

**OREGON BOARD OF DENTISTRY
MINUTES
DECEMBER 15, 2023**

MEMBERS PRESENT: Chip Dunn, President
Alicia Riedman, R.D.H., E.P.P.
Reza Sharifi, D.M.D.
Jose Javier, D.D.S.
Sheena Kansal, D.D.S.
Aarati Kalluri, D.D.S.
Terrence Clark, D.M.D.
Sharity Ludwig, R.D.H., E.P.P.
Michelle Aldrich, D.M.D.

STAFF PRESENT: Stephen Prisby, Executive Director
Angela Smorra, D.M.D., Dental Director/ Chief Investigator
Winthrop "Bernie" Carter, D.D.S., Dental Investigator
Haley Robinson, Office Manager
Samantha Plumlee, Examination and Licensing Manager

ALSO PRESENT: Lori Lindley, Sr. Assistant Attorney General

VISITORS PRESENT:
VIA TELECONFERENCE*: Mary Harrison, Oregon Dental Assistants Association; Ginny Jorgensen, Oregon Dental Assistants Association; Olesya Salathe, D.M.D., Oregon Dental Association (ODA); Barry Taylor, ODA; Karen Hall, Oregon Dental Hygienist Association (ODHA); Jen Hawley-Price, DALE Foundation; Katherine Landsberg, Dental Assisting National Board (DANB); Tony Garcia, DANB; Janelle Peterson, Karan Bershaw, Amy Coplen, Bonnie Marshall

*This list is not exhaustive, as it was not possible to verify all participants on the teleconference.

Call to Order: The meeting was called to order by the President at 8:01 a.m. Via Zoom.

President Chip Dunn welcomed everyone to the meeting and had the Board Members, Lori Lindley, and Stephen Prisby introduce themselves.

NEW BUSINESS

Approval of Minutes

Dr. Javier moved and Dr. Sharifi seconded that the Board approve the minutes from the October 27, 2023 Board Meeting as presented. The motion passed unanimously.

ASSOCIATION REPORTS

Oregon Dental Association (ODA)

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Olesya Salathe, D.M.D. invited the Board members to attend the ODA's January 26th Board of Trustees meeting at 9 am, in person in Wilsonville, or via Zoom. There will be a presentation from the Council of State Governments National Center for Interstate Compacts as well as representatives from the ODHA and School of Dentistry. The ODA will be meeting with the Portland Community Dental Assisting program for an onsite visit to start off 2024 with collaborations.

Oregon Dental Hygienists' Association (ODHA)

Karen Hall reported the ODHA had record attendance at their Annual Conference in November.

Oregon Dental Assistants Association (ODAA)

Mary Harrison reported that the ODAA met with the ODHA at the Annual ODHA Conference in November. The ODAA is communicating with the ODA regarding the ODA Dental Conference. The Video made with ODAA and ADEC will be available in January. The ODAA has a new webpage: www.oregondentalassistants.com with courses, job postings, etc. available. The ODAA will have a membership drive in January.

COMMITTEE AND LIAISON REPORTS

Mr. Prisby gave a brief rundown on the first Dental Assistant Workforce Shortage Advisory Committee (DAWSAC) Meeting which was held on October 27, 2023. The next meeting would be February 23, 2024.

EXECUTIVE DIRECTOR'S REPORT

Staff Update

Mr. Prisby reported that the OBD will be closed for the holidays on Monday, Dec. 25 and Monday, Jan. 1. Most OBD Staff will be taking time off throughout December, but emails and calls will still be responded to promptly when the OBD is open during regular business hours.

OBD Budget Status Report

Mr. Prisby shared the latest budget report for the 2023 - 2025 Biennium. The report, from July 1, 2023 through, October 31, 2023 shows revenue of \$845,864.15 and expenditures of \$644,137.97.

OBD - OMB updated IAA

Mr. Prisby informed the Board on the costs for select services provided by the Oregon Medical Board per the interagency agreement are going up like most state government expenses. The updated IAA agreement was included.

Customer Service Survey

Mr. Prisby disclosed the customer service surveys received from July 1, 2023 – November 30, 2023. The majority rate their experience with the OBD positively.

