

## **MINUTES UTAH DENTIST & DENTAL HYGIENIST MEETING**

June 7, 2019  
Heber M Wells Building  
North Conference Room 1<sup>st</sup> Floor- 9:00 A.M.  
Salt Lake City, UT 84114

CONVENED: 9:04 A.M.

ADJOURNED: 11:54 A.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  
Melinda L. Reich, RDH

Bryon Talbot, DDS  
Gloria Miley  
Shannon Sorensen, DDS

### **BOARD MEMBERS NOT PRESENT:**

Daniel Poulson, DDS  
Todd C. Liston, DDS

Ron Bowen, DDS

### **GUESTS:**

Jaylen Ray, UCDH  
Megan Ray, UCDH  
Rachel Webb, UCDH  
Megan Mattei, UCDH  
Keasie Mattinson, UCDH  
Alyssa Bell, UCDH  
Melanie Cease, UCDH  
Kierstin Apgood, UCDH  
Richard Engar, PIE  
Kathleen Young, UVU  
TylerAnn Conner, UCDH  
Leah Tate, UCDH  
Alyssa Campbell, UCDH  
Katy Wood, UCDH  
Lisa Skouson, UCDH

Riley Nielson, UCDH  
Shaena Mahedy, UCDH  
Jordan Holsman, UCDH  
Madison Monasmith, UCDH  
Val Radmall, UDA  
Amber Levasseur, UCDH  
Mariayia Olsen, UCDH  
Alexa Phillips, UCDH  
Alyce Weeks, UCDH  
Emily Kelly, UCDH  
Audrey Kasperson, UCDH  
Alexa Engeheart, UCDH  
Sidney Bullock, UCDH  
Brittney Lynch, UCDH  
Madelyn Brown, UCDH

Keaton Meyer, UCDH  
Matthew Bennett, UCDH  
Brittany Hayes, UCDH  
Matthew Olson, UCDH  
Breeana Barrett, UCDH  
Sydney Johnson, UCDH  
Brylee Lasson, UCDH  
McKenzi Millward, UCDH  
Josie Hilton, UCDH  
Stephenia Bany, UCDH  
Shanelle Saylin, UCDH  
Megan Stauffer, UCDH  
Jaimie Swickard, UCDH  
Shayla Carroll, UCDH

### **ADMINISTRATIVE BUSINESS:**

#### **Call Meeting to Order**

**Dr. Aste called the meeting to order at 9:04 a.m.**

**Read and Approve March 22, 2019 Minutes (0:04)**

**Ms. Reich made a motion to accept the minutes with revisions as stated.**

**Ms. Harris seconded the motion.**

**The Board motion passed unanimously.**

**Board Chairman Vote (0:06)**

**Ms. Reich made a motion that Dr. Aste remain as chairman.**

**Dr. Talbot seconded the motion.**

**The Board motion passed unanimously.**

**APPOINTMENTS:**

**Investigation Update (0:07)**

**Mr. Hunsaker reviewed the dental investigation report as provided.**

**KoriAnn Fausett, Compliance Report (0:15)**

**Dr. Tayler has all negative tests and has submitted all required reports.**

**Dr. Shulze has 4 missed check-ins, all tests are negative, and has submitted all required reports.**

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

**DR. BRANDON TAYLER, PROBATIONARY INTERVIEW (0:19)**

**Dr. Aste conducted the interview asking how Dr. Tayler is doing.**

Dr. Tayler stated he is doing well and there are no changes with his practice. Dr. Tayler stated he continues to attend two or three AA meetings a month as well as two Professionals in Recovery (PIR) meetings a month.

**Dr. Aste asked about the relationship with the supervisor.**

Dr. Tayler stated he meets with his supervisor an average of five hours a month and it is a positive relationship.

**The Board determined Dr. Tayler is in compliance with his stipulation.**

**An appointment was made for Dr. Tayler to meet with the Board on September 6, 2019.**

**DR. RICHARD SHULZE, PROBATIONARY INTERVIEW (1:07)**

**Ms. Harris conducted the interview asking how Dr. Shulze is doing.**

Dr. Shulze stated he continues to work full-time at Stone Haven.

