

# WEST VIRGINIA BOARD OF DENTISTRY

## MINUTES - GENERAL SESSION

- Dates:** July 18 & 19, 2018
- Location:** The Greenbrier  
300 West Main Street  
White Sulphur Springs, WV 24986
- Members Present:** C. Richard Gerber, DDS, President  
Samuel V. Veltri, DDS, Secretary  
Byron H. Black, DDS  
John E. Bogers, DDS  
Mr. William E. Ford, III  
Stanley W. Kaczowski, DDS  
Mary Beth Shea, RDH  
Charles L. Smith, DDS  
Beverly L. Stevens, COMSA
- Staff Present:** Mrs. Susan M. Combs, Executive Secretary  
Mr. Evan Dewey, Administrative Assistant  
Mr. Walt Williams, Investigator  
Ms. Betty A. Pullin, Board Counsel
- Guests Present:** Steve Holcomb, DMD, Central Regional Dental Testing Agency 7/18 & 7/19  
Kim Laudenslager, RDH, Central Regional Dental Testing Agency 7/18  
Bruce Horn, DDS, Western Regional Examining Board 7/18  
Robert Hall, DDS, Southern Regional Testing Service 7/18  
Marc Muncy, DDS, Southern Regional Testing Service 7/18  
Buddy Wester, DDS, Council of Interstate Testing Agency 7/18  
David Perkins, DMD, Commission on Dental Competency Assessments 7/18  
Mr. Alex Vandiver, Commission on Dental Competency Assessments 7/18  
Jeff Hartsog, DMD, American Board of Dental Examiners 7/18  
Richard Stevens, West Virginia Dental Association 7/18 & 7/19

### July 18, 2018

The morning began in open session with presentations from regional testing agencies concerning their exams. Thereafter, the giving of law exams and interviewing of the applicants as noticed to the Secretary of State's Office, were given during closed session. Thereafter the complaint committees met with the Board's Counsel to review complaints and disciplinary matters, with no

decisions or votes being made.

### **July 19, 2018**

The Board's President, Dr. Gerber, 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. Gerber, Dr. Veltri, Dr. Black, Dr. Bogers, Mr. Ford, Dr. Kaczkowski, Mrs. Shea, Dr. Smith & Mrs. Stevens. 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 April, 2018, meeting. Upon motion by Dr. Charles L. Smith, and properly seconded by Mrs. MaryBeth Shea, and unanimously passed, the minutes were approved as distributed.

At this time the President of the Board moved the topic of the denial of claims to dental offices closed during the 2014 water crisis as the next order of business. The Board received information concerning the denial of claims due to the lack of a Board Order to close during this crisis. At the request of the President, the staff drafted a letter on behalf of the dental offices affected stating remaining open during a "Do Not Use" order by West Virginia American Water Company would be a violation of the Dental Practice Act, more specifically under § 30-4-19(g)(7). The Board approved the letter by general consent. The letter was mailed certified to Smith, Cochran and Hicks, PLLC, Claims Administrator.

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

American Association of Dental Boards  
Dental Assisting National Board, Inc.  
Nebraska Board of Dentistry  
The Organization for Safety, Asepsis and Prevention (OSAP)  
West Virginia Dental Association

The next order of business was a general legislative discussion, executive orders, and news articles. The Executive Secretary, Susan Combs, went over the executive order concerning regulatory review and what is required in the review of all the Board's rules and a sample report for Series 1. The rule review report is due to the Governor and Legislative Rule Making Review Committee on or before November 1, 2018.

The next order of business was information from the National Commission on Recognition of Dental Specialties and Certifying Boards along with a copy of their Policy and Procedure Manual.

The President directed Board staff to review past meeting minutes to ascertain who is on the committee to review national specialty changes so they can begin studying what changes need to be made to the Dental Practice Act and any affected rules of the Board.

The next order of business was a discussion concerning the application of silver diamine fluoride. The Board requested its staff to obtain further information as to whether the American Dental Association has any guidelines regarding the application of this flouride and to review again during the November meeting.

