

These minutes have not been reviewed or approved by the Board of Dentistry.

MINUTES OF THE MEETING
OF THE
BOARD OF DENTISTRY

October 25, 2019

ROLL CALL

The meeting of the Board of Dentistry was called to order at 9:00 a.m. by Dennis Anderson, DDS, Chairperson, in the Staybridge Room at the Staybridge Suites, located at 2700 Fletcher Avenue, Lincoln, Nebraska. The Agenda and Revised Agenda (revised more than 24 hours prior to the commencement of the meeting and posted/available for public inspection at the Board's office more than 24 hours prior to the meeting) were sent to the Board members and other interested parties prior to the meeting. The following members answered the roll call:

Dennis Anderson, DDS, Chairperson
Lisa Kucera, RDH, Vice-Chairperson
Cynthia Gaskill, RDH, Secretary
Yoshiharu Ameku, DDS
David Blaha, DDS
Mary Sneckenberg
John Thomas, DMD
Dean Cope, DDS
Charles Bauer, DDS
Gregory Thomas, JD

Also present were: Jesse Cushman, Program Manager; Vonda Apking, Health Licensing Coordinator; Ami Huff, Assistant Attorney General; and Mark Meyerson, Investigator; Larry Wiehn, Investigator; and Jeff Newman, Investigator.

Anderson announced that there is a copy of all the public documents being reviewed at this meeting available in the meeting room pursuant to the Open Meetings Act.

ADOPTION OF AGENDA

Cope moved, seconded by Sneckenberg, to adopt the Agenda with the ability for the Chairperson to rearrange as necessary. Voting aye: Ameku, Anderson, Bauer, Blaha, Cope, Gaskill, Kucera, Sneckenberg, G. Thomas, J. Thomas. Voting nay: None. Motion carried.

APPROVAL OF MINUTES

July 12, 2019

Page 1: No changes.
Page 2: No changes.
Page 3: No changes.
Page 4: No changes.
Page 5: No changes.

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Sneckenberg moved, seconded by Gaskill, to approve the July 12, 2019, minutes as presented. Voting aye: Ameku, Anderson, Bauer, Blaha, Cope, Gaskill, Kucera, Sneckenberg, G. Thomas, J. Thomas. Voting nay: None. Motion carried.

August 30, 2019

Page 1: No changes.

Page 2: No changes.

Blaha moved, seconded by Sneckenberg, to approve the August 30, 2019, minutes as presented. Voting aye: Ameku, Anderson, Bauer, Blaha, Cope, Gaskill, Kucera, Sneckenberg, G. Thomas, J. Thomas. Voting nay: None. Motion carried.

INVESTIGATIONAL REPORTS AND APPLICATION REVIEW – CLOSED SESSION

Gaskill moved, seconded by Kucera, to go into closed session at 9:03 a.m. for the purpose of review and discussion of investigative reports, licensure applications, and other confidential information, and for the prevention of needless injury to the reputation of the individuals. Voting aye: Ameku, Anderson, Bauer, Blaha, Cope, Gaskill, Kucera, Sneckenberg, G. Thomas, J. Thomas. Voting nay: None. Motion carried.

Cope moved, seconded by J. Thomas, to reopen the session at 10:02 a.m. Voting aye: Ameku, Anderson, Bauer, Blaha, Cope, Gaskill, Kucera, Sneckenberg, G. Thomas, J. Thomas. Voting nay: None. Motion carried.

LICENSURE APPLICATION(S)

Dental Hygienist Application(s)

Blaha moved, seconded by Gaskill, to recommend issuing a dental hygiene license to Lauren McAllister on probation for 2 years with the following probationary terms and conditions: 1) follow any treatment recommendations, 2) abstain from alcohol and controlled substances unless prescribed by a licensed practitioner, 3) provide the Department with a list of prescribed and non-prescribed medications, 4) provide the Department with random body fluid screens, 5) provide the Department with quarterly employer reports, and 6) other standard probationary terms and conditions related to substance use disorder diagnoses. The basis for the probationary license is past criminal convictions and recent substance use diagnoses. Voting aye: Ameku, Anderson, Bauer, Blaha, Cope, Gaskill, Kucera, Sneckenberg, G. Thomas, J. Thomas. Voting nay: None. Motion carried.

