. Braatz notified the Board that the Oregon Legislature Adjourned, Sine Die, on 8/5/05 at 6:20 a.m. He provided the Board with a summary of Bills that were passed into law that have a direct effect on the Practice of Dentistry and Dental Hygiene or the Oregon Board of Dentistry as a state agency. Over 74 bills were tracked during this legislative session, many not passing.

Oregon Board of Dentistry Annual Performance Measures Progress Report 2005

Mr. Braatz stated that the Board had made great progress of attaining, and in most cases exceeding, the performance goals that were set for the Board during the 2004-2005 fiscal year.

Customer Service Survey

Mr. Braatz included a copy of the OBD Customer Service Survey Results through August 31, 2005. We began mailing the Surveys on July 1, 2005 and it was made mandatory by the legislature.

Board Strategic Planning Session

Mr. Braatz asked the Board if they would like him to plan a strategic planning session for them. He pointed out that it had been quite awhile since the Board had met to discuss its plans for the future and with newly appointed members, now would be a very appropriate time. The Board thought that a spring date, following the appointment of new board members, would be a good time.

2005-2007 OBD Affirmative Action Plan

Mr. Braatz included a letter from Peggy C. Ross, Director of the Governor's Affirmative Action Office, notifying us that the Governor's Office has reviewed and approved the 2005-2007 OBD Affirmative Action Plan.

Board Consultant

Dr. Grant, on behalf of the Board, took a moment to recognize Dr. Jerry McNerney for his many years of service to the Board. Dr. McNerney served as a Board Consultant/Investigator from March of 1999 through June 30, 2005.

Newsletter

The latest OBD newsletter was mailed out in August. Mr. Braatz stated that we are already beginning to work on our next newsletter and asking Board members who have articles that they wish to submit to please get them to us as soon as possible. Our goal for the next newsletter is January 1, 2006.

UNFINISHED BUSINESS

RULES

Adoption of Administrative Rules

Ms. Potts moved and Dr. Martin seconded that having completed a Rulemaking Hearing, that the following new and amended rules be adopted by the Board, to be effective November 1, 2005: OAR 818-015-0040, 818-021-0010, 818-021-0017, 818-021-0020, 818-026-0030, 818-042-0040, 818-042-0060, 818-042-0120, 818-042-0130, and 818-042-0070. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

CORRESPONDENCE

The Board received a letter from Sunil D. Thanik, D.M.D., M.S.D.

Dr. Thanik is petitioning the Board to adopt new language for Administrative Rule 818-042-0117. He would like the current wording of "only an oral surgeon's assistant can start an IV line during sedation cases." He would like the phrase "oral surgeon" changed to "dental." He believes this would allow any properly trained dental assistant, who has shown evidence of completing a phlebotomy course to start an IV line in the presence of any dentist who holds an IV conscious sedation permit. Dr. McCully moved and Dr. Martin seconded that the suggested revision be taken to a rules hearing. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

The Board received a letter from Marlene M. Hoard, R.D.H.

Ms. Hoard is asking the Board to review Administrative Rule 818-012-0040, Infection Control

Guidelines. As an LAP hygienist she states that the current rule is cost prohibitive and for an LAP hygienist who treats maybe eight or nine nursing home patients a month, sometimes none, it is equivalent to testing 100% of the time. She would like to see the Board come up with “a ratio that would be comparatively equal to dental offices in nature or testing only when sterilizing instruments.” Dr. McCully moved and Ms. Potts seconded that a letter be sent to Ms. Hoard informing her that under the current rules a waiver could not be granted by the Board. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

The Board received a letter from Jay M. Wylam, D.M.D., President Oregon Society of Periodontists

The Oregon Society of Periodontists are concerned about the use and possible misuse of lasers in the treatment of periodontal disease, noting aggressive media advertising and stating that “the hype is well ahead of the science.” The members of the Oregon Society of Periodontists would like to have this letter of concern distributed to members of the Board and have the letter also entered in the Oregon Board of Dentistry official records. The Board suggested that Dr. Wylam be contacted and that his specific concerns should be submitted as a complaint.