The next order of business were the Executive Director's Reports of the American Association of Dental Boards, which were taken for information purposes.

The next order of business was notification from the American Association of Oral and Maxillofacial Surgeons concerning their development of a Dental Anesthesia Incident Reporting System (DAIRS). DAIRS is an anonymous, self-reporting tool used to collect and analyze dental anesthesia-related incidents. Submissions are converted into aggregate data, which can then be used for research and educational purposes on patient safety and anesthesia delivery. Dr. Byron Black will request a copy of a sample report for the Board's information at the November meeting.

The next order of business was information from Ethics and Boundaries Assessment Services, LLC, concerning their services for disciplinary cases, which was taken for information purposes at this time.

The next order of business was a letter from NOBILIUM concerning their development of a new system of denture identification called DentureID.com to comply with state requirements for denture identification. After a review of the letter and information, the Board determined this ID system does not meet the requirements set forth in West Virginia statutes.

The next order of business were regional board reports, membership representations, and invitations for exam presentations, which took place on the first day of these meetings. Drs. Smith & Gerber will remain on the Finance and Strategic Planning Committees of the Southern Regional Testing Agency (SRTA)(respectively). Dr. John C. Dixon was appointed to the newly created Quality Assurance Committee of SRTA. Dr. Kaczowski will remain on the House of Representatives and Endo Dental Exam Committee of the American Board of Dental Examiners. The President appointed a committee to review and consider the presentations from the regional testing agencies to propose any recommended changes to the Board's rules regarding clinical testing for licensure. Drs. Veltri, Kaczowski and Mrs. MaryBeth Shea were appointed to this committee.

The next order of business was an oral report concerning contact with the West Virginia Board of Medicine concerning licensees taking suboxone. This report was taken for information purposes.

The next order of business was a letter from Mr. Alton Harvey concerning his resignation

from the American Board of Dental Examiners (ADEX) and a response from ADEX concerning this issue, which was taken for information purposes.

The next order of business were the financial reports for the fourth quarter of fiscal year 2018, and the PCard report, which includes the Ghost travel account, for the period of April to June 2018. The 2018 Purchasing Audit was reviewed as well. Upon motion by Dr. Jack Bogers, and properly seconded by Dr. Stan Kaczowski, and unanimously passing, the financial, PCard reports, and Purchasing Audit 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 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 an update by Evan Dewey concerning the progress of the licensing software with GL Solutions, including the next three year support plan, which was taken for information purposes at this time.

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

American Association of Dental Administrators - September 2018

American Association of Dental Boards - September 2018

American Board of Dental Examiners - August 2018

Central Regional Dental Testing Services - August 2018

West Virginia Dental Association - July 2018

WV Board of Dentistry Calendar

The Board directed its staff to schedule the winter meeting for February 1 and 2, 2019, at the Marriott in Charleston.

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. Stan W. Kaczowski, and properly seconded by Dr. Samuel V. Veltri, 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 Cases 2016-DB-0026D, 2016-DB-0041D and 2017-DB-0006D, which were combined in one Consent Agreement. The complaint committee recommended the approval of a signed Consent Agreement

and Order in this case. Upon motion by Dr. Charles L. Smith, and properly seconded by Dr. Samuel V. Veltri, and unanimously passing, the Board accepted the Consent Agreement 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 Mrs. Verly L. Stevens, 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. John E. Bogers, and properly seconded by Dr. Samuel V. Veltri, and unanimously passed, the board approved applicants for licensure pending completion of their applications as determined during interviews or as yet to be determined. Application number 2018-115 will be reviewed further for educational requirements. 2018-051 will be considered after Board determined requirements have been met.

At this time the meeting was adjourned with the next meeting scheduled for November 2 and 3, 2018, at the Hilton Garden Inn, Morgantown, West Virginia. A lunch and learn with senior dental and hygiene students at West Virginia University, School of Dentistry is scheduled for November 1, 2018, at 12:00 PM at the Dental School.