Dental Hygienist Reinstatement Application(s)

Cope moved, seconded by J. Thomas, to table the dental hygiene reinstatement application of Kayla Hotze and recommend Ms. Hotze obtain an eight (8) hour dental hygiene refresher course. Voting aye: Ameku, Anderson, Bauer, Blaha, Cope, Gaskill, Kucera, Sneckenberg, G. Thomas, J. Thomas. Voting nay: None. Motion carried.

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Dental Reinstatement Application(s)

Kucera moved, seconded by J. Thomas, to table the dental reinstatement application of Edward Vigna, DDS and recommend Dr. Vigna to obtain a fifteen (15) hour dental refresher course. Voting aye: Ameku, Anderson, Bauer, Blaha, Cope, Gaskill, Kucera, Sneckenberg, G. Thomas, J. Thomas. Voting nay: None. Motion carried.

Dental Reinstatement After Discipline Application(s)

Gaskill moved, seconded by Sneckenberg, to recommend denial of the reinstatement after discipline application of Farrah Plate, DDS. The basis for the denial is that not enough time has elapsed since the probationary terms and conditions were placed on her license and sufficient evidence was not provided to support removing the current probationary terms and conditions. Voting aye: Ameku, Anderson, Bauer, Blaha, Cope, Gaskill, Kucera, Sneckenberg, G. Thomas, J. Thomas. Voting nay: None. Motion carried.

E-MAIL BALLOTS SINCE THE LAST MEETING

Staff read the following e-mail ballot results into the record:

- Voted to approved a DH Refresher course submitted by Cassie Rubalcava – Approved on 5/7/19. Ms. Rubalcava was reinstated on May 23, 2019.
- Voted to approve the Dental Refresher course submitted by Thomas Schmidt, DDS – Approved on August 15, 2019. Dr. Schmidt was reinstated on September 9, 2019.

COURSE APPROVAL – EXPANDED SCOPE FUNCTIONS – REPORT FROM SUBCOMMITTEE

Staff read the subcommittee's recommendation to approve the following expanded scope function courses:

- University of South Dakota - Dental Hygiene Program
 - Monitoring, Administering, and Titrating Nitrous Oxide
- Southeast Community College – Dental Assisting Program
 - Monitoring and Administering of Nitrous Oxide
 - Dental Impressions for Fixed Prosthesis
 - Dental Impressions and Minor Adjustments for Removable Prosthesis
 - Cement Prefabricated Fixed Prosthesis on Primary Teeth
- Metropolitan Community College – Dental Assisting Program
 - Monitoring and Administering of Nitrous Oxide
 - Dental Impressions for Fixed Prosthesis
 - Dental Impressions and Minor Adjustments for Removable Prosthesis
 - Cement Prefabricated Fixed Prosthesis on Primary Teeth
- Iowa Central Community College - Dental Hygiene Program
 - Monitoring, Administering, and Titrating Nitrous Oxide
- Iowa Western Community College - Dental Hygiene Program
 - Monitoring, Administering, and Titrating Nitrous Oxide

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- Minnesota State University - Dental Hygiene Program
 - Monitoring, Administering, and Titrating Nitrous Oxide
- University of Missouri – Kansas City - Dental Hygiene Program
 - Monitoring, Administering, and Titrating Nitrous Oxide
- University of Nebraska - Dental Hygiene Program
 - Interim Therapeutic Restorations
 - Writing Prescriptions for Mouth Rinses and Fluoride Products
 - Make Minor Denture Adjustments
- All fully accredited CODA Dental Hygiene programs that include training on monitoring, administration and titrating nitrous oxide, interim therapeutic restorations, writing prescriptions for mouth rinses and fluoride products and/or making minor denture adjustments. (Only for applicants which have graduated within the previous 5 years of making application)

