

WEST VIRGINIA BOARD OF DENTISTRY

MINUTES

Dates: March 31 & April 1, 2023

Location: Oglebay Resort
465 Lodge Drive
Wheeling, WV 26003

Members Present: John E. Bogers, DDS, President
William A. Klenk, Secretary
David G. Edwards, DDS
Lewis D. Gilbert, DDS
Stan W. Kackowski, DDS
Kimberly A. Lowe, RDA
Gina M. Sharps, MPH, BSDH
S. Vincent Veltri, DDS

Staff Present: Mrs. Susan M. Combs, Executive Director

Board Counsel: Ms. Joanne Vella, Assistant Attorney General (3/31)

March 31, 2023

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

The Budget and Personnel Committees held a joint meeting to discuss the Board's finances, review the 2024 budget and to review personnel issues, including, but not limited to possible salary increases, with no decisions or votes being made.

The Board's President, Dr. Bogers, determined this meeting was properly noticed with the Secretary of State's office and a sufficient number of members were in attendance to constitute a quorum. The quorum was determined by the presence of eight Board members. Therefore, the meeting of the West Virginia Board of Dentistry was called to order.

The next order of business were the minutes from the January meeting. Upon motion by Dr. David G. Edwards, and properly seconded by Dr. Stan W. Kackowski, and unanimously passing the minutes were approved.

The next order of business was the general legislative discussion. The Board reviewed the following bills that passed the 2023 Legislative Session, which were taken for information purposes at this time: HB2967; HB3141; HB3317; SB240; SB247; and SB361. The Board reviewed the rule-making deadlines for the 2024 Legislative Session and two series of rules. The Board's General rule, 5CSR1 and the rule regarding accessing the Controlled Substance Monitoring Data Base, 5CSR10. The Board considered a proposed rule for 5CSR1, including possible changes to clarify educational requirements for foreign trained dentist with advanced training in general dentistry, modifications to trade names as well as information received concerning a request to modify teaching permits. The Board took the proposed version of

5CSR1 for information only. The Board reviewed an updated version of 5CSR10 and upon a motion made by Dr. S. Vincent Veltri, and properly seconded by Dr. William A. Klenk, and unanimously passing, the Board instructed the Executive Director to put the proposed version of 5CSR10 out for public comment. The following documents were reviewed and taken for information purposes only: Dental Licensure Compact; Colorado Legislation concerning Dental Therapists; and the US Congressional Bill concerning the improvement of dental and optical health.

The next order of business was a discussion concerning regional boards and representation which was taken for information purposes.

The next order of business were the financial and PCard reports with all members having the ability to review the Pcard logs. Dr. David G. Edwards made a motion to accept the financial and PCard reports as distributed. Dr. S. Vincent Veltri seconded the motion, which unanimously passed.

The next order of business was a review of the proposed 2024 budget. Dr. William A. Klenk made a motion to approve the proposed budget and give the Executive Director the ability to make adjustments to it as needed. Dr. S. Vincent Veltri seconded the motion, which unanimously passed.

The next order of business was a report by the personnel committee. Dr. S. Vincent Veltri made a motion to give employees Susan Combs and Christina Lesko raises of 10% beginning the first pay period of Fiscal year 2024. Dr. David G. Edwards seconded the motion, which unanimously passed.

The next order of business was a discussion of In-House Counsel. The Board will continue to look for someone to fill this position as a temporary employee.

The next order of business was a letter from Affiliated Monitors Independent Monitoring, which was taken for information purposes only.

The next order of business was a letter from the American Academy of Dental Sleep Medicine, which was taken for information purposes only.

The next order of business were the actions of the Commission on Dental Accreditation for the Winter of 2023, which was taken for information purposes only.

The next order of business was a draft document from the Federation of State Medical Boards Strategies for Prescribing Opioids for the Management of Pain, which was taken for information purposes only.

The next order of business was a discussion concerning the Executive Director's contact with the Commissioner of the Bureau for Public Health, Dr. Matthew Christiansen, concerning a possible Memorandum of Understanding for the Board to receive autopsy reports when necessary for Board investigations. This was verbally presented to the Board and taken for information purposes only at this time.