Board and Staff Speaking Engagements

Mr. Prisby shared that he gave an OBD "Board Updates" Presentation to the BPD Dental Hygiene Study Club via Zoom on November 20, 2023.

Dental Hygiene License Renewal Data In 2023

Mr. Prisby highlighted the details of the 2023 Dental Hygiene License Renewals and shared results compared to previous years back to 2018.

Dental Therapist License Update

Mr. Prisby gave a recap of Oregon Dental Therapy Licensure, starting when HB 2528 (2021) was signed by Governor Kate Brown in July 2021. As of November 1, 2023 there have been 17 dental therapy licenses issued by the OBD. 13 of the 17 are dual licensed providers, who also have a dental hygiene license. Only 4 solely possess a dental therapy license.

AADB Meeting Oct 2023 – Award and Summary

Mr. Prisby shared that the Citizen of the Year Award recognized an AADB member who has made significant contributions to the dental profession. Ms. Laura Richoux, RDH, Chair of the Award Selection Committee, acknowledged Lori H. Lindley, Senior Assistant Attorney General. A summary of the AADB Annual meeting was included in the meeting materials.

Oregon Tribal-State Summit – Cancelled

Mr. Prisby pointed out that the Oregon Tribal-State Summit which was to be hosted by the Cow Creek Band of Umpqua Tribe of Indians in Canyonville Dec 5 – 6 has been cancelled. Mr. Prisby anticipates this summit to be rescheduled and he plans to attend.

2024 Calendar

Mr. Prisby presented the OBD 2024 Calendar with important dates noted.

UNFINISHED BUSINESS AND RULES

The Permanent Administrative Order for changes to Rule 818-001-0087 Fees, showed that the rule becomes effective on January 1, 2024.

The public packet for the OBD Public Rule Making Hearing taking place December 15, 2023 1 pm – 1 30 pm was included with the 11 recommended rule changes. It was noted that comments and feedback may be submitted until January 19, 2024 at 4 pm to information@obd.oregon.gov.

The OBD Guidance on new Dental Implant Rules was highlighted. These rules become effective on January 1, 2024.

OTHER

A memo from Samantha Nance at Embry Merritt Womack Nance PLLC siting critical issues and legal concerns with the AADB Compact was presented to the Board. The AADB comparison of the DDH compact and the AADB compact was also presented, siting reasons why the AADB Compact should be rejected by state legislatures as flawed and defective model legislation.

A letter from Dr. Thomas E. Clark, D.M.D., requesting the Board look at changing language in Rule 818-042-0070 to allow dental assistants to remove and reinsert implant healing abutments, screws and impression copings, and to fit check final restorations under the dentist's indirect supervision was shared.

Dr. Aldrich moved and Dr. Javier seconded that the Board move discussion of EFDA rule 818-042-0070 to Licensing, Standards and Competency Committee for further review. The motion passed unanimously.

An email with a request for revisions to the Pit and Fissure Sealants instructor curriculum was presented along with the current Board approved course curriculum.

Dr. Alrich moved and Dr. Kalluri seconded that the Board accept the proposed changes to Bonnie Marshall's Pit and Fissure Sealant instructor curriculum. The motion passed unanimously.

The OHA Dental Pilot Project #300 Dental Therapist Project: Dental Hygiene Model Advisory Committee Meeting DPP #300 from November 6, 2023 was presented along with a power point presentation from OHA for data and tracking of DH measurements/outcomes.

The OHA report on Licensed Health Care Workforce Supply was presented along with a report on the Diversity of Oregon's Licensed Health Care Workforce.

An email invitation from Bernadette Molina at CODA announced a site visit evaluation at Rogue Community College in Grants Pass, January 24 -25, 2024 and OHSU Dental School, Portland, October 15-17, 2024. RSVP's to be returned by December 15, 2023.

A press release via www.roguecommunity.net provided additional information about the site visit.

Amy Coplen, Director, School of Dental Hygiene Studies at Pacific University reported that the Pacific University Board approved the move forward with the pursuit of initial accreditation for the Dental Therapy program. Spring and Summer will be spent in preparation for a site visit in fall 2024. The curriculum is very similar to the University of Minnesota, with dental therapy courses beginning at the beginning of dental hygiene, so courses are taken simultaneously with an extra year at the end.

