MINUTES

UTAH
DENTIST & DENTAL HYGIENIST
LICENSING BOARD MEETING

September 8, 2016

Room 474 – 4th Floor – 9:00 A.M.
Heber Wells Building
Salt Lake City, UT 84111

CONVENED: 9:12 A.M.    ADJOURNED: 3:07 P.M.

Bureau Manager: Larry Marx
Board Secretary: Lisa Martin
Compliance Officer: Susan Higgs

Board Members Present:
Constance A. Sliwinski, RDH
Patricia Rushton, Ph.D.
Daniel Poulson, DDS
Bryon Talbot, DDS
Todd C. Liston, DDS
Shannon Sorensen, DDS
Ron Bowen, DDS
Leonard R. Aste, DDS
Melinda L. Reich, RDH

Board Members Absent and Excused:

Guests:
Kim Michelson, UDOH
Lauren Neufeld, UDOH
Dean Collinwood, UofU
Monte Thompson, UDA
Baylee Wamsley, Fortis
Yesi Esquirel, Fortis
Jessica Woodward, Fortis
Kristen Wright, Fortis
Miriam Stott, Fortis
Raynil Legur, Fortis
Vedrana Segetalo, Fortis
Brianne Potter, Fortis
Megan Buennan, Fortis
Tawia Mashlam, KSL
Gary Pickasd, PDS
Bree Casey, Fortis
Michelle Martin, UDOH
TOPICS FOR DISCUSSION

ADMINISTRATIVE BUSINESS:

MINUTES:
The minutes from the June 2, 2016 Board meeting were read.
Dr. Aste made a motion to approve the minutes with the revisions as discussed. Dr. Poulson seconded the motion. The Board vote was unanimous.

Elect Chairperson

Dr. Bowen asks what the full role of the chairperson entails.

Mr. Marx states other than conducting the meeting the board manager will utilize the chairperson to review items to determine if they will come before the board at the meetings.

Ms. Reich nominated Ms. Sliwinski as chairperson. Dr. Sorenson seconded the nomination. The board vote was unanimous.

Swear in New Board Member

Mr. Marx swears in the board's new board member Dr. Bryon J. Talbot.

APPOINTMENTS:

9:15 A.M.
Investigation Update

An investigator was not available at the appointment time.

9:30 A.M.
Ms. Higgs, Compliance Update

- Ms. Higgs states Dr. Hemmert has submitted all required reports and has requested approval of a new therapist.

- Ms. Higgs states Dr. Morgan has completed his therapy requirements. Ms. Higgs states Dr.
Morgan has submitted all required reports.

- Ms. Higgs states Dr. Hair will have his initial interview with the board.

- Ms. Higgs states Dr. Tayler has not submitted the requested therapy report. Dr. Tayler has a new supervisor for the board to approve. Dr. Tayler has been formally charged in the legal system.

- Ms. Higgs states Dr. Wolfgramm has submitted self-assessments and a therapy report. Dr. Wolfgramm has not completed his intensive out-patient treatment at this time.

9:45 A.M.
Dr. Jared Hemmert, Probationary Interview

Dr. Aste conducted the interview asking how Dr. Hemmert is doing.

Dr. Hemmert states he had the opportunity to attend a recovery convention. Dr. Hemmert states he missed a random drug screen due to a family death. Dr. Hemmert states he had contacted Mr. Marx and self-tested the next day.

Dr. Aste states the follow up self-test shows the board Dr. Hemmert’s intent to remain compliant.

Dr. Hemmert states his therapist was suddenly unavailable. Dr. Hemmert states he was assigned a new therapist by the clinic. Dr. Hemmert states he is willing to find a different therapist if the board requires.

Ms. Higgs states the assigned therapist is in a learning position and requires a supervisor.

Dr. Liston states the board would recommend Dr. Hemmert finding a fully licensed therapist for the board to approve at the next meeting.

Dr. Aste asks about Dr. Hemmert’s employment.

Dr. Hemmert states he enjoys the two office sites he
works with. Dr. Hemmert states he works well with his supervisor and they meet every week to review cases and charts.