**Ms. Harris asked about the missed check-ins.**

Dr. Shulze stated he struggles to check-in on Sundays. Dr. Shulze stated he has an alarm set however somedays it doesn't work.

**Dr. Aste stated the importance of checking in every day as required in the stipulation. Dr. Aste stated check-ins contribute to full compliance which is what the Board expects prior to reinstating the DEA license.**

**Ms. Fausett suggested utilizing the app which does not require calling to check-in.**

**Dr. Aste asked about the relationship with the supervisor.**

Dr. Shulze stated it continues to be a positive and supportive relationship.

**Dr. Aste asked about meeting attendance.**

Dr. Shulze stated he attends two meetings a month.

**An appointment was made for Dr. Shulze to meet with the Board on September 6, 2019.**

### **DR. OWEN WOLFGRAMM, PROBATIONARY INTERVIEW (0:53)**

**Dr. Talbot conducted the interview asking how Dr. Wolfgramm is doing.**

Dr. Wolfgramm stated support at the clinic is good and he has consistent contact with both providers in the office.

**Dr. Talbot asked about meeting attendance.**

Dr. Wolfgramm stated he attends two PIR meetings, as well as 12-step meetings and therapy.

**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 September 6, 2019.**

### **DR. S. DALE HIBBERT, REINSTATEMENT APPLICATION REVIEW (1:22)**

**Dr. Aste welcomed Dr. Hibbert to the Board and asked if there have been any updates.**

Dr. Hibbert stated he has been presented with a stipulation which he will review. Dr. Hibbert stated he has completed the CPT portion of the Western Regional Exam. Dr. Hibbert stated he has completed several continuing education courses.

**Mr. Marx stated the score from the CPT exam needs to be received and the stipulation needs to be signed prior to the license being issued.**

**Dr. Aste asked about the supervision requirement.**

Dr. Hibbert stated the Board has approved a supervisor and there are a few options within the practice to follow the requirements established in the presented stipulation.

**Mr. Marx stated the stipulation requires direct supervision for the first six months of practice.**

Dr. Hibbert clarified that the requirement is to have a staff member onsite that connects with supervisor as the approved supervisor is not on-site.

**The Board confirmed the direct supervision requirement.**

**Ms. Fausett stated Dr. Hibbert has two negative tests as of the last meeting.**

Dr. Hibbert requested the removal of the requirement to complete the CPT exam prior to the reinstatement of the license.

**Mr. Marx stated the stipulation is written as such due to the Board's recommendations.**

**Dr. Talbot made a motion to revise the stipulation requiring the CTP portion of the Western Regional exam be passed within 6 months of the license being issued.**

**Ms. Reich seconded the motion.**

**The Board motion passed unanimously.**

**An appointment was made for Dr. Hibbert to meet with the Board on September 6, 2019.**

## **DR. ROBERT HOWELL, EDUCATIONAL INTERVIEW (1:50)**

**The Board welcomed Dr. Howell to the meeting.**

Dr. Howell stated concerns in regards to the allegations in regards to the level of license and the use of stethoscopes isn't allowed by a class two license. Dr. Howell stated his other concern is in regards to supervision of CNRA which was never indicated.

**Dr. Aste asked about the circumstances of the letter issued by the Division.**

Dr. Howell stated that he had listened to the lungs of an employee after a procedure. Dr. Howell stated that the employee had complained about a cough due to the use of nitrous. Dr. Howell stated a complaint was filed due to the chest exam.

Dr. Howell stated he was given a letter of concern due to the use of a stethoscope. Dr. Howell stated he has not supervised any CNRAs which was included in the letter of concern.

**Mr. Hunsaker stated during the initial interview Dr. Howell stated he does supervise CNRAs. Mr. Hunsaker apologized if there was a misunderstanding of the supervision involved.**

**Dr. Aste requested Dr. Howell introduce himself and his practice history.**

Dr. Howell stated he practices as a pediatric dentist doing hospital dentistry. Dr. Howell stated he has been practicing for 34 years.

**Dr. Aste asked if an assistant was present during the procedure and exam.**

Dr. Howell stated he always has an assistant. Dr. Howell stated once the individual stated she was uncomfortable he excused her.

