

Board of Dentistry - Updates

May 2015

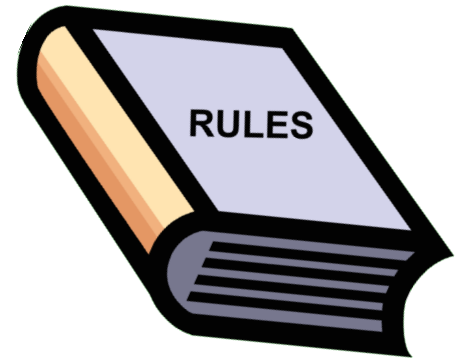
New Rules Effective April 20, 2015

A number of rule changes have completed the rulemaking process and became effective on April 20, 2015. Minnesota regulated dental professionals are responsible for knowing and complying with the requirements of the new rules.

In summary, the new rules include the following:

- ◇ Requires that all licensees must receive appropriate CPR training through only the American Heart Association or the American Red Cross; and only the American Heart Association for licensees who are required to complete advanced cardiac life support (ACLS) or pediatric advanced life support (PALS)
- ◇ Allows the Board to either grant or deny the reinstatement of a professional license
- ◇ Adds the submission requirements for nitrous oxide forms from dental therapists to the Board
- ◇ Allows the Board to impose one or both of the stated options if a licensee has failed their professional development portfolio audit
- ◇ Allows dental hygienists and licensed dental assistants under general supervision to obtain informed consent for treatments authorized by the supervising dentist pursuant to their scope of practice

- ◇ Allows dental hygienists and licensed dental assistants under direct supervision to place nonsurgical retraction material for gingival displacement after successfully completing an accredited course in nonsurgical retraction material for gingival displacement



To read more visit the Board's website at www.dentalboard.state.mn.us for the entire text of these adopted rules and to review a copy of the Statement of Need and Reasonableness (SONAR) for these adopted rules.

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President's Message

David S Gesko, DDS

"I'm from the Board of Dentistry and I'm here to help you"

I'm certain that as most of you read that title you're either laughing out loud or thinking thoughts like, "Yea, right" or "Sure, isn't that a joke." Most licensees live in fear of receiving a letter from the Board of Dentistry let alone any communication whatsoever - perhaps even this newsletter fits into that category?

That said, why is that so? Many of you know the mission of the Board: *"To ensure that Minnesota citizens receive quality dental health care from competent dental health care professionals."*

I would believe that most if not all licensees of this State truly strive to achieve that mission. As dental professionals, we are highly trained to deliver quality dental care and we want the very best for our patients that we serve. So, we are likely aligned around this mission, however still live in fear of any interaction with the Board.

One explanation might be that for whatever reason, a culture of *fear* has evolved over time that has led to this reaction to the title of this article. Rather than seeing the Board as a *partner* in achieving the Board's mission, many I'm afraid, view the Board as the enemy and strive to never have any interaction with it.

This perception is unfortunate - albeit understandable. The Board should indeed be there to partner with all licensees in an effort to achieve this laudable mission. True, the Board is charged to adjudicate complaints made of licensees and to define "competent care." It is my belief that this can be done under a culture of partnership and mutual respect.

As this is my first opportunity to interact with you in this manner after becoming President of the Board in January of this year, my goal is to move in a direction of partnership and respect.



I, personally, have learned a great deal after being on the Board for three years. Through the complaint process I have seen how relationships between licensees and patients (as well as between staff members) can suffer due to a variety of circumstances. By seeing these issues, I gain so much insight and learning, which allow me to continually improve and deliver higher quality care and service to my patients and to the team that works beside me. I would like to see all of you be able to benefit in a similar manner.

I'd love to see opportunities where the Board could interact with licensees towards achieving this goal. Perhaps at the *"Star of the North"* meeting in the future, such an opportunity for this kind of interaction could take place. Possibly a course could be organized to begin breaking down this fear and building a culture of trust and respect.

As I serve our citizens this year, I will always be looking for ways to accomplish this goal and bring about meaningful change in how we partner together to realize the Mission of the Board.

Thank you.

Administering Influenza Vaccines

INFLUENZA VACCINE COURSES OPEN FOR REGISTRATION-

Due to legislation passed in 2014 ([Statute 150A.055](#)) dentists who wish to provide influenza vaccines for their patients will be able to do so after taking a Board-approved course. Registration for the Board-approved courses is now open. Both courses include an online component (July 13-August 4, 2015) and a live component (August 4, 2015 on the Twin Cities Campus of the University of Minnesota). Click on the links below for more information or to register for each course.

