



# The Dental Examiner

West Virginia Board of Dental Examiners

Fall 2011

## WVBDE Message from Board President Buck Conard

I have served on the West Virginia Board of Dental Examiners since 1995. If I am able to serve my current term and, depending on when the Governor appoints my replacement, I and a good friend of mine from Georgia will be the only active dental board members to serve our respective states for more than 20 years. I have been the Board president 3 times, served as its Acting Executive Secretary, and was the president of the American Association of Dental Boards, our national organization. The point is I'm not really that smart, but like the songs say "I go for miles and miles" or "I've been everywhere man" (almost).

The Board underwent a performance review by the legislative auditor's office over the past year and I am pleased to report a favorable outcome. We are highly regarded in our performance — a board other boards should emulate. We are one of the best boards nationally. You would have to look long and hard to find a state that has a dental school, dental hygiene programs, a dental association, and a dental board that works together and truly are assets to our profession and the public that we serve. We all deserve credit for the role we play in the delivery of oral health care in our state.

The one surprise of the audit was their recommendation to take steps necessary to ensure financial security as revenues have become stagnant and expenses have exceeded revenues. This caught us off guard, as the audit did not question our expenses or income from an accounting perspective. Fee increases were proposed to address this issue and ensure the board can effectively operate for all concerned. The final assessment was for the board to continue to be proactive, provide necessary services, expand its function and duties, and be financially able to move forward. Our proposed fee increase is to target at least a 5-year period or longer. Your Board provides many services and attributes that make it a win-win situation for a health care provider and the patient. Let's see where the money and services go.

From 1995 to 2004 we had one drug case as a board. In 2005, almost 75% of our cases were drug-related in some way. We made the decision that we needed to act now and initiate our "war on drugs". I know people are unsure of how this invades the way a licensee practices. However, from our findings and results of our investigations, we have made an impact on drug-related issues. Keys to staying in the bounds of standard of care include don't write scripts for yourself, your family, or your friends, and document everything. Ninety-five percent of all dental pain can be controlled with treatment, anti-inflammatories, and Tylenol. Narcotics are seldom needed, and this has been proven by experts time and time again. We are a national model for caring for and treating impaired practitioners and returning them to practice. We haven't won the war on drugs, but we have made an impact on the use, misuse, and addiction issues that plague our profession. It is expensive to pursue drug-related cases. They are complex as far as time, resources, and rehabilitation.

Other cases we are involved with have complexities, as well. The use of experts and board appointed investigators have increased exponentially. Experts are used from surrounding states and nationally due to our relatively small licensee population. We wouldn't want a case appealed due to the possibility that our expert may know the licensee or have premature contact with the case investigation. Since starting this approach, we have not had an expert opinion challenged or thrown out, as of this date.

The Board is mandated by statute to use an attorney from the Attorney General's office. We have used this service for the past 10 years. We started out with 25% utilization and have over the years moved to 100% utilization. This has come about through previous audits that demanded a quick turn around for cases in the best interest of licensee and patient.

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When you see the outline of our state in this newsletter, you'll find an interesting fact about our Wild Wonderful West Virginia!

## President's Message continued...

Complaints go on 24/7/365. They have no time frame and do not take weekends or holidays off. The attorney, executive secretary, assistant executive secretary, and board president are in contact on a daily basis, weekends included.

The Board also has to deal with licensees from other states and countries. We have had an influx of requests from licensees from other countries. While some states have relaxed their requirements to let these individuals gain access to their state for licensure, we have taken the stand they must have the same credentials as those of us who were licensed here in our state. This will be continually challenged as our educational system and other states seemingly relax standards in our profession.

The Board is undertaking projects that will help all in our profession. We are instituting a new data base that will allow renewals online. You will also be able to log in your continuing education credits and have them audited and approved at the time of posting. The dental practice act was last revised over 10 years ago, and we need to do a current revision to catch up to current standard-of-care issues. There are statues and rules and regulations that do not match up and are difficult to interpret and defend. It will benefit all concerned to have a current updated dental practice act and rules. You will receive notification, as well as all parties of interest, to participate in this process. Our goal is to have it ready for the 2013 legislative session, so it has to be ready on or before June 30, 2012.

For the most part, you utilize the Board to do your renewals and to report your continuing education, and that's a good thing. The less we see of each other, the better. But I hope you now have some understanding of the complex nature of the Board. We basically have what I call a "rookie" Board in that 6 of the 9 members have 2 years or less experience on the Board. It is a 2-3 year learning process for any new Board member, but I can assure you we have a very good collection of experienced dental care providers to protect the public and insure a pathway of transparent delivery of oral health care that is unmatched or unparalleled in our country. Feel free to contact myself, our staff and Board members, past and present, with your concerns and questions.

