



TEXAS STATE BOARD OF DENTAL EXAMINERS

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BOARD MEETING MINUTES

April 16, 2010

1. **CALL TO ORDER:** Dr. Purifoy called the meeting of the Texas State Board of Dental Examiners (SBDE) to order. The time was 8:30 a.m. Dr. Austin read the Board's Mission Statement.

2. **ROLL CALL:** Dr. Gough called the roll. It was noted for the record that a quorum was present.

a. Members Present:

Dr. William Purifoy	Presiding Officer
Dr. Tamela Gough	Secretary
Dr. Steven Austin	Member
Ms. Mary Baty, RDH	Member
Dr. William Birdwell	Member
Dr. James W. Chancellor	Member
Dr. Maxwell Finn	Member
Ms. Alicia Grant, RDH	Member
Ms. Whitney Hyde	Public Member
Ms. Ann Pauli	Public Member
Dr. Rudolfo Ramos	Member
Mr. Jerry Romero	Public Member
Dr. Russell Schlattman	Member
Mr. Arthur Troilo	Public Member

b. Members Absent:

Ms. Georgiana Matz	Public Member	(Excused)
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c. SBDE Staff Present:

Ms. Sherri Sanders Meek	Executive Director
Ms. Joy Sparks	General Counsel
Ms. Lisa Jones	Director of Enforcement
Ms. Brenda Kilburn	Director of Administration
Ms. Vicki Shoesmith	Assistant to the Executive Director
Ms. Carey Olney	Staff Attorney

A MOTION WAS MADE BY MR. ROMERO AND SECONDED BY MS. PAULI TO EXCUSE MS. MATZ FROM THE MEETING. (FOR – 13 / OPPOSED – 0) MOTION CARRIES.

3. **ANNOUNCEMENTS.**

- a. Dr. Purifoy covered the public testimony registration process.
- b. Board Members and agency staff introduced themselves to the audience.

4. REVIEW AND APPROVAL OF MINUTES FROM THE NOVEMBER 20, 2009 BOARD MEETING.

Mr. Romero requested the title “Dr.” be changed to reflect “Mr.” in front of his name on change to Page 2, paragraph 5.

A MOTION WAS MADE BY MR. ROMERO AND SECONDED BY DR. RAMOS TO APPROVE THE MINUTES AS AMENDED. (FOR – 13 / OPPOSED – 0) MOTION CARRIES.

5. CONSENT AGENDA. The Consent Agenda was approved with the following changes to Agenda Item 12.4.2.:

12.4.2. Agreed Settlement Orders.

Dr. Birdwell requested the following Agreed Settlement Orders be removed from the Consent Agenda: Jackson, Natasha Y. RDA# 16671 and West, Daniel Patrick DDS# 14377.

A MOTION WAS MADE BY DR. RAMOS AND SECONDED BY MS. BATY TO APPROVE THE AGREED SETTLEMENT ORDERS AS PRESENTED. (FOR – 13 / OPPOSED – 0) MOTION CARRIES.