Dr. Aste states Dr. Hemmert is in compliance with his stipulation at this time.

An appointment was made for Dr. Hemmert to meet with the Board in December 2016.

Dr. Bowen conducted the interview asking how Dr. Morgan is doing.

Dr. Morgan states the office is currently creating more boundary policies to be included in the office protection plan. Dr. Morgan states the staff are creating visible notice of office policy concerning boundaries.

Dr. Bowen asks what is included in the protection plan.

Dr. Morgan states the plan includes a chaperone present at all times with the possibility of an assistant to act as a chaperone with the hygienists.

Dr. Bowen asks about Dr. Morgan's meeting attendance.

Dr. Morgan states he attends meetings once a week and has become a sponsor in the addiction recovery program.

Ms. Reich asks about the missing meeting report from July.

Dr. Morgan states he had attended meetings in July and had thought the report had been sent. Dr. Morgan agrees to resend the report.

Dr. Bowen suggests Dr. Morgan be scheduled for a telephonic meeting in the future.

Dr. Liston made a motion to allow Dr. Morgan to meet
Dr. Bowen states Dr. Morgan is compliant with his stipulation and order at this time.

An appointment was made for Dr. Morgan to meet with the Board in December 2016.

10:25 A.M.
Break

10:40 A.M.
Dr. Scott Hair, Initial Probationary Interview

Dr. Aste conducted the interview asking Dr. Hair to give background to the events that brought him to the board.

Dr. Hair states he has made poor choices in the way he had been practicing that were unprofessional and unethical. Dr. Hair states he has a history of addiction and has been clean as of April of this year.

Dr. Aste asks if Dr. Hair has questions concerning his stipulation.

Dr. Hair asks if after he completes the required prescribing course he would be able to resume the authority to prescribe controlled substance.

Dr. Aste states the board will review the completed course and it informs Dr. Hair that the return of the controlled substance license can take some time.

Dr. Aste asks about the proposed supervisor.

Dr. Hair states Dr. Jason Norman is a general dentist that practices within the same building as Dr. Hair. Dr. Hair states they have a professional relationship and Dr. Norman has agreed to act as a supervisor. Dr. Hair states Dr. Norman works similar office hours.

Dr. Aste asks if Dr. Norman would be available to meet with the board at the December meeting to
ensure he understands the supervisor’s role.

Dr. Hair states Dr. Norman would likely be willing to meet with the board.

**Dr. Aste asks about the meetings Dr. Hair attends.**

Dr. Hair states he has a sponsor and attends meetings twice a week.

**Dr. Aste asks about the history of Dr. Hair prescribing to family members who would then return the prescription to Dr. Hair.** Dr. Aste asks what steps have been taken by the family to ensure this behavior is not repeated.

Dr. Hair states several of his family members have entered into individual, couple, and family therapy.

**Ms. Rushton asks if Dr. Hair has been able to recognize his triggers.**

Dr. Hair states he has discussed this topic with his therapist. Dr. Hair states it may stem from unaddressed PTSD as well as family history.

**Dr. Aste asks if Dr. Hair’s staff is aware of his probationary status.**

Dr. Hair states his office staff are aware and have had the opportunity to read the stipulation.

**Dr. Bowen asks about Dr. Hair’s AA attendance.**

Dr. Hair states his use of alcohol started at the time of his divorce in 2012. Dr. Hair states he started AA shortly after his treatment at Day Spring.

**Dr. Bowen asks if Dr. Hair connected with Day Springs as a result of court orders.**

Dr. Hair states he began with Day Spring prior to his court date.

**Ms. Sliwinski clarifies that Dr. Hair is currently**
undergoing evaluations.

Dr. Hair states he has not completed the assessment requirements stated in the stipulation.

Dr. Aste states Dr. Hair had answered ‘no’ to all questions on the 2014 renewal; Dr. Aste asks about the legal events that occurred in that time frame.

Dr. Hair states based on the court dates and discussions with his lawyer he was under the impression that he would not need to report the events.

Dr. Aste states the importance of Dr. Hair remaining compliant.

