

**MINUTES UTAH DENTIST &
DENTAL HYGIENIST MEETING**

January 11, 2019
Department of Workforce Services Building
Room 101N- 9:00 A.M.
Salt Lake City, UT 84114

CONVENED: 9:05 A.M.

ADJOURNED: 12:32 P.M.

DOPL STAFF PRESENT:

Bureau Manager: Larry Marx
Board Secretary: Lisa Martin

Compliance Officer: KoriAnn Fausett
Investigator: Matthew Hunsaker

BOARD MEMBERS PRESENT:

Leonard R. Aste, DDS Chairperson
Kathleen Harris, RDH
Todd C. Liston, DDS

Bryon Talbot, DDS
Daniel Poulson, DDS

BOARD MEMBERS NOT PRESENT:

Shannon Sorensen, DDS
Ron Bowen, DDS

Melinda L. Reich, RDH

GUESTS:

Kathleen Young, UDHA
James Keddington, UofU
Stephen Fabiano, Ivora
Greg Randall, Ivora
Lauren Newfeld, UDOH
Kim Michelson, UDOH

Val Radmall, UDA
Elisa Martinez, UDOH
Eric Tobler, UDA
Luci Shulze
Tanner Clark
Darren Chamberlain, UDA

ADMINISTRATIVE BUSINESS:

Call Meeting to Order

Dr. Aste called the meeting to order at 9:05 am

Read and Approve September 7, 2018 Minutes (0:03)

Dr. Poulson made a motion to accept the minutes with revisions as stated.

Ms. Harris seconded the motion.

The Board motion passed unanimously.

Swear in New Board Member

Ms. Miley was sworn in as a new member of the Board.

APPOINTMENTS:

Investigation Update (0:10)

Mr. Hunsaker reviewed the dental investigation report as provided.

Mr. Hunsaker asked for Board opinion concerning dentists administering Botox.

Mr. Marx stated the challenge is the current law and rule does not prohibit the practice.

Ms. Harris stated the Board has discussed Botox and determined that administration had to be for dental related treatment.

Dr. Liston stated the Board will need to specify what is permitted and consider creating a rule.

Mr. Marx read the definition of the practice of dentistry from the statute. Mr. Marx stated he will review regulations in other states and determine if a rule can be composed.

Greg Randall, Teledentistry (0:33)

Dr. Randall and Mr. Fabiano lead a discussion on teledentistry with the provided presentation.

KoriAnn Fausett, Compliance Report (1:02)

Dr. Hair has two missed tests. Dr. Hair has not submitted the required reports. Dr. Hair has not attended therapy as required by the Board.

Dr. Shulze submitted his practice plan via email this morning. Dr. Shulze has missed one check-in and all tests are negative.

Dr. Tayler has three missed tests and two positive tests. Dr. Tayler has not submitted documentation of prescriptions.

Dr. Wolfgramm has submitted all required reports and all tests are negative.

DR. SCOTT HAIR, PROBATIONARY INTERVIEW (2:27)

Dr. Hair was not present for his appointment.

Dr. Talbot stated according to the compliance report Dr. Hair has not submitted any of the required documents. Dr. Talbot stated the Board was clear at the last meeting the importance of complying with the stipulation.

Dr. Talbot made a recommendation to revoke Dr. Hair's license due to non-compliance with the stipulation.

Ms. Harris seconded the motion.

The Board motion passed unanimously.

DR. RICHARD SHULZE, PROBATIONARY INTERVIEW (1:11)

Dr. Liston conducted the interview asking how Dr. Shulze is doing.

Dr. Shulze stated he completed the required continuing education. Dr. Shulze stated he no longer works at Grandpa's Dental. Dr. Shulze stated he has a new practice plan at Stone Haven Dental and a proposed supervisor. Dr. Shulze stated there have been some challenges with credentialing and the DEA.

Ms. Fausett stated the Division does not have a CV for Dr. Tobler.

Dr. Tobler stated he will resubmit the CV. Dr. Tobler asked if the Board would consider removing Dr. Shulze's probation status.

Dr. Liston stated concerns of the missed check-ins and the Board would not consider removal of probation at this time.

Dr. Shulze requested reinstatement of the Utah controlled substance license.

Dr. Liston made a motion approving the return of the Utah controlled substance license if Dr. Shulze demonstrates full compliance at the March meeting.

Dr. Talbot seconded the motion.

The Board motion passed unanimously.