12.4.3. Ms. Sparks read the recusal list for Informal Settlement Conference Orders as follows:

<u>Board Member:</u>	<u>Recused from Consideration and Vote on ISC Order(s):</u>
Dr. Steven Austin:	Bean (DDS# 21382), Huneycutt (DDS# 17283), Lee (DDS# 21072), Marsaw (DDS# 13654), Naderi (DDS# 21115).
Ms. Mary Baty:	Baird (DDS# 16682), Hanson (DDS# 12448), Sinn (DDS# 21075), Vargas (DDS# 15374).
Dr. James Chancellor:	Davis (DDS# 8760), Scott (DDS# 6928).
Dr. Maxwell Finn:	Douthit (DDS# 15308), Hamilton (DDS# 10255), Hoang (DDS# 21435), Morgan (DDS#18850), Palmer (DDS# 13008), Weinstein (DDS# 19590).
Dr. Tamela Gough:	Baird (DDS# 16682), Davis (DDS# 8760), Garza (DDS# 20015), Hanson (DDS# 12448), Scott (DDS# 6928), Sinn (DDS# 21075), Tavakoli (DDS# 17911), Vargas (DDS# 15374).
Ms. Alicia Grant:	Davis (DDS# 8760), Scott (DDS# 6928), Godwin (DDS# 5202), Waters (DDS# 10855).
Ms. Ann Pauli:	Baird (DDS# 16682), Garza (DDS# 20015), Hanson (DDS# 12448), Sinn (DDS# 21075), Vargas (DDS# 15374).
Dr. William Purifoy:	Garza (DDS# 20015).
Dr. Rudolfo Ramos Jr.:	Chudej (DDS# 14735), Cutbirth (DDS# 12184), Hughes (DDS# 13041), Koehler (DDS# 21590).
Mr. Jerry Romero:	Hamilton (DDS# 10255), Hoang (DDS# 21435), Palmer (DDS# 13008).
Dr. Russell Schlattman:	Bean (DDS# 21382), Huneycutt (DDS# 21382), Jeansonne (DDS# 15424), Lee (DDS# 21072), Marsaw (DDS# 13654), Spencer (DDS# 11538).
Mr. Arthur Troilo:	Cutbirth (DDS# 12184), Hamilton (DDS# 10255), Hoang (DDS# 21435), Hughes (DDS# 10341), Koehler (DDS# 21590), Naderi (DDS# 21115), Palmer (DDS# 13008).

A MOTION WAS MADE BY DR. AUSTIN AND SECONDED BY MS. PAULI TO APPROVE THE INFORMAL SETTLEMENT CONFERENCE SETTLEMENT ORDERS AS PRESENTED. (FOR – 13 / OPPOSED – 0) MOTION CARRIES

6. APPEARANCES.

6.1. Robert C. Dorris, D.D.S., Lic #22534, Requesting Modification of Memorandum of Understanding.

A MOTION WAS MADE BY DR. CHANCELLOR AND SECONDED BY DR. BIRDWELL TO APPROVE DR.DORRIS REQUEST FOR MODIFICATION OR RELEASE FROM THE MEMORANDUM OF UNDERSTANDING DATED OCTOBER 28, 2005 WITH THE STIPULATION THAT AT THE END OF DR. DORRIS' CONTRACT HE BE REEVALUATED TO ENSURE THAT HE MEETS PROFESSIONAL RECOVERY NETWORK CRITERIA FOR RELEASE. (FOR – 13 / OPPOSED – 0) MOTION CARRIES

6.2. Charles P. Akin, D.D.S., Lic #7193, License applicant seeking approval for licensure in accordance with SBDE Rule 101.1(f).

A MOTION WAS MADE BY DR. AUSTIN AND SECONDED BY DR. GOUGH TO DENY DR. AKIN'S REQUEST FOR APPROVAL FOR LICENSURE IN ACCORDANCE WITH SBDE RULE 101.1(f). (FOR – 13 / OPPOSED – 0) MOTION CARRIES.

6.3. John Colby Smith, D.D.S., Lic #14994, Seeking approval to reapply for DEA/DPS privileges pursuant to Board Order #04-920-09629.

A MOTION WAS MADE BY DR. RAMOS AND SECONDED BY MS. HYDE TO APPROVE DR. SMITH'S REQUEST TO REAPPLY FOR HIS DEA/DPS PRIVILEGES PURSUANT TO BOARD ORDER #04-920-0629. (FOR – 13 / OPPOSED – 0) MOTION CARRIES.

The Presiding Officer called for a break at 9:40 a.m. The meeting reconvened at 9:48 a.m.

6.4. Oral Health Enrichment, Program Presentation by Julia Solooki, Director of Operations.

Edward R. Hills, DDS, Chief Advisory Consultant, and Ms. Julia Solooki, Director of Operations with Oral Health Enrichment (OHE), gave a presentation on OHE's education and remediation programs.

The Presiding Officer called for a break at 10:40 a.m. The meeting reconvened at 10:45 a.m.

6.5. DOCS Education, Application for Course Approval for Enteral Conscious Sedation Permit.

A MOTION WAS MADE BY DR. GOUGH AND SECONDED BY DR. FINN TO DENY DOCS EDUCATION AS AN ENTERAL CONSCIOUS SEDATION PERMIT COURSE. (FOR – 9 / OPPOSED – 4) MOTION CARRIES.

