Public Board Meeting Minutes
October 11, 2019
8:00 am
Conference Room A

Call to Order
Christy Jo Fogarty, Board President, called the meeting to order at 8:10 am.

Introductions

Board Members Present
Christy Jo Fogarty, DH, ADT, President
P. Angela Rake, DDS, Vice President
Ruth Dahl, Secretary
Carl Ebert, DDS Board Member
Hassan Ismail, DDS, Board Member
Terry Klampe, DDS, Board Member

Board Members Absent
Ranier Adarve, DMD Board Member
Heidi Donnelly, LDA, Board Member

Attorney General Present
Daniel Schueppert

Others in Attendance (Per sign in sheet) Karl Self – U of M SOD; Dick Diercks – Park Dental; Candy Hazen – MnDHA; Kelly Murtaugh – Metropolitan State University; Andrea Jordan – Metropolitan State University; Jeanne Anderson – Mn DHA; Courtney Jasper – Messerli & Kramer; Rachel Kashani-Legler – MDHEA; Lori Pelke – Midwest Dental; John Lueth – North Country Dental; Wendy Ahles; MN DAA; Jeff Karp – U of M; Kristopher Hasstedt; Marilyn Miller – HPSP

Approval of Agenda
MOTION: Ms. Fogarty made a motion to approve the October 11, 2019 Public Board Meeting Agenda with the addition of the Peter Cannon variance for CRP rules request. Dr. Ismail second.

VOTE: For: 6
Opposed: 0
RESULT: Agenda Approved.
Review and Approval of Past Meeting Minutes
The minutes from the July 12, 2019 Public Board Meeting were reviewed.

MOTION: Dr. Rake made a motion to approve the July 12, 2019 minutes. Dr. Ismail second.

VOTE: For: 6  
Opposed: 0

RESULT: Motion Passed. Minutes approved as submitted.

Election of Officers for 2020

MOTION: Ms. Fogarty made a motion to elect Dr. Rake as Board President. Dr. Ebert second.

VOTE: For: 6  
Opposed: 0

RESULT: Motion Passed.

MOTION: Ms. Fogarty made a motion to elect Dr. Ismail as Board Vice President. Dr. Ebert second.

VOTE: For: 6  
Opposed: 0

RESULT: Motion Passed.

MOTION: The Ms. Fogarty made a motion to elect Ms. Dahl as Board Secretary. Dr. Rake second.

VOTE: For: 6  
Opposed: 0

RESULT: Motion Passed.

MOTION: Dr. Ismail made a motion to vote on the nominated slate of candidates. Dr. Ebert second.

VOTE: For: 6  
Opposed: 0

RESULT: Motion Passed.

The following officers were elected:
Dr. Rake as President
Dr. Ismail as Vice-President
Ms. Dahl as Board Secretary

Reports (Including discussion items)

Professional Association and Dental Education Reports

- Central Region Dental Testing Service, Inc. Dental Hygiene Review Committee – A written report was included in the board packet.
- Minnesota Dental Association – A written report was included in the packet.
- Minnesota Dental Hygienists’ Association – No report submitted.
- Minnesota Dental Assistants’ Association – No report submitted.
• **Minnesota Educators of Dental Assistants** – No report submitted. Bridgett Anderson reported the Board is reviewing dental assistant curriculum. The Allied Dental Education Committee will discuss curriculum in future meetings.

• **Minnesota Dental Hygiene Educators Association** – A written report was included in the packet. Rachel Kashani-Legler reported their fall meeting is October 25, 2019 and highlighted the upcoming event speakers.

• **Minnesota Department of Health** – No report submitted.

• **Metropolitan State University** – Kelly Murtaugh, Phd and Andrea Jordan, ADT, DH highlighted information from the written report included in the packet. She noted progress in their Advanced Dental Therapy program including student and patient participation statistics.

• **Normandale Community College** – No report submitted.

• **Minnesota Dental Therapy Association** – A written report was included in the packet.

• **Minnesota Society of Oral and Maxillofacial Surgeons** – No report submitted. Bridgett Anderson reported the Board is developing new sedation inspection forms which will soon be available.

• **University of Minnesota School of Dentistry** – Karl Self, DDS highlighted information from the written report included in the packet.

• **North Country Dental** – John Lueth highlighted challenges of recruiting dental hygienists in rural areas.

**Executive Director’s Report** – Ms. Bridgett Anderson reported:
- A budget summary was included in the board meeting packet.
- She gave an update on the Board’s property and leasing.
- Ms. Anderson highlighted services provided to the State of Minnesota by the Small Agency Resource Team (SmART) Services.
- The Board of Dentistry received a favorable Internal Controls Report from MN Management and Budget. Ms. Anderson is the Internal Controls liaison for health licensing boards and hosted an internal control training event on October 9, 2019.
- Ms. Anderson will be presenting at the American Dental Administrator’s Association (AADA) Annual Meeting regarding licensure compacts.
- The Board’s Salesforce Data Base project is progressing and working through the business planning process at this time.

