

MINUTES OF THE MEETING
OF THE
BOARD OF DENTISTRY

April 5, 2024

ROLL CALL

The meeting of the Board of Dentistry was called to order by Melanie Steckelberg, DDS, Vice-Chairperson, at 9:00 a.m. on April 5, 2024, in the Husker Room at the Hampton Inn & Suites, located at 7343 Husker Circle, Lincoln, Nebraska, 68504. The meeting was conducted In-Person and by WebEx. The following members answered the roll call:

Melanie Steckelberg, DDS, Vice-Chairperson
Michael J. O'Hara, JD, PhD – Secretary
Yoshiharu Ameku, DDS
Gene Giles, DDS
Lisa Kucera, RDH
Terrence Lanphier, DDS
Lynlee Medhi
Takanari Miyamoto, DDS
Hannah Randell, RDH

Absent: Dean Cope, DDS – Chairperson

A quorum was present, and the meeting convened.

Also present to participate in the meeting: Vonda Apking, Program Manager; Jan Gadeken Harris, Health Licensing Coordinator; Heather Ord, Health Licensing Coordinator; Teresa Hampton, Department Attorney; T.J. O'Neill, Assistant Attorney General; Anna Harrison, DHHS Compliance Monitor for Licensing and Investigations via WebEx and Jeff Newman and Larry Wiehn, Investigators with the Investigation Unit.

Steckelberg 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.

In accordance with Neb. Rev. Stat. § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were e-mailed to the Board members and other interested parties, posted on the DHHS web site at <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx> and posted on the Bulletin Board at the entrance to the Nebraska State Office Building on March 25, 2024 with revisions posted on March 28, 2024, April 3, 2024 and April 4, 2024.

Steckelberg provided an overview of the Board of Dentistry's purpose.

ADOPTION OF AGENDA

Kucera moved, seconded by O'Hara, to approve adoption of the agenda with the Chair having the authority to rearrange agenda items as needed. Voting aye: Ameku, Giles, Kucera, Lanphier, Medhi, Miyamoto, O'Hara, Randell and Steckelberg. Voting nay: None. Absent: Cope. Abstain: None. Motion carried.

APPROVAL OF MINUTES

January 5, 2024

Page 1: Addition to the Adoption of the Agenda paragraph line 2 “Agenda Item #11 will be moved to after Item #4, Approval of Minutes.”

Page 5: Addition to the Election of Officers paragraph line 3 “Education Committee: Ameku, Kucera, Lanphier and Steckelberg. Liaison to Investigations: Cope, Lanphier and Steckelberg”

Kucera moved, seconded by Lanphier, to approve the January 5, 2024, minutes as corrected. Voting aye: Ameku, Giles, Kucera, Lanphier, Medhi, O’Hara, Randell and Steckelberg. Voting nay: None. Absent: Cope. Abstain: Miyamoto. Motion carried.

January 19, 2024

Lanphier moved, seconded by Randell, to approve the January 19, 2024, minutes as presented. Voting aye: Ameku, Giles, Kucera, Lanphier, Medhi, O’Hara, Randell and Steckelberg. Voting nay: None. Absent: Cope. Abstain: Miyamoto. Motion carried.

INVESTIGATIONAL REPORTS AND APPLICATION REVIEW – CLOSED SESSION

Kucera moved, seconded by Ameku, to go into closed session at 9:08 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, Giles, Kucera, Lanphier, Medhi, Miyamoto, O’Hara, Randell and Steckelberg. Voting nay: None. Absent: Cope. Abstain: None. Motion carried.

Lanphier Recused at 10:51 a.m.

Lanphier Returned at 11:13 a.m.

Board Break: 11:15 a.m.

Board Returned: 11:28 a.m.

The Board returned to Open Session at 11:28 a.m.

APPLICATION REVIEW – OPEN SESSION

Dental Application(s)

FLYNN, DAVID, DDS – application for Initial Dentist license. Lanphier moved, seconded by Giles to recommend approval of the application for Initial Dentist license. Voting aye: Ameku, Giles, Kucera, Lanphier, Miyamoto, O’Hara, Randell and Steckelberg. Voting nay: None. Absent: Cope and Medhi. Abstain: None. Motion carried.

SOUZA, SERGIO, DDS – application for Initial Dentist license. Lanphier moved, seconded by Giles to recommend denial of the application for Initial Dentist license. Basis for the denial is recent action in another State and misrepresentation of material facts in procuring a license. Voting aye: Ameku, Giles, Kucera, Lanphier, Miyamoto, O’Hara, Randell and Steckelberg. Voting nay: None. Absent: Cope and Medhi. Abstain: None. Motion carried.

