

WEST VIRGINIA BOARD OF DENTISTRY

MINUTES - GENERAL SESSION

Dates: April 13 & 14, 2018

Location: Glade Springs Resort
255 Resort Drive
Daniels, WV 25832

Members Present: Stanley W. Kaczowski, DDS, President
Byron H. Black, DDS
C. Richard Gerber, DDS
Mary Beth Shea, RDH
Charles L. Smith, DDS
Beverly L. Stevens, COMSA
Samuel V. Veltri, DDS

Members Absent: John E. Bogers, DDS
Mr. William E. Ford, III

Staff Present: Mrs. Susan M. Combs, Executive Secretary
Mr. Evan M. Dewey, Administrative Assistant (13th only)
Ms. Betty J. Adkins, Board Counsel
Mr. Walt Williams, Investigator (13th only)

Guests Present: Mr. Michael Goff, Executive Director, WV Board of Pharmacy

April 13, 2018

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

The Personnel Committee met to review personnel issues, including, but not limited to possible salary increases, with no decisions or votes being made.

The Budget Committee met to review the Board's finances and draft of 2019 budget, with no decisions or votes being made.

Thereafter, the Board's President, Dr. Kaczowski, 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. Kaczowski,

Dr. Black, 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 was a presentation given by Michael Goff, Executive Director of the West Virginia Board of Pharmacy concerning the Controlled Substance Monitoring Program and requirements to register for access and maintain access to the program database.

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. Samuel V. Veltri, 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 Dr. Charles L. Smith, and properly seconded by Mrs. Beverly L. Stevens, and unanimously passing.

The next order of business was the consideration of disciplinary actions in Case 2016-DB-0016D. The complaint committee in this case made a recommendation to accept the signed Consent Decree and Order, wherein the license would be suspended for 15 days with other requirements. Upon motion by Dr. Charles L. Smith, 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 Mrs. MaryBeth Shea, and properly seconded by Dr. Samuel V. Veltri, and unanimously passed, the Board approved all other recommendations.

The next order of business were the minutes from the January meeting. Upon motion by Dr. Charles L. Smith, and properly seconded by Mrs. Beverly L. Stevens, and unanimously passed, the minutes were approved as distributed.

The next order of business was information concerning the use of Silver Diamine Fluoride by Assistants & Hygienists. Dr. Stan W. Kaczowski, President of the Board, requested the matter be tabled until Saturday, April 14th, the matter was tabled.

The next order of business was a general legislative discussion and executive orders. The Board reviewed the following: SB273 - Reduction of Opioid Drugs; SB313 - Waiver of Licensing Fees, which was vetoed by the Governor; Executive Order No. 3-18 - Regulatory Review; Executive Order No. 2-18 - Regulatory Moratorium; House Concurrent Resolutions 106 Requesting the Joint Committee on Government and Finance to conduct a study of licensure, certification and registration forms of occupational and professional regulation; 107 Requesting the Joint Committee on

Government and Finance to conduct a study of the feasibility of a single building to house all occupational and professional regulatory boards; and 109 Requesting the Joint Committee on Government and Finance to conduct a study on legislative rules being outcome driven rather than process driven. After discussions concerning these pieces of legislation, resolutions and executive order, Dr. Charles L. Smith suggested the Board hire a lobbyist or consultant for legislative purposes, with the Executive Secretary advising against it.

The next order of business were the Executive Director's Reports of the American Association of Dental Boards for the months of January through March, 2018. The reports were taken for information purposes.

The next order of business was an announcement by the American Board of Dental Examiners of their new Executive Director, Kathleen J. Kelly, Las Vegas, Nevada. This announcement was taken for information purposes.

The next order of business was notification from the Commission on Dental Accreditation (CODA) of their action to remove the word *specialty* from all CODA documentation, its website, and will now refer to all advanced dental education disciplines as *advanced education programs*. This notification was taken for information purposes.

The next order of business were the Commission on Dental Accreditation's Winter 2018 accreditation actions and a call for nominations for vacancies on various review committees. The actions and nomination requests were taken for information purposes.

The next order of business was a notification from the Commission on Dental Competency Assessments concerning dentists displaced by hurricanes in the fall of 2017, which led to a special administration of the American Board of Dental Examiners Exam in Florida. This notification was taken for information purposes.