- [Basic Immunization Delivery for Dentists](#) (3 hours online, 2 hours live)
- [Comprehensive Immunization Delivery for Dentists](#) (8 hours online, 2 hours live)



Corrective Actions

Complaint matters are reviewed on a case-by-case basis. The Board is not always able to prove each allegation from complaints received. Agreements for Corrective Action (ACAs) are sometimes used to resolve complaints which allege violation(s) of the Dental Practice Act when the specific, individual circumstances of the case are determined not to warrant disciplinary action.

Profession	Violation(s)	Remedies
Dentist 12/30/2014	<p><u>Substandard Prosthodontic Care</u></p> <ul style="list-style-type: none"> Licensee failed to seat denture into a patient's mouth. When patient returned to licensee's office stating she was displeased with the fit and appearance of the partial denture, licensee did not provide care to the patient, instead licensee instructed the patient to visit the laboratory that fabricated the partial denture Licensee placed inadequate crowns on two patients 	<p><u>Action</u></p> <ul style="list-style-type: none"> One-on-one monitoring and consultative services regarding prosthodontic care Provide at least five patient records to the evaluator for review each month for six months. The evaluator will provide the Committee a report regarding evaluation of patient records, treatment and any recommendations made by the evaluator. CRDTS fixed prosthodontic examination
Dentist x 2 12/9/2014	<p><u>Allied Staff Misuse</u></p> <ul style="list-style-type: none"> Permitted an unlicensed dental assistant to perform expanded duties beyond those allowed under Minn. R. 3100.8400 	<p><u>Report to Board</u></p> <ul style="list-style-type: none"> Posting credentials/renewal certificates report <p><u>Action</u></p> <ul style="list-style-type: none"> Jurisprudence examination <p><u>Community Service</u></p> <ul style="list-style-type: none"> 20 hours of unpaid community service
Dentist 12/30/2014	<p><u>Substandard Recordkeeping</u></p> <ul style="list-style-type: none"> Licensee failed to thoroughly assess and document the status of patient's periodontal conditions and failed to provide a periodontal diagnosis and treatment plan Licensee failed to adequately document whether a patient's physician was contacted or if the patient was asked for additional information when the patient indicated positive responses to questions on the medical history form. Licensee also failed to assess the patient for pre-medication with prophylactic antibiotics prior to providing dental treatment. Licensee did not utilize an appropriate technique when administering local anesthesia to a patient Licensee failed to make or maintain an adequate patient record for a patient as described in Minnesota Rules 3100.9600 	<p><u>Report to Board</u></p> <ul style="list-style-type: none"> Medical History/Prophylactic Antibiotics <p><u>Action</u></p> <ul style="list-style-type: none"> Jurisprudence examination Recordkeeping Inspection <p><u>Coursework</u></p> <ul style="list-style-type: none"> Periodontics course Local anesthesia course Treatment Planning/Recordkeeping course Written reports on each course
Dentist 12/8/2014	<p><u>Allied Staff Misuse</u></p> <ul style="list-style-type: none"> Permitted an unlicensed dental assistant to perform expanded duties beyond those allowed under Minn. R. 3100.8400 	<p><u>Report to Board</u></p> <ul style="list-style-type: none"> Posting credentials/renewal certificates report <p><u>Action</u></p> <ul style="list-style-type: none"> Jurisprudence examination <p><u>Community Service</u></p> <ul style="list-style-type: none"> 45 hours of unpaid community service
Dentist 1/8/2015	<p><u>Substandard Infection Control & Safety/Sanitary Conditions</u></p> <ul style="list-style-type: none"> Licensee failed to maintain adequate safety and sanitary conditions, specifically, weekly biological (spore) testing of the autoclave at licensee's office could not be substantiated for extended periods <p><u>Substandard Recordkeeping</u></p> <ul style="list-style-type: none"> Licensee failed to make or maintain adequate patient records Licensee had not kept a complete record of drugs received, administered, dispensed, sold or distributed on file at licensee's office location <p><u>Failure of Professional Development Portfolio Audit</u></p> <ul style="list-style-type: none"> Licensee was unable to provide a CPR certificate for the indicated period when a professional development audit was conducted 	<p><u>Action</u></p> <ul style="list-style-type: none"> Licensee shall submit a copy of the prescription log from licensee's practice Jurisprudence examination Must hire an infection control consultant to assess practice and must comply with recommendations Following work with infection control consultant, report on changes made to dental office Infection control inspection <p><u>Coursework</u></p> <ul style="list-style-type: none"> Treatment Planning/Recordkeeping course Written report on coursework