7. DISCUSSION AND POSSIBLE ACTION CONCERNING REPORTS OF BOARD COMMITTEES.

Anesthesia Rules Ad-Hoc Committee Report.

Dr. Gough reported that the Anesthesia Rules Ad-Hoc Committee met on April 15, 2010 at 2:00 p.m. to review and consider proposed revisions to Sedation and Anesthesia Rules in New Texas Administrative Code Chapter 110. The Committee will meet again to continue its review of these rules.

8. DISCUSSION AND POSSIBLE ACTION CONCERNING REPORTS OF ADVISORY COMMITTEES.

8.1. Dental Hygiene Advisory Committee (DHAC) Report.

Ms. Meek reported that the DHAC held a meeting on March 4, 2010 to discuss and consider proposed amendments to Rules 103.3, 103.4 and 103.8. The Committee voted unanimously to support all rule amendments presented. The DHAC also discussed the application and recommendation to the SBDE, of five dental hygienists for service as Texas Dental Hygiene Examiners for the Western Regional

Examining Board (WREB). The DHAC submitted the following names to the SBDE for further consideration and use by WREB as dental hygiene examiners from Texas:

- Brenda Hernandez, RDH, Lic #10957
- Christopher Johnson, RDH, Lic #6707
- Christine McClellan, RDH, Lic #11142
- Laura Southerland, RDH, Lic #7082
- Vickie Webb, RDH, Lic #5564

8.2. Dental Laboratory Certification Council Report.

Ms. Meek reported that the DLCC met on March 26, 2010 in Irving, Texas to discuss and consider materials disclosure information between laboratories and dental clients, FDA rules on labeling, requirements relating to electronic and digital recordkeeping and the publication of the registered dental laboratories.

9. MISCELLANEOUS REPORTS.

9.1. Professional Recovery Network (PRN) Report. Ms. Chamberlain, L.C.S.W., Director of PRN, presented a verbal and written report on second quarter PRN completed and future projects.

9.2. Western Regional Examining Board (WREB) Report.

9.1.1. WREB Board Meeting Report. Dr. Austin presented a report on the WREB Board Meeting held on January 30, 2010.

9.1.2. Dental Hygiene Exam Review Committee (ERC) Report. Ms. Grant reported on WREB's implementation of the Hygiene Electronic Scoring System (HESS) and the progress being made on Hygiene's Process of Care Exam.

9.3. Discussion and possible action concerning the evaluation of the Council on Interstate Testing Agencies (CITA) Exam.

9.3.1. CITA Dental Exam Report. Dr. Austin presented a report on his visit to observe CITA on March 18-20, 2010.

9.3.2. CITA Dental Hygiene Exam Report. Ms. Grant presented a report on her observations of the Dental Hygiene Clinical Exam on March 18, 2010.

A MOTION WAS MADE BY MS. GRANT AND SECONDED BY MS. PAULI TO ACCEPT THE CITA EXAM FOR DENTAL AND DENTAL HYGIENE LICENSURE IN TEXAS AND DIRECT STAFF TO BRING AMENDED RULES TO ACCEPT CITA AT THE NEXT MEETING. (FOR – 13 / OPPOSED – 0) MOTION CARRIES.

The Presiding Officer called for a break at 11:55 a.m. The meeting reconvened at 12:30 p.m. It was noted for the record that Dr. Schlattman and Dr. Birdwell joined the meeting at 12:33 p.m. and Dr. Chancellor left the meeting at 11:55 a.m., a quorum was present.

10. DISCUSSION AND POSSIBLE ACTION REGARDING RULES.

10.1. For Adoption:

10.1.1. Consideration of Adoption of Amendments to 22 Tex. Admin. Code §101.3, Relating to Licensure by Credentials; Consideration of Adoption of Amendments to 22 Tex. Admin. Code §101.4, Relating to Temporary Licensure by Credentials.

A MOTION WAS MADE BY DR. RAMOS AND SECONDED BY MR. ROMERO TO ADOPT PROPOSED AMENDMENTS TO RULE 101.3 AND 101.4 WITHOUT CHANGES AND PUBLISH IN THE TEXAS REGISTER. (FOR – 12 / OPPOSED – 0) MOTION CARRIES.

