

**MINUTES UTAH DENTIST
& DENTAL HYGIENIST MEETING**
June 2, 2023 9:00 A.M.

CONVENED: 9:01 A.M.

ADJOURNED: 11:02 P.M.

DOPL STAFF PRESENT:

Bureau Manager: Larry Marx

Board Secretary: Allison Pulsipher

Investigations: Jake Guenon

Compliance Specialist: Bernice Palma

BOARD MEMBERS PRESENT:

Kathleen Harris, RDH Gloria Miley

Daniel Poulson, DDS Kelly Faddis, DDS

Ruediger Tillmann, DDS Jennifer Wahlen, DMD

Bryon Talbot, DDS

BOARD MEMBERS NOT PRESENT:

Kathleen Young, RDH

Jason Chandler, DMD

GUESTS:

Val Radmall

Note: Other guests may have been in attendance electronically but were not identified.

ADMINISTRATIVE BUSINESS:

Call Meeting to Order

Ms. Harris called the meeting to order at 9:01 a.m.

Read and Approve March 3, 2023 Minutes (Audio – 0:02:35)

Dr. Poulson motioned to approve the minutes as written.

Ms. Miley seconded the motion.

The Board passed the motion unanimously.

APPOINTMENTS:

INVESTIGATION UPDATE (Audio – 0:04:55)

Mr. Guenon gave the Investigations report.

There have been 34 cases and 28 of those cases have been closed. There are 6 open cases.

Mr. Guenon stated the Division is going to start conducting dental office visits. Dr. Poulson asked Mr. Guenon what he will be looking for when he makes these visits to dental offices.

Mr. Guenon explained to the Board the things he will be looking for and the training he would like to conduct.

Mr. Guenon recommended the Board Members review their rules.

Dr. Tillmann asked Mr. Guenon how people can get in contact with him regarding dental office practice concerns.

Mr. Guenon gave the contact information and website for the Division.

Dr. Faddis stated it would be a good idea to release information on the Utah Dental Association, UDA, website or newsletter to inform the people in profession what DOPL's goal is with these office visits.

Dr. Tillmann stated he agrees with Dr. Faddis and encouraged Mr. Guenon to also reach out to the Utah Dental Hygienist Association.

Mr. Marx stated he will work with Mr. Guenon to get a letter written to provide to the associations.

COMPLIANCE UPDATE (Audio - 0:23:32)

Ms. Palma gave the Compliance report.

Ms. Larsen has been issued a Notice of Agency Action, NOAA, to suspend her license.

Dr. Hibbert had 3 missed check-ins.

Dr. LaFeber has finished his remediation course.

Dr. LaFeber's probation has been completed and his license has been reinstated.

Ms. Lyle had 1 missed check-in and all tests were negative.

Ms. Lyle is currently working in two dental offices.

Dr. Hickman had no missed check-ins and all negative tests.

Dr. Bankhead had no missed check-ins and 2 positive tests.

Dr. Bankhead has turned in all reports.

Dr. Chandler submitted proposed Continuing Education courses.

Dr. Talbot asked for clarification regarding Dr. Bankhead's positive tests.

Ms. Palma gave the Board clarification regarding Dr. Bankhead's tests.

DR. WILLIAM HICKMAN PROBATIONARY INTERVIEW (Audio - 0:27:25)

Dr. Talbot started the interview with Dr. Hickman.

Dr. Talbot asked Dr. Hickman how he is doing.

Dr. Hickman stated life is well and work has been busy.

Dr. Talbot asked Dr. Hickman how he is handling his busy work schedule.

Dr. Hickman stated he is handling it well and being busy helps him stay on track.

Dr. Talbot asked Dr. Hickman about his sobriety.

Dr. Hickman explained to the Board his sobriety and is trying to make corrections in life by setting better boundaries.

Dr. Hickman stated his sobriety program is going well and he enjoys the program and people. Dr. Hickman stated the routine the program has created helps him do well in life.

Dr. Hickman asked the Board what the process would look like to reinstate his controlled substance license.

Mr. Marx stated it is up to the Board to decide and asked Dr. Hickman if he is doing procedures where he would need to prescribe.

Dr. Hickman stated he doesn't prescribe too often and works with another dentist in his office review and write the prescriptions.

Dr. Poulsom asked how often Dr. Hickman in his current practice would need to prescribe controlled substances.

Dr. Hickman stated he comes across these issues on average once a month.

Mr. Marx explained the process of obtaining and maintaining a controlled substance license to Dr. Hickman.

Dr. Poulsom stated the profession is moving towards minimizing the use of controlled substances as there are better solutions.

Dr. Hickman asked Mr. Marx what kind of information he is allowed to receive from the Controlled Substance Database and what to do in situations where he has concerns regarding a patient.

Mr. Marx stated Dr. Hickman would need to hold a Controlled Substance license to access the information on the database.

Dr. Whalen stated since Dr. Hickman already has a working relationship with a dentist, he should work to create a system to review controlled substance prescriptions for patients of concerns.

