



# MINNESOTA BOARD OF DENTISTRY

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## Public Board Meeting

July 25, 2014

## Minutes

### Call to Order

Board President Teri Youngdahl called the meeting to order at 8:00 a.m.

### Board Members Present

Teri Youngdahl, LDA – President  
David Gesko, DDS – Vice President  
Allen Rasmussen, MA, BS – Secretary  
Nancy Kern, DH – Past President  
Neal Benjamin, DDS  
Jake Manahan, JD  
Joan Sheppard, DDS  
Paul Walker, DDS  
Steven Sperling, DDS

### Board Staff Present

Judy Bonnell, Complaint Analyst  
Deb Endly, Compliance Officer  
Michelle Schroeder, Administrative Assistant  
Amy Johnson, Licensing Analyst  
Kathy Johnson, Legal Analyst  
Sheryl Herrick, Office Manager  
Mary Liesch, Complaints/Compliance Director  
Joyce Nelson, Licensing Director  
Marshall Shragg, Executive Director  
Vicki Vang, Administrative Assistant

### Attorney General's Office Counsel Present

Sara Boeshans, JD – Assistant Attorney General  
Karen Olson – Deputy Attorney General

### Others in Attendance (per sign in sheet)

Jeanne Anderson, DH – MDHEA; Todd Thierer, DDS – U of M; Suzanne Beatty, DDS – Metropolitan State University; Clare Larkin, DH – MDH; Michelle Hardesty, DH – MnDHA; Pete Cannon, DDS – MDA; Colleen Brickle, DH – Normandale Community College; Rose Stokke, DH – Deputy Examiner, CRDTS; Penny Fudally, DH – Deputy Examiner, CRDTS; Mary Beth Kensek, DH – Deputy Examiner, CRDTS; Dick Diercks – Park Dental; Bette Jo Arnett, DH – Minnesota Integrative Care Advocates

### Review and Approval of Minutes

Minutes from the May 2, 2014 Public Board meeting were reviewed and approved.

**Motion made to accept the May 2, 2014 minutes as submitted.**

**MOTION:** Allen Rasmussen  
**SECOND:** Paul Walker  
**VOTE:** For: 9  
Opposed: 0  
**RESULT:** Motion Passed. Minutes approved as submitted.

### Professional Associations and Dental Educator Reports

**MDA** – Pete Cannon reported that the third annual Mission of Mercy is being held in Mankato July 25 & 26. Approximately 1200 people are volunteering this year. MDA is hoping to produce one million dollars worth of dental treatment on 2000 patients during these two days. Governor Dayton proclaimed July 25, 2014 as Mission of Mercy Day. The MDA House of Delegates is scheduled to meet in September.

1 **MnDHA** – Michelle Hardesty provided a written report.

2

3 **MnDAA** – No report

4

5 **MEDA** – No report

6

7 **MDHEA** – No report

8

9 **MDH Oral Health Program** – Mary Jo Thoele provided a written report. Clare Larkin attended the meeting  
10 and provided an oral report. Clare reported that the statewide basic screening survey will begin in the fall. It will  
11 be done at 50 random sample schools and 10 sentinel schools.

12

13 **U of M** – Todd Thierer reported that many U of M faculty, students and staff are participating in the Mission of  
14 Mercy. Dental Hygiene students will officially graduate next week. The new dental class will be starting soon,  
15 with orientation scheduled for August 6-7. The U of M has noticed that the number of patients needing  
16 interpreters has been increasing. They had just less than 3000 visits last year that required use of an interpreter.  
17 Dr Thierer reported that the strategic planning process at the U of M is continuing to move forward.

18

19 **Metropolitan State University** – Suzanne Beatty reported that Metropolitan State University has a new Interim  
20 President- Dr Devinder Malhotra. Five students recently graduated from the Advanced Dental Therapy program.  
21 A new cohort of 6 students will start this fall. Metropolitan State University has also noticed an increase in  
22 patients needing interpreter services. Their students now go through Health and Human Services Cultural and  
23 Linguistic Training as a part of their educational program.

