

# **MISSISSIPPI STATE BOARD OF DENTAL EXAMINERS**

## **MINUTES**

**May 15, 2020**

The Mississippi State Board of Dental Examiners held a meeting of the Board on May 15, 2020 in its conference facilities located at Suite 100, 600 East Amite Street, Jackson, Mississippi, beginning at 10:00 a.m. Due to the COVID 19 crisis, the meeting was open to the public via ZOOM, where 38 public visitors attended. The members present for the meeting were as follows:

Robert Michael Harkins, Jr., DMD, President  
T. Delton Moore, Jr., DDS, Vice-President; via ZOOM  
Steven Mark Porter, DDS, Secretary  
Roy L. Irons, DDS  
Laura Currie Richoux, RDH; via ZOOM  
Robert L. Smith, Jr., DDS  
Frank L. Conaway, Jr., DMD  
Mark Williams, DMD

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  
Lou Sims, CSR IV, DH Licensure  
Nick Hardwick, Senior Investigator  
James Grimes, Investigator IV  
Ken Walley, AG Assignment

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The meeting was called to order at 10:00 a.m. by Board President, Robert Michael Harkins, Jr. DMD.

The first item of business to come before the Board was the welcome and introduction of guests by Dr. Harkins. 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 January 31, 2020 Board Meeting as well as the Teleconference Board Meetings dated: March 30, 2020; April 15, 2020; April 23, 2020; April 24, 2020; April 28, 2020; and April 30, 2020. Irons made Motion to adopt the minutes collectively; Conaway Seconded;

and, 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 presentation by Subcommittee Chairs for Subcommittee Reports and Updates.

**Rules and Regulations Subcommittee**-Moore; No report.

**Credentialing**- Smith; No Report.

**Legislative**- Moore; No report.

**Licensure Examination**- Porter; No report.

**Practice Act Review**- Richoux; No Report.

**Budget and Finance**- Irons; No report. Dr. Irons stated that he would allow the Executive Director to make a financial report with the scheduled Director's report and that all financial reports through April 30, 2020 had been transmitted to each member of the Budget & Finance Subcommittee and would be reviewed in detail during the Director's Report.

The next item of business to come before the Board was the discussion and status of the Final Version of Regulation 30. Before the discussion was had, Andy Taggart of Taggart, Rimes, and Graham, PLLC spoke on behalf of the Mississippi Association of Nurse Anesthetists. Mr Taggart's claims revolved around the MSBDE's jurisdiction involving CRNA's and sedation in the dental clinics. The MANA believe that the MSBDE do not have jurisdiction over the State's 750 registered CRNA's and that the MSBDE is over-reaching their regulatory obligations. Mr. Taggart was allowed to voice his concerns and no further discussion was had with Mr. Taggart. At this point, Williams made Motion to approve the final version of Regulation 30 as presented, Conaway Seconded; All Approved, Moore Opposed. The Motion passed 7-1.

The next item of business to come before the Board was proposal by Dr. David Felton, Dean of UMMC School of Dentistry. Dr. Felton proposed that the MSBDE consider allowing the dental hygiene classes of 2020 (only) to challenge the Dental Hygiene OSCE examination, and the jurisprudence examination, in lieu of the typodont/manikin exam. Dr. Felton discussed that it was learned that the ADEX dental hygiene CDCA typodont will NOT be ready for use on the CDCA exams until July or perhaps even August. Discussion was had on alternative plans for the Hygiene examinations. After said discussion, Dr. Felton's proposal was denied and the discussion turned for Dental Exams to remain a Typodont exam and for it to be held in July. Porter made Motion to approve this discussion, Seconded by Richoux; All in Favor; Williams and Irons abstained; the Motion Passed.

The next item of business to come before the Board was the Discussion of a possible teledentistry regulation. No appreciable discussion was had on the topic. Harkins assigned the task to the Rules & Regulations Subcommittee to scribe a workable version of a Teledentistry Regulation for approval by the full board at a later date.

