

**MINUTES UTAH DENTIST
& DENTAL HYGIENIST MEETING**
December 1, 2023 9:00 A.M.

CONVENED: 9:10 A.M.

ADJOURNED: 2:09 P.M.

DOPL STAFF PRESENT:

Bureau Manager: Larry Marx
Board Secretary: Allison Pulsipher
Research Consultant: Lauren Beheshti

Research Specialist: Abigail Pina
Investigations: Jake Guenon
Compliance Specialist: Lisa Lynn

BOARD MEMBERS PRESENT:

Ruediger Tillmann, DDS
Gloria Miley
Kelly Faddis, DDS
Kathleen Young, RDH

Kathleen Harris, RDH
Kyle Shiffler, DDS/MD
Marilyn Sadler, DDS/RDH
Jennifer Wahlen, DMD

BOARD MEMBERS NOT PRESENT:

Bryon Talbot, DDS

GUESTS:

Val Radmall, UDA
Laura Green, RDH
Richael Cobler, CRDTS
Danyelle Evans, UDHA
Kelly Mandella

Staci Stout, UDHA
Brenda Armstrong
Sam Jacoby
Dr. Jeffrey Stoker
Dr. Karl Koerner

Dr. Jeff Erickson
Olga de Casas
Dr. David Defay
Dr. Brian Holman
Becky Waters

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 9:10 a.m.

Read and Approve September 8, 2023 Minutes (Audio 1 – 0:02:50)

Dr. Tillman motioned to approve the minutes as written.

Dr. Faddis seconded the motion.

The Board passed the motion unanimously.

Swear in New Board Members (Audio 1 – 0:04:05)

Dr. Shiffler introduced himself to the Board.

Dr. Shiffler swore onto the Board.

Dr. Sadler introduced herself to the Board.

Dr. Sadler swore onto the Board.

The Board introduced themselves to the new members.

Investigations Update (Audio 1 – 0:09:55)

Mr. Guenon gave the investigations update.

There have been 19 open cases received and 30 cases have been closed.

Ms. Harris asked Mr. Guenon if he could give the Board more information regarding the cases.

Mr. Guenon gave the Board more details regarding the closed cases, but informed the Board he can not give out information regarding the open cases.

Ms. Harris asked what type of cases fall under incompetence/negligence.

Mr. Guenon informed the Board what type of cases fall under incompetence/negligence.

Dr. Faddis stated he still has concerns with Mr. Guenon's random visits to dental offices.

Mr. Guenon stated he hasn't made any new visits and will not have the time to do more in the upcoming months.

Dr. Wahlen gave Mr. Guenon her opinion of his office visits and gave him suggestions for how to move forward.

Compliance Update (Audio 1 – 0:41:20)

Ms. Lynn introduced herself to the Board and explained what she does for the dentists and dental hygienists that are on probation.

Ms. Lynn gave the compliance update.

Dr. Chandler is in compliance and there are no concerns.

Dr. Hibberts reports are all current.

Dr. Hibberts has had 3 tests since the last meeting.

Dr. Hibbert will be requesting an early release from his probation.

Dr. Hickman reports are all current.

Dr. Hickman has had 3 tests since the last meeting.

Ms. Lyle reports are all current.

Ms. Lyle has had 3 tests since the last meeting.

Dr. Tillmann asked about Dr. Bankhead's license and probation status.

Mr. Marx informed the Board his license has been revoked and is not being monitored.

DISCUSSION ITEMS:

Dr. Scott Chandler, Probationary Interview (Audio 1 – 0:45:55)

Dr. Tillmann started the interview by asking Dr. Chandler to explain how his probation has been going.

Dr. Chandler explained all of the requirements he completed and that he is now checking in with the Board to maintain compliance.

Dr. Tillmann acknowledged that Dr. Chandler is doing a great job meeting compliance and maintaining proper practice standards.

Dr. Chandler asked when he would be able to request early release from his probation.

Ms. Lynn confirmed when Dr. Chandler would be able to request early release from his probation.

Dr. Dale Hibbert, Probationary Interview (Audio 1 – 0:55:40)

Dr. Faddis started the interview with Dr. Hibbert by asking how he is doing.

Dr. Faddis asked Dr. Hibbert to give the Board a quick history of his practice and probation.

Dr. Hibbert explained his practice history and his current probation.

Dr. Hibbert asked for early release from his probation.

