

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

September 6, 2019  
Heber M Wells Building  
Room 474- 4th Floor- 9:00 A.M.  
Salt Lake City, UT 84114

CONVENED: 9:01 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  
Daniel Poulson, DDS  
Shannon Sorensen, DDS  
Ron Bowen, DDS

Bryon Talbot, DDS  
Gloria Miley  
Melinda L. Reich, RDH  
Jason Chandler, DMD

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

### **GUESTS:**

Makenna Boorman, UVU  
Elizabeth Jorgensen, UVU  
McCall Payne, UVU  
Ashley Palin, UVU  
Madison Jensen, UVU  
Lauren Newfeld, UDOH  
Brenna Bodily, UDOH  
McKenna Smith, UDOH  
Kim Michelson, UDOH

Richard Engar, PIE  
Megan Cheny, UVU  
Marissa Bourne, UVU  
Camilla Morris, UVU  
Tristan Rasmussen, UVU  
Olivia Evans, UVU  
Taylor Hancock, UVU  
Courtney Hiatt, UVU  
Kathy Young, UVU

### **ADMINISTRATIVE BUSINESS:**

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

**Dr. Aste called the meeting to order at 9:01 a.m.**

#### **Read and Approve June 7, 2019 Minutes (0:02)**

**Ms. Miley made a motion to accept the minutes as written.**

**Dr. Poulson seconded the motion.**

**The Board motion passed unanimously.**

**Swear in New Board Member (0:05)**

Mr. Marx swore in Dr. Chandler as a new member of the Board.

**APPOINTMENTS:**

**Investigation Update (0:09)**

Mr. Hunsaker reviewed the dental investigation report as provided.

**KoriAnn Fausett, Compliance Report (0:14)**

Dr. Tayler has no missed check-ins and all tests are negative. Dr. Tayler has submitted all required reports.

Dr. Shulze has no missed check-ins and all tests are negative. Dr. Shulze has submitted all required reports; however, they were submitted late.

Dr. Wolfgramm has no missed check-ins and all tests are negative. Dr. Wolfgramm has submitted all required reports; however, some were submitted late.

Dr. Hibbert has not missed check-in and all tests are negative. Dr. Hibbert has submitted all required reports. Dr. Hibbert has submitted the requested test results and a practice plan.

**DR. BRANDON TAYLER, PROBATIONARY INTERVIEW (0:42)**

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

Dr. Tayler stated things are good and there have been no changes. Dr. Tayler stated he continues to work full time. Dr. Tayler stated he continues to attend Professionals in Recovery meetings and meets with his supervisor regularly.

Dr. Aste asked about Dr. Tayler's self-assessment, specifically the rating for stress levels.

Dr. Tayler stated he feels the rating is a normal level of stress. Dr. Tayler stated owning a practice is difficult. Dr. Tayler stated he has a good support system.

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

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

## **DR. RICHARD SHULZE, PROBATIONARY INTERVIEW (0:49)**

**Dr. Bowen conducted the interview asking how Dr. Shulze is doing.**

Dr. Shulze stated he continues to work at Stone Haven Dental and maintains a good relationship with his supervisor. Dr. Shulze stated he would like to obtain his DEA license. Dr. Shulze stated due to the type of work the practice sees a controlled substance license would be beneficial. Dr. Shulze stated he intends to return to Grandpa's Dental.

**Dr. Bowen made a motion allowing Dr. Shulze to reapply for his Utah controlled substance license.**

**Dr. Sorensen seconded the motion.**

**The Board motion passed unanimously.**

**Ms. Fausett stated the Division will need an updated practice plan and supervisor reports will need to be submitted.**

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

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

## **DR. OWEN WOLFGRAMM, PROBATIONARY INTERVIEW (1:04)**

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

Dr. Wolfgramm stated his recovery continues to be positive. Dr. Wolfgramm stated he was concerned when a medical event occurred; however, it was a reaffirming situation and he no longer has concerns.

**Ms. Harris asked about the late submission of reports.**

Dr. Wolfgramm stated he had thought that all required reports were submitted when he double checked the submission program he acknowledged the missing items and corrected the error.