The Board received a letter from Dr. Rodger E. Wood, ADA

This letter is for informational purposes.

OTHER BUSINESS

Articles and News of Interest (no action necessary)

Oregon State Board of Pharmacy, August 2005
State Legislative Report, August 2005, Vol. 8
State Legislative Report, July 2005, Vol. 7
Pennsylvania State Board of Dentistry Newsletter, Summer 2005
“The Dental Digest,” Mississippi Board of Dental Examiners, June 2005, Vol. 10
“A Mouthful,” Polk County Itemizer – Observer, July 27, 2005

Committee Meeting Dates

The Licensing, Standards and Competency Committee will meet Wednesday, November 2, 2005, at 7:00 p.m. at the OBD office.

The Rules Committee will meet Thursday, November 3, 2005, at 7:15 p.m. at the OBD office.

The Communication Committee will meet Friday, November 4, 2005, following the adjournment of the Board Meeting at the OBD office.

Dr. Nichols moved and Dr. Martin seconded that the Board send to the Rules Committee, rather than directly to hearing, the request made by Dr. Thanik for a revision to 818-041-0117 regarding IV Sedation. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston 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

Licensees appeared pursuant to their Consent Orders in case numbers **2001-0120, 1993-0183, 2003-0208, 1997-0091.**

OPEN SESSION: The Board returned to Open Session.

CONSENT AGENDA

2006-0001, 2006-0015, 2005-0231, 2005-0232, and 2006-0012 Dr. Nichols moved and Dr. McCully seconded that the above referenced cases be closed with No Further Action per the staff recommendations. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

COMPLETED CASES

2005-0202, 2001-0189, 2005-0215, 2006-0004, 2005-0141, 2005-0178, 2005-0208, 2005-0241, 2005-0223, 2005-0237, 2005-0186, 2005-0157, 2005-0217, 2005-0220, 2005-0221, 2005-0230, 2005-0064, 2005-0197, 2005-0235, 2005-0226, 2005-0191, 2005-0229, 2005-0240, 2005-0198, 2005-0236, 2005-0192, 2005-0258, 2005-0238, 2005-0149, 2005-0177, 2005-0170, 2005-0219, 2005-0152 Dr. Nichols and Dr. McCully 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 staff recommendations. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

2005-0148 Dr. McCully moved and Mr. Smyth seconded that the Board vote to close the case and take No Further Action. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

2001-0189 Dr Nichols moved and Dr. McCully seconded that the Board vote to close the matter with a Letter of Concern in which the Licensee is reminded that when informed consent is obtained prior to providing treatment, PARQ or its equivalents is documented in the patient records; that the Board's continuing education requirements for re-licensure are met prior to renewal of Licensee's dental license; and that appropriate radiographs are taken when evaluating a patient for potential pathology or the need for surgical or orthodontic intervention. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

2005-0166 Dr. Short moved and Dr. Martin seconded that the Board vote to close the matter with a Letter of Concern in which the Licensee is reminded that when informed consent is obtained prior to providing treatment, PARQ or its equivalent is documented in the patient records; that when drugs are administered, the name and the dosage of the medication is documented in the patient records; that when submitting an application for renewal, all statements are true and correct before signing the application. The motion passed with Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye. Dr. Nichols and Dr. McCully voted no.