The Board determined Dr. Shulze is not in compliance due to missed check-ins.

An appointment was made for Dr. Shulze to meet with the Board on March 22, 2019.

DR. BRANDON TAYLER, PROBATIONARY INTERVIEW (1:32)

Dr. Aste welcomed Dr. Tayler to the meeting and asked about missed tests.

Dr. Tayler requested the meeting be closed.

Ms. Harris made a motion to close the meeting in accordance with the Open and Public Meetings Act, 52-4-205(1)(a) to discuss the character, professional competence or physical or mental health of an individual.

Dr. Talbot seconded the motion.

All Board members voted in favor of closing the meeting.

The meeting was closed at 10:51 a.m. The meeting was opened at 11:14 a.m.

Dr. Tayler stated he attends two recovery meetings a month and connects with his sponsor several times a week.

The Board determined Dr. Tayler is not in compliance with his stipulation and order.

Dr. Aste asked Dr. Tayler what he would do if the Board recommended suspension or revocation of his license.

Dr. Tayler stated he would sell his practice and figure it out from there.

Mr. Marx stated the precedence from the Division is revocation of the license based upon violations of the order.

Dr. Liston stated if things remain as they are the Board will have to revoke the license to ensure public safety.

Ms. Harris stated the Board would like to hear a plan to ensure the actions will not be repeated.

Dr. Tayler stated he is taking ownership of his actions and is not making excuses.

Dr. Liston made a motion for the Division to prepare an order to revoke Dr. Taylor's license if noncompliance is determined at any future date based upon violation of the stipulation.

Dr. Poulson seconded the motion.

The Board motion passed unanimously.

An appointment was made for Dr. Tayler to meet with the Board on March 22, 2019.

DR. OWEN WOLFGRAMM, PROBATIONARY INTERVIEW (1:56)

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

Dr. Wolfgramm stated the holiday season was difficult; however he has kept on track.

Dr. Poulson stated all reports have been submitted.

The Board determined Dr. Wolfgramm is in compliance with his stipulation and order.

An appointment was made for Dr. Wolfgramm to meet with the Board on March 22, 2019.

DR. S. DALE HIBBERT, REINSTATEMENT APPLICATION REVIEW (1:59)

Dr. Hibbert stated he has submitted an application for reinstatement of his Utah license. Dr. Hibbert stated he meets with a therapist, has taken self-improvement classes, and completed 30 hours of continuing education last year.

Dr. Liston asked about Dr. Hibbert's plan to return to practice specifically what type of sedation Dr. Hibbert is seeking.

Dr. Hibbert stated he would like to work two days a week to rebuild skills. Dr. Hibbert stated he would like to work as a pediatric provider and does not intend to return to sedation practices.

Mr. Marx stated the application was for an anesthesia class III license. Mr. Marx stated if the Board recommended reinstating the license it would be on a probationary status similar to the stipulation that was surrendered.

Dr. Liston recommended obtaining a more recent evaluation prior to recommending reinstatement.

Mr. Marx stated a full evaluation is onerous and recommended obtaining documentation from the current therapist.

Dr. Liston asked how Dr. Hibbert knows the proposed supervisor Dr. Horgesheimer.

Dr. Hibbert stated he has known Dr. Horgesheimer for several years both personally and professionally. Dr. Hibbert stated Dr. Horgesheimer has been a support over the past few years.

Ms. Harris asked about the dates included in the narrative.

Dr. Hibbert stated negative events did occur in February 2018 which served as a wake-up call and helped him address life decisions.

Dr. Liston made a motion requiring Dr. Hibbert obtain current recommendations or evaluation from his therapist.

Dr. Talbot seconded the motion.

The Board motion passed unanimously.

Dr. Hibbert requested the Board contact the proposed supervisor Dr. Horgesheimer as he has made time for a call.

Dr. Horgesheimer stated he is aware of Dr. Hibbert's past and understands the role of supervisor. Dr. Horgesheimer stated he believes he will be objective concerning Dr. Hibbert's performance.

An appointment was made for Dr. Hibbert to meet with the board on March 22, 2019.

DISCUSSION:

PROPOSED RULE CHANGE (2:31)

Mr. Keddington reviewed section R156-69-302b of the proposed rule and requested removing the requirement for the class 3 restoration. Mr. Keddington stated the possible complications in completing the requirement.

Dr. Poulson stated WREB changed the requirement with little notice which is why the Board has decided to include the class 3 restoration in the rule.