DR. ALEX BANKHEAD, PROBATIONARY INTERVIEW (Audio - 0:41:05)

Dr. Poulsom started the interview with Dr. Bankhead.

Dr. Poulsom asked Dr. Bankhead to clarify his current practice schedule.

Dr. Bankhead states he is working typically one day a week.

Dr. Poulsom asked Dr. Bankhead if he was able to find an additional supervisor so he could work an additional day a week.

Dr. Bankhead stated he was unable to find a second supervisor.

Dr. Poulsom asked Dr. Bankhead what he has learned from the continuing education courses he took for his probation.

Dr. Bankhead stated he learned the importance of keeping a professional working environment with staff and patients.

Dr. Poulsom asked if Dr. Bankhead has implemented these practices in his office.

Dr. Bankhead stated he has implemented most of the practices and is in the process of implementing some others.

Dr. Tillmann stated he has some of those practices implemented in his own office.

Dr. Poulsom asked Dr. Bankhead about his positive tests.

Dr. Bankhead explained the events that led to his positive tests.

Dr. Poulson stated due to Dr. Bankhead's multiple positive tests, his fines from both tests would total to \$3000.

Dr. Bankhead stated he understands he had a rough month, but he is hoping to move forward.

Dr. Poulson stated he is concerned about Dr. Bankhead's response to the positive tests.

Dr. Poulson asked for the Boards input with how to proceed with Dr. Bankhead.

Dr. Tillmann stated his opinion regarding the positive tests.

Dr. Whalen stated she does not think fining Dr. Bankhead is helping him make progress and feels like she is not protecting the public if the only action the Board takes is fining Dr. Bankhead.

Dr. Talbot stated he agrees with Dr. Tillmann that Dr. Bankhead should receive the fine with the stipulation the next positive test would lead to a suspended license.

Dr. Faddis stated the Board should fine Dr. Bankhead and increase his testing for the next quarter to see how he does, if he does not improve than the Board can suspend his license.

Ms. Harris agrees with increasing Dr. Bankhead's testing and would like to table the option to suspend his license until next meeting.

Dr. Bankhead stated he has been evaluating what is important to him in life and if the decisions he is making is worth losing everything he cares about.

Dr. Poulson motioned to fine Dr. Bankhead \$1000 for the first positive test and \$2000 for the second positive test, \$3000 total.

Dr. Tillmann seconded the motion.

7 Board members voted in favor of the motion.

1 Board member opposed the motion.

The Board motion passed.

Dr. Poulson motioned to increase the frequency and method of testing Dr. Bankhead.

Dr. Talbot seconded the motion.

The Board passed the motion unanimously.

Dr. Poulson informed Dr. Bankhead if he does not make progress by the next meeting, he would be inclined to consider suspending Dr. Bankhead's license.

Dr. Bankhead expressed his concern involving the different testing showing positive from his previous issues.

Dr. Wahlen motioned to suspend Dr. Bankhead's license.

The motion was not seconded.

Dr. Wahlen explained to Dr. Bankhead her past, the different choices she knew she had while she was having a rough time and how she still chose to do something productive. Dr. Wahlen stated she understands life can be hard, but Dr. Bankhead has the choice to deal with it productively.

DR. SCOTT CHANDLER, PROBATIONARY INTERVIEW (Audio – 1:31:05)

Dr. Talbot started the interview with Dr. Chandler.

Dr. Talbot asked the Board if they had any comments or concerns regarding the proposed courses.

Dr. Poulson stated all the courses would be adequate, however, some of the courses were better than others.

Mr. Marx recommended the Board narrow the courses down to which courses they feel are appropriate.

Dr. Tillmann asked Dr. Chandler if he had a preference regarding which courses he takes for his probation.

Dr. Chandler explained which courses he preferred and why.

Dr. Poulson gave his opinion of the different options Dr. Chandler has proposed.

Dr. Faddis stated during his review of the course, he felt they would all be great.

Dr. Talbot motioned the courses the Board will accept: Medical records: Dental Records Best Practices for Information Management and Retention, Controlled Substance Prescribing: Controlled Substance Prescriptions in Dentistry, Dental Ethics: Ethics and Professional Responsibilities in Dentistry, and Scope of Practice: California Dental Practice Act, Updated January 2023.

Dr. Poulson seconded the motion.

The Board passed the motion unanimously.

Dr. Wahlen thanked Dr. Chandler for making the list of proposed continuing education clear to understand and well detailed.

DISCUSSION ITEMS:

ADEX MEETING (Audio 1:49:20)

Ms. Harris stated Dr. Tillmann is unable to attend the ADEX meeting and has asked the Board if they have an opinion on who should attend in his place.

Mr. Marx stated that Ms. Harris is the alternate so he will send ADEX a letter to inform them she will be going in Dr. Tillmann's place.

NEXT SCHEDULED MEETING: SEPTEMBER 1, 2023

ADJOURN:

Meeting adjourned at 11:02 P.M.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

9/8/23

(ss)

Date Approved



Chairperson, Utah Dentist & Dental Hygienist
Licensing Board

9/8/2023

(ss)

Date Approved



Bureau Manager, DOPL