

WEST VIRGINIA BOARD OF DENTISTRY

MINUTES - GENERAL SESSION

- Dates:** March 31 & April 1, 2017
- Location:** WV Board of Dentistry
1319 Robert C. Byrd Drive
Beckley, WV 25801
- Members Present:** Stanley W. Kaczkowski, DDS, President
Charles L. Smith, DDS, Secretary
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
- Staff Present:** Mrs. Susan M. Combs, Executive Secretary
Mr. Evan M. Dewey, Administrative Assistant
Mr. Walt Williams, Investigator
- Board Counsel:** Ms. Betty A. Pullin, Assistant Attorney General

March 31, 2017

The Complaint Committees met to review complaints and disciplinary matters with no decisions or votes being made.

Thereafter, 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, Dr. Smith, 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 January meeting. Upon motion by Mrs. Dr. Charles L. Smith, and properly seconded by Mrs. MaryBeth Shea, and unanimously passed, the

minutes were approved as distributed.

The next order of business were future meetings including the April Mid-Year meeting of the American Association of Dental Boards, American Board of Dental Examiners set for August 2017, Southern Conference of Dental Deans & Examiners in January 2018, and schedule of meetings of the West Virginia Board of Dentistry. Mr. Ford, Ms. Pullin and Mrs. Combs will attend the American Association of Dental Boards meeting coming up, Dr. Kaczkowski will attend the American Board of Dental Examiners meeting this summer, and Dr. Smith will consider attending the Southern Conference of Dental Deans & Examiners in January 2018.

The next order of business was a general legislative discussion as well as discussions of rules currently going through the legislative process, Series 1; a proposal from WVU School of Dentistry concerning international trained resident permits; a draft of Application Procedures, Series 9; and possible additional rule making for Series 1. After review of the proposal by WVU and the draft of Series 9, application procedures, Dr. John E. Bogers made a motion to request changes to these procedures by including the language in the draft as follows: 8.3. (a) The Board, at it's discretion, may consider an applicant who is a graduate of an international dental college, school or dental department of a university as being equivalent to programs accredited by the Commission on Dental Accreditation who has been accepted into a graduate, intern, fellowship, or residency program at a West Virginia Dental School for purposes of post-graduate training only. Further, this language should be placed in Series 1 in the proper section. The motion was seconded by Dr. Byron H. Black and unanimously passed. The Board directed the Executive Secretary to file these rules for comment period with final filing thereafter as well as filing Series 1 for comment period for review in July.

The next order of business was an inquiry from Senator Blair concerning legal fees paid during the 2016 fiscal year and the Board's response, which was taken for information purposes only.

The next order of business was consideration of guidelines for dental hygiene reinstatement requirements as drafted and recommended by Mrs. MaryBeth Shea, which were as follows:

Up to 2 yrs. lapse/not practicing - fulfill CE requirements.

2-5 yrs. lapse/not practicing - CE requirements.

5-10 yrs. or more lapse/not practicing - remediation clinical exam from one of the WV Dental Hygiene Schools. This would serve as CE fulfillment along with required 20 hours CE that includes CPR and Infection Control. May need to remain on case by case basis depending on total number of years experience compared to time elapsed out of practice.

Dr. Byron H. Black made a motion to accept the drafted guidelines as policy. Dr. Charles L. Smith seconded the motion, which unanimously passed.

The next order of business was a report for the months of January & February 2017, from Richard Hetke, Executive Director of the American Association of Dental Boards, which was taken

for information purposes only.

The next order of business were the Winter 2017 actions reported by the Commission on Dental Accreditation, which were accepted for information purposes.

The next order of business was information from the American Dental Association clarifying their sedation and anesthesia guidelines. The Board directed the Executive Secretary have the anesthesia committee review these guidelines in relation to the Board's laws and rules for any changes necessary due to the recent revisions.

The next order of business was a compliance report from the National Practitioner Data Bank concerning the Board's reporting activities, which showed a 100% compliance. This report was accepted for information purposes.

The next order of business were the financial reports for the partial third quarter of fiscal year 2017, and the PCard report, which includes the Ghost travel account, for the period of January and February 2017. Upon motion by Mrs. Beverly L. Stevens, and properly seconded by Dr. Byron H. Black, 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 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 were newsletters, which were taken for information purposes, from the following:

- American Association of Dental Boards
- Dental Assisting National Boards (2)
- Health Care Highlights (3)
- The Organization for Safety, Asepsis and Prevention (OSAP)

The next order of business was the budget committee report including current financials and the fiscal year 2018 budget. Upon motion by Dr. Byron H. Black, and properly seconded by Mrs. MaryBeth Shea, and unanimously passing the report was accepted.

The next order of business was a notice of monitoring services from Affiliated Monitors, Inc., which was taken for information purposes.

The next order of business was a personnel committee report. 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 discuss personnel matters, including but not limited to staff performance and salary increases of staff members.

Upon motion by Mrs. MaryBeth Shea, properly seconded by Dr. John E. Bogers, and unanimously passing, the Board went into an Executive Session for the purposes stated. Thereafter, the Board came back into general session upon motion by Dr. John E. Bogers, properly seconded by Dr. Samuel V. Veltri, and unanimously passing.

Upon motion by Dr. Byron H. Black, and properly seconded by Dr. Samuel V. Veltri, and unanimously passing, the Board accepted the report by the personnel committee, which included staff raises as follows: Susan Combs, five percent; Evan Dewey, ten percent; and Carolyn Brewer two and one half percent. These raises are effective July 1, 2017.

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

The next order of business was a status review of case number 2015-DB-0057D. The case is currently scheduled for a hearing in August 2017. Dr. Byron H. Black made a motion to continue to negotiate a Consent Decree until negotiations are futile. Mrs. Beverly L. Stevens seconded the motion, which unanimously passed.

The next order of business was a recommendation by the Complaint Committee on case number 2015-DB-0037D. Dr. Charles L. Smith made a motion the Board authorize Board Counsel to take the necessary action to bring compliance in this case. Dr. Samuel V. Veltri, seconded the motion, the motion passed unanimously.

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 Mrs. MaryBeth Shea, and unanimously passed, the Board approved all other recommendations.

The next order of business was the election of officers for the fiscal year 2018.

Dr. Charles L. Smith, nominated Dr. Stanley W. Kaczowski as President and moved the nominations for President be closed. Dr. Byron H. Black, seconded the motion, which unanimously

passed. Dr. Stanley W. Kaczowski will remain President through June 30, 2018.

Dr. C. Richard Gerber, nominated Dr. Charles L. Smith as Secretary and moved the nominations for Secretary be closed. Dr. Samuel L. Veltri seconded the motion, which unanimously passed. Dr. Charles L. Smith will remain Secretary through June 30, 2018.

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 give law exams and interview the applicants in the morning. Upon motion by Mrs. MaryBeth Shea, and properly seconded by Dr. Samuel V. Veltri, and unanimously passed, the Board went into executive session and recessed until morning.

April 1, 2017

The morning started with an Executive Session for the purposes of giving the law examination and interviewing applicants for licensure. Thereafter, and upon motion by Dr. C. Richard Gerber, and properly seconded by Mrs. Beverly L. Stevens, and unanimously passed, the Board went into General Session.

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 Dr. Charles L. Smith, 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 July 19 & 20, 2017 at the Greenbrier Hotel, White Sulphur Springs, West Virginia.