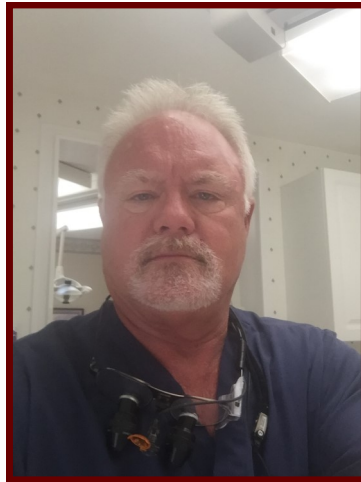


The Dental Examiner

Inside this issue:

- President's Message Continued **2**
- Public Notification of Expenses **2**
- Board Actions **3**
- Anesthesia Committee Reviews New Anesthesia Guidelines **3**
- CE Audit Results & Tips for Passing an Audit **4**
- Future Meetings **4**
- EPA Dental Effluent Regulations **5**
- General Renewal & CE Reminders **5**
- Mission Statement **6**
- Board Members, Board Staff & Anesthesia Committee **6**



Stan Kaczowski, DDS

Elected to Second Term as Board President

Greetings from the Board! Another year has passed with all its challenges. And I am glad to relay the Board is doing well in implementing the mission of protecting the citizens of West Virginia. We have been diligent in our investigation of complaints filed against the members of our profession. And have ultimately returned verdicts that have hopefully allowed for remediation of the professional involved or, in severe violation situations, the removal of the offender from practice, temporarily or terminally. Of the 42 cases submitted to the Board for the fiscal year 2017 at least 43% were dismissed due to lack of merit. Of the remainder, most were handled with educative letters and minor fines and subsequent monitoring and remediation. This I believe is indicative of our efforts to act as a protective interface between patients and those treating individuals to maintain safety and to ensure standard of care levels of performance. I am confident that every member of the Board has been thorough and fair minded in carrying out these duties! I would like to thank the current Board members as well as the staff for their efforts in this area.

Unfortunately we lost the services of our respected counselor from the Office of the Attorney General. Betty Pullin resigned from her position mid-year to take care of her family. We want to thank Betty for her consistent and valuable efforts to keep the Board on track legally.

The loss of our full-time AG attorney has put added strain on the staff due to not being able to work with only one attorney. Susan Combs is working now with at least three AG attorneys. This makes it challenging to maintain consistent and smooth case flow. The Board will consider ways to rectify the situation over the next six months.

Added to the licensure process this year, by legislative mandate, is the requirement that all new applicants undergo a criminal background check before being considered for licensure. Our staff has been vetted and certified to allow them to handle information that is obtained from these confidential checks. This is a requirement that pertains to only new licensees not to those persons renewing their license. Please note these background checks are quite thorough. If you are applying for a new license and are aware of any incidents that will appear in your record please report them on your application. Failure to report can lead to failure to be licensed. Let me say that again. **FAILURE TO REPORT MAY LEAD TO FAILURE TO BE LICENSED!!** It's better to report if an incident is in question.

Other business the Board is involved in concerns the successful wrap of our IT overhaul. There were times when we were on the edge of losing all the efforts in that area as well as the money allotted for its completion. And that was a significant amount. But due to the constant effort and steadfastness of Evan Dewey, our IT project manager, in holding our suppliers "feet to the fire" the Board has accomplished the IT overhaul. As you now conveniently use our online services for license renewal among other services please thank Mr. Dewey for all his efforts.

Continued on Page 2

Anesthesia Guidelines

“Due to the change in the anesthesia guidelines of the ADA in October, 2016, there are new requirements for obtaining class 3A permits.”



President’s Message Continued...

We had three members who were recently reappointed by Governor Justice. These are Mrs. Beverly Stevens CDA, our dental assistant member, Mr. Bill Ford JD, our public member, and Dr. Charles Smith. Congratulations to these members on their reappointments. They have contributed much in the past and I'm sure we can expect the same laudable effort over the next 5 years.