10.1.2. Consideration of Adoption of New 22 Tex. Admin. Code §101.8, Relating to Persons with Criminal Backgrounds.

A MOTION WAS MADE BY MS. GRANT AND SECONDED BY MS. BATY TO ADOPT PROPOSED NEW RULE 101.8 WITHOUT CHANGES AND PUBLISH IN THE TEXAS REGISTER. (FOR – 12 / OPPOSED – 0) MOTION CARRIES.

10.1.3. Consideration of Adoption of New Rex. Admin. Code §101.9, Relating to Criminal History Evaluation Letter; Consideration of Adoption of New 22 Tex. Admin. Code §103.8, Criminal History Evaluation Letter; Consideration of Adoption of New 22 Tex. Admin. Code §114.9 Criminal History Evaluation Letter.

A MOTION WAS MADE BY MS. PAULI AND SECONDED BY MS. HYDE TO ADOPT PROPOSED NEW RULES 101.9, 103.8, AND 114.9 WITHOUT CHANGES AND PUBLISH IN THE TEXAS REGISTER. (FOR – 12 / OPPOSED – 0) MOTION CARRIES.

10.1.4. Consideration of Adoption of Amendments to 22 Tex. Admin. Code §103.3, Relating to Licensure by Credentials; Consideration of Adoption of Amendments to 22 Tex. Admin. Code §103.4, Relating to Temporary Licensure by Credentials.

A MOTION WAS MADE BY MS. PAULI AND SECONDED BY MS. GRANT TO ADOPT PROPOSED AMENDMENTS TO RULES 103.3 AND 103.4 WITHOUT CHANGES AND PUBLISH IN THE TEXAS REGISTER. (FOR – 12 / OPPOSED – 0) MOTION CARRIES.

10.2. For Proposal:

10.2.1. Consideration of Proposed Amendments to 22 Tex. Admin Code §100.10, Relating to Executive Director.

A MOTION WAS MADE BY DR. AUSTIN AND SECONDED BY MS. PAULI TO PROPOSE AMENDMENTS TO RULE 100.10 AND PUBLISH IN THE TEXAS REGISTER. (FOR – 12 / OPPOSED – 0) MOTION CARRIES.

10.2.2. Consideration of Proposed Amendments to 22 Tex. Admin Code §103.5, Relating to Staggered Dental Hygiene Registrations.

A MOTION WAS MADE BY MR. ROMERO AND SECONDED BY MR. TROILO TO PROPOSE AMENDMENTS TO RULE 103.5 AND PUBLISH IN THE TEXAS REGISTER. (FOR – 12 / OPPOSED – 0) MOTION CARRIES.

10.2.3. Consideration of Proposed Amendments to 22 Tex. Admin Code §107.11, Relating to Definitions; Consideration of Proposed Amendments to 22 Tex. Admin Code §107.15; Relating to Computation of Time; Consideration of Proposed Amendments to 22 Tex. Admin Code §107.17, Relating to Service in Non-rulemaking Proceedings; Consideration of Proposed Amendments to 22 Tex. Admin Code §107.21, Relating to Appearances Personally or by Representative; Consideration of Proposed New 22 Tex. Admin Code §107.22, Relating to Pleading; Consideration of Proposed New 22 Tex. Admin Code §107.23, Relating to Commencement of Formal Disciplinary Proceedings; Consideration of Proposed New 22 Tex. Admin Code §107.24, Relating to Respondent's Answer in Disciplinary Matters; Consideration of Proposed New 22 Tex. Admin Code §107.25, Relating to Formal Proceedings; Consideration of Proposed New 22 Tex. Admin Code §107.47 Relating to Dispositions; Consideration of Proposed Amendments to 22 Tex. Admin Code §107.48; Relating to Subpoenas; Consideration of Proposed Amendments

to 22 Tex. Admin Code §107.50, Relating to Filing of Exceptions, Briefs and Replies; Consideration of Proposed Amendments to 22 Tex. Admin Code §107.54, Relating to Administrative Finality; Consideration of Proposed Amendments to 22 Tex. Admin Code §107.55, Relating to Motions for Rehearing; Consideration of Proposed Amendments to 22 Tex. Admin Code §107.63, Relating to Informal Disposition and Alternative Dispute Resolution.