2005-0158 Mr. Smyth moved and Ms. Potts seconded that the Board for Respondent #1, close the matter with No Further Action; for Respondent #2, close the matter with a Letter of Concern addressing the issue of ensuring that when pathology is evident on radiographs, the pathology

is documented in the patient records. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

2005-0225 Ms. Potts moved and Mr. Smyth seconded that the Board vote to close the matter with a Letter of Concern in which the Licensee is reminded to ensure that treatment notes accurately document the treatment that is provided; that when treatment complications are evident on radiographs, they are noted in the patient records and the patient is informed; that when endodontic therapy is provided, the treatment follows the standard treatment protocols for providing endodontic therapy; and that the continuing education requirements for re-licensure and maintenance of anesthesia permits are met. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

2005-0102 Dr. Huddleston moved and Dr. Nichols seconded that the Board vote with regard to Respondent #1 to instruct Board Counsel to send a letter admonishing respondent for taking radiographs without first having obtained the appropriate certification; for Respondent #2 vote to close the matter with a Letter of Concern reminding Licensee that when using auxiliary personnel to assist, that the Licensee assure they are properly certified and qualified under the guidelines set forth and established by the Oregon Dental Practice Act. The motion passed with Dr. Nichols, Ms. Potts, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye. Dr. McCully and Dr. Short voted no.

2005-0200 Ms. Mason moved and Dr. Martin seconded that the Board vote to close the matter with a Letter of Concern reminding the Licensee that it is the Licensee's responsibility to assure that when advertising services that they provide, the advertisements meet the requirements of the Board's rules on advertising. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

2005-0189 Dr. Martin moved and Mr. Smyth seconded that the Board vote to close the matter with a Letter of Concern in which the Licensee is reminded that when informed consent is obtained prior to providing treatment, PARQ or its equivalent is documented in the patient records; that the Board's continuing education requirements for re-licensure are met prior to renewal of the Licensee's dental license; and that appropriate radiographs are taken when evaluating a patient for potential pathology or the need for surgical or orthodontic intervention. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

2005-0184 Dr. Short moved and Dr. Martin seconded that the Board vote to close the matter with a Letter of Concern in which Licensee is reminded that it is his responsibility to assure that, when filing an application for license renewal, all statements on the application are true and correct; and that it is his responsibility to ensure that all continuing education requirements are fulfilled, including three hours in the area of medical emergencies in a dental office. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

2005-0154 Mr. Smyth moved and Ms. Potts seconded that the Board vote that for Respondent #1, close the matter with a Letter of Concern addressing the issue of ensuring that prior to providing treatment, informed consent is obtained from the patient or the patient's parent or guardian; for Respondent #2, close the matter with No Further Action. The motion passed with Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye. Dr. Nichols voted no.

2005-0155 Ms. Potts moved and Dr. Martin seconded that the Board vote to issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order, in which he agrees to 1) be reprimanded; 2) pay a \$1,000.00 civil penalty; and 3) within 90 days of the effective date of the Order, complete, via Board approved courses, 17 hours of continuing education in clinical dentistry, of which three (3) hours must be in the area of medical emergencies in a dental office. The motion passed with Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye. Dr. Nichols voted no.

2005-0180 Dr. Huddleston moved and Ms. Potts seconded that the Board vote to issue a Notice of Proposed Disciplinary Action and offer the Licensee a Consent Order in which he would agree to a reprimand. The motion passed with Dr. Nichols, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye. Dr. McCully voted no.

2005-0185 Ms. Mason 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 records. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

2005-0163 Dr. Martin moved and Ms. Potts seconded that the Board vote to 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. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye. Dr. Nichols voted no and Dr. McCully abstained.

2005-0213 Dr. McCully moved and Dr. Nichols seconded that the Board vote to 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 when defective restorations are evident on radiographs, the defects are documented in the patient records and the patient is made aware of the defects. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

2005-0214 Dr. Short moved and Mr. 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 the results of diagnostic testing are documented in the patient records, and that the continuing education requirements for maintenance of his Class 1 nitrous oxide permit are met at the time of license renewal. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

2005-0222 Mr. Smyth moved and Ms. Potts seconded that the Board vote to 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 the continuing education requirements for maintenance of his Class 1 nitrous oxide permit are met. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

2005-0183 Ms. Potts moved and Dr. Martin seconded that the Board vote to close the matter with a Letter of Concern addressing the issue of ensuring that all treatment that is provided is documented and that dental justifications for treatment are documented. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

