

MISSISSIPPI STATE BOARD OF DENTAL EXAMINERS

MINUTES

February 22, 2019

The Mississippi State Board of Dental Examiners held a meeting of the Board on February 22, 2019 in its conference facilities located at Suite 100, 600 East Amite Street, Jackson, Mississippi, beginning at 8:30 a.m. Those members present for the meeting were as follows:

Frank L. Conaway, Jr., DMD, President
Robert Michael Harkins, Vice-President
Tobbie Delton Moore, Jr., DDS, DMD, Secretary
William Mark Donald, DMD
Roy L. Irons, DDS
Steven Mark Porter, DDS
Laura Currie Richoux, RDH
Robert L. Smith, Jr., DDS

Also present for the meeting were the following:

Mr. Chris L. Hutchinson, Executive Director
Ms. Tiffany D. Vaughn, Deputy Director
Stanley T. "Stan" Ingram, Esquire
Danielle Clark, CSR IV, Dental Licensure
Lou Sims, CSR IV, DH Licensure

The first item of business to come before the Board was the welcome and introduction of guests by Dr. Conaway. Attendees introduced themselves, and no action was taken by the Board on this matter.

The next item of business to come before the Board was approval of the Minutes from the 12/7/2018 Board meeting. Motion was made by Dr. Irons, seconded by Dr. Harkins, to approve the aforementioned Minutes. The Board voted unanimously to adopt this Motion. No further action was taken by the Board on this matter.

The next item of business to come before the Board was approval of the Minutes from the Emergency Teleconference, 2/5/2019 Board meeting for personnel matters. Motion was made by Dr. Porter, seconded by Dr. Harkins, to approve the aforementioned Minutes. The Board voted unanimously to adopt this Motion. No further action was taken by the Board on this matter.

The next item of business to come before the Board was a discussion of Board Regulation 29. Mr. Hutchinson was asked to give a brief presentation on the previously board-approved amendments to Regulation 29 from July 2018 and to discuss the guidelines of process to proposed rules through both the SOS and OLRC. Presentations were then made by Dr. Heddy-Dale Matthias, Dr. Trice Sumner, Dr. Steve Ganzburg, Dr. Jason Brady, Hope S. Ladner, Dr. Jason Leach, and Dr. David Seago. Dr. John Gaudet supplied testimony in hard copy through a proxy in his absence. Each guest requested that the documents presented to the Board be attached to the minutes, and a copy is attached as requested. Board President brought before the board a discussion to create an advisory panel to convene in the future and make recommendations to the Board in relation to Regulation 29. Discussion was had and determined that the advisory panel will consist of: 2 oral surgeons, 2 pediatric dentists, 1 periodontist, 1 MD anesthesiologist, and 1 dental anesthesiologist. It was also determined that this advisory panel will report to the Board within 6-months for recommendation. A motion was made by Dr. Donald to approve the discussion and form the advisory panel. The motion was seconded by Dr. Irons, and the Board unanimously approved the motion. No further action was taken by the Board on this matter.

The next item of business to come before the Board was a presentation by Subcommittee Chairs for Subcommittee Reports and Updates.

Rules and Regulations Subcommittee- Harkins made a detailed report hereby attached to this document as Exhibit A. All required votes for board approval are notated within Exhibit A.

Credentialing- Smith; Item # 7, Board Regulation 14 was moved to this item. Smith gave a short report on the site visit of a mobile, school site Smiles 2 Go. Discussion was had on MSBDE accepting only the ADEX examination or an equivalent to the ADEX that exceeds the ADEX as determined by the Board. Harkins amde the motion, Donald seconded; Approved by all.

Legislative- Moore; No report from the SubCommittee. However, Donald spoke briefly on the Agency's 2020 Budget Hearings and two legislative bills that are still alive.

Licensure Examination-Porter; No report.

Practice Act Review- Richoux; Ms. Richoux gave a brief report on general supervision for dental hygienists and future plans with the subcommittee on opening the practice act.

Budget and Finance- Irons; No report.

The next item of business to come before the Board was a request for Board Determinations. Dr. Elijah Love came before the Board seeking a determination of acceptance of his WREB 2015 test scores in conjunction with completing a full ADEX exam. The Board determined that Dr. Love would need to take a full ADEX Examination to qualify for a MS license. Dr. John Smith was unable to appear before the board to discuss teledentistry. This topic was tabled. A presentation by Laura Richoux regarding SRTA IEO was made. No further action was taken by the board on this matter.

The next item of business to come before the Board was a presentation by Stephanie Mueller on the Prescription Monitoring Program. No action was taken by the board on this matter.

The next item of business to come before the Board was a motion by Dr. Donald to entertain and discuss the Board amending its 2019 Board meeting dates. Discussion was had to add April 5, 2019 to the board's schedule and omit the May meeting. The remaining board meeting dates will be as follows: June 14, 2019; August 16, 2019; October 4, 2019 and November 22, 2019. Donald made the motion to approve this schedule for the remainder of the 2019 calendar year. Dr. Moore seconded and all were in favor.

The next business to come before the board was a presentation by Dr. Porter on continuing education approval. Dr. Porter presented the information regarding the specifics of the proposed continuing education courses, and made a motion to accept both courses for approval. Dr. Smith seconded the motion and all were in favor.