An appointment was made for Dr. Hair to meet with the board on December 2, 2016.

11:10 A.M.
Foreign Dentists Discussion

Dr. Gonzales states she is currently working in California; prior to that she was working in Ohio for five years. Dr. Gonzales states she obtained her pre-doctorate education in Puerto Rico however she obtained her dental degree in the Dominican Republic. Dr. Gonzales states she is seeking a path to become licensed in Utah.

Ms. Sliwinski states the law requires applicants to have an American Dental Association accredited education.

Dr. Bowen asks if the requirement is written in the practice act or the rule.

Ms. Martin refers the board to the practice act section 58-69-302(1)(d) and 58-69-302(2)(b)(i).

Dr. Gonzales states she has completed the National Board exam and the North Eastern Regional Board exam.

Dr. Aste asks if Dr. Gonzales has sought education opportunities in Utah to meet the requirement.
Dr. Gonzales states she has completed a two year residency in the United States.

**Dr. Poulson states with all the steps Dr. Gonzales has completed she has demonstrated her education and skills meet the requirement. Dr. Poulson requests an opinion from the Attorney General's office.**

Mr. Marx states he did some research on two year educational programs and found a handful of programs available.

**Ms. Sliwinski conducted the interview asking how Dr. Tayler is doing.**

Dr. Tayler states he has brought the requested therapist report. Dr. Tayler states his previous supervisor is no longer available and is requesting Dr. Green act as his supervisor. Dr. Tayler states as of July he has been working in Dr. Green’s office because his practice experienced a fire.

Ms. Reich states the division has not received chart reviews or supervisor reports.

Dr. Tayler states he had submitted all the reports and asks which documents were not received.

**Ms. Higgs states the June supervisor report was received however the July and August reports are missing. Ms. Higgs states the chart review for June and August were received however the July report is missing. Ms. Higgs states the employer report June and August were received however the July report is missing.**

Dr. Tayler states in July and August the reports were faxed from the new office.

**Ms. Higgs requests Dr. Tayler resend the missing items.**

Ms. Sliwinski asks about the Day Spring program.
Dr. Tayloe states he has finished the Day Spring program and continues with the aftercare meetings.

Dr. Liston asks if Dr. Tayler has continued to work with a pain specialist.

Dr. Tayler states he met with someone in August however he is not meeting with anyone on a regular basis.

Dr. Liston asks about the abnormal drug screen result.

Dr. Tayler states he spoke with Mr. Marx and it was a creatinine issue. Dr. Tayler states at one point the result was too low, with this test it showed as too high.

Ms. Sliwinski asks about the legal charges and results.

Dr. Tayler states he submitted a plea in abeyance for one misdemeanor charge requiring a year monitoring. Dr. Tayler states after a year with no events the charges will be dismissed.

Ms. Sliwinski asks how Dr. Tayler is doing with all the current stressors.

Dr. Tayler states he has a support system with family and friends.

Dr. Liston states at the next meeting the board will need to meet with Dr. Green and receive a CV.

Dr. Tayler asks if the required reports can be submitted quarterly.

Ms. Sliwinski states the request cannot be approved as Dr. Tayler is considered non-compliant due to missing reports.

The board determined that Dr. Tayler is not in compliance with his stipulation and order at this time.
An appointment was made for Dr. Tayler to meet with the Board on December 2, 2016.

Dr. Poulson conducted the interview asking how Dr. Wolfgramm is doing.

Dr. Wolfgramm states he started at Day Springs in July. Dr. Wolfgramm states he attends a group meeting and a family meeting once a week each. Dr. Wolfgramm states he attends a Professionals in Recovery meeting every two weeks.

Ms. Higgs asks if the completed evaluation was provided to Day Spring.

Dr. Wolfgramm states he provided several documents however he is unsure that the evaluation result was included.

Dr. Poulson asks about the Day Spring program.

Dr. Wolfgramm states they start by obtaining an initial evaluation which is followed by individual therapy. Dr. Wolfgramm states in a 10-15 week program there are goals to meet, meetings to attend, and essays that are required.

Dr. Poulson asks about Dr. Wolfgramm’s employment.