A MOTION WAS MADE BY DR. BIRDWELL AND SECONDED BY MS. GRANT TO PROPOSE AMENDMENTS AND NEW RULES AS PRESENTED AND PUBLISH IN THE TEXAS REGISTER. (FOR – 12 / OPPOSED – 0) MOTION CARRIES.

10.2.4. Consideration of Proposed New 22 Tex. Admin Code §107.40 Relating to Reimbursement.

A MOTION WAS MADE BY MR. TROILO AND SECONDED BY MS. BATY TO PROPOSE NEW RULE 107.40 AND PUBLISH IN THE TEXAS REGISTER. (FOR – 12 / OPPOSED – 0) MOTION CARRIES.

10.2.5. Consideration of Proposed Amendments to 22 Tex Admin Code §107.59, Relating to Ex Parte Consultations.

A MOTION WAS MADE BY MS. PAULI AND SECONDED BY MS. HYDE TO PROPOSE AMENDMENTS TO RULE 107.59 AND PUBLISH IN THE TEXAS REGISTER. (FOR 12 / OPPOSED – 0) MOTION CARRIES.

10.2.6. Consideration of Proposed Amendments to 22 Tex. Admin Code §107.102, Relating to Procedures for Investigating Complaints.

A MOTION WAS MADE BY DR. AUSTIN AND SECONDED BY MS. PAULI TO PROPOSE AMENDMENTS TO RULE 107.102 AND PUBLISH IN THE TEXAS REGISTER. (FOR – 12 / OPPOSED – 0) MOTION CARRIES.

10.2.7. Consideration for Proposed New 22 Tex. Admin Code §107.203, Relating to Aggravating and Mitigating Factors.

A MOTION WAS MADE BY MS. GRANT AND SECONDED BY MR. ROMERO TO PROPOSE NEW RULE 107.203 AND PUBLISH IN THE TEXAS REGISTER. (FOR – 12 / OPPOSED – 0) MOTION CARRIES.

10.2.8. Consideration of Proposed Amendments to 22 Tex. Admin Code §108.7, Relating to Minimum Standard of Care, General.

A MOTION WAS MADE BY MS. PAULI AND SECONDED BY DR. AUSTIN TO PROPOSE AMENDMENTS TO RULE 108.7 AND PUBLISH IN THE TEXAS REGISTER. (FOR – 12 / OPPOSED – 0) MOTION CARRIES.

10.2.9. Consideration of Proposed Amendments to 22 Tex. Admin Code §108.8, Relating to Records of the Dentist.

A MOTION WAS MADE BY DR. AUSTIN AND SECONDED BY MS. BATY TO PROPOSE AMENDMENTS TO RULE 108.8 AND PUBLISH IN THE TEXAS REGISTER. (FOR – 12 / OPPOSED – 0) MOTION CARRIES.

10.2.10. Consideration of Proposed Amendments to 22 Tex. Admin Code §108.9, Relating to Dishonorable Conduct.

A MOTION WAS MADE BY DR. BIRDWELL AND SECONDED BY DR. FINN TO PROPOSE AMENDMENTS TO RULE 108.9 AND PUBLISH IN THE TEXAS REGISTER. (FOR – 12 / OPPOSED – 0) MOTION CARRIES.

10.2.11. Consideration of Proposed New 22 Tex. Admin Code §114.10, Relating to Dishonorable Conduct; Consideration of Proposed New 22 Tex. Admin Code §115.9, Relating to Dishonorable Conduct.

A MOTION WAS MADE BY DR. AUSTIN AND SECONDED BY MS. GRANT TO PROPOSE NEW RULES 114.10 AND 115.9 AND PUBLISH IN THE TEXAS REGISTER. (FOR – 12 / OPPOSED – 0) MOTION CARRIES.