The next item of business to come before the Board was the approval of Educator CE Hours by Dr. Porter. Dr. Porter Made Motion to Approve the following courses: Advanced Dental Implant and TMJ, Office Culture & Orthodontics Trends & Technologies, and Go Orthodontist; Seconded by Irons; All in Favor and the Motion Passed.

The next item of business to come before the Board was the Approval of Curriculum for an adult IV Sedation Course to be given by Dr. Kevin Croft. This curriculum had been assigned to the Anesthesia Advisory Panel for recommendation. The panel met with the applicant via a phone conference and determined that the panel could not recommend the approval of this course for the following reasons: Dr. Croft is essentially the only provider for the course, the provider dictated that he had never actually participated in the course in a hands-on manner, and finally, that having only one provider limits the accountability and lacks the benefit of a course that is multi-disciplinary in nature. Based on the AAP recommendation, Conaway made Motion to deny the endorsement of this course; Seconded by Irons; All in Favor and this Motion Passed to deny this Sedation Course.

The next item of business to come before the Board was the Application for a Mobile Dental Operation by Mr. Hardwick. Mr. Hardwick presented Smiles To Go, LLC. Mr. Hardwick had conducted the site visit for the mobile unit and reported that it had been passed with zero issues. Mr. Hardwick recommended approval of the Mobile Permit based on Regulation 61. Dr. Porter made the Motion to Approve the application; Seconded by Moore; All were in Favor and the application was approved.

The next item of business to come before the board was a presentation by Ms. Vaughn. Ms Vaughn presented the following applications for Mississippi Specialty Licenses:

Dr. Sarah Kimbrough; Orthodontics; Conaway made Motion to approve this application; Seconded by Irons; All in Favor and the Motion Passed.

Dr. Morgan Warner Gonder; Orthodontics; Irons made Motion to approve this application; Seconded by Conaway; All in Favor and the Motion Passed.

Dr. Stephen Hunsaker; Orthodontics; Porter made Motion to approve this application; Seconded by Conaway; All were in Favor and the Motion Passed.

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

- John Neil McIntyre; Parenteral Conscious Sedation
- Raeline Rhonda McIntyre; Parenteral Conscious Sedation

Mr. Hardwick indicated that the McIntyre's had provided some information about their sedation education history through the military. However, Mr. Hardwick once again stated that none of this information can be confirmed. The Board indicated that the McIntyres will still need to complete a DOCS course for sedation and anesthesia if they would like to be permitted in Mississippi. Therefore, Conaway made Motion to deny both applications as presented; Seconded Irons; All in Favor and the Motion to deny both sedation applications Passed.

The next item of business to be conducted before the Board was the presentation of Corporate Trade Name Applications. Ms. Vaughn presented the following applications:

- Leaf River Dental; Dr. Lake Garner, Dr. Chandler Llana
- Desoto Dentures and Implants; Dr. Mohammed Bleibel
- McIntyre Dentures And (&) Extractions; Dr. Neil McIntyre, Dr. Raeline McIntyre, Dr. Carroll Palmore
- Dental Services and Laboratory PLLC; Dr. David Martin Perez
- Alpha and Omega Dentistry, Inc.; Dr. Lee D. Casey, Dr. Wendy Almon, Dr. Tyler Nunnery, Dr. Chianti Woodfork, Dr. James Bishop, Dr. LaShundra Thompson

The Board chose to take each of these applications individually:

Leaf River Dental; Conaway Made Motion to Approve; Seconded by Irons; All were in Favor.

Desoto Dentures and Implants; Smith made Motion to Approve; Seconded by Porter; All were in Favor.

McIntyre Dentures And (&) Extractions; Irons made Motion to Approve; Seconded by Smith; All were in Favor.