Staff read the subcommittee’s recommendation to approve the following expanded scope courses:

- University of Minnesota – Expanded Functions Course (Restorative I & II)
- University of Colorado – Expanded Functions Course (Restorative I)
- University of Nebraska – Expanded Functions Course (Restorative I & II)
- Central Community College – Expanded Functions Course (Restorative I & II)

LIST OF APPROVED COURSES FOR EXPANDED SCOPE FUNCTIONS AND EXPANDED FUNCTIONS

Kucera moved, seconded by J. Thomas, to approve the list of expanded scope function courses as read. Voting aye: Ameku, Anderson, Bauer, Blaha, Cope, Gaskill, Kucera, Sneckenberg, G. Thomas, J. Thomas. Voting nay: None. Motion carried.

Bauer moved, seconded by Cope, to approve the list of expanded function courses as read. Voting aye: Ameku, Anderson, Bauer, Blaha, Cope, Gaskill, Kucera, Sneckenberg, G. Thomas, J. Thomas. Voting nay: None. Motion carried.

2018 NEBRASKA PUBLIC HEALTH AUTHORIZATION DENTAL SERVICE REPORT

The Board reviewed the 2018 Nebraska Public Health Authorization Dental Service Report. Gaskill suggested to ask Dr. Craft to provide what barriers were discovered during the 2019 survey in the next report.

REGULATION REVIEW

Hearing Summary Review and Discussion for 172 NAC 54, 55, and 58

Jesse Cushman, Program Manager explained that there is no hearing summary because no comments were received from the public regarding 172 NAC 54, 55, and 58.

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Vote to Adopt Regulation Chapter 172 NAC 54

Gaskill moved, seconded by Sneckenberg, to approve 172 NAC 54 regulations as presented. Voting aye: Ameku, Anderson, Bauer, Blaha, Cope, Gaskill, Kucera, Sneckenberg, G. Thomas, J. Thomas. Voting nay: None. Motion carried.

Vote to Adopt Regulation Chapter 172 ANC 55

Cope moved, seconded by J. Thomas, to approve 172 NAC 55 regulations as presented. Voting aye: Ameku, Anderson, Bauer, Blaha, Cope, Gaskill, Kucera, Sneckenberg, G. Thomas, J. Thomas. Voting nay: None. Motion carried.

Vote to Adopt Regulation Chapter 172 NAC 58

Blaha moved, seconded by Gaskill, to approve 172 NAC 58 regulations as presented. Voting aye: Ameku, Anderson, Bauer, Blaha, Cope, Gaskill, Kucera, Sneckenberg, G. Thomas, J. Thomas. Voting nay: None. Motion carried.

Vote to Approve Regulation Chapter 172 NAC 53

The Board discussed the changes made since the August 30, 2019 meeting. J. Thomas moved, seconded by Ameku, to approve 172 NAC 53 regulations with the changes. Voting aye: Ameku, Anderson, Bauer, Blaha, Cope, Gaskill, Kucera, Sneckenberg, G. Thomas, J. Thomas. Voting nay: None. Motion carried.

Vote to Approve Regulation Chapter 172 NAC 57

The Board discussed the changes made since the August 30, 2019 meeting. J. Thomas moved, seconded by Cope, to approve 172 NAC 57 regulations with the changes. Voting aye: Ameku, Anderson, Bauer, Blaha, Cope, Sneckenberg, G. Thomas, J. Thomas. Voting nay: Gaskill. Abstain: Kucera. Motion carried.

View Changes to Regulation Chapter 172 NAC 56

The Board reviewed the changes made and approved at the August 30, 2019 meeting.

PRACTICE QUESTION – CAN A DENTAL HYGIENIST REMOVE WHITE SPOTS USING ICON?

The Board discussed the practice question. Anderson moved, seconded by J. Thomas, it is the Nebraska Board of Dentistry's opinion that only a licensed dentist can perform the removal of white spots using Icon infiltration. Voting aye: Ameku, Anderson, Bauer, Blaha, Cope, Gaskill, Kucera, Sneckenberg, G. Thomas, J. Thomas. Voting nay: None. Motion carried.