24

25 **Midwest Dental Laboratory Association** – No report

26

27 **Minnesota Dental Therapist's Association** – No report

28

29 **Minnesota Society of Oral and Maxillofacial Surgeons (MSOMS)** – No report

30

31 **Other Organizations** – Three Deputy Examiners for CRDTS were present at the meeting. Penny Fudally  
32 reported that the CRDTS Hygiene ERC met in July. There are not many changes happening with the hygiene  
33 exam. California and Kentucky have become CRDTS members. Mary Beth Kensek reported that she has been a  
34 part of the CRDTS exams in five different states and that she has enjoyed the opportunity to work with CRDTS.  
35 Rose Stokke reported that working with CRDTS has been a wonderful opportunity for her and she has enjoyed  
36 working with a great organization and great people.

37

38 **Minnesota Integrative Care Advocates** – Bette Jo Arnett presented information to the Board about legislative  
39 changes regarding homeopathic therapies. Legislation recently passed allows licensed health professionals in the  
40 State of Minnesota to provide homeopathic therapies without providing a patient bill of rights if those therapies  
41 are considered within their scope of practice. Bette Jo's question for the Board of Dentistry is whether they  
42 consider homeopathic therapies to be within a dental scope of practice. Bette Jo will be in contact with the chair  
43 of the Policy Committee for further discussion.

44

## Executive Director's Report

Marshall Shragg reported on the following items:

- HPSP has been going through the strategic planning process. Marshall reported that some changes that the Board of Nursing had promoted for the HPSP program were taken out of the legislation.
- Self-disclosures on new applications and renewals are being followed up on by Board staff.
- It is hoped that the criminal background check process for new applicants will begin in October.
- A new sedation inspection form has been completed. A training manual for calibration of sedation inspectors is in process. Many sedation providers will be due for a 5-year re-inspection in the next year.
- Construction in the Board office is not quite complete- there are still some punch list items that need to be done.
- Marshall reported that he presented at the Dakota Conference in Grand Forks, ND. He spoke about dental therapy. He will be going back to North Dakota in the fall for discussions regarding dental therapy.
- Marshall also attended the ADHA meeting, where he testified before CODA on proposed dental therapy educational standards. Work is being done to update the Jurisprudence and Dental Assistant State Licensing exams. Individual questions are being looked at and additional questions are being added.
- The contract with Prometric is expiring, but will be extended until the RFP process concludes. An RFP is close to being issued. The Board is hoping to have a vendor set for the January exams.
- A change in Statute has passed which will allow dentists who have taken Board approved training to administer influenza vaccines. Board staff are working with the Minnesota Department of Health to determine what training dentists will need. Pharmacists are trained at the U of M School of Pharmacy- Board staff will be contacting them to determine if dentists would be able to attend training there.
- Marshall reported that preparation is currently occurring for the biennium budget. He recently attended training on using plain English for writing the budget narrative.
- On Tuesday, July 22<sup>nd</sup>, staff was out of the office due to the power being out for the entire building.
- The Executive Committee approved providing funding for an Executive Directors (ED) event at the CRDTS annual meeting to expand the network of contacts for ED's. An event had been approved by the Board last year, but did not happen due to low attendance by ED's.
- A budget summary was included in the packet. The summary is through June, but is not the year-end report. The report still shows encumbrances that were not used. Once those are removed, the shortfall is expected to be around \$12,000 for the fiscal year.
- Contractors and the building owner have been asked several times for a final construction budget. The numbers that are showing now are being contested due to problems that occurred during the construction. The state says the Board should not pay any construction costs until the punch list is complete.
- A list of provisions that passed in the Legislature was included in the packet. Marshall pointed out section 39. The fee for multiple professional development portfolio fails has increased.
- HPSP is now required to report specific actions regarding diversion of medications to health licensing boards that the Board of Dentistry had previously considered symptomatic of the illness a licensee faces.
- As of July 1, 2014 the per diem rate for Board members has increased to \$75 per day. Five hours of prep time now equals one day. Marshall reminded Board members that reimbursement forms for fiscal year 2014 must be turned in by July 31, 2014.
- The Board packet included information from the ADA requesting comments regarding recognizing Operative Dentistry as a specialty. At this time, the Board does not have a position on this.

**Rulemaking Update** – Kathy Johnson reported that the next step in rulemaking is to forward proposed rules and SONAR to the Governor's office. Kathy and Marshall will meet with the Governor's office in August.