**Mr. Hunsaker stated he was not informed of the presence of an assistant and was unable to interview that individual.**

**Dr. Aste asked what Dr. Howell was attempting to determine by listening to the lungs.**

Dr. Howell stated she had complained that she had a cough as a result of the use of nitrous oxide. Dr. Howell stated he was attempting to determine if the cough was due to problems with the lungs.

**Dr. Aste asked if Dr. Howell is trained to determine if the lung sounds are different causes.**

Dr. Howell stated he is trained to determine if there is a problem to refer out as a matter of screening.

**Dr. Aste stated he would not be comfortable screening the lungs as it is not a part of dental training. Dr. Aste stated the lung sounds of a pediatric patient could be different than that of an adult patient. Dr. Aste asked if Dr. Howell listened to the back and chest over the clothes.**

Dr. Howell stated he listened to the back and chest under the clothing to listen to the lungs.

**Dr. Aste asked what the intent of the letter of concern was.**

**Mr. Hunsaker stated the intent of the letter was due to working outside of the scope of practice.**

**Mr. Marx stated the concern is that the Dr. Howell was working under the definition of the practice of medicine. Mr. Marx stated that during a procedure with anesthesia the lungs should be listened to. Mr. Marx stated the standard for all medical professions is to place the stethoscope over the clothing. Mr. Marx stated a CNRA practices independently under the request of the primary provider.**

Dr. Howell read from the letter sent by the Division.

**Dr. Talbot stated screening lung function during a procedure is appropriate however once the procedure is completed it is outside the scope of practice for a dentist.**

Dr. Howell stated his concern that the letter of concern is now on his record.

**Mr. Marx stated the letter is a communication from the Division to the licensee however it is non-disciplinary in nature.**

## **DISCUSSION:**

### **RULE CHANGE UPDATES (2:18)**

**Mr. Marx reviewed the updates to the drafted rule change. Mr. Marx stated it has been requested to include 'are acceptable for facial cosmetic purposes within the dental scope of practice and the provider' in R156-69-601(6) of the drafted rule.**

**The Board unanimously supported the change in R156-69-601(6).**

**The Board unanimously supported the changes in R156-69-603(13).**

**The Board unanimously supported the changes in R156-69-603(11).**

**Dr. Aste stated there are several basic life support courses online that do not have a hands-on component.**

**The Board unanimously supported the requirement to complete a hands-on component to the required BLS course.**

### **FINE AUTHORITY LETTER (2:30)**

**Mr. Marx stated the Board requested fine authority and a member of the Board was to compose a request letter to the OPLER committee.**

**Dr. Aste stated he will connect with Dr. Poulson to complete the letter for review at the September meeting.**

### **TESTING SITE SUPERVISION (0:45)**

**Ms. Harris stated it has come to the attention of the Board that there is not always a dentist at the test site for dental hygiene exams and there is some confusion about the requirement.**

Ms. Reich stated she has been involved in the discussion and the testing agency has made a commitment to have a dentist on site. Ms. Reich stated the dentist can be provided by the school or the testing agency.

Mr. Marx stated the dentist on site doesn't have to be a Utah licensed dentist if they are present for the purpose of the exam.

**CORRESPONDENCE:**

**NEXT SCHEDULED MEETING:** SEPTEMBER 6, 2019

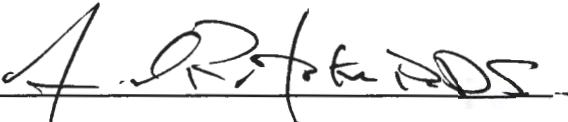
**ADJOURN:**

Meeting adjourned at 11:54 A.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.

08/06/2019

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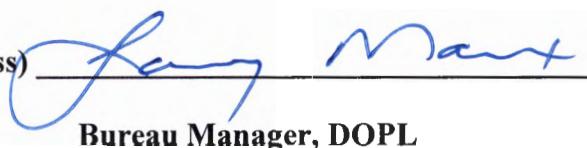


Date Approved

Chairperson, Utah Dentist & Dental Hygienist  
Licensing Board

9/6/2019

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Bureau Manager, DOPL

Date Approved