ARTICLES AND NEWS

A brief recap of the Oregon Wellness Program was included. All Licensees are eligible and encouraged to reach out to the OWP if they desire help with managing challenging life issues, stress and burnout related feelings.

EXECUTIVE SESSION: The Board entered into Executive Session pursuant to ORS 192.606 (1)(2)(f), (h) and (L); 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.

OPEN SESSION: The Board returned to Open Session at 11:56 a.m.

CONSENT AGENDA

2024-0038, 2024-0066, 2024-0067, 2024-0022, 2024-0016

Dr. Javier moved and Dr. Kansal seconded that the Board close the matters with a finding of No Violation or No Further Action. The motion passed unanimously.

COMPLETED CASES

2023-0209, 2024-0018, 2023-0196, 2023-0197, 2023-0176

Dr. Javier moved and Dr. Sharifi seconded that the Board close the matters with a finding of No Further Action or No Violation. The motion passed unanimously.

2024-0044

Dr. Sharifi moved and Dr. Kalluri seconded that the Board close the matter with a Letter of Concern reminding the licensee to assure she completes all required continuing education hours, including those related to infection control within the required renewal period. The motion passed unanimously.

2024-0045

Dr. Aldrich moved and Dr. Kansal seconded that the Board close the matter with a Letter of Concern reminding the licensee to assure she completes all required continuing education hours, including those related to infection control within the required renewal period. The motion passed unanimously.

2024-0046

Dr. Kalluri moved and Dr. Javier seconded that the Board close the matter with a Letter of Concern reminding the licensee to assure she completes all required continuing education hours, including those related to the two hours of infection control, within the required renewal period. The motion passed unanimously.

2023-0100

Dr. Kansal moved and Dr. Sharifi seconded that the Board close the matter with a Letter of Concern reminding the licensee to assure she completes all required continuing education hours, including those related to medical emergencies, during each license renewal cycle. The motion passed unanimously.

2024-0042

Ms. Ludwig moved and Dr. Kansal seconded that the Board close the matter with a Letter of Concern reminding the licensee to assure (1) he responds to the Board within 10 days of a written request for information; and (2) he completes all required continuing education hours, including those related to Cultural Competency and Pain Management, within the required license renewal period. The motion passed unanimously.

Chris Y. J. Lee, D.M.D.; 2023-0208

Dr. Clark moved and Dr. Javier seconded that the Board issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order incorporating a reprimand, a \$12,000.00 civil penalty, by single payment, in the form of a cashier's, bank, or official check made payable to the Oregon Board of Dentistry and delivered to the Board offices within 180 days of the effective date of the Order, submit documentation to the Board verifying completion of eight hours of Board approved continuing education in the area of infection control within 60 days, submit documentation to the Board verifying completion of two hours of Board approved continuing education in the area of Dental Billing and Coding within 60 days, and complete quarterly submission of spore testing results for a period of one year from the effective date of the Order. The motion passed unanimously.

2023-0125

Ms. Riedman moved and Dr. Javier seconded that the Board close the matter with a Letter of Concern reminding Licensee to assure his BLS for Healthcare provider certificate does not lapse for any length of time. The motion passed unanimously.

2023-0177

Dr. Sharifi moved and Dr. Kalluri seconded that the Board close the matter with a Letter of Concern reminding Licensee to assure that he performs acceptable 1) angulation while placing dental implants, 2) crown to implant root ratios, 3) cantilever effect on final restorations, and performs acceptable all other fundamental prosthodontic principles when placing and restoring dental implants. The motion passed unanimously

2024-0048

Dr. Aldrich moved and Dr. Kansal seconded that the Board close the matter with a Letter of Concern reminding licensee to assure he completes all required continuing education hours, including those related to infection control, cultural competency, and pain management, within the required renewal period. The motion passed unanimously.

2024-0047

Dr. Kalluri moved and Dr. Javier seconded that the Board close the matter with a Letter of Concern reminding licensee to assure he completes all required continuing education hours, including those related to infection control, within the required renewal period. The motion passed unanimously.