Dental Services and Laboratory PLLC; Smith made Motion to Approve; Seconded by Porter and discussion was had. Williams indicated that this name

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### **Addendum to Minutes of 5/15/2020**

**At the July 10, 2020 Meeting of the Board, Dr. Harkins indicated corrections to the Minutes of the Board Meeting dated May 15, 2020. On Page 4 of 7, the first paragraph stating: “However, Mr. Hardwick once again stated that none of this information can be confirmed. The Board indicated that the McIntyre’s will still need to complete a DOCS course for sedation and anesthesia if they would like to be permitted in Mississippi.” The Board voted to strike this entire statement and replace with: “The McIntyres need to complete a course that meets or exceeds the recommendations in Regulations 29 and/or 30, for example, a DOCS course in anesthesia.” Dr. Harkins reiterated that the Board does not endorse any course in particular only that to be permitted in the State of Mississippi, a course is required that meets or exceeds recommendations in Regulations 29/30 and that DOCS provides such a course as an example.**

could be deceiving as a trade name. Following discussion, Harkins called for a vote on this application: Smith and Porter voted Yes, while Conaway, Irons, Harkins, and Williams all Opposed. Therefore, this application Failed.

Alpha and Omega Dentistry, Inc; Harkins opened the discussion with his opposition of allowing practices any use of trade names that allude to religion. He feels that it presents the wrong image and that it could deceive the public into believing that the practice is that of a church affiliation. Smith made Motion to Approve the application; Seconded by Conaway; All in Favor, Harkins Opposed. The application was approved 6-1 (Richoux abstained.)

The next item of business to come before the Board was a presentation by Ms. Lou Sims for Dental Hygiene Reinstatements. Ms Sims presented Brenda D. Smith and Lauren Robertson McCord for reinstatement. Irons made Motion to Approve the reinstatements; Seconded by Richoux; All were in Favor.

The next item of business to come before the Board was the presentation by Executive Director, Mr. Chris Hutchinson, for the Directors Report. Mr. Hutchinson gave the license and permit statistics through the current date. This presentation also encompassed the financial report of the Agency through April 2020 for FY 2020. Financial attachments were made public and are attached to these minutes. Additionally, Mr. Hutchinson made a short HR report of currently vacant positions and the plan to fill vacant positions. Mr. Hutchinson gave a report on the current Regulation process with the OLRC and SOS. No further action was taken by the Board on this matter.

The next item of business to come before the Board was an addition of an item by Board President, Dr. Mike Harkins. Dr. Harkins called for the election of officers for the next calendar year of the Board to begin July, 2020. Conaway made the Motion to consider Dr. Smith as the Board Secretary; Seconded by Porter; All were in Favor. Dr. Robert Smith will take the executive position as Secretary for the Board Calendar year of July 2020 through June 2021.

Following this business, Dr. Irons made Motion to consider going into executive session to discuss disciplinary matters. Conaway Seconded, and the vote was unanimous. A motion was made by Dr. Conaway, Seconded by Dr. Williams, to begin the meeting in **executive session**. The vote was unanimous, and the meeting continued in executive session to review disciplinary matters at approximately 11:48 a.m.

While in Executive Session, Dr. Harkins called for a break for lunch at 11:49 a.m.

The Board returned to Executive Session at 12:41 p.m.

The first item of business to come before the Board in EXECUTIVE SESSION was a Request by Mr. Hutchinson for Approval of Consent Orders:

XXXXXXXXXXEXECUTIVE SESSIONXXXXXXXXXX

Motion was made by Dr. Irons, seconded by Dr. Conaway, to consider Exit from executive session; All were in Favor. Dr. Porter made Motion to Exit Executive Session and Seconded by Conaway, where the Board voted unanimously to adopt this Motion and the Board Exited from EXECUTIVE SESSION at 1:44 p.m. to entertain one final item in Open Session.

Again in Open Session, The Board was asked to entertain a substitution for the term "gown" within its Return to Work Guidelines and Protocol. Conaway made statement that "gowns" could not be secured from suppliers for delivery or use and asked for a substitute for this piece of PPE. Moore made discussion that this term derives from CDC guidelines and recommendations and no change should be made as CDC guidelines dictate these protocols. In the end, the Board Members agreed with Dr. Moore and no Motion was made to amend the Protocol.

Furthermore, a motion was made by Dr. Irons, seconded by Dr. Conaway, 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, and the meeting on 3/15/2020 was adjourned at 2:00 p.m.

APPROVED BY THE BOARD ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

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STEVEN MARK PORTER, DDS  
SECRETARY