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Corrective Actions

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Profession	Violation(s)	Remedies
Dentist 2/11/2015	<u>Substandard Recordkeeping</u> <ul style="list-style-type: none"> Licensee failed to make or maintain adequate patient records 	<u>Coursework</u> <ul style="list-style-type: none"> Treatment Planning/Recordkeeping course Written report on coursework
Dentist 2/18/2015	<u>Substandard Care</u> <ul style="list-style-type: none"> Licensee failed to adequately perform and document a comprehensive clinical assessment, including occlusal analysis prior to providing anterior permanent crowns and placed inadequate permanent crowns due to failure to prepare the crown margins more subgingivally <u>Substandard Recordkeeping</u> <ul style="list-style-type: none"> Licensee failed to make or maintain adequate patient records 	<u>Coursework</u> <ul style="list-style-type: none"> Fixed Prosthodontics course Treatment Planning/Recordkeeping course Written report on coursework
Dentist 2/20/2015	<u>Substandard Recordkeeping</u> <ul style="list-style-type: none"> Licensee failed to make or maintain adequate patient records <u>Substandard Care</u> <ul style="list-style-type: none"> Licensee provided different periodontal services than the services actually documented in patient's record and failed to take sufficient radiographs to adequately diagnose the patient's dental health 	<u>Report to Board</u> <ul style="list-style-type: none"> Patient Management/Dental Recommendations report <u>Coursework</u> <ul style="list-style-type: none"> Treatment Planning/Recordkeeping course Written report on coursework
Dentist 2/20/2015	<u>Substandard Care</u> <ul style="list-style-type: none"> Licensee failed to properly manage the surgical complications that occurred after extracting a tooth for <u>Substandard Recordkeeping</u> <ul style="list-style-type: none"> Licensee failed to make or maintain adequate patient records 	<u>Coursework</u> <ul style="list-style-type: none"> Oral Surgery Complications course Treatment Planning/Recordkeeping course Written report on coursework
Dentist 3/24/2015	<u>Practicing Without Current License</u> <ul style="list-style-type: none"> Licensee failed to renew license to practice dentistry in a timely manner. Licensee practiced as a licensed dentist from March 1-March 4, 2015 without authorization 	<u>Report to Board</u> <ul style="list-style-type: none"> Posting credentials/renewal certificates report <u>Community Service</u> <ul style="list-style-type: none"> Complete 50 hours of unpaid community service
Dental Assistant 4/1/2015	<u>Gross Misdemeanor</u> <ul style="list-style-type: none"> Licensee disclosed a gross misdemeanor conviction for aiding an offender to avoid arrest-harbor/conceal 	<u>Coursework</u> <ul style="list-style-type: none"> Ethics and Law in Dental Hygiene course Written report on coursework
Dentist 4/2/2015	<u>Failure of Professional Development Audit</u> <ul style="list-style-type: none"> Licensee failed to meet professional development requirements when an audit was conducted by the Board. Licensee failed professional development audits conducted for <i>four</i> consecutive cycle periods. 	<u>Community Service</u> <ul style="list-style-type: none"> Accept for full orthodontic treatment at least one new patient, from specified organizations, who is eligible for charity services, but does not meet criteria for Medical Assistance
Dentist 4/7/2015	<u>Substandard Care</u> <ul style="list-style-type: none"> Licensee failed to adequately document and communicate with patients the following: the patient's chief complaint and performing a surgical access on the wrong tooth 	<u>Action</u> <ul style="list-style-type: none"> Licensee must meet with a Board-approved mentor on a one-on-one basis for a minimum of six hours over a six month period <u>Report to Board</u> <ul style="list-style-type: none"> Communication with patients, improvement of informed consent, clinical protocols report

DISCIPLINARY ACTIONS:

October 25, 2014 – April 14, 2015

Click on licensee name to see the full text of the disciplinary action

<i>License</i>	<i>License #</i>	<i>City</i>	<i>Date of Action</i>	<i>Type of Order</i>
Bach, Wendy, DDS	D8817	Minneapolis	01/09/2015	Conditional License
Bauman, Andrew, DDS	D10988	Hastings	01/09/2015	Voluntary Surrender
Larson, Donna, LDA	A4213	Maplewood	01/09/2015	Voluntary Surrender
Mikkelson, Sara, DH	H5937	Minneapolis	01/29/2015	Findings of Fact, Conclusion & Order (Revocation)
Olson, Tristy, LDA	A7538	South St. Paul	01/09/2015	Conditional License
Petrungaro, Paul, DDS	D11084	St. Anthony	01/23/2015	Suspension (Per MN Department of Revenue)
Vassallo, Katherine, LDA	A14291	Minneapolis	01/09/2015	Voluntary Surrender
Pekarna, Joseph, DDS	D6253	Jordan	01/09/2015	Limited License
Mikkelson, Sara, DH	H5937	Minneapolis	01/29/2015	Findings of Fact, Conclusion & Order (Revocation)
Whelan, Kelly, LDA	A9393	Poplar, WI	3/13/2015	Suspension (Per MN Department of Revenue)
Crandall, David, DDS	D6428	White Bear Lake	4/10/2015	Limited License
Griffin, Paul, DDS	D8247	Minneapolis	4/10/2015	Voluntary Surrender
Mariska, Robin, DH	H4608	Hopkins	4/10/2015	Voluntary Surrender
Saxton, Theresa, LDA	A7335	St. Paul	4/10/2015	Conditional License
Tholen, Elaine, LDA	A1225	Balaton	4/10/2015	Conditional License
Woitalla, Michelle, LDA	A11557	Plymouth	4/10/2015	Unconditional License

Criminal Background Checks

Effective May 1, 2015, the Minnesota Board of Dentistry is implementing Criminal Background Checks as a part of the process of application for initial licensure and reinstatement of licensure.

OET (MN.IT) Surcharge

Effective July 1, 2015, the OET (MN.IT) licensing surcharge that has been assessed to all business, commercial, professional and occupational licenses will no longer be collected. Please be sure you submit the correct fee for your license renewal.

Is the lab you use registered?

Make sure that the dental lab that you are using is currently registered with the Board of Dentistry. An updated list of registered labs is available at <http://mn.gov/health-licensing-boards/images/Dental%2520Lab%2520Renewal%252001-2015.pdf>.

Upcoming Committee Meetings and Office Closure Notices



Meeting	Date	Time	Status
Complaint Committee A Meeting	5/7/2015	8:00 am—4:30 pm	Closed
Case Conference Meeting	5/13/2015	10:30 am—1:00 pm	Closed
Licensure & Credentials Committee Meeting	5/14/2015	8:30 am—4:30 pm	Closed
Clinical Licensure Exam Committee	5/15/2015	9:00 am—11:00 am	Open
Policy Committee Meeting	5/20/2015	6:00 pm—8:00 pm	Open
Complaint Committee B Meeting	5/21/2015	8:00 am—4:30 pm	Closed
Memorial Day— Office Closed	5/25/2015		
Complaint Committee A Meeting	6/11/2015	8:00 am—4:30 pm	Closed
Sedation Committee Meeting	6/16/2015	6:00 pm—8:00 pm	Open
Clinical Licensure Exam Committee	6/19/2015	9:00 am—11:00 am	Open
Complaint Committee B Meeting	6/25/2015	8:00 am—4:30 pm	Closed
Licensure & Credentials Committee Meeting	6/26/2015	8:30 am—4:30 pm	Closed
Independence Day Holiday—Office Closed	7/3/2015		
Executive Committee Meeting	7/7/2015	6:30 pm—8:30 pm	Open
Complaint Committee A Meeting	7/8/2015	8:00 am—4:30 pm	Closed
Policy Committee Meeting	7/8/2015	6:00 pm—8:00 pm	Open
Complaint Committee A Meeting	7/9/2015	8:00 am—4:30 pm	Closed
Complaint Committee B Meeting	7/23/2015	8:00 am—4:30 pm	Closed
Public Board Meeting	7/24/2015	8:00 am—12:00 pm	Open
Executive Board Meeting	7/24/2015	1:00 pm—4:30 pm	Closed
Licensure & Credentials Committee Meeting	7/31/2015	8:30 am—4:30 pm	Closed

***If you would like to be added to the Board of Dentistry monthly meeting notice email list, please email michelle.schroeder@state.mn.us*

Notices of these meetings are given pursuant to M.S. 471.705. These meetings are OPEN or CLOSED to the public as indicated above.