Dr. Wahlen asked for clarification regarding Dr. Hibbert's timeline.

Dr. Tillmann asked when Dr. Hibbert's probation is anticipated to end.

Ms. Lynn informed the Board of the anticipated end date.

Dr. Tillmann asked Dr. Hibbert what his plan would be once he is off probation.

Dr. Hibbert stated what he wants for his future. He confirmed he has no intent to change his scope of practice, he would just like to work less.

Dr. Faddis motioned to release Dr. Hibbert from his probation early.

Ms. Young seconded the motion.

The Board passed the motion unanimously.

Dr. William Hickman, Probationary Interview (Audio 1 – 1:22:45)

Dr. Wahlen started the interview by asking Dr. Hickman to explain his probation to the new Board Members.

Dr. Hickman explained to the Board of his past and what led to his probation.

Dr. Wahlen asked what Dr. Hickman plans for the holiday time and methods does he have in place to stay on his path.

Dr. Hickman stated his last relapse helped him set boundaries and he will not compromise those boundaries.

Dr. Wahlen stated she enjoys Dr. Hickman's openness regarding his probation and his progress.

Dr. Faddis stated he agrees with Dr. Wahlen's assessment of how Dr. Hickman handles his probation.

Ms. Jamie Lyle, Probationary Interview (Audio 1 – 1:37:15)

Ms. Harris started the interview with Ms. Lyle by asking her how she is doing.

Ms. Lyle stated she is working 4 to 5 days a week and her personal life has been going well.

Dr. Faddis asked Ms. Lyle about the relationships she has rekindled with old friends and family.

Ms. Lyle stated she is working on reconnecting with family members and friends that tried to help her in the past.

Ms. Harris asked how often Ms. Lyle attends her meetings.

Ms. Lyle stated she is still attending once a week and remains in contact with her sponsor.

DISCUSSION ITEMS:

DR. KOERNER: EXTRACTION COURSE (Audio 2 – 0:00:05)

Dr. Koerner explained his course to the Board and why he is meeting with the Board today.

Dr. Koerner stated his concerns with his alternative to anesthetics and asked for the Boards input on using melatonin.

Dr. Faddis asked Dr. Koerner how they administer melatonin in his course.

Dr. Koerner explained the process they use in his course to administer melatonin.

Dr. Faddis asked what Dr. Koerner has seen using this process.

Dr. Koerner explained how they use melatonin and what they have experienced utilizing this method.

Dr. Tillmann asked Dr. Koerner what he expects to happen if the door is opened for all dentists to utilize this method.

Dr. Koerner suggested documenting his cases in order to create a guideline or rule of how to incorporate this into their practice.

Dr. Wahlen stated the informed consent with their patient is the key point that should be made.

Dr. Shiffler informed the Board of what he read during his research and stated his worries about utilizing melatonin and the effect it will have on patients.

Dr. Koerner stated there are some practices and observations they could add to make utilizing this method more predictable.

Dr. Wahlen asked Dr. Shiffler how to figure out which melatonin pill dosages are accurate.

Dr. Faddis and Dr. Shiffler confirmed the melatonin would need to be USP Certified.

Dr. Koerner stated he will begin documenting to help quantify the data and provide it to the Division at a later date.

RULE CHANGES (Audio 2 – 0:41:40)

Dr. Stoker introduced himself and the other orthodontists on the call to the Board and explained why he is meeting with the Board today.

Dr. Tillmann clarified what change Dr. Stoker is asking for.

Dr. Faddis asked what methods Dr. Stoker is recommending to allow his staff complete this process.

Dr. Stoker stated they would like to be able to explore the possibility and narrow down the structure and method through guidelines.

Mr. Marx went over Utah Code R156-69-603(6) and what change is being proposed.

Mr. Marx asked for the Boards input.

Ms. Young expressed her concerns about allowing dental assistants to remove bonded material with a high speed drill.

Dr. Wahlen talked about her personal experience with bonded material in her office and what her concerns are about making this change.

Dr. Holman expressed his opinion regarding allowing assistants to remove bonded material and stated it is a process that is allowed in other states.

Dr. Shiffler asked how much of the bonded material the orthodontists think can be removed without rotary instruments.

Dr. Defay explained the process of removing bonded materials without the use of rotary instruments.

Dr. Sadler explained her experience as a dental assistant and explained her concerns.