Respectfully yours,

Buck



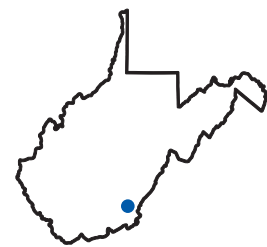
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frame....."*

## Online Renewals

The Board of Dental Examiners will be implementing online renewals during the 2012 renewal period. We hope it will be up and running by December 1, 2011. You will have the option of renewing by mail or online after December 1st.

A link to the online renewal page will be found at the Board's website which is [www.wvdentalboard.org](http://www.wvdentalboard.org). Once you have successfully completed your online renewal, a certificate will be mailed from the Board office.

Don't forget, this is a continuing education reporting year, and you must complete CE reporting online as well if you choose online renewal.



**Organ Cave, near Ronceverte, is the third largest cave in the United States and the largest in the state.**

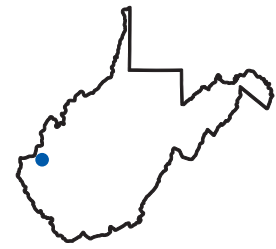
## New Members Appointed to the Board

On July 1, 2011, Governor Tomblin made appointments to the Board of Dental Examiners as follows:

George D. Conard, Jr., DDS—Practices in Huntington, WV, re-appointed for a second consecutive term ending June 30, 2016. This is Dr. Conard's 4th term with the Board.

L. Edward Eckley, DDS—Practices Orthodontics in Beckley, WV, appointed for a term ending June 30, 2016. This is Dr. Eckley's first term.

Beverly L. Stevens, COMSA—Is a dental assistant in Charleston, WV, appointed for a term ending June 30, 2016. This is Mrs. Stevens' first term.



**The first electric railroad in the world, built as a commercial enterprise, was constructed between Huntington & Guyandotte.**

## Board Actions

2009-DB0054D - Harshbarger, Rodgers W. - Consent Decree (11/12/2010) - Standard of Care, Reprimand with other stipulations, Fine \$500.00, Assessed Costs \$1,250.00.

2008-DB-0062D - Jackson, James F. - Consent Decree (1/07/2011) - Standard of Care, 1 year Suspension (all but 10 working days stayed) with other stipulations, Fine \$500.00, Assessed Costs of \$1,685.14.

2010-DB-0001D - Rainieri, Frank - Consent Decree (1/07/2011) - Standard of Care, Reprimand with other stipulations, Fine \$500.00, Assessed Costs \$950.00.

2010-DB-0009D - Carnes, Samuel - Board Order (1/18/2011) - Prescribing Outside Scope of Practice, Suspended with stipulations, Fine \$2,500.00, Assessed Costs \$3,322.00.

2009-DB-0041D - Hanna, Riad - Consent Decree (4/15/2011) - Standard of Care, Reprimand with other stipulations, Patient Restitution up to \$9,000.00, Fine \$2,500.00, Assessed Costs \$2,060.62.

2010-DB-0030D - Mills, Douglas J. - Consent Decree (6/23/2011) - Standard of Care, Reprimand with other stipulations, Fine \$500.00, Assessed Costs \$1,250.00.

2008-DB-0039D - Wills, Travis - Consent Decree (6/23/2011) - Standard of Care, Letter of Education, Patient Restitution up to \$5,000.00, Assessed Costs \$2,340.57.

2008-DB-0063D - Cho-Polizzi, Stefan A. - Consent Decree (7/14/2011) - Standard of Care, Reprimand with other stipulations, Fine \$500.00, Assessed Costs \$2,468.55.



## General Supervision/Public Health Annual Reporting

Dental hygienists shall submit an annual report to the Board of services rendered while practicing under general supervision in all settings *other* than a private dental practice or Accredited Dental Hygiene Education program. The supervising dentist shall review and sign this report.

Dental hygienists engaging in public health practice and their supervising dentist, shall submit an annual report to the Board of services rendered.

The annual reporting form can be found at the Board's website, [www.wvdentalboard.org](http://www.wvdentalboard.org), and should be submitted by February 1st each year.



## Dental Board, School of Dentistry & DHHR Team Up for Dental Census

The West Virginia Board of Dental Examiners, in cooperation with the West Virginia University School of Dentistry and the West Virginia Department of Health & Human Resources, Oral Health Program, requests each dentist and hygienist complete and return a dental census.

The purpose of this census is to match new graduates with dental practitioners that are actively seeking an associate or dental hygienist and gather information on clinically active dentists & hygienists by county. A copy of this census has been included with your renewal packet.

The census has been created to ensure no personal identifiers are included in your response so your answers will remain confidential. Your cooperation is much appreciated.