**Update regarding changes to MN Statute 214 regarding temporary suspensions** – Sara Boeshans reported that while all health licensing boards had a provision regarding temporary suspensions of licensees, they were not all the same. The change to Chapter 214 made all temporary suspension provisions the same. The Board of Dentistry will no longer have a 2-tier process. Under the new provision, timelines have tightened. Hearings must now be held within 30 days.

## Committee Reports

1 **Executive Committee/President's Report** – Teri Youngdahl's written report is included in the packet. She  
2 reminded Board members and staff that there will be computer training on October 23<sup>rd</sup>. Prior to that training  
3 date, all Board members and staff will need to have their laptops updated by MN.IT.  
4

5 **Policy Committee** – Jake Manahan reported that the Policy Committee has not met since the last full Board  
6 meeting. The committee is scheduled to meet in mid-September. The primary issue they are working on is  
7 whether to recommend that the Board take a more active approach regarding infection control review of dental  
8 offices.  
9

10 **Sedation Committee** – Paul Walker reported that the Sedation Committee met on June 14<sup>th</sup>. They reviewed the  
11 site visit checklist. They are also working on establishing a process for new sedation inspector appointments.  
12 The committee will meet on August 26<sup>th</sup>.  
13

14 **Allied Dental Education Committee/Dental Assistant Education Committee** – Teri Youngdahl's written  
15 report was included in the Board packet. Teri reported that a task force has been formed to review the Dental  
16 Assisting State Licensure Exam questions. The next committee meeting is scheduled for September 17<sup>th</sup>.  
17

18 **Dental Therapy Program Review Committee** – No report  
19

20 **Jurisprudence/Professional Development Committee** – Jake Manahan reported that the Jurisprudence  
21 Committee is working on questions for the Jurisprudence exam and plans to have questions complete by the end  
22 of the year.  
23

24 **Licensure & Credentials Committee** – Nancy Kearn reported that the committee has not had any open  
25 meetings in the last couple of months. They have been booked full with credentialing interviews and meeting  
26 with people who have had their license administratively terminated due to non-payment.  
27

28 **Licensing Update** – Joyce Nelson reported that licensing statistics were included in the board packet. At the  
29 beginning of 2014, six people took the ADT exam. There will be no July exam this year, as the dental therapists  
30 who may have been eligible to take the exam are still working on their required hours. The next exam will be  
31 after the first of the year. Joyce reported that the Licensure & Credentials Committee is working with the U of  
32 M on a bench exam for several internationally educated dentists.  
33

34 **CRDTS** – Nancy Kearn submitted a written report which was included in the Board packet. Kimber Cobb has  
35 been offered the executive director position and is in contract negotiations now. The Steering Committee met on  
36 June 28<sup>th</sup> and approved 2015 exam fees. California and Kentucky have joined CRDTS. Nancy reminded Board  
37 members that if they haven't registered for the CRDTS annual session, they need to do so ASAP. The technical  
38 reports regarding testing will be completed in 2015 for testing that took place in 2014. CRDTS is continuing the  
39 process of developing a dental therapy exam.  
40

41 **AADB** – Neal Benjamin reported that there will be an AADB meeting in October.  
42

43 **Council of Health Boards** – No report  
44

45 **Complaint Committees** – Mary Liesch submitted reports regarding Complaint Committee meetings and  
46 statistics. There is no Complaint Committee B meeting in August. As of June 30<sup>th</sup>, there have been 141  
47 complaints this year. The number of complaints resulting in public action is rising. There have been many  
48 instances of people practicing with lapsed licenses. Topics for a future Joint Complaint Committee meeting will  
49 include lapsed licenses and dealing with those who employ dental professionals whose licenses have lapsed. The  
50 Attestation form has been in use since July 1. So far, they are coming in completed accurately.  
51

52 **HPSP** – Allen Rasmussen reported that the HPSP Program Committee met on May 20<sup>th</sup>. They reviewed  
53 referrals from July 2013 through April 2014. The committee discussed a 5-year plan as well as legislative  
54 updates. HPSP will be evaluated by the National Council of State Boards soon. The next meeting of the HPSP  
55 Program Committee is August 19<sup>th</sup>.