Mr. Marx discussed the rule change that was presented at the last meeting and the rule hearing held last month.

Mr. Marx informed the Board there were roughly 500 comments submitted regarding this proposed rule change and primarily opposed the change, so the rule change is not being brought forward at this time.

Mr. Marx informed the Board there is a proposal to clean up the Dentist and Dental Hygienist Practice Act and if there are big changes being proposed he will want to hold an additional board meeting to discuss the changes.

BOTOX ADMINISTERED BY HYGIENISTS (Audio 2 – 1:27:15)

Ms. Young started the discussion regarding Botox and who can administer it.

Mr. Marx clarified when a registered nurse is allowed to administer Botox.

Dr. Tillmann clarified the scope of practice that allows a dentist to administer Botox.

Dr. Shiffler stated he sees dentists advertise the general use of Botox and believes there is a large misunderstanding of the scope of practice for dentists utilizing Botox.

Dr. Sadler informed the Board of her experience taking Botox courses to provide this treatment for TMJ and expressed her opinion opening up the procedure to hygienists.

Mr. Marx read Utah Code R156-69-301a(3)(d) which refers to the administration of Botox.

DENTAL HYGIENIST DIAGNOSIS (Audio 2 – 1:45:50)

Mr. Marx informed the Board there is nothing in statute that allows a hygienist to give a diagnosis.

Ms. Young stated what she knows happens in everyday practice and why she is suggesting the rule changes to allow hygienist to provide a diagnosis.

Dr. Wahlen and Dr. Tillmann stated they agree with Ms. Young's assessment.

Dr. Faddis asked why the change is required if the hygienists are already doing it and discussing it with the dentist before a diagnosis is made.

Ms. Harris stated the law needs to reflect what is currently taking place in most dental practices daily.

Mr. Marx stated this change would need to be a statutory change not a rule change.

Dr. Shiffler asked what the outcome would be if a hygienist is making the diagnosis then treating it and how does that then affect their supervision requirement with their dentist.

Dr. Sadler expressed her concerns based on students she has taught and supervised.

ADEX DENTAL EXAM (Audio 3 – 0:00:05)

Dr. Tillmann started the discussion around the ADEX Dental Exam.

Dr. Tillmann expressed the importance of the different dental exams.

Dr. Tillmann expressed his concerns regarding the dental periodontal examination.

Dr. Tillmann asked if the Board could write ADEX a letter of their concerns regarding that portion of the exam.

AADB COMPACT (Audio 3 – 0:00:05, This topic was discussed in tandem with ADEX Dental Exam)

Dr. Tillmann reviewed the CRDTS Compact bulletin with the Board.

Mr. Radmall stated the UDA share the same opinion regarding the dental exams and dental compacts.

Ms. Cobler stated that she has seen most state boards have a lack of education regarding the proposed dental compacts.

Ms. Cobler clarified the exam the CSG Compact requires and what it could mean for states who require different examinations.

Mr. Marx informed the Board of their options for expressing concerns about proposed legislation.

Mr. Marx informed the Board the different options the Division offers for those in the military and their spouses.

Dr. Wahlen asked if it would be possible to schedule a meeting to talk about the compact before legislation makes a decision to accept the compacts.

Mr. Marx suggested setting a tentative meeting date in February to speak about proposed legislation.

CRDTS MANIKIN (Audio 3 – 0:41:25)

Ms. Young stated the rule does not specify whether or not the manikin exam is required.

Ms. Pulsipher stated the rule does not specify which type of hygiene exam is required only that they must pass the hygiene exam.

Ms. Harris asked if the Division should specify which exam is accepted.

Mr. Marx stated the Board could discuss a rule amendment.

Mr. Jacoby stated during his research he had found only a few states specify the type of examination requirement and if Utah would like to specify the exam, they would want to add it to their website.


Dr. Faddis asked if Mr. Jacoby would be able to allow the Board to have a limited window or sample of the exam to allow the board determine what type of exam should be required.

NEXT SCHEDULED MEETING: MARCH 1, 2023

ADJOURN:

Meeting adjourned at 2:09 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.

<u>3/1/2024</u>	(ss)	<u></u>
Date Approved		Chairperson, Utah Dentist & Dental Hygienist Licensing Board

<u>3-4-2024</u>	(ss)	<u><i>Lisa Martin</i></u>
Date Approved		Bureau Manager, DOPL