



# **TEXAS STATE BOARD OF DENTAL EXAMINERS BOARD MEETING**

**Convenes on August 12, 2016 - 8:30 A.M. - Conclusion  
333 Guadalupe St, Tower 2, Suite 225  
Health Professions Council Conference Room  
Austin, TX 78701**

## **AGENDA**

- 1. CALL TO ORDER.**
- 2. ROLL CALL.**
- 3. DISCUSSION AND REVIEW OF MINUTES FROM THE JUNE 3, 2016, BOARD MEETING.**
- 4. DISCUSSION AND ACTION ON PROPOSED CASE RESOLUTIONS.**
  - 4.1. Agreed Settlement Orders.
  - 4.2. Remedial Plans.
  - 4.3. Consent Orders.
  - 4.4. Modification Orders.
  - 4.5. Staff Recommendations of Dismissal.
- 5. PRESIDING OFFICER REPORT.**
- 6. MISCELLANEOUS REPORTS.**
  - 6.1. Professional Recovery Network Report.
  - 6.2. Western Regional Examining Board Dental Hygiene Report.
  - 6.3. Western Regional Examining Board Report.
- 7. DISCUSSION AND ACTION CONCERNING COMMITTEES AND COMMITTEE REPORTS.**
  - 7.1. Anesthesia Committee.
  - 7.2. Licensing Committee.
    - 7.2.1. Discussion and Action on Application for Special Consideration or Exception to Board Rules.
      - 7.2.1.1. Larry Byrd, DDS.
    - 7.2.2. Discussion and Action on Applications for Licensure/Registration.
      - 7.2.2.1. Application 2016Q4DEN1.
      - 7.2.2.2. Application 2016Q4DEN2.
      - 7.2.2.3. Application 2016Q4DEN3.
    - 7.3.3. Discussion and Action on Training Programs
      - 7.3.3.1. UT School of Dentistry at Houston – Coronal Polishing Course
      - 7.3.3.2. Texas Women’s University Dental Hygiene Program – Nitrous Course
- 8. PUBLIC COMMENT**
- 9. DISCUSSION AND ACTION ON RULES AND DISCIPLINARY MATRIX.**
  - 9.1. Discussion regarding disciplinary matrix.**
    - 9.1.1. Modification of the disciplinary matrix.

## **9.2. Discussion regarding proposal of rule amendments.**

- 9.2.1. 22 Tex. Admin. Code 107.49, Proposals for Decision.
- 9.2.2. 22 Tex. Admin. Code 107.50, Filing of Exceptions, Briefs, and Replies.
- 9.2.3. 22 Tex. Admin. Code 107.51, Findings of Fact and Conclusions of Law.
- 9.2.4. 22 Tex. Admin. Code 107.52, Oral Argument.
- 9.2.5. 22 Tex. Admin. Code 107.53, Final Decisions and Orders.

## **9.3. Discussion regarding proposal of new rules.**

- 9.3.1. New 22 Tex. Admin. Code 108.15, Written Emergency Plans.
- 9.3.2. New 22 Tex. Admin. Code 110.11, Written Emergency Plans.
- 9.3.3. New Chapter 111, Standards for Prescribing Dangerous Drugs and Controlled Substances.

## **9.4. Discussion and action regarding adoption of proposed repeal of rules.**

- 9.4.1. 22 Tex. Admin. Code 107.100, Receipt, Processing, and Coordination of Complaints.
- 9.4.2. 22 Tex. Admin. Code 107.101, Preliminary Inquiry of a Complaint.
- 9.4.3. 22 Tex. Admin. Code 107.102, Commencement of an Official Complaint.
- 9.4.4. 22 Tex. Admin. Code 107.103, Disposition of an Official Complaint.
- 9.4.5. 22 Tex. Admin. Code 107.104, Confidentiality of Investigations.
- 9.4.6. 22 Tex. Admin. Code 107.105, Request for Information and Records from Licensees.
- 9.4.7. 22 Tex. Admin. Code 107.106, Use of Expert Panel.
- 9.4.8. 22 Tex. Admin. Code 107.107, Selection of Expert Reviewers.
- 9.4.9. 22 Tex. Admin. Code 107.108, Determination of Competency by the Expert Panel.
- 9.4.10. 22 Tex. Admin. Code 107.110, Compliance.

## **9.5. Discussion and action regarding adoption of proposed new rules.**

- 9.5.1. 22 Tex. Admin. Code 100.6, Executive Committee of the Board.
- 9.5.2. 22 Tex. Admin. Code 100.7, Standing Committees of the Board.
- 9.5.3. 22 Tex. Admin. Code 100.8, Ad Hoc Committees of the Board.
- 9.5.4. 22 Tex. Admin. Code 100.9, Advisory Committees and Workgroups Established by the Board.
- 9.5.5. 22 Tex. Admin. Code 100.11, Stakeholder Meetings Convened by Staff.
- 9.5.6. 22 Tex. Admin. Code 107.100, Definitions.
- 9.5.7. 22 Tex. Admin. Code 107.101, Responsibilities of Investigations Division and Dental Practice Division.
- 9.5.8. 22 Tex. Admin. Code 107.102, Complaints.
- 9.5.9. 22 Tex. Admin. Code 107.103, Preliminary Investigation of a Complaint.
- 9.5.10. 22 Tex. Admin. Code 107.104, Official Investigation of a Complaint.
- 9.5.11. 22 Tex. Admin. Code 107.105, Collection of Information and Records.
- 9.5.12. 22 Tex. Admin. Code 107.106, Confidentiality of Investigations.
- 9.5.13. 22 Tex. Admin. Code 107.107, Use of Dental Review Panel.
- 9.5.14. 22 Tex. Admin. Code 107.108, Assignment of Dental Review Panel Members.
- 9.5.15. 22 Tex. Admin. Code 107.109, Review by Dental Review Panel Members.

## **10. DISCUSSION AND ACTION CONCERNING NEW COMMITTEE BUSINESS**

### **11. AGENCY ACTIVITY REPORTS.**

- 11.1. Executive Director's Report.
- 11.2. Finance and Administration Division Report.
- 11.3. Licensing Division Report.
- 11.4. Joint Report of the Investigations and Dental Practice Divisions.
- 11.5. Legal Division Report.

## **12. DISCUSSION AND ACTION ON CASES HEARD BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS (SOAH).**

- 12.1. **Docket No. 504-16-3438, Julio Salmeron, Registered Dental Assistant No. 10232.**  
Consideration of the Administrative Law Judge's Proposal for Decision, Recommendations, and Board Action.
- 12.2. **Docket No. 504-15-4769, Jesse Martin Taylor III, DDS, Texas Dental License No. 15101.**

- Consideration of the Administrative Law Judge's Proposal for Decision, Recommendations, and Board Action.
- 12.3. **Docket No. 504-16-4131, Shaurat R. Malik, DDS, Texas Dental License No. 19587.**  
Consideration of the Administrative Law Judge's Order No. 1 Dismissing Case, Recommendations, and Board Action.
- 12.4. **Docket No. 504-16-4162, David Medford, DDS, Texas Dental License No. 13112.**  
Consideration of the Administrative Law Judge's Order No. 1 Dismissing Case, Recommendations, and Board Action.

**13. ANNOUNCEMENTS.**

**14. ADJOURN.**

**EXECUTIVE SESSION:** The board reserves the right to conduct a closed meeting to discuss any posted agenda items as authorized by law. Specifically, the board may enter executive session to conduct a private consultation with its attorney to seek advice about pending or contemplated litigation or a settlement offer, pursuant to Section 551.071 of the Texas Government Code.