As you may know, Dr. Byron Black heads our anesthesia committee. We met a few months back in Bridgeport for the annual anesthesia committee meeting. I would like to say how much I respect Byron for his knowledge and expertise in the area of anesthesia. And I wish to thank all the standing members of that committee for the valuable and absolutely necessary efforts they make in ensuring the public can remain confident when having to have treatment in conjunction with this service. Due to the change in the anesthesia guidelines of the ADA in October, 2016, there are new requirements for obtaining class 3A permits. Increased hours of instruction as well as new requirements in CO2 monitoring for class 3 permits. Please review these guidelines and make yourself aware of the changes made to them.

Finally, I will be standing down from my position as President at the end of June, 2018. It has been an honor to be allowed to lead the Board over the past year. I am grateful for the support I have received from both the staff and the members. I cannot emphasize enough how much I respect these individuals for the professionalism they exhibit and the dedication of time and talent they have extended during my tenure as President. Special thanks to Susan Combs for all of her knowledge and shared experience. We made a good choice when we asked her to become our Executive Director. I would be more lost than I sometimes appear if it was not for Susan.

Let me lastly re-emphasize the mission of the WV Board of Dentistry: We protect the people of West Virginia. I believe this has been our focus and am proud of our efforts.

Stan Kaczowski, DDS

President

Public Notification of Expenses

Fiscal Year 2017 Expenses	
Salaries and Employee Benefits	\$206,604
Legal Counsel	126,469
Operations/Office Expenses	84,125
Database	27,000
Dental Recovery Network	15,000
Association Dues	7,445
Total Expenses	\$466,643

- ❖ The Dental Recovery Network is a rehabilitation service offered to licensed dental professionals who are dealing with substance abuse and/or mental disorders.
- ❖ A one-time expense to complete payment for the improved database was made in FY17. Future related expenses will only be required for warranty plans and enhancements.

Board Actions

2012-DB-0039H - Consent Decree & Order - Failure to complete CE; Continuing Education Required in addition to normal requirements; Fine \$100; Costs \$250.

2015-DB-0045D - Consent Decree & Order - Violation of Standard of Care; Reprimand; Continuing Education Required in addition to normal requirements; Restitution \$5,112.16; Fine \$3,000; Costs \$2,985.

2015-DB-0055D-01 - Consent Decree & Order - Patient Abandonment; Reprimand; Continuing Education Required in addition to normal requirements; Fine \$3,000; Costs \$4,700.

2016-DB-0035D - Consent Decree & Order - Unprofessional Conduct; Evaluation by DRN or Equivalent; Fine \$1,000; Costs \$1,500.

2015-DB-0057D - Consent Decree & Order - Unprofessional Conduct; Suspended; Reprimanded; Continuing Education Required in addition to normal requirements; Evaluation by American Association of Dental Boards Dentist Professional Review and Evaluation Program; Surrender of DEA Registration; Fine \$30,000; Costs \$13,804.

Application 2017-014 - Order Denying Licensure Application - Revocation of Licensure in TX which was based upon Proposal for Decision by an Administrative Law Judge of the Texas Office of Administrative Hearings.



Anesthesia Committee Reviews New Anesthesia Guidelines

During the ADA annual meeting in October, 2016, the House of Delegates voted to approve a resolution updating the guidelines for the teaching of sedation and the use of sedation and general anesthesia by dentists. The Board's Anesthesia Committee reviewed these two documents at their meeting in June 2017.

Changes were made in regards to minimal sedation (Class 2 permit) wherein supplemental dosing in which the total combined dose must not exceed 1.5 times the manufacturers recommended dose is now prohibited. Only a single dose or multiple doses in which the cumulative amount does not exceed the manufacturers recommended dose is allowed. This has been West Virginia law for a number of years. The new guidelines also add a statement that a sedative agent combined with nitrous oxide and oxygen may produce a level of sedation up to general anesthesia.