The next item of business to come before the board was a presentation by Dr. Harkins regarding his CDCA Meeting of State Board Presidents and Vice-Presidents. Dr. Conaway joined in the presentation and report and no further action was taken on this matter.

A motion to recess for lunch was made by Dr. Irons, seconded by Dr. Harkins and return to open meeting upon completion of lunch at 1:15. The vote was unanimous, and the meeting recessed for lunch.

Open meeting was continued at 1:15. Dr. Conaway called the open meeting back into session.

The next item of business to come before the board was a presentation by Danielle Clark. Ms Clark presented the following applications for Mississippi specialty licenses:

- David Alan Morris, DDS Orthodontics
- Jared Lewis Moffett, DDS, Orthodontics and Dentofacial Orthopedics
- Thomas Shannon, DDS Orthodontics
- Melissa Andreia Marchesan, DDS Endodontics
- Jose Estevam Vieira Ozorio, Endodontics

Ms. Clark informed the Board that all required documentation had been received for these applicants and that board staff had performed the appropriate primary source verifications. The Board determined to take these applications up separately: Morris- motion was made by Porter, seconded by Harkins, all in favor. Moffett- motion was made by Moore, seconded by Porter, all in favor. Shannon- motion was made by Harkins, seconded by Irons, all in favor. Marchesan- motion was made by Smith, seconded by

Porter, all in favor. Ozorio- motion was made by Porter, seconded by Harkins, all in favor. No further action was taken by the Board on this matter.

The next item of business to come before the Board was the presentation by Mr. Hutchinson of the following anesthesia permit applications:

- Gail Benton (General- Site Visit Completed 2/12/2019)
- Cameron Larson, DMD (Enteral-Site Visit Completed 2/12/2019)
- Joseph Mardini, DDS (Parenteral- Site Visit Completed 2/12/2019)
- Sarah Crain, DMD, 3408-08 (General- Site visit completed)
- Anna Rider, DMD (Enteral-Site Visit Completed 2/12/2019)
- Tiffany Green, DMD,(Parenteral- Site Visit Completed 2/12/2019)

Mr. Hutchinson informed the Board that all documentation had been received for these applicants, that board staff had performed the appropriate primary source verifications, and that successful site visits had been conducted. The board had discussion in regards to the issues surrounding item #4. Dr. Donald made a motion to table all sedation applications; Harkins seconded the motion. The vote was unanimous and no further action was taken by the Board on this matter.

The next item of business to come before the Board was the presentation of corporate trade names by Ms. Vaughn. The following was requested for approval:

- Tod A. Bigelow, DDS- "Same Day Dental"
- Dale G. Mayfield, DMD; Brad Bryan, DMD- "Sunnybrook Dentistry"

Motion was made by Dr. Irons, seconded by Dr. Smith to approve "Same Day Dental"; all in favor, Donald opposed. Motion was made by Porter, seconded by Smith to approve "Sunnybrook Dentistry"; all in favor, Donald opposed. No further action was taken on this by the Board.

The next item of business to come before the Board was a presentation by Mr. Hutchinson on the following medical malpractice payments:

- Greer, Charles
- Nichols, Brantley
- Odom, Kyle
- Younger, Martha Hope

No action was taken by the Board on this matter.

The next item of business to come before the Board was presentation by Mr. Chris Hutchinson for the directors report. This presentation encompassed the financial report of the Agency through January 31, 2019 for fiscal year 2019. Financial attachments were made public. Mr. Hutchinson made a short HR report of a new hire and a presentation of

currently vacant positions. Next, Mr. Hutchinson gave an update on the Legislative Budget request for FY2020 and a follow up report on Agency office lease negotiations with Balfour Properties. No report was made for Record Control. A planned report on Regulations discoveries was moved to Executive Session. Finally, Mr. Hutchinson made a recommendation to amend Regulation 37 of the Agency's Fines and Fees of the Board. Discussion was had. Donald made a motion to table this recommendation, Smith seconded and all were in favor. No further action was taken by the Board on this matter at this juncture.

The next item on the agenda was a disciplinary hearing on Docket NOS. 2014-054, 2015-088, 2016-084, and 2017-001; Dr. John P. Gillespie, DMD. Dr. Harkins, as investigative dentist, recused himself from the decisioning of the disciplinary hearing.

Following the disciplinary hearing, a motion was made by Dr. Irons, seconded by Dr. Donald, to consider going into executive session to discuss disciplinary matters. The vote was unanimous. A motion was made by Dr. Irons, seconded by Dr. Donald, to begin the meeting in **executive session**. The vote was unanimous, and the meeting continued in executive session to review disciplinary matters.

EXECUTIVE SESSION

Motion was made by Dr. Harkins, seconded by Dr. Moore, to come out of executive session. The Board voted unanimously to adopt this Motion (absent were Porter and Donald).

Furthermore, a motion was made by Dr. Harkins, seconded by Ms. Richoux, that since there was no further business to be conducted by the Board, the meeting should be adjourned. The Board voted unanimously to adopt this Motion (absent were Porter and Donald), and the meeting on 2/22/2019 was adjourned at 5:11 p.m.

APPROVED BY THE BOARD ON THIS THE ____ DAY OF _____, 2019.

T. DELTON MOORE, JR., DDS
SECRETARY