2005-0206 Dr. Huddleston moved and Ms. Potts seconded that the Board vote to 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 the name, dosage, and amount of local anesthetic administered is documented; and that documentation of the Board's continuing education requirements for re-licensure are maintained for at least four years. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

2005-0207 Ms. Mason moved and Dr. Nichols seconded that the Board for Respondent #1, vote to 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 diagnosis is documented prior to initiating treatment; that the use of local anesthetic is documented; and that all treatment that is provided is documented in the patient records; for Respondent #2, vote to close the matter with No Further Action. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

2005-0048 Dr. McCully moved and Ms. Potts seconded that the Board vote to close the matter with a Letter of Concern addressing the issue of ensuring that when informed consent is obtained prior to providing treatment, PARQ or its equivalent is documented in the patient records. The motion passed with Dr. McCully, Ms. Potts, Dr. Short, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye. Dr. Nichols voted no and Dr. Martin abstained.

2005-0205 Dr. Short moved and Dr. Martin seconded that the Board vote to 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 all treatment provided is accurately documented. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

2006-0005 Mr. Smyth moved and Ms. Potts seconded that the Board vote to 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 when nitrous oxide is administered, the duration of the sedation, the patient's vital signs, and the patient's condition upon discharge are documented; and that a dental justification is documented prior to providing treatment. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

2005-0173 Ms. Potts moved and Dr. McCully seconded that the Board close the matter with a Letter of Concern addressing the issue of ensuring that when informed consent is obtained prior to providing treatment, PARQ or its equivalent is documented in the patient records. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

PREVIOUS CASES REQUIRING BOARD ACTION

2000-0241 Dr. Huddleston moved and Ms. Potts seconded the Board move to grant Licensee's request and issue an Order for Release from Probation effective 9/30/05. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

2005-0028 Ms. Mason moved and Dr. Martin seconded that the Board move to reaffirm the Board's March 18, 2005 action. The motion passed with Dr. Nichols, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye. Dr. McCully voted no.

2002-0084 Dr. Martin moved and Ms. Potts seconded that the Board vote to amend the Consent Order offered in October 2002 to incorporate a reprimand, a prohibition against using nitrous oxide unless administered by a licensed practitioner with a Class 1 Permit and with dental justification, and Board approved safeguards in the office to assure that Licensee did not have unilateral access to the nitrous oxide. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

2004-0044 Dr. McCully moved and Dr. Nichols seconded that the Board vote to grant an extension to 3/31/06 for Licensee to complete four hours of continuing education in pharmacology. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

2005-0066 Dr. Nichols moved and Mr. Smyth seconded that the Board vote to issue a Default Order incorporating a reprimand; a \$500 civil penalty; eight hours of Board approved, hands-on continuing education in removable prosthodontics within 12 months of the effective date of the Order; and \$2,300 in restitution to the patient. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

2004-0177 Mr. Smyth moved and Dr. Nichols seconded that the Board vote to close the matter and take No Further Action. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

2005-0204 Dr. Martin moved and Ms. Potts seconded that the Board vote to offer a Consent Order to Respondent #1 and Respondent #2 in which both Licensees would agree to be reprimanded. The motion passed with Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye. Dr. Nichols recused himself.

2005-0109 Dr. Martin moved and Ms. Potts seconded that the Board vote to reaffirm the Board's previous action of July 12, 2005. The motion passed with, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason voting aye. Dr. Nichols, Dr. McCully and Dr. Huddleston voted no.

2004-0224 Dr. Huddleston moved and Dr. Martin seconded that the Board vote to close the matter with No Further Action. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

2005-0227 Ms. Mason moved and Ms. Potts seconded that the Board vote to issue a Default Order denying application for licensure. The motion passed with Dr. Nichols, Dr. McCully, Ms.

Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

2005-0022 Dr. Martin moved and Ms. Potts seconded that the Board for Respondent #1, close the matter with a Letter of Concern addressing the issue of ensuring that when radiographs are taken, the radiographs are reviewed for any potential pathology before filing in the patient's records, and issue an Order dismissing the Notice of Proposed Disciplinary Action issued by the Board on March 25, 2005; for Respondent #2 reaffirm the Board's March 18, 2005 action. The motion passed with Dr. Nichols, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye. Dr. McCully voted no.

2003-0154 Dr. McCully moved and Dr. Short seconded that the Board vote to issue an Order dismissing the Notice of Proposed Disciplinary Action issued by the Board on May 24, 2005. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

2005-0211 Dr. Short moved and Mr. Smyth seconded that the Board vote to close the matter with No Further Action. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, and Dr. Huddleston voting aye. Ms. Mason voted no.

2005-0179 Ms. Smyth moved and Dr. Martin seconded that the Board vote to reject the Licensee's counter-proposal and offer the Licensee the choice of voluntarily giving up his license to practice dentistry in the state of Oregon, permanently, or go to hearing with the intent of revocation of his license to practice dentistry in the state of Oregon. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

2005-0138 Ms. Potts moved and Dr. McCully seconded that the Board vote to withdraw its 3/19/05 vote to issue a Notice of Proposed License Restriction and offer a Consent Order, and close the matter with No Further Action. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

LICENSING ISSUES

2006-0002 Dr. Huddleston moved and Dr. McCully seconded that the Board grant Applicant a dental hygiene license providing she agrees to a Consent Order incorporating a reprimand and ten hours of Board approved community service to be completed within one year. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

LICENSURE AND EXAMINATION

Specialty Examinations

- A Prosthodontic Specialty Examination was conducted on July 23, 2005 at the OBD office.

Candidate PS201 Sameh El-Ebrashi. Dr. McCully moved and Dr. Nichols seconded, that the Board accept the recommendation to pass based on the results of the examination and to issue a license to the examinee. The motion passed with Dr. Nichols, Dr. McCully, Ms.

Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

CONSULT WITH COUNSEL

Motion to Release Records to DEA under ORS 676.177

Ms. Mason moved and Ms. Potts seconded that the Board vote to allow staff to release records to the Drug Enforcement Administration under ORS 676.177 regarding cases 2002-0173, 2003-0215, 2004-0224 and 2005-0052. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

Ratification of Licenses Issued

Dr. McCully moved, and Mr. Smyth seconded, that licenses issued be ratified as published. The motion passed with Dr. Nichols, Dr. McCully, Ms. Potts, Dr. Short, Dr. Martin, Mr. Smyth, Ms. Mason and Dr. Huddleston voting aye.

Dental Hygienists

H4901	Rebecca A. Anderson	R.D.H.	July 5, 2005
H4902	Penny B. Humphries	R.D.H.	July 6, 2005
H4903	Ann E. Edlund	R.D.H.	July 11, 2005
H4904	Sonali A. Patel Pyo	R.D.H.	July 13, 2005
H4905	Amber R. Tillett	R.D.H.	July 13, 2005
H4906	Suzanne M. Bozso	R.D.H.	July 13, 2005
H4907	Barbara E. Hansen	R.D.H.	July 13, 2005
H4908	Angela N. Beylund	R.D.H.	July 13, 2005
H4909	Alicia J. Matheson	R.D.H.	July 13, 2005
H4910	Sylvia Olague	R.D.H.	July 13, 2005
H4911	Cari J. Nicley	R.D.H.	July 13, 2005
H4912	Kimberly E. Johnson	R.D.H.	July 13, 2005
H4913	Jessica L. Johnson	R.D.H.	July 15, 2005
H4914	Krishna R. Isfeld	R.D.H.	July 15, 2005
H4915	Emily A. Wheeler	R.D.H.	July 15, 2005
H4916	Jennifer D. Kordon	R.D.H.	July 15, 2005
H4917	Darcey L. Banner	R.D.H.	July 15, 2005
H4918	Jennifer E. Fox	R.D.H.	July 15, 2005
H4919	Brandee L. Patton	R.D.H.	July 15, 2005
H4920	Tamara A. Bohnstedt	R.D.H.	July 15, 2005
H4921	Laurie A. Cole	R.D.H.	July 15, 2005
H4922	Amanda L. Newkirk	R.D.H.	July 15, 2005
H4923	Roberta L. Hawkins	R.D.H.	July 18, 2005
H4924	Charles B. New	R.D.H.	July 18, 2005
H4925	Michelle A. Kelley	R.D.H.	July 18, 2005
H4926	Susan K. Au	R.D.H.	July 19, 2005
H4927	Jeanette S. Kingsley	R.D.H.	July 19, 2005
H4928	Katherine A. Steele	R.D.H.	July 19, 2005
H4929	Gina L. Bates	R.D.H.	July 21, 2005
H4930	Patricia E. Bailey	R.D.H.	July 21, 2005
H4931	Aimee M. Foreman	R.D.H.	July 25, 2005
H4932	Ashley E. Birkey	R.D.H.	July 25, 2005