The next order of business were regional board reports, membership representation needs, invitation to regional boards for exam presentations and adoption of policy regarding passage of regional boards. Dr. Stan W. Kaczkowski, President of the Board, requested these matters be tabled until Saturday, April 14th, the matters were tabled.

The next order of business were the financial reports for the third quarter of fiscal year 2018, and the PCard report, which includes the Ghost travel account, for the period of January to March 2018 and personnel matters. 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. Dr. Byron H. Black requested the personnel matters be tabled until Saturday, April 14th, the matter was tabled.

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
- Commission on Dental Accreditation
- Central Regional Dental Testing Services
- Dental Assisting National Boards
- National Practitioner Data Bank
- 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
- Central Regional Dental Testing Services - August 2018
- The Joint Commission on National Dental Examinations - Advisory Forum - June 2018
- WV Board of Dentistry Calendar

The Board's meeting at the Greenbrier in July will be on the 18th and 19th. The meeting on Wednesday the 18th will begin at 9:00 am due to the appearances of the regional board representatives for presentations concerning their exams. Law exams will take place as usual at 1:00 pm that day. The meeting on the 19th will begin at 8:00 am. A full agenda will be provided to the Board prior to the meeting.

The next order of business were the election of officers for the next fiscal year. Dr. Stan W. Kaczowski, President of the Board, requested the elections be tabled until Saturday, April 14th, the elections were tabled.

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 Dr. Byron H. Black, and properly seconded by Mrs. Beverly L. Stevens, and unanimously passed, the Board went into executive session and recessed until morning.

April 14, 2018

The morning started with an Executive Session for the purposes of giving the law examination and interviewing applicants for licensure.

At this time, and while the Board is in Executive Session, the members desire to discuss personnel issues. The Executive Secretary, Susan M. Combs, was requested to leave the room. Thereafter, and upon motion by Dr. Byron H. Black, and properly seconded by Mrs. Beverly L. Stevens, and unanimously passed, the Board went into General Session. Mrs. Combs returned to the meeting.

The next order of business were personnel issues. Dr. Samuel V. Veltri, made a motion to allow the across the board salary increases, passed during the legislative session, for the Board's full time employees. Dr. Byron H. Black seconded the motion. The motion passed unanimously.

The next order of business was the issue of the use of silver diamine flouride by assistants and hygienists. Dr. Charles L. Smith made a motion to further table this discussion. Mrs. Beverly L. Stevens seconded the motion. The motion passed unanimously.

The next order of business were the regional board reports, membership representation needs, invitation to regional boards for exam presentations and adoption of policy regarding passage of regional boards.

In regards to membership representation, the American Board of Dental Examiners (ADEX) House of Representative and Endo Dental Exam terms are due for renewal in August 2018. Dr. Stan W. Kaczowski will remain in these positions with ADEX. The Southern Regional Testing Agency (SRTA) Finance and Strategic Planning Committee terms are due for renewal in August 2018. Dr. Charles L. Smith will remain on the Finance Committee and Dr. C. Richard Gerber will remain on the Strategic Planning Committee until August 2020. The Board's Executive Secretary will send notification of these appointments to ADEX and SRTA.

During the Board's meeting in January, the Board discussed a desire to meet with representatives of the regional examination boards in considering the exams accepted for licensure. An invitation was sent to the regional testing agencies to attend a future Board meeting to make a presentation concerning their exams at their own expense. At this point it appears all testing agencies will appear in July at the Greenbrier meeting.

The Board will wait until after the testing agencies presentations to discuss any policies regarding the passage of regional boards.

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

The next order of business was the election of officers for the fiscal year 2019.

Dr. Charles L. Smith, nominated Dr. C. Richard Gerber as President. Dr. Byron H. Black seconded the nomination. Dr. Charles L. Smith moved the nominations be closed, Mrs. MaryBeth Shea seconded the motion, which unanimously passed. Dr. C. Richard Gerber will be President starting July 1, 2018 through June 30, 2019.

Dr. Byron H. Black, nominated Dr. Samuel V. Veltri as Secretary. Dr. Charles L. Smith seconded the nomination. Dr. Charles L. Smith moved the nominations for Secretary be closed, Mrs. MaryBeth Shea seconded the motion, which unanimously passed. Dr. Samuel V. Veltri will be Secretary starting July 1, 2018 through June 30, 2019.

At this time the meeting was adjourned with the next regularly scheduled meeting scheduled for July 18 & 19, 2018 at the Greenbrier Hotel, White Sulphur Springs, West Virginia.