

# **MISSISSIPPI STATE BOARD OF DENTAL EXAMINERS**

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**April 5, 2019**

The Mississippi State Board of Dental Examiners held a meeting of the Board on April 5, 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  
Laura Currie Richoux, RDH  
Robert L. Smith, Jr., DDS

Absent were:

Steven Mark Porter, 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  
Nick Hardwick, Investigator IV

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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 2/22/2019 Board meeting. Motion was made by Dr. Irons, seconded by Dr. Moore, 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 Teleconference, 3/6/2019 Board meeting for personnel matters. Motion was

made by Dr. Moore, seconded by Dr. Harkins, to approve the aforementioned Minutes. Irons stayed. The Board voted 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 61. Each Board member had before them a downloaded version of the current Regulation 61 from the Secretary of State Website. A working copy of the discussion and decisions will accompany the minutes of this meeting as Exhibit A. A motion was made by Dr. Irons to approve the amendments, Seconded by Smith; All in favor.

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 B. Discussions were had in relation to the items as follows:

Functions Allowed by Dental Assistants under direct supervision

Functions Not Allowed by Dental Assistants under direct supervision

Functions Allowed by Dental Hygienists under direct supervision

Functions Not Allowed by Dental Assistants under direct supervision

Discussion was had in allowing DH students to provide rinses and gels for oral hygiene outside of the dental school where only a DH instructor is present. Richoux made the motion to approve, Smith seconded, All in favor; Donald opposed.

Credentialing- Smith; No Report.

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

Licensure Examination-Porter; No report.

Practice Act Review- Richoux; No report. A subcommittee meeting was called by chair immediately following the Board meeting.

Budget and Finance- Irons; No report. A subcommittee meeting was called by chair immediately following the Board meeting.

Board President called for a discussion and vote related to the use of CE Broker in implementing the new SAAS sytem for the Agency. Donald made a motion to table this discussion and decision, Irons seconded; All in favor.

The next item of business to come before the Board was a request for Board Determinations.

It was announced that the ADA recognized "Dental Anesthesiologist" as the 10<sup>th</sup> Dental Specialty. Discussion was had and the board determined that this determination will require a MS Specialty License. Harkins made the motion, Seconded by Smith; All in favor. Additionally, the Credentialing Subcommittee will define the requirement for a specialty license in lieu of the ADA's ecognition of "Dental Anesthesiologist".

Joyce Byrd made her presence seeking a board determination in regards to a portable dental facility she planned to pursue. The Board determined that she will require a Portable Dental Permit. No vote was required.

The MSBDE had discussion on the definition of a “Digital Impression” and what constitutes “Teledentistry” by the Board’s Rules and Regulations. The Rules and Regulations Subcommittee was tasked with making these determinations and report back to the entire board at the April 2019 Board Meeting. No further action was taken.

The next item of business to come before the Board was the public announcement of the Regulation 29 Advisory Panel. The following names were announced as members of the panel:

Ron Caloss, George May, Clarke Stewart, Jason Brady, Tiffany Green, Nathan Beavers, Claude Brunson. No action was taken by the board on this matter.

The next item of business to come before the Board was a discussion by Dr. Donald to discuss the Balloting Process of the Board in relation to the MDA District meetings. No Action was taken on this topic. Additionally, Further discussion was had in relation to dental assistants pulling blood samples in the dental office and the requirements of said. It was determined that a specific license or permit in Phlebotomy is required. Donald brought forth concerns on this issue and had questions on the vague training of phlebotomy. The Board determined to allow the Rules and Regulations Subcommittee to investigate and review the requirements for a future Board report. No action was taken.

The next business to come before the board was a presentation by the Deputy Director on the CE Audits for test year 2017/2018. No action was taken.

The next item of business to come before the board was a presentation by the Executive Director in the absence of Dr. Porter regarding CE Course Approval. Dr. Porter had analyzed and recommended for approval, 2 CE courses:

American Heart Saver, and

MS Oral Health Community Alliance. Irons made the motion to approve, seconded by Moore; All in Favor.