H4933	Anna Maria Hundseder-Aarts	R.D.H.	July 25, 2005
H4934	Elena N. Huston	R.D.H.	July 25, 2005
H4935	Anne L. Mann	R.D.H.	July 26, 2005
H4936	Mary L. Kottre	R.D.H.	July 26, 2005
H4937	Jennifer J. Schweitzer	R.D.H.	July 26, 2005
H4938	Kirsten L. Kleinsmith	R.D.H.	July 27, 2005
H4939	Deana K. Weintz	R.D.H.	July 27, 2005
H4940	Lisa M. Williamson	R.D.H.	July 27, 2005
H4941	Julia M. Thompson	R.D.H.	July 29, 2005
H4942	Signe K. Lisac	R.D.H.	July 29, 2005
H4943	Pamela N. Rust	R.D.H.	August 2, 2005
H4944	Amy L. Hogan	R.D.H.	August 2, 2005
H4945	Laura L. Thomas	R.D.H.	August 2, 2005
H4946	Mary M. Guthrie	R.D.H.	August 4, 2005
H4947	Elena E. Mihailescu	R.D.H.	August 4, 2005
H4948	Marilyn R. Clulow	R.D.H.	August 4, 2005
H4949	Carrie B. Wright	R.D.H.	August 4, 2005
H4950	Samantha H. Shivji	R.D.H.	August 5, 2005
H4951	Catherin G. Bausch	R.D.H.	August 5, 2005
H4952	Molly E. Lampa	R.D.H.	August 5, 2005
H4953	Heather R. Gough	R.D.H.	August 8, 2005
H4954	Brynn E. Mcclarey	R.D.H.	August 9, 2005
H4955	Stephanie L. Jaqua	R.D.H.	August 9, 2005
H4956	Anna L. Meneyev	R.D.H.	August 9, 2005
H4957	Dana A. Aufdemberg	R.D.H.	August 9, 2005
H4958	Cassandra M. Nabel	R.D.H.	August 9, 2005
H4959	Terri L. Bernards	R.D.H.	August 9, 2005
H4960	Brenda M. Ogan	R.D.H.	August 12, 2005
H4961	Stephany Gruis	R.D.H.	August 15, 2005
H4962	Christopher M. Schiedler	R.D.H.	August 22, 2005
H4963	Renee A. Barbara	R.D.H.	August 24, 2005
H4964	Virginia Mattfeld	R.D.H.	August 25, 2005
H4965	Lea T. Helfand	R.D.H.	August 26, 2005