1 **Clinical Licensure Exam Committee** – Joan Sheppard indicated that the Clinical Licensure Exam Committee  
2 met in June. They are continuing to develop and revise the dental therapy certification exam. There are no  
3 candidates for the July exam, so the next administration will be in January 2015.  
4

5 **Advertising Task Force** – Allen Rasmussen reported that the Advertising Task Force has not met since the last  
6 Board meeting, but will be meeting this summer.  
7

8 **Prescription Monitoring Program (PMP)** – Neal Benjamin reported that the PMP has not met since the last  
9 Board meeting. There will be increased activity between now and the end of the year due to legislation that has  
10 passed. The next PMP meeting is August 26<sup>th</sup>. Dr Gesko will attend the meeting.  
11

12 **Community Water Fluoridation** – Paul Walker reported that the advisory group will meet in the next few  
13 months. The advisory group continues to monitor fluoridation information in the press.  
14

15 **CODA: Proposed Dental Therapy Educational Standards Task Force** – Joan Sheppard reported that the  
16 task force met June 4<sup>th</sup>. They reviewed the January 2014 standards as approved by CODA. The task force goal is  
17 to provide a uniform response to CODA regarding these standards. It is hoped that information will be available  
18 to go before the board for approval by October.  
19

20 **Variances/Waivers/Petitions/Appeals** – None  
21

### 22 **Travel Authorizations**

23 **October 25, 2014: National Dental Examining Board (NDEB) Annual Meeting, Ottawa, ONT, Canada.**

24 Request: approval for one Board member to miss the October 24<sup>th</sup> Board meeting and attend the NDEB Annual  
25 Meeting.

26 **MOTION: Joan Sheppard**

27 **SECOND: Paul Walker**

28 **VOTE: For: 9**

29 **Opposed: 0**

30 **RESULT: Motion Passed. Travel authorized as indicated above.**  
31

### 32 **Licenses for Ratification and Reinstatement**

33 Ratifications: April 23, 2014 through June 27, 2014

34 Reinstatements: April 23, 2014 through July 7, 2014  
35

36 **Motion: to approve all licenses submitted for ratification and license reinstatement.**  
37

38 **MOTION: Allen Rasmussen**

39 **SECOND: Nancy Kearn**

40 **VOTE: For: 9**

41 **Opposed: 0**

42 **RESULT: Motion Passed. Licenses ratified and reinstated as submitted.**  
43

### 44 **Review of Action Items**

45 The following list of action items were reviewed by the Board members:

- 46 1. Email Board/Staff contact list to Board members – Michelle
- 47 2. Get computers updated by MN.IT once instructions are sent out – All Board members & staff
- 48 3. Compile list of license statistics for the last few years – Joyce
- 49 4. Compile report on the source of complaints – Mary
- 50 5. Discuss display of information regarding insurance participating providers – Marshall & Neal
- 51 6. Set date for Joint Complaint Committee Meeting – Mary
- 52 7. Assign a mentor to Dr Sperling – Teri
- 53 8. Set a date for Advertising Task force to Meet – Michelle/Allen
- 54 9. Contact Teri if interested in attending NDEB meeting in October – Board members  
55

1 **Happiness Advantage**

2 The Happiness Advantage video was shown and discussed.  
3

4 **Open Meeting Law Overview**

5 Sara Boeshans gave an overview of the open meeting law. All meetings including executive sessions are to be  
6 open to the public. A meeting is considered to be any time a quorum of the Board gets together to discuss,  
7 decide or inform. Social gatherings are not typically considered a meeting, but if Board business is discussed, it  
8 could be considered a meeting. A meeting where the Board is exercising its quasi-judicial powers (e.g.  
9 disciplinary proceedings) is exempt from the open meeting law. Intentional violations of the open meeting law  
10 subject Board members to a \$300 fine, which is a personal fine not reimbursable by the Board. There are no  
11 exceptions to the open meeting law for meetings in which exam questions are being written.  
12

13 **ADJOURN**

14 **Motion: to adjourn the Minnesota Board of Dentistry public meeting and reconvene in closed**  
15 **Executive session.**

16  
17 **MOTION: Nancy Kearn**  
18 **SECOND: Neal Benjamin**  
19 **VOTE: For: 9**  
20 **Opposed: 0**  
21 **RESULT: Motion Passed. Meeting Adjourned at 11:41 a.m.**  
22  
23  
24

25 **Minutes Approved by the Minnesota Board of Dentistry**  
26 **this 24<sup>th</sup> day of October, 2014**

27  
28   
29  
30 \_\_\_\_\_  
31 **Teri Youngdahl, LDA, President**