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:

- Timothy Brice McMurphy, DDS Orthodontics
- Walter Moses, III; Oral and Maxillofacial Surgery

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 together pending the completion of each applicants residency programs. Irons made the motion to Approve, Seconded by Moore; 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:

- Joshua Wren, DMD (Parenteral- Site Visit Completed 3/26/2019)
- Kayla Bryant, DMD (Parenteral-Site Visit Completed 3/26/2019)
- Gail Benton (General- 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 made determination to take each of these application up separately.

Wren- Harkins made the motion to approve, seconded by Donald; All in favor.

Bryant- Irons made the motion to approve, seconded by Smith; All in favor. The board had discussion in regards to the application for Gail Benton and determined that she will need to provide further proof in regards to application items A and B. This application was TABLED.

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:

- Joyce M. Byrd, DDS; "Dentures & Digital Denture Lab"
- John G. Kakales, DDS; "Charles E. Harbison DDS PA and Associates dba Desoto Smiles Family Dentistry"
- Gary Williams, DMD; "Williams Dental and Associates"
- Dale G. Mayfield, DMD; Brad Bryan, DMD; "Sunnybrook Dentistry and Braces"
- John A. Smith Jr; DDS; Jennifer Ngoc Bui; DMD; Rebecca Ruth Rothwell Edwards; DDS; "The TeleDentists of Mississippi, PLLC"

Each item was taken up separately by the board:

Byrd- Smith made the motion to approve, seconded by Irons; All in favor.

Kakales- Smith made the motion to approve, seconded by Irons; All in favor, Donald opposed.

Williams- Irons made the motion to approve, Smith seconded; All in favor.

Mayfield- further discussion was had; Smith made the motion to approve, seconded by Moore; All in favor, Donald opposed.

Smith- This item was tabled until the June meeting to allow time for the R&R Subcommittee to determine the definition of "Teledentistry". No further action was taken on this by the Board.

A motion to recess for lunch was made by Dr. Irons, seconded by Dr. Harkins, at 12:10 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 presentation by Executive Director, Mr. Chris Hutchinson for the directors report. This presentation encompassed the financial report of the Agency through March 31, 2019 for fiscal year 2019. Financial attachments were made public. Mr. Hutchinson gave the current statistics of the Dental Board for active licenses and permits. Mr. Hutchinson made a short HR report of a new hire and a presentation of currently vacant positions. Mr. Hutchinson gave a report on the current Regulation process with the OLRC and SOS. 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. A vote was required to allow the ED to begin execution of a new lease agreement with Balfour Properties for a term of 5-years at the newly negotiated price of \$15.50 per square foot. Donald made the motion to approve, Irons seconded; All in favor. No report was given on Record Control as this project is placed on hold until completion of the new lease arrangement. 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 Andrew C. Taylor and Annie W. Taylor. Board counsel, Stan Ingram, informed the Board that the 30-day notice had not been executed properly and that the Hearing would be Continued until the June Board Meeting. No action was taken.

Following the disciplinary hearing, a motion was made by Dr. Irons, seconded by Ms. Richoux, 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.

XXXXXXXXEXECUTIVE SESSION REDACTEDXXXXXXXX

Motion was made by Dr. Irons, seconded by Ms. Richoux, to come out of executive session and reenter Open Session for an additional item of business. The Board voted unanimously to adopt this Motion and the Board came out of EXECUTIVE SESSION.

Again in Open Session, a motion was made by Donald to rescind the previous vote of 3/6/2019 that awarded a SAAS contract to In-Lumon in error due to procurement regulations. The motion was seconded by Smith; All in favor. The motion passed unanimously to allow Cornerstone Consulting to correct the procurement error and to begin anew the proper procedure to secure the RFQ for the Agency's database, licensing system, and on-line website and portal. No further action was taken.

Furthermore, a motion was made by Dr. Irons, seconded by Dr. Harkins, 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 was Porter), and the meeting on 4/5/2019 was adjourned at 2:58 p.m.

APPROVED BY THE BOARD ON THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2019.

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T. DELTON MOORE, JR., DDS  
SECRETARY