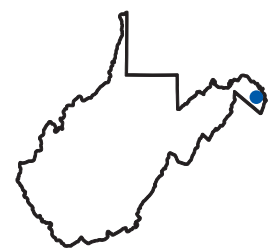


## Eckley appointed to Substance Abuse Advisory Council

Governor Earl Ray Tomblin issued an Executive Order on September 6, 2011, creating a six Regional Substance Abuse Task Force and a Substance Abuse Advisory Council. The task force will share ideas, make recommendations, and implement plans to address substance abuse across the state.

The statewide council is comprised of members from fields which include substance abuse prevention, behavioral medicine, child and adolescent psychology, the legal system, residential treatment facilities, the public school system and health care.

Dr. L. Edward Eckley, an Orthodontist in Beckley, Raleigh County, West Virginia and member of the Board of Dental Examiners, has been appointed to the Substance Abuse Advisory Council.



**The first post office in West Virginia was established on June 30, 1792, at Martinsburg.**

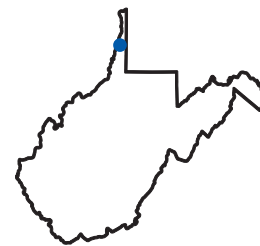
## Thank You to Richard D. Smith, DDS & Debra D. Dent, CDA!!

The Board would like to thank Dr. Richard Duff Smith & Debra D. Dent, CDA, for their service to the citizens of the State of West Virginia and the profession of dentistry.

Dr. Smith & Mrs. Dent were first appointed to the Board in January, 2002, after the Board's membership was expanded to nine members and both were re-appointed for a second term in November, 2006.

Dr. Smith continues to be active as a Board Examiner, AADB Editor and practices general dentistry with his son Chris in Charleston.

Mrs. Dent has recently retired after 38 years of practice as a certified dental assistant and has since become the first woman golf starter at The Greenbrier. She is also a ranger on the golf course when she is not a starter.



One of the first suspension bridges in the world was completed in Wheeling in November 1849.

## United States Attorney Issues Press Release

On October 13, 2011, William J. Ihlenfeld, II, United States Attorney, issued a press release concerning the sentencing of a 42 year old Shady Spring, West Virginia resident in United States District Court in Charleston before Judge Thomas E. Johnston.

Angela Basham-Calloway, D.O., was sentenced to 48 months imprisonment to be followed by 1 year supervised release. Dr. Basham-Calloway entered a plea of guilty on July 7, 2011, to one count of an Indictment charging her with unlawfully acquiring and obtaining possession of Oxycodone (Roxicet) and Amphetamine/Dextroamphetamine (Adderall) and attempting to do so by fraud and deception in December of 2010 in Oak Hill. Dr. Basham-Calloway practiced in Beckley & Oak Hill, West Virginia. She is in federal custody.

Judge Johnston said there is a pervasive prescription drug abuse problem in the Southern District of West Virginia, and that sometimes doctors are a part of the problem. The Judge is quoted as saying "Doctors bear a special responsibility, and this was an abuse of position of trust." He goes on to warn that "Harsher sentences await medical professionals who contribute to the prescription drug abuse problems."

*"Harsher sentences await medical professionals who contribute to the prescription drug abuse problems."*

## Legislative Forecast

The West Virginia Board of Dental Examiners has begun the process of revising and updating the Dental Practice Act. We will assemble rough drafts for our January, 2012 and April, 2012 meetings with a final draft in May in order for us to meet our legislative deadlines. This will be acted upon by the 2013 West Virginia Legislature. You, individually, or as an association or organization may send your input to the Board at PO Box 1447, Crab Orchard, WV 25827. Thank you in advance for your consideration and cooperation for the betterment of oral health in our state.





## West Virginia Board of Dental Examiners

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**We're on the web:  
[www.wvdentalboard.org](http://www.wvdentalboard.org)**

**MOUNTAINEERS ARE ALWAYS FREE!!!**



### *Board Becomes Member of WREB*

The West Virginia Board of Dental Examiners has become the first affiliate member of the Western Regional Examining Board. Affiliate members are states that accept WREB results and may provide examiners and participate in committees. The West Virginia Board has been providing examiners to WREB for several years.

### Members of the Board

**George D. Conard, Jr., DDS, President**

**Diane M. Paletta, DDS, Secretary**

**William E. Ford, III, Esq., Citizen Member**

**Craig L. Meadows, DDS**

**David G. Edwards, DDS**

**C. Richard Gerber, DDS**

**Camille A. Arceneaux, RDH, MS**

**L. Edward Eckley, DDS**

**Beverly L. Stevens, COMSA**

### Future Board Meetings

**January 5 - 7, 2011**

**Marriott**

**Charleston, WV**

**March 29 - 31, 2011**

**Date Tentative - Location**

**To Be Announced**

### CONGRATULATIONS!!

The Board would like to congratulate member Bill Ford on his election as the Public Member of the American Association of Dental Boards during its annual meeting in Las Vegas this October.

One public member of a member agency is elected to serve as an advisor to the Executive Council of the AADB.