

MISSISSIPPI STATE BOARD OF DENTAL EXAMINERS

MINUTES

April 15, 2022

The Mississippi State Board of Dental Examiners held a meeting of the Board on April 15, 2022 in its conference facilities located at Suite 100, 600 East Amite Street, Jackson, Mississippi, and jointly within ZOOM beginning at 8:30 a.m. The members physically present within the Board facilities for the meeting were as follows:

Robert L. Smith, Jr., DDS, Vice-President,
Jeff Michael Zimmerman, DDS, Secretary
Haley Harrison Birmingham, RDH
Mark D. Williams, DMD
Marion Lewis Grubbs, DMD
Roy Irons, DDS

Members Present Via ZOOM:

Steven Mark Porter, DDS, President
T. Delton Moore, 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
James Grimes, Investigator IV
Westley Mutziger, Senior Counsel for MSBDE
Drew Malone, Office of the Attorney General

The meeting was called to order at 8:30 a.m. by Board President, Steven Mark Porter, DDS.

The first item of business to come before the Board was the welcome and introduction of guests by Dr. Porter. Attendees introduced themselves, and no action was taken by the Board on this matter. The Board Meeting of this date was noticed publicly of the availability of ZOOM for outside participants. It is noted that an estimated 14 participants were in attendance via ZOOM at the onset of the meeting.

The next item of business to come before the Board was approval of the Minutes from the January 14, 2022 Board Meeting. Dr. Roy Irons made the Motion to accept the minutes as presented; Seconded by Dr. Smith; 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 approval of the Minutes from the February 3, 2022 Board Meeting that was held virtually at Noon to discuss and decision pressing open business items. Dr. Moore Made the Motion to accept the minutes as presented; Seconded by Dr. Smith; 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 approval of the Minutes from the March 25, 2022 Board Meeting that was in-person at the Board facilities to handle personnel issues inside of Executive Session. Dr. Moore made the Motion to accept the minutes as presented; Seconded by Dr. Smith; 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 the Subcommittee Reports by each Chair:

Rules & Regulations (Smith) No Report.

Credentialing (Birmingham) Ms. Birmingham gave a brief report on the ongoing Radiology Programs Project; assisted by Mr. Hutchinson.

Legislative (Williams) Dr. Williams allowed Mr. Hutchinson the floor. Mr. Hutchinson gave the final report concerning the Legislative action of the Board's Appropriations Bill as well as the Legislative action concerning the Senate confirmations of Dr. Zimmerman, Dr. Grubbs, and Ms. Birmingham (all confirmed).

Licensure Examination (Grubbs) No Report.

Practice Act Review (Zimmerman) No Report.

Budget and Finance (Moore)

Dr. Moore indicated that all budget and finance reports would be made by the Executive Director later in the meeting.

The next item of business to come before the Board was by Mr. Westley Mutziger, Senior Attorney for the Board who gave a brief summary of the OLRC and SOS process involving Regulation 13 amendments. No action was taken.

The next item of business to come before the Board was underneath the item heading: Board Determinations, Reports, and/or Discussions. The first item underneath this topic was by Dr. Smith. Dr. Smith gave a brief summary of the audit done on the DOCS Sedation Course and stated that he felt that this was a very good course and should continue to be accepted by the Board. Ms. Birmingham also made comment about the course as she, too, was present for the course. Since this course had previously been approved by the Board, no action was taken.

Remaining with Item # 7, Mr. Hutchinson read a statement involving the American Board of Orofacial Pain. This statement is attached to these minutes. No Action was Taken.

The next item of business to come before the Board was for the Approval of a Portable Dental Operation by Mr. Hutchinson. Mr. Hutchinson discussed the application of Dr. Bryan Rhoads for a dental location to be housed within the Desoto County Adult Detention Facility in Hernando. Mr. Hutchinson indicated that he and Dr. Smith had conducted further inquiry from Dr. Rhoads and from the facility warden and determined that this application was not needed. Mr. Hutchinson withdrew the application and no action was taken.

A short discussion on Dental Pediatric Specialists scope of practice involving adult patients took place following the discussion of the previous application. Dr. Smith and Dr. Williams openly discussed whether a pediatric dentist was confined to only treating patients under the specific age of consent, 18, or would there be no such limitation. The ADA specialty definition of pediatric dentistry was read and discussed. Following said discussion, Dr. Williams Made Motion to refer this topic to the Rules and Regulations Subcommittee for further discussion and evaluation. Dr. Moore Seconded the Motion, and All Were in Favor. Dr. Smith, as chair of the Rules and Regulations Subcommittee, accepted the task and will plan said meeting to take place before the July Board Meeting.

The next item of business to come before the Board was request for approval of Anesthesia Permit Applications by Mr. Hutchinson. The following were presented:

Kimberly Marie Grady (License No. 3960-17) for Class 2 Permit with a Pediatric Endorsement. It was indicated that the AAP has reviewed the application and recommends approval. Motion to Approve was Made by Dr. Moore, Seconded by Dr. Smith; All Were in Favor.

Bryan L. Rhoads (License No. 3930-17) for Class 2 Permit. Mr. Hutchinson gave a detailed explanation of the application and the issue involved with the Dr. Rhoads residency program. The AAP reviewed the application and indicated that a refresher course would need to be taken by Dr. Rhoads. Two refresher courses were offered to the applicant by the AAP and Dr. Caloss, AAP Chair, indicated that Dr. Rhoads would take one of the offerings in May. The AAP indicated that they would recommend this Permit for Approval pending the completion of the course. Dr. Irons Made Motion to Approve this Application pending completion of the course, Seconded by Dr. Smith; All Were in Favor.