**Board Staff Reports**

- **Licensing Update** – Ms. Joyce Nelson indicated that a written report was included in the packet.

- **Practitioner Review Committee Reports** – Ms. Mary Liesch indicated a written report was included in the packet.
Board Committee Reports

- **Executive Committee/Presidents Report** – Ms. Fogarty indicated a written report was included in the packet.

- **Sedation Committee** – Dr. Rake highlighted information from the written report included in the packet including progress on inspection processes.

- **Allied Dental Committee** – No report included in the packet. Ms. Fogarty reported the Committee is continuing to discuss the statewide dental assistant shortage and analysis of the state licensure examination.

- **Jurisprudence/Professional Development Committee** – No report submitted.

- **Policy Committee** – No report submitted.

- **Licensure and Credentials Committee** – Dr. Ebert highlighted the written report included in the packet. If adopted as written, the changes would only require licensees to display a renewal certificate. Volunteer licensees would only be required to display a mini-license.

MOTION: Dr. Ebert, on behalf of the Licensure and Credentials Committee, made a motion to approve the following language for Statutes/Rules change for display of licenses/certificates:

Subd. 6. Display of name and certificates.

(a) The renewal certificate of every dentist, dental therapist, dental hygienist, or dental assistant shall be conspicuously displayed in plain sight of patients in every office in which that person practices. Duplicate renewal certificates can be obtained from the Board.

(b) Near or on the entrance door to every office where dentistry is practiced, the name of each dentist practicing there, as inscribed on the current license certificate, shall be displayed in plain sight.

(c) The board shall allow the display of a mini license for guest license holders performing volunteer dental services. There is no fee for the mini license for guest volunteers.

VOTE: For: 6

Opposed: 0

RESULT: Motion Passed.

MOTION: Ms. Dahl made a motion, Dr. Rake second, to approve the following language regarding Minnesota Statute 150A.01 failure to practice with a current license:

Minnesota Statute 150A.01

Subd. 19. Failure to practice with a current license.

(a) If a licensee practices without a current license, and pursues reinstatement, the board is authorized to take the following administrative actions:

(1) for under one month, the board will not assess a penalty fee.

(2) for one month to six months, the board may assess a penalty of $250

(3) for over six months, the board may assess a penalty of $500
Subd. 20 Delegating regulated procedures to an individual with a terminated license.

(a) If a dentist or dental therapist delegates regulated procedures to another dental professional that had their license terminated, the board is authorized to take the following administrative actions:

(1) for under one month, the board will not assess a penalty fee.
(2) for one month to six months, the board may assess a penalty of $100
(3) for over six months, the board may assess a penalty of $250
(4) for over twelve months, the board may assess a penalty of $500

(b) In addition to the penalty fee, the board shall initiate the complaint process when dentist or dental therapist has delegated regulated procedures to a dental professional with a terminated license for over 12 months.

VOTE: For: 6
Opposed: 0
RESULT: Motion Passed.

MOTION: Ms. Fogarty made a motion, Dr. Ismail second, to approve the following language regarding Minnesota Statute 150A.01:

Subd. 10. Licensure by credentials for dental therapy.

(a) Any dental therapist may, upon application and payment of a fee established by the board, apply for licensure based on evaluation of the applicant’s education, experience, and performance record. The applicant may be interviewed by the board to determine if the applicant:

(1) has graduated from an accredited baccalaureate or master’s in dental therapy program accredited by the Commission of Dental Accreditation;
(2) has evidence of passing a board approved examination designed to determine the applicant’s level of clinical skills; An applicant is ineligible to retake the clinical examination required by the board after failing it twice until further education and training are obtained.
(3) submit evidence of successfully completing the board’s jurisprudence examination;
(4) has been in active practice at least 2,000 hours within 36 months of the application date or passed a board-approved reentry program within 36 months of the application date. The 2,000 practice hours may count toward the 2,000 practice hours required for consideration for advanced dental therapy certification, provided that all other requirements of section 150A.016 Subd.1. are met;
(5) is not subject to any pending or final disciplinary action in another state of Canadian province, or if not currently certified or registered, previously had a certification or registration in another state or Canadian province in good standing that was not subject to any final or pending disciplinary action at the time of surrender;
(6) at board discretion, has passed a board-approved English proficiency test if English is not the applicant’s primary language; and
has met all curriculum equivalency requirements regarding to dental therapy scope of practice in Minnesota.

(b) The board, at its discretion, may waive specific licensure requirements in paragraph (a).

(c) An applicant who fulfills the conditions of this subdivision and demonstrates the minimum knowledge in dental subjects required for licensure under subdivision 1d must be licensed to practice the applicant’s profession.