In regards to moderate sedation (Class 3 permits) the new guidelines focus more on the level of sedation than the route of medication administration. The educational requirements increased to 60 hours of didactic instruction and the administration of sedation to at least 20 patients.

For moderate and deep sedation levels and general anesthesia (Class 3 & 4 permits), the monitoring of ventilation must be assisted by capnography and monitoring of end-tidal carbon dioxide.

The Anesthesia Committee voted to seek no legislative changes in response to the new guidelines. Some of the courses approved previously for class 3A permits may no longer be acceptable. The committee voted to require the 60 hours of instruction for 3A permits and to require capnography for Class 3A, 3B and 4 permit holders. The Board's laws and rules in regards to sedation education, monitoring, equipment, etc relies extensively upon these guidelines making these changes effective the date of adoption.

All applications for anesthesia permits have been updated to follow the ADA guidelines.



Capnography is required for West Virginia Class 3A, 3B and 4 permit holders.



CE Audit Results & Tips For Passing an Audit

Issue	Dental	Hygiene
Lack of Hours in General	2	4
Lack of Proper Documentation	1	0
Lack of Drug Diversion Training	1	n/a
Lack of 2 Hour Requirement	3	2
Lack of CPR Card	0	1
Lack of Medical Emergencies	n/a	2
Lack of Total Response	0	2
Records Lost in 2016 Flooding	0	1
Total Failing Audit	4	8
Total Correcting Failing Issues	4	5
Total Currently Failing Audit	0	2

NON-COMPLIANCE WITH CE RULES OR FAILING AN AUDIT MAY RESULT IN NON-RENEWAL OF LICENSE.

TIPS FOR PASSING AN AUDIT

Know the CE rules, take proper course subjects, and carefully answer the questions on the CE reporting form.

Only report credits received during the CE period.

Keep a checklist for CE certificates to ensure you receive them from the course provider. You should not have to gather these from providers upon receipt of an audit notice. Registration receipts are not acceptable.

Maintain CE certificates for six years.

Do not throw away your expired CPR cards. These cards are part of your CE records.

Answer the audit letter in a timely manner.

Should you fail an audit, comply with board requirements to come into compliance.

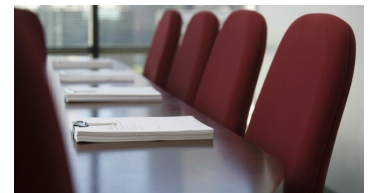
Future Meetings

November 3 & 4, 2017 January 19 & 20, 2018

Clarksburg, WV Charleston, WV

April 13 & 14, 2018 July 18 & 19, 2018

Daniels, WV White Sulphur Springs, WV



EPA Dental Effluent Regulations

Effective July 14, 2017, dental offices that place or remove amalgam must operate and maintain an amalgam separator and must not discharge scrap amalgam or use certain kinds of line cleaners.

Existing dental offices must comply with this rule by July 14, 2020. Existing amalgam separators may be operated for their lifetime or ten years, whichever comes first. A separator must be replaced after 10 years of use as the separator no longer meets the standard of the final rule. (A one-time compliance report is required by October 12, 2020.)

New dental offices, the compliance date is the effective date of the rule. (A one-time compliance report is required within 90 days of installation.)

Those exempt from installing amalgam separators are: Dentists exclusively practicing in one of these specialties: Oral Pathology, Oral & Maxillofacial Radiology; Oral & Maxillofacial Surgery; Orthodontics; Periodontics; and Prosthodontics. (No action required.)

Wastewater discharges from a mobile dental unit or into a private septic system. (No action required.) **Even though the EPA may exempt this situation, other state and local laws may apply.**

Dentists who do not place amalgam and do not remove amalgam except in limited emergency or unplanned, unanticipated circumstances, and who certify as such (estimated less than 5%). (A one-time compliance report by October 12, 2020 is required.)