Dentists

D8593	William Q. Gebeau, Jr.	D.D.S.	July 5, 2005
D8594	Michael J. Bratland	D.M.D.	July 5, 2005
D8595	Lee Wardle	D.D.S.	July 5, 2005
D8596	Kenneth D. Wylie	D.M.D.	July 5, 2005
D8597	Neil E. Wiater	D.M.D.	July 6, 2005
D8598	Jo E. Winston	D.M.D.	July 7, 2005
D8599	Ryan L. Donnelly	D.M.D.	July 13, 2005
D8600	Steven J. Wohlford	D.M.D.	July 13, 2005
D8601	Christopher D. Walker	D.M.D.	July 13, 2005
D8602	Charissa M. Martin	D.M.D.	July 13, 2005
D8603	Abel Ahumada-Alaniz	D.M.D.	July 13, 2005
D8604	Mark T. Eilers	D.M.D.	July 13, 2005

D8605	Edward C. Pyo	D.D.S.	July 13, 2005
D8606	Luke A. Omey	D.D.S.	July 13, 2005
D8607	Khaldoun Attar	D.D.S.	July 13, 2005
D8608	Sarah K. Pitman	D.M.D.	July 13, 2005
D8609	Stephanie R. White	D.M.D.	July 15, 2005
D8610	Jamie R. Phelps	D.M.D.	July 15, 2005
D8611	Anthony L. Ramos	D.M.D.	July 15, 2005
D8612	Soujanya Sudanagunta	D.D.S.	July 15, 2005
D8613	Christel A. Cochell	D.M.D.	July 19, 2005
D8614	Bryant W. Stowe	D.D.S.	July 19, 2005
D8615	Travis M. Cochell	D.M.D.	July 19, 2005
D8616	Jessica A. Wheeler	D.D.S.	July 19, 2005
D8617	Misty H. Fujii-Carr	D.D.S.	July 19, 2005
D8618	Ryan W. Carpenter	D.M.D.	July 19, 2005
D8619	Katherine H. Yang	D.M.D.	July 19, 2005
D8620	Lester E. Riter	D.D.S.	July 25, 2005
D8621	Sasan Baheri	D.M.D.	July 25, 2005
D8622	Amanda M. Gallegos	D.M.D.	July 25, 2005
D8623	Dmitriy P. Lyubchenko	D.M.D.	July 27, 2005
D8624	Debi M. Huyssoon	D.M.D.	July 28, 2005
D8625	Kyle J. Frisinger	D.M.D.	July 29, 2005
D8626	Madrid Uso III	D.D.S.	July 29, 2005
D8627	Matthew R. Winkle	D.D.S.	July 29, 2005
D8628	Cynthia L. Kleinegger	D.D.S.	August 1, 2005
D8629	Walter K. Padgalskas	D.D.S.	August 1, 2005
D8630	Ryan F. Mueller	D.M.D.	August 2, 2005
D8631	Lisa K. Jensen	D.M.D.	August 4, 2005
D8632	Rebecca Kuperstein	D.D.S.	August 5, 2005
D8633	Heidi L. Hill	D.D.S.	August 5, 2005
D8634	Scott W. Brodie	D.M.D.	August 5, 2005
D8635	Michael G. Neilson	D.M.D.	August 8, 2005
D8636	Matthew M. Hill	D.M.D.	August 9, 2005
D8637	Justin N. Nelson	D.M.D.	August 9, 2005
D8638	Matthew D. Jervis	D.M.D.	August 9, 2005
D8639	Sung Y. Cho	D.D.S.	August 10, 2005
D8640	Tae K. Jung	D.M.D.	August 16, 2005
D8641	Peter D. Nguyen	D.D.S.	August 16, 2005
D8642	Rebecca H. Cho	D.D.S.	August 16, 2005
D8643	Fardad Borhani	D.M.D.	August 17, 2005
D8644	Saif S. Al-Bustani	D.M.D.	August 22, 2005
D8645	Kevin K. Shim	D.D.S.	August 22, 2005
D8646	Justin S. Lee	D.D.S.	August 24, 2005

Announcements

No announcements

ADJOURNMENT

The meeting was adjourned at 2:00 p.m. Dr. Grant noted that the next Board meeting would take place November 4, 2005.

Approved by the Board, November 4, 2005.

Melissa Grant, D.M.D.
President