ADDITIONAL NOTICE: Some Board members may attend these meetings by telephone or via video conferencing. Members of the public may attend at the Board's regular meeting location or monitor OPEN PUBLIC meetings by telephone or via video conferencing from a remote location. Public participants will be able to listen to Board member discussion and voting, and may offer testimony at the discretion of the chair. Anyone wishing to utilize telephone or video conferencing access to these meetings must confirm their desire no less than 48 hours prior to the posted start time of the meeting to ensure that the appropriate equipment will be available. Confirmation should be made with Board of Dentistry staff at 612-617-2250, or directly with the staff member assigned to the particular Committee.

It is the policy of the Minnesota Board of Dentistry to comply with the provisions of the Americans with Disabilities Act, 42 U.S.C.A. Section 12101, et. seq. ("ADA"). The ADA provides, in part, that qualified individuals with disabilities shall not be excluded from participating in or be denied the benefits of any program, service, or activity offered by the Minnesota Board of Dentistry. If you require special accommodations to participate in the meeting, please contact the Board office at (612) 617-2250 prior to the meeting.

Upcoming Board Meetings

July 24, 2015
 October 30, 2015
 January 15, 2016

2015-2016 Self-Assessment

All dental professionals are required to complete one Board Self-Assessment for every professional development cycle. The 2015-2016 Self-Assessment is available on the Board website at <http://mn.gov/health-licensing-boards/images/2015%2520SA%2520FINAL-%25201-23-15%2520Update.pdf>.

Completion of this self-assessment is a required part of your professional development portfolio. You are expected to place the completed assessment in your portfolio. In the event you are audited, the Board will review this document to ensure that it has been completed.

Notice of Terminated Licenses for 2014 (as of 12/31/2014)

A list of individuals whose licenses expired during 2014 is posted on the Board website at <http://mn.gov/health-licensing-boards/images/2014%2520Terms%2520as%2520of%25201-1-15.pdf>.

Email Addresses Required

If you hear of colleagues who did not receive this newsletter via email, please remind them to inform the Board of their email address. [Minnesota Statute 150A.09, subd. 3](#) requires that all dental professionals provide their current email address to the Board.



Anyone needing to update their email address may complete the online address change or send an email to dental.board@state.mn.us.

Name/Address Changes

If you have a name or address change you must inform the Board in writing within 30 days of the change. All licensees are required to provide their primary practice address and daytime phone number. If you are not in clinical practice you may list only a mailing/home address. You can designate both your mailing address and practice address to be the same. Please note that this information is available to the public. The name/address change form can be found on the Board website at <http://mn.gov/health-licensing-boards/images/NAME%2520ADDRESS%2520CHANGE%2520FORM%2520REV%2520%252007-14.pdf>.

Duplicate Licenses/Certificates

If you need to order a duplicate copy of your large wall license or your renewal certificate, you can print out the request form available on the Board website at <http://mn.gov/health-licensing-boards/images/Duplicate%2520lic%2520cert%2520mini%2520req%2520form.pdf> and mail it in to the Board office with a check for the cost of the duplicate documents.

Please note that it will take 6-8 weeks to receive duplicate wall licenses.

Board Members

David Gesko, DDS, President (2016) Shorewood
Allen Rasmussen, MA, BS, Vice President (2016) .. International Falls
Neal Benjamin, DDS, Secretary (2017) Lino Lakes
Teri Youngdahl, LDA, Past President (2018)..... Elk River
Nancy Kearn, DH (2017) Wyoming
John "Jake" Manahan, Public Member (2015)..... Bloomington
Joan Sheppard, DDS (2015) Bloomington
Steven Sperling, DDS (2018) Rochester
Paul Walker, DDS (2015) Shoreview

Board Staff

Deborah Endly.....Compliance Officer
Sheryl Herrick.....Office Manager
Amy Johnson.....Licensing & Professional Dvlpmnt Analyst
Kathy Johnson.....Legal Analyst
Mary Liesch.....Director of Complaints & Compliance
Joyce Nelson.....Director of Licensure
Michelle Schroeder Administrative Assistant
Vicki Vang Administrative Assistant
Marshall Shragg.....Executive Director