You may contact the WV Department of Environmental Protection, Division of Water & Waste Management for more information concerning the rule and compliance. (304)926-0495



General Renewal & CE Reminders

There is no longer a grace period and post marks do not matter. Renewals are due in the Board office February 1, 2018.

Late fees will be applied to renewals received in the office after this date. Since this is a CE year, CE reports not received by the due date will also add a late fee.

Example:

Dentist Renewal, late fee, late CE fee is \$555 plus \$10 DRN fee = \$565

Hygienist Renewal, late fee, late CE fee is \$225 plus \$5 DRN fee = \$230

When completing your renewal form you are requested to list your current employers and related business information. This applies to ALL licensees. If you are retired or unemployed, please indicate such status on your form.

Address changes are required to be reported to the Board within 30 days of the change, whether business or home address. You may mail, fax or email address changes to the Board office.

Late fees, as previously mentioned, will be applied to renewals received in the office after February 1, 2018.

CPR certification is to remain current. Also, online CPR certification is not acceptable unless the course includes a skills examination with a certified instructor.

The current Continuing Education period started February 1, 2016 and ends January 31, 2018. CE credits are to be reported by February 1, 2018.

Renew  Online

Online Renewals are available now. See instructions included in your renewal package.



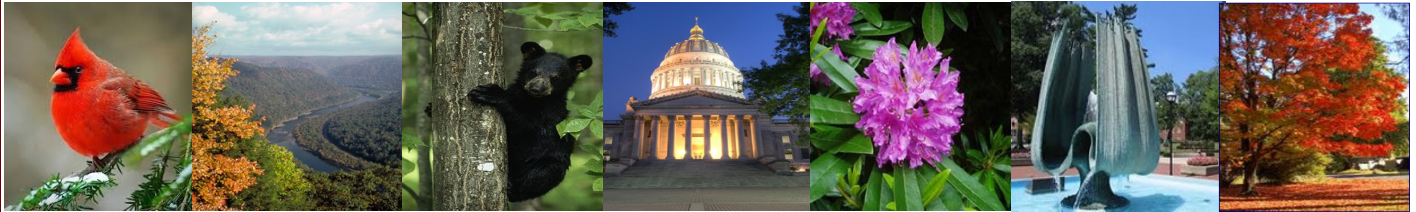
WV BOARD OF DENTISTRY

PO Box 1447
 Crab Orchard, WV 25827
 Phone: 304-252-8266
 Toll Free: 877-914-8266
 Fax: 304-253-9454
 E-mail: wvbd@suddenlinkmail.com
 Website: www.wvdentalboard.org

The Board's Mission

The West Virginia Board of Dentistry is an agency of the State mandated by legislature to protect the public health, safety, and welfare of its citizens.

The Board regulates the profession of dentistry and licenses dentists and dental hygienists who have proven minimal competency standards by examination.



MEMBERS OF THE BOARD

BOARD STAFF & COUNSEL

ANESTHESIA COMMITTEE

Stan W. Kaczowski, DDS, President
 Charles L. Smith, DDS, Secretary
 Byron H. Black, DDS
 John E. Bogers, II, DDS
 C. Richard Gerber, DDS
 Samuel V. Veltri, DDS
 Mary Beth Shea, RDH
 Beverly L. Stevens, COMSA
 William E. Ford, III, Citizen Member

Susan M. Combs
Executive Secretary
 Carolyn A. Brewer
Office Manager
 Evan M. Dewey
Administrative Assistant
 George D. Conard, Jr., DDS
 John C. Dixon, DDS
 Dina A. Vaughan, BSDH, MS
 Walter Williams
Investigators

Byron H. Black, DDS, Chairman
 Lewis D. Gilbert, DDS
 Gino A. Gismondi, DDS
 Kevin C. Lucky, DDS
 William R. Marshall, DDS
 Babak D. Noorbakhsh, DDS
 Elizabeth Pham O'Dell, DDS
 Jon A. Pike, DDS
 Michael Sokolosky, DDS
 Timothy G. Thorne, DDS
 Bryan D. Weaver, DDS, MD