TRAUB, STEVEN, DDS – application for Reinstatement of his Dentist license. O’Hara moved, seconded by Randell to recommend denial of the application for reinstatement of his Dentist license. Basis for the denial is recent action in another State. Voting aye: Ameku, Giles, Kucera, Miyamoto, O’Hara, Randell and Steckelberg. Voting nay: None. Absent: Cope and Medhi. Abstain: Lanphier. Motion carried.

Dental Assistant Application(s)

No applications were reviewed by the Board.

Dental Hygienist Application(s)

No applications were reviewed by the Board.

E-MAIL BALLOTS SINCE THE LAST MINUTES

No E-Mail ballots were reviewed since the last meeting.

REGULATIONS UPDATE

The draft regulations are currently at the Governor’s office for review as of February 9, 2024.

LEGISLATION UPDATE

LB824 - Adopt the Dentist and Dental Hygienist Compact and change provisions relating to criminal background checks.

<https://nebraskalegislature.gov/FloorDocs/108/PDF/Intro/LB824.pdf>

AM2726 filed February 28, 2024

<https://nebraskalegislature.gov/FloorDocs/108/PDF/AM/AM2726.pdf>

LB834 - Establish requirements for a resident dental license.

Approved by the Governor April 2, 2024. Slip Law:

<https://nebraskalegislature.gov/FloorDocs/108/PDF/Slip/LB834.pdf>

REQUEST TO APPROVE A CHANGE TO THE RDH& DA NITROUS COURSE OFFERED BY UNMC COLLEGE OF DENTISTRY

O’Hara moved, seconded by Randell to table the discussion for additional information. Ameku, Giles, Kucera, Lanphier, Medhi, Miyamoto, O’Hara, Randell and Steckelberg. Voting nay: None. Absent: Cope. Abstain: None. Motion carried.

LETTERS RECEIVED BY THE BOARD REGARDING ACCEPTABLE CLINICAL EXAMINATION

The Board acknowledged the receipt of these letters.

DISCUSSION REGARDING ADDING AN EXTRA MEETING DATE TO THE SCHEDULE

O'Hara moved, seconded by Ameku to schedule an additional meeting date of Friday, September 27, 2024 @ 9:00 a.m. by WebEx for the Board members. The meeting will also be held In-Person at the Hampton Inn, Husker Conference Room for members of the public to attend. Ameku, Giles, Kucera, Lanphier, Medhi, Miyamoto, O'Hara, Randell and Steckelberg. Voting nay: None. Absent: Cope. Abstain: None. Motion carried.

The additional meeting will be held to review the clinical examination manuals by the Board members and potential discussion with interested parties. The intent will be to have the Board vote to approve the 2025-2026 clinical examinations at the next regular scheduled meeting on October 4, 2024.

PUBLIC COMMENTS

Due to passage of LB43 there is now a Public Comment at every Board of Dentistry meeting. This is from the part of the bill regarding Open Meetings Law Changes. The board voted to define some parameters for the public comment portion of the meeting.

1. Each person that would like to make a public comment is allotted 3 minutes to speak.
2. We will have 2 Public Comment Sections at each meeting. The first Public Comment time will be the Agenda Item after the Approval of minutes; this comment time will be limited to no more than 10 minutes total of meeting time. The second public comment time will be later in the meeting, sometime before Adjournment.

With the passing of LB43 it requires that at Board meetings there will be an agenda item for "Public Comments".

<https://nebraskalegislature.gov/FloorDocs/108/PDF/Slip/LB43.pdf>

Lanphier moved, seconded by Kucera to have a limit of three (3) minutes per person for public comments. Ameku, Giles, Kucera, Lanphier, Medhi, Miyamoto, O'Hara, Randell and Steckelberg. Voting nay: None. Absent: Cope. Abstain: None. Motion carried.

O'Hara moved, seconded by Ameku to have the public comments be heard after the minutes and to have a time limit of no more than ten (10) minutes for comments. Ameku, Giles, Kucera, Lanphier, Medhi, Miyamoto, O'Hara, Randell and Steckelberg. Voting nay: None. Absent: Cope. Abstain: None. Motion carried.

MEETING SCHEDULE

The next regular meeting is scheduled for July 12, 2024.

ADJOURNMENT

The Board adjourned the meeting at 12:51 p.m.

Respectfully submitted by,

(signature on file with the Department)

Michael O'Hara, JD, PhD, Secretary
Board of Dentistry