11. DISCUSSION AND POSSIBLE ACTION REGARDING BOARD POSITION STATEMENTS.

11.1. Position Statement on Facial Cosmetic Surgery/Treatment.

A MOTION WAS MADE BY MS. PAULI AND SECONDED BY DR. FINN TO ACCEPT THE POSITION STATEMENT ON FACIAL COSMETIC SURGERY/TREATMENT AND ADD THE WORDS “AND SIMILAR PRODUCTS TO FOOTNOTE #4. (FOR – 8 / OPPOSED – 3 / ABSTENTIONS – 1) MOTION CARRIES.

A MOTION WAS MADE BY MS. GRANT AND SECONDED BY MS. BATY TO PUBLISH THE POSITION STATEMENT ON FACIAL COSMETIC SURGERY/TREATMENT IN THE TEXAS REGISTER. (FOR – 12 / OPPOSED – 0) MOTION CARRIES.

11.2. Use of Lasers by Registered Dental Hygienists.

A MOTION WAS MADE BY MS. GRANT AND SECONDED BY MS. PAULI TO ACCEPT THE POSITION ON THE USE OF LASERS BY REGISTERED DENTAL HYGIENISTS AS PRESENTED. (FOR – 10 / OPPOSED – 2) MOTION CARRIES.

A MOTION WAS MADE BY DR. BIRDWELL AND SECONDED BY MS. BATY TO PUBLISH THE POSITION STATEMENT ON THE USE OF LASERS BY REGISTERED DENTAL HYGIENISTS IN THE TEXAS REGISTER. (FOR – 12 / OPPOSED – 0) MOTION CARRIES.

11.3. SBDE Ethics Policy.

A MOTION WAS MADE BY MR. ROMERO AND SECONDED BY MS. PAULI TO ACCEPT THE SBDE ETHICS POLICY AS PRESENTED. (FOR – 12 / OPPOSED – 0) MOTION CARRIES.

A MOTION WAS MADE BY DR. BIRDWELL AND SECONDED BY MS. HYDE TO PUBLISH THE SBDE ETHICS POLICY IN THE TEXAS REGISTER. (FOR – 12 / OPPOSED – 0) MOTION CARRIES.

12. AGENCY DIVISION ACTIVITY REPORTS.

12.1. Administration Division Report. Ms. Kilburn presented the Fiscal Year Budget and LBB Reports.

12.2. Licensing Division Report.

a. Discuss and Consider Approval of Parenteral Anesthesia Permit Applications.

A MOTION WAS MADE BY DR. FINN AND SECONDED BY MR. ROMERO TO APPROVE 19 ANESTHESIA PERMITS. (FOR – 12 / OPPOSED – 0) MOTION CARRIES.

b. Report of Nitrous Oxide and Enteral Conscious Sedation Permit Applications.

Ms. Meek reported that 145 Nitrous Oxide Conscious Sedation Permits were issued and 122 Enteral Conscious Sedation Permits were issued during the Second Quarter.

c. Licensing Division Report.

Ms. Meek presented the Licensing Statistics through the Second Quarter of FY 2010.

12.3. Enforcement Division Report. Ms. Jones presented the Case Aging Report and Monthly Activity Report.

12.4. Legal Division Report.

12.4.1. Administrative Law Judge (ALJ) Proposals for Decision – State Office of Administrative Hearings (SOAH).

12.4.1.a. Docket No. 504-10-1575, In the Matter of Texas Dental License #5202 Issued to Roger Godwin.

A MOTION WAS MADE BY DR. BIRDWELL AND SECONDED BY MS. HYDE TO APPROVE SOAH DOCKET #504-10-1575 WITH MODIFICATIONS. (FOR – 11 / OPPOSED – 0 / ABSTENSIONS – 1) MOTION CARRIES.

12.4.1.b. Docket No. 504-10-1588, In the Matter of Texas Dental License #22309 Issued to Donica B. Slack.

A MOTION WAS MADE BY DR. FINN AND SECONDED BY MS. BATY TO APPROVE SOAH DOCKET #504-10-1588 AS PRESENTED. (FOR – 12 / OPPOSED – 0) MOTION CARRIES.

12.4.1.c. Docket No. 504-10-2337, In the Matter of Texas Registered Dental Assistant Certificate #8651 Issued to Billy R. Benavidez.

