

MISSISSIPPI STATE BOARD OF DENTAL EXAMINERS

Board Officers:

Robert L. Smith, Jr., D.D.S., President
Jeff Michael Zimmerman, D.D.S., Vice-President
Marion Lewis Grubbs, D.M.D., Secretary



Board Members:

Alexa L. Lampkin, D.M.D.
T. Delton Moore, Jr., D.D.S.
Steven M. Porter, D.D.S.
Mark D. Williams, D.M.D.
Haley Harrison Birmingham, R.D.H.

Telephone: (601) 944-9622
Facsimile: (601) 944-9624

600 East Amite Street, Suite 100
Jackson, Mississippi 39201-2801

Internet: www.dentalboard.ms.gov
E-Mail: dental@dentalboard.ms.gov

Mississippi State Board of Dental Examiners Special Meeting Minutes September 09th, 2022

The Mississippi State Board of Dental Examiners is a legislatively mandated state regulatory agency charged with the responsibilities of examining, licensing, registering, and regulating the practices of dentistry and dental hygiene to ensure competency (through examination and licensure) and ethics (through registration and regulation) among all dental professionals in the State of Mississippi for the ultimate goal of safeguarding and enhancing the health and welfare of the citizens of this State. As such, the Mississippi State Board of Dental Examiners is neither affiliated with nor functions as a subsidiary of any private or professional organization.

The Mississippi State Board of Dental Examiners held a special meeting of the Board on September 09th, 2022 at 8:30 a.m., at Board offices, located at Suite 100, 600 East Amite Street, Jackson, Mississippi, 39201. Virtual participation via Zoom was available at the link <https://us02web.zoom.us/j/84415645270>. Steven M. Porter, D.D.S., participated virtually. Board Members physically present for the meeting were as follows:

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Jeff Michael Zimmerman, D.D.S., Vice-President
Marion Lewis Grubbs, D.M.D., Secretary
Alexa L. Lampkin, D.M.D.
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--- OPEN SESSION ---

A quorum of the Board was established. The meeting was called to order approximately 8:30 a.m. by Board President, Robert L. Smith Jr., D.D.S. The Board President proceeded in addressing Board agenda items.

1. Welcome & Introduction of Guests (Smith)

- The Board President welcomed those guests in attendance.

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2. Approval of Meeting Minutes – July 22, 2022 (Mutziger)

- Motion to Approve by Dr. Moore; Seconded by Ms. Birmingham. **The Board voted unanimously to approve the July 22, 2022, Minutes.**

3. Approval of CE Course – Enhanced Irrigation in Endodontics; Dr. Craig Anderson & Dr. Benjamin Schrock (Lampkin)

- Dr. Lampkin provided an overview of the course as proposed.
- Motion to Approve by Dr. Lampkin; Seconded by Dr. Zimmerman. **The Board voted unanimously to approve the CE Course, “Enhanced Irrigation in Endodontics”.**

4. Anesthesia Permit Applications (Vaughn)

a. Class 1 – Dr. Nicholas Mechas

- The Board discussed the application and confirmed that the candidate met all qualifications and AAP approval.
- Motion to Approve by Dr. Moore; Seconded by Dr. Williams. **The Board voted unanimously to approve the Class 1 Anesthesia Permit for Dr. Nicholas Mechas.**

b. Class 2 (w/ pediatric) – Dr. Martha Holland

- The Board discussed the application and confirmed that the candidate met all qualifications and AAP approval.
- Motion to Approve by Dr. Moore; Seconded by Dr. Williams. **The Board voted unanimously to approve the Class 2 Anesthesia Permit, with pediatric endorsement, for Dr. Martha Holland.**

5. Licensure by Credentials Application (Vaughn)

a. Dr. Robin Williams

- The Board discussed the application and confirmed that the candidate met all qualifications.

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- Motion to Approve by Dr. Williams; Seconded by Dr. Moore. **The Board voted unanimously to approve the Mississippi dental licensure of Dr. Robin Williams.**

6. Specialty Applications (Vaughn)

- a. Orthodontics – Dr. Robin Williams
- b. Oral & Maxillofacial Surgery – Dr. Nicholas Mechas
- c. Orthodontics – Dr. Silja Furche
 - The Board discussed the applications of all three (3) applicants above and confirmed that each candidate met all qualifications.
 - Motion to Approve by Dr. Moore; Seconded by Dr. Grubbs. **The Board voted unanimously to approve Specialty Licenses in Orthodontics for Dr. Robin Williams, Oral & Maxillofacial Surgery for Dr. Nicholas Mechas, and Orthodontics for Dr. Silja Furche.**

7. Corporate Trade Name Applications (Vaughn)

- a. EZ Dental Implants – Dr. Gary Keeler
 - The Board interpreted “EZ” to connote “easy,” and discussed whether the implication of “easy dental implants” is deceptive or misleading to the public.
 - Motion to Approve by Dr. Lampkin; seconded by Dr. Zimmerman. **The Board voted to reject the corporate trade name,** with Dr. Lampkin & Dr. Zimmerman voting in favor.
- b. Taylorsville Family Dental – Dr. Lake Garner & Dr. Keeth Lane
 - Motion to Approve by Dr. Williams; seconded by Dr. Moore. **The Board voted unanimously to approve the corporate trade name.**

8. Other Board Business

- Dr. Smith discussed the possibility of applicants required to take a jurisprudence exam utilize a method of taking the exam, other than traveling to Mississippi Board offices. One possibility included having other Dental

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Boards proctor administration of the Mississippi exam at their Board's offices. Another possibility discussed is the administration of the exam via a secure virtual portal. Staff are to report back on feasibility of these options at the October 2022 Board Meeting.

