



# **TEXAS STATE BOARD OF DENTAL EXAMINERS**

## **BOARD MEETING**

**Convenes on February 26, 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 NOVEMBER 20, 2015, 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. Nunc Pro Tunc Orders.
  - 4.6. Staff Recommendations of Dismissal.
- 5. PUBLIC COMMENTS.**
- 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. Dental Hygiene Advisory Committee.
  - 7.2. Dental Laboratory Certification Council.
  - 7.3. Dental Review Panel Committee.
- 8. DISCUSSION OF PENDING LITIGATION.**
  - 8.1. AAID, et al v. TSBDE; No 1:14-cv-191; U.S. District Court, Western District of Texas, Austin Division.
  - 8.2. TMA v. TSBDE; No: D-1-GN-14-004941; 98<sup>th</sup> Judicial District, Travis County, Austin, Texas.
- 9. DISCUSSION AND ACTION ON RULES.**
  - 9.1. Discussion and action regarding rule review.**
    - 9.1.1. 22 Tex. Admin. Code, Chapter 110, Sedation and Anesthesia.
  - 9.2. Discussion and action regarding adoption of rule proposals.**
    - 9.2.1. 22 Tex. Admin. Code 107.26, Failure to Attend Hearing and Default.

### **9.3. Discussion and action regarding proposals of rules.**

- 9.3.1. 22 Tex. Admin. Code, Chapter 107, Dental Board Procedures, Subchapters B and C (Repeal).
- 9.3.2. 22 Tex. Admin. Code, Chapter 107, Dental Board Procedures, Subchapters B, C, and D (New).
- 9.3.3. 22 Tex. Admin. Code 107.69, Alternative Informal Assessment of Administrative Penalty.
- 9.3.4. 22 Tex. Admin. Code 108.52, Names and Responsibilities.
- 9.3.5. 22 Tex. Admin. Code 108.54, Advertising of Dental Specialties.
- 9.3.6. 22 Tex. Admin. Code 108.55, Advertising for General Dentists.
- 9.3.7. 22 Tex. Admin. Code 108.56, Certifications, Degrees, Fellowships, Memberships and Other Credentials.
- 9.3.8. 22 Tex. Admin. Code 108.61, Grounds and Procedures for Disciplinary Action for Advertising Violations.
- 9.3.9. 22 Tex. Admin. Code 108.12, Dental Treatment of Sleep Disorders.
- 9.3.10. 22 Tex. Admin. Code 102.1, Fee Schedule.

### **9.4. Discussion and action regarding stakeholder meetings.**

- 9.4.1. 22 Tex. Admin. Code 108.5, Patient Abandonment.
- 9.4.2. 22 Tex. Admin. Code, Chapter 107, Subchapter C, Administrative Penalties; and Disciplinary Matrix.
- 9.4.3. 22 Tex. Admin. Code, Chapter 104, Continuing Education.
- 9.4.4. Future topics.

## **10. AGENCY ACTIVITY REPORTS.**

- 10.1. Executive Director's Report.
- 10.2. Finance and Administration Division Report.
- 10.3. Licensing Division Report.
- 10.4. Joint Report of the Investigations and Dental Practice Divisions.
- 10.5. Legal Division Report.

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

### **11.1. Docket No. 504-16-0086; Crystal Cortes, RDA, Registered Dental Assistant Certificate No. 69419.**

- Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 504-16-0086.
- Consideration of Staff's Recommendations for Disposition of Docket No. 504-16-0086, including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with/without Modifications.
- Consider recommendations and take action: Crystal Cortes, RDA, Registered Dental Assistant Certificate No. 69419.

### **11.2. Docket No. 504-15-5537; Denise Ann Hughes, RDH, Texas Dental Hygiene License No. 10341.**

- Consideration of the Administrative Law Judge's Proposal for Decision in Docket No. 504-15-5537.
- Consideration of Staff's Recommendations for Disposition of Docket No. 504-15-5537, including Adoption of the Proposal for Decision's Findings of Fact and Conclusions of Law with/without Modifications.
- Consider recommendations and take action: Denise Ann Hughes, RDH, Texas Dental Hygiene License No. 10341.

## **12. PRESIDING OFFICER'S REPORT.**

## **13. ELECTION OF BOARD SECRETARY.**

## **14. ANNOUNCEMENTS.**

## **15. 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.