

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

NEBRASKA BOARD OF DENTISTRY
MEETING MINUTES
July 12, 2024

ROLL CALL

The meeting of the Board of Dentistry was called to order by Dean Cope, DDS, Chairperson, at 9:01 a.m. on July 12, 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:

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

Absent: Yoshiharu Ameku, DDS

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; Danielle Sund, Department Legal; Mindy Lester, Assistant Attorney General; and Jeff Newman, Investigator with the Investigation Unit.

Cope 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 June 28, 2024 with revisions posted on July 3, 2024, July 5, 2024, and July 8, 2024.

ADOPTION OF AGENDA

O’Hara moved, seconded by Lanphier, to approve adoption of the agenda with the Chair having the authority to rearrange agenda items as needed. Item 7 has been moved to next meeting. Voting aye: Cope, Giles, Kucera, Lanphier, Medhi, Miyamoto, O’Hara, Randell and Steckelberg. Voting nay: None. Absent: Ameku. Abstain: None. Motion carried.

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APPROVAL OF MINUTES

April 5, 2024

Steckelberg moved, seconded by Kucera, to approve the April 5, 2024, minutes as corrected on page 4 under the discussion regarding adding a "Public Comment" item to every agenda moving forward. Voting aye: Cope, Giles, Kucera, Lanphier, Medhi, Miyamoto, O'Hara, Randell and Steckelberg. Voting nay: None. Absent: Ameku. Abstain: None. Motion carried.

May 28, 2024

Steckelberg moved, seconded by Kucera, to approve the May 28, 2024, minutes as presented. Voting aye: Cope, Giles, Kucera, Lanphier, Medhi, Miyamoto, O'Hara, Randell and Steckelberg. Voting nay: None. Absent: Ameku. Abstain: None. Motion carried.

PUBLIC COMMENTS

There were no public comments at this time.

INVESTIGATIONAL REPORTS AND APPLICATION REVIEW – CLOSED SESSION

Steckelberg moved, seconded by Kucera, to go into closed session at 9:07 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: Cope, Giles, Kucera, Lanphier, Medhi, Miyamoto, O'Hara, Randell and Steckelberg. Voting nay: None. Absent: Ameku. Abstain: None. Motion carried.

The Board returned to Open Session at 10:45 a.m.

APPLICATION REVIEW – OPEN SESSION

Dental Application(s)

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

Dental Assistant Application(s)

No applications were reviewed by the Board.

Dental Hygienist Application(s)

No applications were reviewed by the Board.

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Dental Hygienist Reinstatement Application(s)

BECKER, ESTHER, DH – application to reinstate a Dental Hygiene license. Giles moved, seconded by Kucera, to recommend approval of the application for reinstatement of her dental hygiene license. Voting aye: Cope, Giles, Kucera, Lanphier, Mehdi, Miyamoto, O’Hara, Randell and Steckelberg. Voting nay: None. Absent: Ameku. Abstain: None. Motion carried.

CRDTS CARE PROGRAM PRESENTATION

Presenter: Catrice Opichka, DH
Central Regional Dental Testing Service, Inc.
1725 SW Gave Blvd
Topeka, KS 66604

Ms. Opichka, from the Central Regional Dental Testing Service, Inc (CRDTS), provided a presentation regarding the CRDTS CARE Program. The purpose of this presentation was to provide information to the board on options to utilize the CARE program to provide dental and dental hygiene licensees the ability to be re-educated and/or remediation in a particular area of dentistry or dental hygiene. CRDTS works with some of the best educators and education institutes all over the country. The CARE program provides a much-needed resource for re-education and/or remediation for dental and dental hygiene professionals. The board acknowledged the information and thanked Ms. Opichka for her presentation.

E-MAIL BALLOTS SINCE THE LAST MINUTES

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

REGULATIONS UPDATE

The Board members reviewed the draft regulations regarding the legislative change regarding “temporary” dentists that are now know as “resident” dentists. The Board suggested spelling out the acronym “ADEX” in the regulations. Steckelberg moved, seconded by O’Hara, to approve 172 NAC 56 draft regulations as corrected. Voting aye: Cope, Giles, Kucera, Lanphier, Mehdi, Miyamoto, O’Hara, Randell and Steckelberg. Voting nay: None. Absent: Ameku. Abstain: None. Motion carried.

LEGISLATION UPDATE

No Legislation updates at this time.

SCOPE OF PRACTICE QUESTIONS -OROFACIAL MYOFUNCTIONAL THERAPISTS

Elizabeth Laney, DH
304 N 201st Street
Elkhorn NE 68022

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Pat Brinkman-Falter, DH
8911 Whispering Wind Road
Lincoln, NE 68512

Ms. Brinkman-Falter provided background on Orofacial Myofunctional Therapy and provided known benefits for providing this type of therapy by dental hygienists. The board discussed to form a committee specifically to discuss myofunctional therapy. Ms. Laney described the situation that led to her asking the question. The Board suggested creating a sub-committee to look into orofacial myofunctional therapy to bring back before the Board. Kucera moved, seconded by Randell, to form a sub-committee to discuss orofacial myofunctional therapy. The sub-committee shall include Kucera, Randell, Steckelberg, and Miyamoto. Voting aye: Cope, Giles, Kucera, Lanphier, Medhi, Miyamoto, O'Hara, Randell and Steckelberg. Voting nay: None. Absent: Ameku. Abstain: None. Motion carried.