Dr. Wolfgramm states his employer is supportive of his progress. Dr. Wolfgramm states he feels he has better skills and knowledge to work through stress and triggers.

The board determined Dr. Wolfgramm is in compliance.

An appointment was made for Dr. Wolfgramm to meet with the board on December 2, 2016.

Dr. Christensen gave a presentation discussing the
Western Regional Exam Board (WREB). Dr. Christensen states the first WREB was administered in 1977. Dr. Christensen states WREB has a board that established the test requirements. Dr. Christensen discussed the advantages of using WREB including the test development process. Dr. Christensen states the benefits of being a member state of WREB.

**Dr. Aste asks about the WREB’s view on discontinuing exams use of live patients.**

Dr. Christensen states the current non-live patient options do not allow best practice to equal the fidelity of live patients. Dr. Christensen states WREB is evaluating and searching for an option equivalent to the use of live patients. Dr. Christensen discusses the exam result percentages.

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1:30 P.M.
Dr. Hume, University of Utah Dean

The board welcome’s Dr. Hume the new dean at the University of Utah.

Dr. Hume gives a history of his professional career. Dr. Hume states he has been invited to work as the dean of the University of Utah’s dental school.

**Dr. Aste asks if the University has a goal to develop a foreign graduate program at the school for those that graduated in another country and want to practice in the United States**

Dr. Hume states that is not one of the goals for the University at this time.

**Mr. Marx states Dr. Hume is permitted to serve as dean under an exemption for this type of position.**

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2:00 P.M.
Dr. Drake Vincent, Reinstatement Review

Dr. Vincent states he is requesting his dental license be reinstated. Dr. Vincent states in 2015 his license was suspended for twelve months by emergency action. Dr. Vincent states he became dependent upon opioids after surgery. Dr. Vincent states he has attended the physician board and was granted his physician license with a probationary status.
Dr. Aste asks if the original stipulation required an inpatient program.

Mr. Marx states the inpatient treatment was a requirement and Dr. Vincent has provided documentation of completion.

Dr. Liston asks if Dr. Vincent is required to have a supervisor through the physician board.

Dr. Vincent states he has a supervisor that is a maxillofacial provider.

Ms. Sliwinski asks what type of practice Dr. Vincent works within.

Dr. Vincent states he works in a cosmetic surgery practice. Dr. Vincent states he mostly performs facial cosmetic procedures with the occasional need to remove wisdom teeth.

Ms. Sliwinski asks if Dr. Vincent had worked while impaired.

Dr. Vincent states he has not. Dr. Vincent states an employee had reported concerns however the second doctor in the room during the time of concern has denied the statement.

Dr. Liston suggests that a protocol be put in place to check the medication log to ensure accuracy.

Dr. Vincent states he no longer has any access to the medications. Dr. Vincent states the medications are kept in a double lock box and the anesthesiologist has full control of the key and orders all medications.

Dr. Liston made a motion to reinstate Dr. Vincent's dental license with a probationary status. Dr. Aste seconded the motion. The board vote was unanimous.

Discussion Items:
Anesthesia Taskforce Update

This item was tabled for the December meeting.

Proposed Rule Changes

Mr. Marx states the changes within the rule would include the volunteer hours considered for continuing education and an update on the approved regional exams.

Dr. Aste made a motion to approve the proposed rule changes as stated. Dr. Liston seconded the motion. The board vote was unanimous.

Training Topic:

Open Meetings Act

Mr. Marx states it is required to review the open meetings act annually. Mr. Marx states when the topic discussed involves a person's character, professional competence, physical or mental health the meeting should be closed.

Practice Act Section 302(1)

Mr. Marx states this section of the practice act lists the qualifications required to issue a Utah dental or dental hygienist license.

NEXT MEETING SCHEDULED FOR:

December 2, 2016

The time is 3:07 P.M. and the Board meeting is adjourned.

ADJOURN:

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.

Date Approved

Dec. 2, 2016

Date Approved

Chairperson, Utah Dentist & Dental Hygienist Licensing Board

Bureau Manager, Division of Occupational & Professional Licensing