CENTRAL REGIONAL DENTAL TESTING SERVICE (CRDTS) – ANNUAL MEETING AUGUST 2019 IN KANSAS CITY, MO – MEMBER COMMENTS

Thomas provided a summary of changes to the 2020 CRDTS Dental examination from the CRDTS Steering Committee's August meeting, which was uploaded to CITRIX for the Board members to review.

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RECOMMENDATION ON ACCEPTABLE DENTISTRY AND DENTAL HYGIENE CLINICAL EXAMINATIONS FOR 2019-2020

Gaskill moved, seconded by J. Thomas, to accept the dental clinical examinations given by Central Regional Dental Testing Service (CRDTS) Dental Examination, the Commission on Dental Competency Assessments (CDCA) Dental Examination with either the CDCA Patient based Periodontal Examination or the CRDTS Patient based Periodontal Examination, the Council of Interstate Testing Agencies (CITA) Dental Examination, the Southern Regional Testing Agency (SRTA) Dental Examination with CRDTS Periodontal Examination, and the American Dental Examination (ADEX) with a patient based periodontal examination as acceptable clinical examinations for 2019-2020 testing season and to accept the dental hygiene clinical examination given by the Central Regional Dental Testing Service (CRDTS) and the Western Regional Examining Board (WREB) as acceptable clinical examinations for the 2019-2020 testing season. Voting aye: Ameku, Anderson, Bauer, Blaha, Cope, Gaskill, Kucera, Sneckenberg, G. Thomas, J. Thomas. Voting nay: None. Motion carried.

AMERICAN ASSOCIATION OF DENTAL BOARDS (AADB) – ANNUAL MEETING, OCTOBER 19-20, 2019 – LAS VEGAS, NV – BOARD MEMBER COMMENTS

Anderson will provide a report at the January 2020 meeting.

COMMISSION ON DENTAL ACCREDITATION (CODA) – SITE VISIT FOR THE UNIVERSITY OF NEBRASKA COLLEGE OF DENTISTRY – MARCH 25, 2020

Anderson volunteered to be the Board's representative for the University of Nebraska - College of Dentistry's CODA site visit scheduled for March 25, 2020.

APPROVAL OF THE NEBRASKA PAIN MANAGEMENT VIDEOS TO MEET CE REQUIREMENTS PURSUANT TO NEB. REV. STAT. §38-145(6)

The Board following Board members reviewed the pain management videos and would like continuing education certificates. They are willing to participate in the required survey if needed in order to receive the continuing education certificates.

Cope moved, seconded by J. Thomas, to approved the Nebraska Pain Management videos for dentistry for meeting the required continuing education hours pursuant to Neb. Rev. Stat. §38-145(6). Voting aye: Ameku, Anderson, Bauer, Blaha, Cope, Gaskill, Kucera, Sneckenberg, G. Thomas, J. Thomas. Voting nay: None. Motion carried.

2020 PROPOSED MEETING DATES

The Board members reviewed and tentatively agreed on the following meeting dates for 2020:

January 10, 2020 (already scheduled)
April 10, 2020
July 17, 2020
October 9, 2020
January 8, 2021

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Staff has reserved the Staybridge Room here at Staybridge Inn & Suites for the dates listed above.

The Department and the Board thanked and presented awards to Bauer, Gaskill, Sneckenberg, and G. Thomas for the service to the citizens of Nebraska as members of the Board of Dentistry. Bauer, Gaskill and Sneckenberg served on the Board for 10 years and G. Thomas served for 5 years.

ADJOURNMENT

J. Thomas moved, seconded by Gaskill, to adjourn the meeting at 12:55 p.m. Voting aye: Ameku, Anderson, Blaha, Cope, Gaskill, Kucera, Sneckenberg, G. Thomas, J. Thomas. Voting nay: Bauer. Motion carried.

Respectfully submitted by,

Cynthia Gaskill, RDH, Secretary
Board of Dentistry