**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 December 6, 2019.**

## **DR. S. DALE HIBBERT, INITIAL PROBATIONARY INTERVIEW (1:16)**

**Dr. Poulsom conducted the interview asking how Dr. Hibbert is doing.**

Dr. Hibbert stated he has a good support system and things at his clinic are going well. Dr. Hibbert stated he has a good relationship with his supervisor.

**Dr. Poulson asked about the structure of the clinic.**

Dr. Hibbert stated he is the owner of the clinic. Dr. Hibbert stated if he needs any assistance with procedures there are other dentists at the office. Dr. Hibbert reviewed his current supervision including Dr. Horgesheimer as his supervisor and Dr. Arkoudas as his direct supervisor.

**Dr. Poulson read from the stipulation concerning the required supervision. Dr. Poulson stated the discussions and approved supervision were completed prior to the stipulation being available.**

**Mr. Marx stated the stipulation intent was to establish a typical supervisor and a direct supervisor that would be a short-term requirement.**

**Dr. Poulson stated the current arrangement may be a conflict of interest as the direct supervisor is an employee of Dr. Hibbert.**

Dr. Hibbert stated he is unclear what the Board is requiring from him to comply with the supervision requirement. Dr. Hibbert stated he is doing everything the Board has asked him to do.

**Dr. Bowen stated that any possible supervisor would need to submit a CV and meet with the Board prior to approval.**

**Mr. Marx suggested that Dr. Hibbert see patients at Dr. Horgesheimer's clinic while direct supervision is required.**

**Dr. Poulson addressed the on-call portion of the submitted practice plan. Dr. Poulson asked about direct supervision during his on-call shifts.**

Dr. Hibbert stated he had not considered the direct supervision requirement for on-call shifts. Dr. Hibbert stated he will have someone cover the on-call shifts or have a supervisor on site.

**Dr. Bowen asked in Dr. Hibbert's view what has changed to maintain compliance at this point as opposed to the previous time on probation.**

Dr. Hibbert stated previously he was not ready to commit to getting his life in order or the stipulation requirements.

**Dr. Bowen 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.**

**Ms. Reich seconded the motion.**

**All Board members voted in favor of closing the meeting.**

**The meeting was closed at 11:14 a.m. The meeting was opened at 11:18 a.m.**

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

## **DISCUSSION:**

### **RULE CHANGE UPDATES (0:20)**

**Dr. Bowen asked if the rule change addressed digital impressions.**

**Mr. Marx stated under R156-69-603 the Board requested that electronic images be included in the exceptions allowing dental assistants to take electronic images.**

**Dr. Bowen made a motion to update R156-69-603(7) to read ‘take jaw registrations or oral impressions including electronic scans...’**

**Ms. Harris seconded the motion.**

**The Board motion passed unanimously.**

### **FINE AUTHORITY LETTER (0:31 & 2:06)**

**Dr. Poulsom stated he has been in contact with Board members in other states for their procedures and the effectiveness of those actions. Dr. Poulsom stated the consensus of those Boards is that the fines were not effective in regaining compliance.**

**Ms. Reich suggested that adding probation time or removing the option of early termination of probation would be a more effective tool to encourage compliance.**

**Dr. Poulsom made a motion in support of adding fine authority in the Dentist and Dental Hygienist practice act.**

**Ms. Reich seconded the motion.**

**The Board motion passed unanimously.**

### **OPEN MEETINGS ACT (2:30)**

**Mr. Marx reviewed the open meetings act and appropriate circumstances to close a meeting.**

### **HB 226 & HB 90 (2:16)**

**Mr. Marx stated HB 226 is more directed to other professions within the Division and would not really effect the dental profession.**

**Mr. Marx stated every Board is discussing HB 90 to determine what offences constitute a substantial risk to the profession. Mr. Marx presented an example matrix of possible events that may require review prior to approving an application for licensure.**

**The Board requested changes to the matrix which would be more appropriate for the dental profession.**

## CDCA UPDATE (2:31)

**Dr. Poulsom stated he attended the CDCA/ADEX steering committee meeting. Dr. Poulsom reviewed items during the meeting including examiner statistics, exam types, and new developments.**

**CORRESPONDENCE:**

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

## ADJOURN:

**Meeting adjourned at 11:55 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.**

12-4-19

(ss)

## **Chairperson, Utah Dentist & Dental Hygienist Licensing Board**

17-6-2019

(ss)

### Bureau Manager, DOPL