

# WEST VIRGINIA BOARD OF DENTISTRY

## MINUTES - GENERAL SESSION

- Dates:** January 20, 2018
- Location:** WV Board of Dentistry  
1319 Robert C. Byrd Drive  
Beckley, WV 25801
- Members Present:** Stanley W. Kaczkowski, DDS, President  
Byron H. Black, DDS  
John E. Bogers, DDS  
Mr. William E. Ford, III  
C. Richard Gerber, DDS  
Mary Beth Shea, RDH  
Beverly L. Stevens, COMSA  
Samuel V. Veltri, DDS
- Members Absent:** Charles L. Smith, DDS, Secretary
- Staff Present:** Mrs. Susan M. Combs, Executive Secretary  
Mr. Evan M. Dewey, Administrative Assistant  
Mr. Walt Williams, Investigator

The morning began with the giving of law exams and interviewing of the applicants as noticed to the Secretary of State's Office. Thereafter, Mrs. Beverly L. Stevens, made a motion to begin the Board's general session meeting, which was seconded by Mrs. MaryBeth Shea and unanimously passed. The Board's President, Dr. Kaczkowski, determined this meeting was properly noticed with the Secretary of State's office and a sufficient number of Board members were in attendance to constitute a quorum. The quorum was determined by the presence of Dr. Kaczkowski, Dr. Black, Dr. Bogers, Mr. Ford, Dr. Gerber, Mrs. Shea, Mrs. Stevens, and Dr. Veltri. Therefore, the meeting of the West Virginia Board of Dentistry was called to order.

The first order of business was the meeting notice to the Secretary of State which was distributed for information purposes only.

The next order of business were the minutes from the November meeting. Upon motion by Dr. C. Richard Gerber, and properly seconded by Dr. Samuel V. Veltri, and unanimously passed, the minutes were approved as distributed.

The next order of business was a general legislative discussion and executive orders. The Board reviewed the following: SB2 - Reduction of Prescription Drugs; SB273 - Reduction of Opioid Drugs; SB281 - Require Comprehensive Annual Financial Report; SB283 - Modifying State Purchasing by State Agencies; HB4003 - Reduction of Prescription Drugs; HB4011 - Promulgation & Repeal of Rules; Executive Order No. 3-18 - Regulatory Review; Executive Order No. 2-18 - Regulatory Moratorium; ADA House of Delegates Passes 30H-2017 - Commission to approve Specialties; ADA Board of Trustees Vote to Create National Dental Exam; Telehealth Legislation; and Series 1 of Board Rules. In regards to Series 1 of the Board's rules, the Board would like to consider making changes to the exams accepted for licensure, but would like to meet with some of the exam agencies prior to making any decisions. The Board would like to look into what other states are doing as it relates to teledentistry for possible legislation in 2019, with a change to the illegal practice of dentistry from a misdemeanor to a felony. Also, the President of the Board appointed a committee to review specialties. The Committee is comprised of Drs. Gerber, Smith and Kaczkowski.

The next order of business was a notice from the Joint Committee on National Dental Examinations regarding the implementation of the Integrated National Board Dental Examination, which will begin August, 2020. This notification was taken for information purposes at this time.

The next order of business was a letter from Thomas Riley Strategies concerning ownership of a dental practice, which included information concerning a corporation doing business in West Virginia whose compliance was questioned. The Board directed staff to make an inquiry to this corporation as to their operations in the State.

The next order of business was a press release from the Academy of General Dentistry concerning the installation of Manuel A. Cordero, DDS, CPH, MAGD, as President, which was taken for information purposes only.

The next order of business were regional board reports and membership representation needs. Dr. Stan Kaczkowski will continue to represent the Board on the American Board of Dental Examiners House of Representatives and Dental Examinations Committee. Also, the Board will nominate Dr. William Klenk to the Commission on Dental Competency Assessments as a consultant examiner.

The next order of business was a request from the Joint Committee of Government Operations concerning the Board's complaint process and statutory response to the Legislative Rule Making Review Committee pursuant to SB619 along with the Board's response, which was taken for information purposes only.

The next order of business was a request from the Dental Organization for Conscious Sedation requesting approval of their IV Sedation Course and an update on Class 3A permit issues. After initial review and discussion the Board approves those courses meeting the ADA guidelines or equivalent. Once the course has had a closer review, the Board will send a formal letter of their

decision. As it relates to Class 3A permits, the number of hours and course content must meet the ADA guidelines or equivalent.

The next order of business was an update by Evan Dewey concerning the progress of the licensing software with GL Solutions, which was taken for information purposes at this time.

The next order of business were the Board of Risk and Insurance Management related safety requirements. The following were reviewed: Driver safety; drug & alcohol free workplace; workplace harassment; IT and information policy; protecting personally identifiable information; safety committee appointment document; safety inspection checklist; safety policy; and workplace security.

The next order of business was a letter sent to WV Dental Hygiene programs concerning bleaching or whitening curriculum requirements. After discussion, the Board will seek further clarification concerning this issue.

The next order of business were the financial reports for the second quarter of fiscal year 2018, and the PCard report, which includes the Ghost travel account, for the period of October to December 2017. Upon motion by Mrs. Beverly L. Stevens, and properly seconded by Dr. John E. Bogers, and unanimously passing, the financial and PCard reports were accepted as distributed, with all board members having the opportunity to review the PCard logs, documentation and receipts at this time

The next order of business were newsletters, which were taken for information purposes, from the following:

- American Association of Dental Boards
- Dental Assisting National Boards
- National Practitioner Data Bank
- Oregon Board of Dentistry
- The Organization for Safety, Asepsis and Prevention (OSAP)
- WV Dental Association

The next order of business were future meetings, which were taken for information and included:

- American Association of Dental Administrators - April 2018
- American Association of Dental Boards - April 2018
- American Board of Dental Examiners - August 2018
- WV Board of Dentistry Calendar

The Complaint Committees met for an adjudicatory session on January 19, 2018, to review complaints and disciplinary matters with no decisions or votes being made. At this time the President announced the need for an Executive Session to consider matters under provisions contained in Chapter 6, Article 9A, Section 4, not limited to, but primarily for those contained in Subsections (4)

and (6). Specifically to review complaints and investigations.

Upon motion by Dr. Byron H. Black, and properly seconded by Mrs. Beverly L. Stevens, and unanimously passed, the Board went into an Executive Session. Thereafter, the Board came back into a general session upon motion by Mrs. MaryBeth Shea, and properly seconded by Dr. Byron H. Black, and unanimously passing.

The next order of business was the consideration of disciplinary actions in Case 2017-DB-0032D. The complaint committee in this case made a recommendation to accept the signed Consent Decree and Order, wherein the license would be revoked and surrendered. Upon motion by Dr. Byron H. Black, and properly seconded by Mrs. MaryBeth Shea, and unanimously passing, the Board accepted the Consent Decree and Order.

The next order of business was consideration of all other recommendations by the complaint committees of the Board. Upon motion by Dr. Byron H. Black, and properly seconded by Dr. Samuel V. Veltri, and unanimously passed, the Board approved all other recommendations.

The next order of business was the approval of all applicants appearing today for licensure. Upon motion by Dr. Byron H. Black, and properly seconded by Mrs. Beverly L. Stevens, and unanimously passed, the board approved all applicants for licensure pending completion of their applications as determined during interviews.

At this time the meeting was adjourned with the next regularly scheduled meeting scheduled for April 13 & 14, 2018 at Glade Springs, Daniels, West Virginia.