Nathan M. Tanner, D.M.D.; 2023-0164

Dr. Kansal moved and Dr. Javier seconded that the Board issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order incorporating a reprimand; refund in the amount of \$12,068.00 by single payment, in the form of a cashier's, bank, or official check made payable to patient KG and delivered to the Board within 120 days of the effective date of the Order; and pay a \$2,000.00 civil penalty, in the form of a cashier's check, bank, or official check, made payable to the Oregon Board of Dentistry within 30 days of the effective date of the Order, and permanently restrict Licensee from surgically placing any and all dental implants for the remainder of his professional practice of dentistry until further order of the Board.
The motion passed unanimously.

Nathan M. Tanner, D.M.D.; 2024-0003

Ms. Ludwig moved and Dr. Kalluri seconded that the Board issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order incorporating a reprimand; refund in the amount of \$4,140.00 by single payment, in the form of a cashier's, bank, or official check made payable to patient AR and delivered to the Board within 60 days of the effective date of the Order; pay a \$1,000.00 civil penalty, in the form of a cashier's check, bank, or official check, made payable to the Oregon Board of Dentistry within 30 days of the effective date of the Order; and unconditionally pass the PROBE: Ethics and Boundaries Program by CPEP within six months of the effective date of the order. The motion passed unanimously.

2024-0043

Dr. Clark moved and Ms. Riedman seconded that the Board close the matter with a Letter of Concern reminding the licensee to assure he completes all required continuing education hours,

including those related to cultural competency, within the renewal period. The motion passed unanimously.

PREVIOUS CASES REQUIRING BOARD ACTION

ERICA R. BROWN R.D.H.; 2023-0098

Ms. Riedman moved and Dr. Javier seconded that the Board affirm the prior Notice of Proposed Disciplinary Action incorporating a Reprimand and a \$250 civil penalty. The motion passed unanimously.

Thomas L. Haymore, D.M.D.; 2021-0109 & 2021-0176

Dr. Sharifi moved and Dr. Javier seconded that the Board deny the request to present oral arguments to the board prior to the rendering of a final decision. In reference to case numbers 2021-0109 and 2021-0176 move to issue the Final Order incorporating the disciplinary costs and incorporate a reprimand, a 60-day suspension of his license to practice dentistry, effective as of issuance of the Board's final order; Licensee will not be allowed to practice dentistry or give clinical advice for the duration of the suspension; a civil penalty in the sum of \$7,500 to be paid within 90 days of the effective date of the order, complete and unconditionally pass the PROBE: Ethics & Boundaries Program by CPEP within 12 months from the effective date of the order. Licensee will be responsible for the cost of the program and will report the outcome to the Board within 10 days of completion; Licensee is prohibited from practicing dentistry on co-workers until further notice of the Board; and is assessed the costs. The motion passed unanimously.

2021-0073

Dr. Aldrich moved and Dr. Javier seconded to affirm the Board's August 21, 2021 decision. The motion passed unanimously.

Request for reinstatement of an expired license – Margie Grether, R.D.H.

Dr. Kalluri moved and Dr. Javier seconded that the Board reinstate the license of Margie Grether, R.D.H. The motion passed unanimously.

Request for approval of Soft Reline Course – Lynn Murray, EFDA

Dr. Kansal moved and Dr. Javier seconded that the Board approve the proposed Soft Reline Course for Lynn Murray. The motion passed unanimously.

Proposed Changes to Exceptions language in Proposed, Amended and Final Orders

Ms. Ludwig moved and Dr. Javier seconded the Board accept the proposed changes to the exceptions language in proposed, amended and final orders. The motion passed unanimously.

You may file written exceptions to this amended proposed order with the Oregon Board of Dentistry (Board), 1500 SW First Avenue Suite 770, Portland OR 97201. Exceptions must be received by the Board within fifteen (15) [calendar](#) days from the date this proposed order was issued. Exceptions shall be in writing and confined to the factual and legal issues which are essential to the ultimate and just determination of the proceeding and shall be based only on grounds that: a necessary finding of fact is omitted, erroneous, or unsupported by the preponderance of the evidence in the record; a necessary legal conclusion is omitted or is contrary to law or the Board's policy or; prejudicial procedural error occurred. ~~The Board may entertain~~