- Dr. Smith discussed Dr. Star's request of the Board for licensure statistics and the Board's opinion whether the dental needs of Mississippians are being met. The Board discussed various statistics which indicate Mississippi has a shortage of dental providers. Some Board Members provided anecdotal evidence calling into question the validity of the statistics, while other Board Members provided anecdotal evidence in line with the statistics. Also, Dr. Angela Filzen, State Dental Director with the Mississippi State Department of Health, provided various statistics and information, including a finding that approximately 200 dentists are needed to alleviate the provider shortage in Mississippi.
- Dr. Smith and Ms. Birmingham discussed the Basic Erosive Wear Examination (BEWE), its uses and indicators. Ms. Birmingham advised that she will attend an educator conference.
- Ms. Birmingham conveyed that she received multiple reports from dental hygienists that were not received Board emails, including emails with instructions regarding licensure renewal. Board staff will follow-up with its database administrator (Dorger) to troubleshoot why the emails are not being received.

9. Board Regulation 13 – Update (Mutziger)

- Mr. Mutziger provided an update regarding the Board's two (2) Regulation 13 filings. Mr. Mutziger spoke with the governor's office to determine the procedural history of the 11/19/2021 regulation relating to "Direct vs. General Supervision of Dental Hygienists." The governor's office conveyed legal

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concerns regarding promulgation of the rule. That is to say, that the governor's office has serious concerns regarding the legal authority of the Board to change dental supervision requirements over dental hygienists from direct to a more lenient model, adopting a qualified form of general supervision.

- Mr. Mutziger advised that he concurred the statutory requirement for direct supervision of dental hygienists in Mississippi is clear, and that the Board's attempt to circumvent such via Board Regulation may be viewed as the Board acting outside of its authority. Instead, Mr. Mutziger advised that any attempt to lessen the direct supervision requirement must begin with modification of statutory language, so that the Board is authorized to permit and regulate less-than-direct supervision of dental hygienists.
- The Board discussed the possibility of opening the Dental Practice Act. The Board discussed that prior notations have been made by Board staff regarding needed updates in the Dental Practice Act. The Board determined the Practice Act subcommittee will be the proper venue for review and/or recommendation of changes.

10. Financial Report (Cornerstone Consulting – Denise DeRossette)

- Ms. DeRossette provided a comprehensive financial report for the agency.
- Dr. Smith inquired about unused budgetary funds, namely for equipment. Ms. DeRossette explained that the former Executive Director was conservative in spending agency funds.
- The Board voiced concern over the prior administration's lack of utilization of available funding for necessary expenditures, notably the failure to replace computers and a specialized printer.
- Ms. DeRossette advised that the legislature is no longer allowing agencies to utilize unused salary monies for other expenditures.

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- The Board asked a myriad of technical questions regarding interpretation of the agency's budget, to which Ms. DeRossette provided clarification.

11. Interim Director's Report (Mutziger)

- Mr. Mutziger provided an update regarding licensure renewal for dental hygienists and radiology permit holders, with an emphasis on the Board's first renewal period utilizing the new online database.
- Mr. Mutziger commented that Board staff have been supported in the transition to a new Executive Director and have continued in fulfilling daily obligations. Further, he noted the support received from all Board Members, former Board Members, and other stakeholders in the dental community.
- Mr. Mutziger noted the upcoming AADB Annual Meeting and confirmed Dr. Lampkin, Ms. Birmingham, Dr. Zimmerman, and Dr. Porter will be attending.
- The Board changed the meeting date of the October Meeting to 11/04/2022.

Dr. Moore moved to enter closed session to determine if an executive session is proper; Dr. Grubbs Seconded. The Board entered closed session. Dr. Moore moved to enter executive session to discuss personnel matters and pending investigatory and disciplinary matters; Dr. Grubbs Seconded. **The Board unanimously voted to enter into executive session to discuss personnel matters and pending investigatory and disciplinary matters.**

--- EXECUTIVE SESSION ---

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Dr. Grubbs moved to exit executive session; Seconded by Dr. Moore. The Board unanimously voted to exit executive session.

--- OPEN SESSION ---

12. Report from Executive Session

a. The Board voted unanimously to approve the following Remands:

- Docket No. 2021-009
- Docket No. 2021-064
- Docket No. 2022-011
- Docket No. 2022-008
- Docket No. 2022-075

13. Adjourn

There was no further business of the Board. Motion by Dr. Moore to adjourn; Seconded by Ms. Birmingham. The Board voted unanimously to adjourn at approximately 1 p.m.

APPROVED BY THE BOARD ON THIS, THE 4th DAY OF November, 2022.

A handwritten signature in blue ink, appearing to read "Marion Lewis Grubbs", is written over a horizontal line.

MARION LEWIS GRUBBS, D.M.D.
SECRETARY