The next order of business was the Local Anesthesia Guidelines. After discussion concerning the same and the requirements for applicants who hold local anesthesia permits in other states, Mrs. Gina Sharps made a motion to amend the guidelines to allow hygienists who are licensed

in WV, and hold an anesthesia permit in another state, to get a permit from the WV Board without taking the written local anesthesia board. However, we will require verification of the local anesthesia permit prior to issuing a permit in WV. Dr. S. Vincent Veltri seconded the motion, which unanimously passed.

The next order of business was an update on the licensing software development contract with GL Solutions and the dental workforce survey. The current contract is up for renewal and GL has requested an increase for the next contract. Currently the Board has several tasks and projects going within the system. Projects include the ability to request and pay for licensure verification on the Board's website and entering the non-surgical laser therapy certifications into the back-end of the system for each individual record. Future projects will include adding the three new specialties into the specialty application in the database system, ability to request and pay for rosters on the Board's website, an online complaint form as well as adding more survey questions to the online renewals or a link to a survey at another site.

The next order of business was the Board of Risk & Insurance Management related safety requirements, wherein the provided safety documentation was reviewed.

The next order of business were newsletters and publications from the American Association of Dental Boards; National Practitioner Data Bank, West Virginia Dental Association and an article concerning an FDA investigation concerning a dental appliance. All newsletters and publications were taken for information purposes only.

The next order of business were future meetings including the WVDA meeting in July and the Board's Calendar through the end of this calendar year. The Board's January 2024 meeting will be on January 12 & 13, 2024 in Charleston, WV, at a specific location to be determined.

The next order of business was the election of officers for fiscal year 2024. Dr. Lewis D. Gilbert made a motion that the officers remain the same, Dr. Bogers as President and Dr. Klenk as Secretary. Dr. S. Vincent Veltri seconded the motion, which unanimously passed. Therefore, Dr. Bogers was elected President and Dr. Klenk was elected Secretary.

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 applications for licensure, complaints, and investigations. Dr. David G. Edwards made a motion to go into Executive Session. Dr. Lewis D. Gilbert seconded the motion, which unanimously passed. The Board recessed afterwards until the morning session.

April 1, 2023

The morning began in Executive Session, wherein Dr. S. Vincent Veltri recused himself from part of the discussions. Thereafter, Dr. S. Vincent Veltri made a motion to go into General Session. Dr. Stan W. Kaczowski seconded the motion, which unanimously passed.

The next order of business was application number 2023-15 for dental licensure. Dr. Lewis D. Gilbert made a motion to invite the applicant to the Board's next meeting for a personal interview. Dr. S. Vincent Veltri seconded the motion, which unanimously passed. The applicant will be notified a personal interview will be required with a date and time at the Board's next meeting in July, 2023.

The next order of business was the consideration of Complaint Committee recommendations. Dr. Stan W. Kaczkowski made a motion to accept all of the recommendations of the Complaint Committees. Dr. David G. Edwards seconded the motion, which unanimously passed.

The next order of business was a review and consideration of the Order denying the License Reinstatement of Dr. Antoine E. Skaff. Dr. S. Vincent Veltri made a motion to approve the Order as drafted by Board Counsel. Dr. Stan W. Kaczkowski seconded the motion, which unanimously passed.

The next order of business was a re-review of the January minutes, which needed correction. Page 3, paragraph 4, needed to be completed as a note existed for more information at the end of the paragraph. Dr. S. Vincent Veltri made a motion the last sentence of the paragraph read "The applicant will be notified of the denial by Order of the Board, which will be reviewed by the Board at its next meeting." Dr. Stan W. Kaczkowski seconded the motion, which unanimously passed.

The next order of business was a motion to adjourn by Dr. David G. Edwards. Dr. S. Vincent Veltri seconded the motion, which passed unanimously. The Board's next regularly scheduled meeting will be July 20 & 21, 2023, at The Greenbrier, White Sulphur Springs, West Virginia.