(d) If the applicant does not demonstrate the minimum knowledge in dental subjects required for licensure under subdivision 1d, the application must be denied. If licensure is denied, the board may notify the applicant of any specific remedy that the applicant could take which, when passed, would qualify the applicant for licensure. A denial does not prohibit the applicant from applying for licensure under subdivision 1d.

(e) A candidate whose application has been denied may appeal the decision to the board according to subdivision 4a.

VOTE: For: 6

Opposed: 0

RESULT: Motion Passed.

- **Sedation Committee – Sedation Committee** – A report was included in the packet. Dr. Rake reported the Committee reviewed draft inspection OMS Sedation and Calibration forms for anesthesia and foundation for safe office-based anesthesia.

- **Clinical Licensure Exam Committee** – No written report was submitted. Christy Jo Fogarty reported the Committee continues to be in discussions with CDCA regarding a written examination for dental therapists.

- **Health Professionals Service Program** – Ruth Dahl indicated a written report was included in the packet.

**Presentations**

Jeff Karp, DMD, MS University of Minnesota presented an overview of Project SMILE ECHO. The program is designed to support healthcare professionals serving children with special healthcare needs and move towards a culture of health. This performance optimizing program seeks to build a dental network which supports healthcare professionals by sharing resources and best practices.

HPSP – Ms. Marilyn Miller provided an overview services and of the Health Professional Services Program including background, services offered, and statistics.

**Unfinished Business**

There was no unfinished business.
New Business

2020 Board Meeting Calendar

Dr. Ismail made a motion, Dr. Rake seconded, to cancel and reschedule the January board meeting and approve the following dates:

- The January board meeting will preferably reschedule to January 31, 2020
- April 10, 2020
- July 10, 2020
- October 9, 2020

VOTE: For: 6
Opposed: 0
RESULT: Motion Passed.

Travel Authorizations –

MOTION: Ms. Fogarty made a motion to approve the travel authorizations as submitted. Dr. Ismail second:

a. WREB Meeting- Denver, CO- November 7-8, 2019 (2)*
b. CDCA Annual Meeting- Nashville, TN- January 9-11, 2020 (4)*
c. FARB Forum- Colorado Springs, CO- January 23-26, 2020 (1)
e. American Academy of Pediatric Dentistry Safety Symposium Invitation- Chicago, IL- Nov 8-9, 2019 (1)

* Indicates travel cost is covered by the organization not the Board

VOTE: For: 6
Opposed: 0
RESULT: Motion passed.

Licenses for Ratification

Licenses for Ratification – Dr. Ismail made a motion to approve the licenses for ratification and reinstatement. Dr. Rake second.

VOTE: For: 6
Opposed: 0
RESULT: Motion passed.

Licenses for Reinstatement – Ms. Dahl made a motion to approve the licenses for ratification and reinstatement. Dr. Ismail second.
Waiver of Exam Request - MOTION: Dr. Ismail made a motion to approve the petition for unrestricted dental license per Minnesota Statute 150A.06, subdivision 9 for Magaly Ferreira, DDS. Dr. Ebert second.

VOTE: For: 6
Opposed: 0
RESULT: Motion passed.

MOTION: Dr. Ebert made a motion to grant a variance for license for Ali Esmaili, DDS. Dr. Klampe second.

VOTE: For: 6
Opposed: 0
RESULT: Motion passed.

MOTION: Dr. Ismail made a motion to approve the license for Ali Esmaili, DDS. Dr. Ebert second.

VOTE: For: 6
Opposed: 0
RESULT: Motion passed.

MOTION: Dr. Ebert made a motion to approve the Peter Cannon variance request for the CPR requirement. Second by Dr. Ismail.

VOTE: For: 6
Opposed: 0
RESULT: Motion passed.

Waiver of Exam Request – MOTION: Dr. Ismail made a motion to grant the Dr. Kristopher Hasstedt Waiver of Exam Petition for both clinical and written boards, per Minnesota Statute 150A.06, subdivision 3(a), for a general license. Dr. Ebert second.

VOTE: For: 6
Opposed: 0
RESULT: Motion passed.
Announcements

Audience Comments – Donna Young, dental hygienist, serves at the VA and shared her thoughts regarding safe patient handing. She recommends training to create a culture for safe patient handling. She then brought up her personal account and the importance of prevention of sexual harassment in dental settings. Young supports an anonymous reporting option. Additional comments from an audience dental hygiene educator indicated programs are educating regarding safe patient care and sexual harassment prevention.

The next Public Board meeting will be determined and announced via the Board website.

Adjourn

MOTION: Ms. Fogarty made a motion to recess until closed session. Unanimous.

VOTE: For: 6
Opposed: 0
RESULT: Motion passed.

Meeting was adjourned at 11:15 am.

Reviewed by: ___________________________ 1/31/20
P. Angela Rake, DDS, Board President  Date