REQUEST FOR MODERATE SEDATION TRAINING ACCEPTABILITY

The Board reviewed documents submitted by Dr. Croft and recommended the Board table the discussion until next meeting for additional information.

EXPANDED FUNCTION COURSE APPROVAL REQUEST

The Board reviewed documents submitted by Dr. Brent Rising regarding approval of an expanded function course on coronal scaling (supragingival) of tarter and calculus. O'Hara moved, Lanphier seconded, to not approve this expanded function course on coronal scaling (supragingival) of tarter and calculus. Voting aye: Cope, Giles, Kucera, Lanphier, Mehdi, Miyamoto, O'Hara, Randell and Steckelberg. Voting nay: None. Absent: Ameku. Abstain: None. Motion carried.

DENTAL HYGEIENE (DH) REMEDIAL COURSE APPROVAL

Koubek, Kalli – Request of remedial course. Steckelberg moved, seconded by Randell, to recommend approval of the remedial course taken by Kalli Koubek. Voting aye: Cope, Giles, Kucera, Lanphier, Mehdi, Miyamoto, O'Hara, Randell and Steckelberg. Voting nay: None. Absent: Ameku. Abstain: None. Motion carried.

DISCUSSION ON DENTAL ASSISTANTS/AUXILIARY ROLE ADMINISTERING NITROUS

Jonathan Simpson, DDS
North Platte NE 69101

Crystal Stuhr, DA
Director of Southeast Community College, Dental Assistant Program
Lincoln NE 68510

Lindsey Mundil, DH
Lincoln NE 68516

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Deb Schardt, DH
Carleton NE 68326

Dr. Simpson, Crystal Stuhr, DA, Lindsey Mundil, RDH and Deb Schardt, RDH discussed the lengthy credentialing review process in order to allow dental hygienists and dental assistants who obtain an expanded scope function permit which allows them to administer nitrous oxide when delegated by a licensed dentist and required to perform under direct supervision.

DISCUSSION REGARDING PLANS TO ACCEPT OTHER CLINICAL/PRACTICAL EXAMINATIONS

Sam Jacoby, DDS
Bridgeport NE 69336

Jessica Meeske, DDS
Hastings NE 68901

The Board acknowledged the letter that was sent from the Governor's office requesting the Board accept other clinical and practical examinations. Cope discussed they are following statutes and the American Dental Examination (ADEX) dental and dental hygiene clinical/practical examinations offered by CDCA/WREB/CITA are not comparable to the Central Regional Dental Testing Service (CRDTS) clinical/practical dental and dental hygiene examinations. The current statute requires the Board to compare other clinical/practical examination to CRDTS. The duty of the board is to enforce the statutes and regulations. Steckelberg discussed how the board has repeatedly requested updated examination manuals from CDCA/WREB/CITA for the ADEX exam but has not received information that would provide the Board with information that changes were made and have been tested at this time. Giles discussed the political pressure received and encourages the Governor to attend the October 4th, 2024, meeting to speak. The Board will discuss examination comparability at their meeting scheduled for September 27, 2024. Dr. Jacoby provided comments concerning the Governor's recent letter to the board and associated press releases, which in his opinion contained some misleading and inaccurate information that needs to be addressed. Dr. Jacoby has stated "the board concluded that the ADEX examination was not comparable to the CRDTS examination after assessing each examination." Dr. Meeske commented that "the NDA does not have a current policy on which examinations Nebraska is to accept." However, in the absence of policy we defer to ADA policy, they do have a compressive licensure policy that was accepted by their 2018 house of delegate. Four items in that policy that may be helpful in the discussion include: 1. One standard competency for licensure in order to provide quality care to the public. 2. Provide for provisions for freedom of movement across state lines. 3. The elimination of live patients. And 4. Determination of clinical competency for beginning practitioners (which is what we are talking about) which may include acceptance of clinical exam results from any testing agency". The board acknowledged the comments that were made by Dr. Jacoby and Dr. Meeske.

DISCUSSION REGARDING NEWSLETTER ARTICLES

Cope suggested adding an article regarding the nitrous oxide discussion to the next newsletter. O'Hara suggested adding an article regarding submitting requested information to Department investigators in a timely manner. Steckelberg suggested how difficult it is to put a link in the newsletter since the newsletter is printed. Apking commented the board is able to put a link in

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the newsletter however, the recipient would need to copy the link to a web browser. Apking, also commented the ability to send an email blast of the newsletter to active licensee.

PUBLIC COMMENTS

There were no public comments at this time.

MEETING SCHEDULE

The next meeting is scheduled for September 27, 2024, via WebEx limited to discussing acceptable clinical/practical examinations for both dentists and dental hygienists and the Board will meet October 4, 2024 for their regularly scheduled meeting.

ADJOURNMENT

The Board adjourned the meeting at 1:23 p.m.

Respectfully submitted by,

(signature on file with the Department)

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