A MOTION WAS MADE BY DR. GOUGH AND SECONDED BY MS. GRANT TO APPROVE SOAH DOCKET #504-10-2337 AS PRESENTED. (FOR – 12 / OPPOSED – 0) MOTION CARRIES.

12.4.2. Agreed Settlement Orders.

12.4.2.a. Agreed Settlement Order #09-0598-0312 (Jackson, Natasha Y. RDA# 16671)

A MOTION WAS MADE BY DR. SCHLATTMAN AND SECONDED BY MS. PAULI TO APPROVE SETTLEMENT ORDER 09-0598-0312, IN THE MATTER NATASHA Y. JACKSON, RDA# 16671, AS PRESENTED. (FOR – 12 / OPPOSED – 0) MOTION CARRIES.

12.4.2.b. Agreed Settlement Order #09-1048-0731 (West, Daniel Patrick DDS# 14377)

A MOTION WAS MADE BY DR. BIRDWELL AND SECONDED BY DR. RAMOS TO APPROVE SETTLEMENT ORDER 09-1048-0731 IN THE MATTER OF DANIEL PATRICK WEST, DDS# 14377, AS PRESENTED. (FOR – 11 / OPPOSED – 1) MOTION CARRIES.

12.4.3. Legal Division Activity Report. Ms. Sparks presented the Legal Division Report through the Second Quarter of 2010.

13. EXECUTIVE DIRECTOR'S REPORT.

Ms. Meek reported on the meetings of the American Association of Dental Board (AADB) and American Association of Dental Administrators (AADA) Meetings held in Chicago in April. These meetings focused on scope of practice issues being addressed by various states as well as discussion on expanding scope for dental assisting and new models for mid-level practitioners that are being developed and piloted in different states. Another area of discussion at these meetings involved the introduction of commercialism in continuing education.

Ms. Meek reported that the implementation of the Versa System is on-time and on-budget.

Ms. Meek reported that the SBDE has completed a written agreement to partner with the Department of State Health Services (DSHS) relative to the Texas Disaster Volunteer Registry. Dental Professionals interested in serving as first-responders in the event of a disaster affecting the State of Texas are now eligible to register and participate. Through this partnership, the DSHS will have the ability to check the credentials of dental licensees against the SBDE database.

Ms. Meek stated that she, the General Counsel and Director of Enforcement will be attend the Texas Dental Association's Annual Meeting in May. Staff will be available to address certain circumstances, situations or general overall policies that stakeholders wish to discuss.

Ms. Meek reminded Board Members to file their Personal Financial Statements with the Texas Ethics Commission by the established deadline.

Ms. Meek concluded her report stating that the agency is currently preparing its Legislative Appropriations Request and will soon finalize its work on the Strategic Plan for 2011-2015.

14. PRESIDING OFFICER'S REPORT.

Dr. Purifoy commended agency staff for their work and accomplishments in processing and adjudicating cases, proposing and adopting policy guidelines and rules over the last few months.

15. PUBLIC COMMENTS.

The following speakers made comments to the Board: Ms. Claudette Korinsky; Mr. Tim Sigers; Ms. Lucille Zalud; Ms. Gwen Mitchell; Mr. David Wasson; Dr. Lee Fitzgerald; Dr. Peter Spradling.

16. MISCELLANEOUS.

- Informal Settlement Conference - Austin, TX, May 3, 2010 (Dr. Finn and Ms. Hyde)
- Informal Settlement Conference – Austin, TX, June 4, 2010 (Dr. Schlattman and Ms. Pauli)

17. ADJOURN.

A MOTION WAS MADE BY MR. ROMERO AND SECONDED BY DR. AUSTIN TO ADJOURN THE MEETING AT 3:05 P.M. (FOR – 12 / OPPOSED – 0) MOTION CARRIES.

- SIGNED -

WILLIAM L. PURIFOY, D.D.S.
Presiding Officer
Texas State Board of Dental Examiners

Date: August 20, 2010

- SIGNED -

TAMELA L. GOUGH, D.D.S., M.S.
Board Secretary
Texas State Board of Dental Examiners

Date: August 20, 2010