Next, Mr. Hutchinson disclosed the report of Dr. Daniel Quon for a Non-Permitted Anesthesia Provider. The Provider would be a CRNA. No approval is required of this Notice as the MSBDE does not regulate the duties of a CRNA.

The next item to come before the Board were Corporate Trade Name Applications as presented by Mr. Hutchinson and the Board chose to take these applications up individually. The applications were:

Curtis M. Bishop- Serene Oral Surgery; Dr. Moore Made Motion to Approve this Application; Seconded by Smith; All were in Favor.

Heidi Jean Schmidt Pantazis- ARIA Mississippi Dental Arts; Discussion was had in regards to the Corporate name of "aria". Following discussion, Dr. Smith Made Motion to Approve the Application; Seconded by Dr. Zimmerman; All Were in Favor; Grubbs Opposed. The Motion Passed.

Kayla McCarver Bryant- Bryant Pediatric Dentistry; Dr. Irons Made Motion to Approve the Application; Seconded by Dr. Smith; All were in Favor.

Jerold Campbell- Oxford Pediatric Dentistry; Discussion was had over this application as there were some issues brought forth by Dr. Porter from an Oxford dentist who uses a similar domain name for his practice. In the end, Dr. Irons Made Motion to Approve this Application; Seconded by Dr. Moore; All were in Favor.

Angela Barras- Alet Family Dental; Dr. Irons Made Motion to Approve this Application; Seconded by Dr. Zimmerman; All Were in Favor.

Shenekia Ayana Wells Wiggins- Signature Smiles Dental Group; Dr. Grubbs Made Motion to Approve this Application; Seconded by Dr. Irons; All were in Favor.

Lastly, Rebecca R. Edwards- Grove Dental was presented; Dr. Smith Made Motion to Approve the Application; Seconded by Dr. Moore; All Were in Favor.

The next item to be presented was for the Dental License Reinstatement Request for Dr. Vic Applewhite (1918-81) by Mr. Hutchinson. Mr. Hutchinson gave a brief report on the request and indicated that he was only awaiting one final piece of data from Dr. Applewhite and that being his CE requirement for reinstatement. Mr. Hutchinson recommended that the Board Approve this Application pending this missing requirement. Dr. Moore Made Motion to that Effect; Seconded by Dr. Grubbs; All Were in Favor.

Next, and still within this agenda item, Ms. Sims presented a Hygiene License for Reinstatement for Kelly Le Mai, 3376-03DH . Dr. Irons Made Motion to Approve this Request; Seconded by Ms. Birmingham; 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 first requested a training course be taken by the Investigative Staff through NADDI in New Orleans the following month. Dr. Irons Made Motion for Approval; Seconded by Dr. Moore; All Were in Favor. Mr. Hutchinson, next, gave the license and permit statistics through the current date. This presentation also encompassed the financial report of the Agency through February 28 for FY 2022. Financial attachments were made public and are attached to these minutes. Mr. Hutchinson took each financial spreadsheet individually and further clarified certain line items one at a time. Mr. Hutchinson reiterated that this was a report of financial activities based on the approved budget for the fiscal year. Dr. Williams inquired about several line items within the reports. Dr. Williams also asked that Mr.

Hutchinson restate the budget request information for the 2023 fiscal year addressed earlier in the meeting. Mr. Hutchinson did so as requested. Next, Mr. Hutchinson presented the full Ballot Package that is sent to the Governor for Appointments. Each Board Member had been previously given the ballot results and the letter to the Governor required by law. This report and letter will be attached to these minutes. Mr. Hutchinson also indicated to the Board Members that this letter is confidential until the Governor makes his appointments for Districts 1 and 6.

Next, Mr. Hutchinson made the Board aware of a report within the package afforded to each of them that revolved around the internal plan to manage the Dental Licensing Office that was vacant for undisclosed reasons. (Attached to these minutes.) Lastly, Mr. Hutchinson made a report detailing the Executive Director's Speaking Engagements and Program Inspections since the last Board Meeting. (Attached to these minutes.) No Action Was Taken by the Board.

The next item to come before the Board was the Request for Appearance Before the Board by Dr. Courtney Gianola.

(Left Blank Purposefully)
(Court Reporter Transcript Attached)
(AG Amended Order Attached)

Following the Requested Appearance and subsequent discussion and announcement of the Board's decision; Dr. Porter called for a break for lunch at 12:18 pm.

At 1:15 pm, Dr. Porter called an end to the lunch break and stated that he would entertain a Motion to enter Closed Session to entertain entering Executive Session to conduct Board Business pertaining to personnel matters, disciplinary matters, etc. Dr. Moore Made the Motion, Seconded by Dr. Irons; All were in Favor. Following, Dr. Smith Made Motion to Enter Executive Session, Seconded by Dr. Irons; All were in Favor and the Board began Executive Session.

(EXECUTIVE SESSION)

Motion was made by Dr. Williams, seconded by Dr. Irons, to consider Exit from executive session; All were in Favor. Dr. Williams made Motion to Exit Executive Session and Seconded by Smith, where the Board voted unanimously to adopt this Motion and the Board Exited from EXECUTIVE SESSION at 4:11p.m. to again enter Open Session.

Furthermore, a motion was made by Dr. Williams, seconded by Dr. Smith, 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 1/15/2022 was adjourned at 4:23 p.m.

APPROVED BY THE BOARD ON THIS THE _____ DAY OF _____, 2022.

JEFF MICHAEL ZIMMERMAN, DDS
SECRETARY