

**MINUTES UTAH DENTIST & DENTAL HYGIENIST
ELECTRONIC MEETING
September 4, 2020 9:00 A.M.
Salt Lake City, UT 84114**

CONVENED: 9:02 A.M.

ADJOURNED: 2:21 P.M.

DOPL STAFF PRESENT:

Bureau Manager: Larry Marx
Board Secretary: Lisa Martin

Compliance Specialist: Lisa Lynn

BOARD MEMBERS PRESENT:

Kathleen Harris, RDH
Gloria Miley, Public Member
Daniel Poulson, DDS
Shannon Sorensen, DDS

Ron Bowen, DDS
Ruediger Tillmann, DDS
Kathleen Young, RDH

BOARD MEMBERS NOT PRESENT:

Bryon Talbot, DDS
Jason Chandler, DMD

GUESTS:

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|--------------------|--------------------|------------------------|
| Richard Engar, PIE | Jamey Watson | Gianna Hartwig |
| Kim Michelson, UDA | AJ Smith | Gary Pickard |
| Val Radmall, UDA | James Bekker | Mark Christensen, WREB |
| Jacob Caldwell | Shaylee Avery | |
| Brandon McKee | Darren Chamberlain | |

ADMINISTRATIVE BUSINESS:

Call Meeting to Order

Dr. Bowen called the meeting to order at 9:00 a.m.

Swear in New Board Members (0:04)

Ms. Young was sworn in as a member of the Board.

Dr. Tillmann was sworn in as a member of the Board.

Read and Approve June 5, 2020 Minutes (0:08)

Ms. Harris made a motion approving the minutes as written.

Ms. Young seconded the motion.

The Board motion passed unanimously.

Board Chairman Vote (0:10)

Dr. Sorensen nominated Dr. Bowen as chair of the Board.

Dr. Poulsom seconded the motion.

The Board motion passed unanimously.

APPOINTMENTS:

INVESTIGATION UPDATE (0:11)

Mr. Hunsaker reviewed the investigation report stating 18 cases have been received and assigned. Mr. Hunsaker stated 22 cases have been closed with 1 administrative filing as a public reprimand. Mr. Hunsaker stated four cases were closed with letters of concern.

COMPLIANCE UPDATE (0:32)

Dr. Shulze has six missed check-ins, is missing meeting and supervisor reports. Dr. Shulze has a change of employment and supervision.

Dr. LaFeber has completed the required continuing education course. Dr. LaFeber has a change of supervision.

Dr. Christensen has one missed check-in, all negative tests, and has submitted all required reports.

Dr. Hibbert has no missed check-ins, all negative tests, and has submitted all required reports.

Dr. Wolfgramm has one missed check-in and has submitted all required reports.

Dr. Vernon has received a public reprimand that required a meeting with the Board.

BOARD TRAINING (0:45)

Dr. Bowen welcomed Dr. Hemmert to the meeting; stating Dr. Hemmert wanted to address the Board about his time on probation.

Dr. Hemmert reviewed his history with the Division. Dr. Hemmert stated his goal is to help the board understand the mindset of an addict. Dr. Hemmert stated missed check-ins is a red flag and recommended requiring a test the next day. Dr. Hemmert stated it is difficult to drink enough water to have a dilute result which indicates there is a goal to clear the system of drugs. Dr. Hemmert stated he would be willing to act as a supervisor or resource if requested.

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

Dr. Bowen conducted the interview stating the Board has concerns based upon the compliance report.

Dr. Shulze stated he has not excuse for the missed check-ins he simply gets started on the day and forgets to check-in. Dr. Shulze stated he is willing to self-test after a missed check-in. Dr. Shulze stated the prior supervisor, Dr. Tobler missed two reports. Dr. Shulze stated the pay at Stone Haven was terrible and he started working for himself.

Dr. Bowen asked about the new practice.

Dr. Shulze stated he opened the practice in April and it is going very well.

Dr. Bowen stated with the missed check-ins Dr. Shulze is not in compliance.

Dr. Sorensen stated the Board has discussed missed check-ins with Dr. Shulze before.

Dr. Poulsen stated this has been the same issue for the entirety of probation. Dr. Poulsen asked what it would take to be in compliance.

Dr. Shulze asked the Board to reconsider the status of being labeled as an addict.

Dr. Bowen stated the agreed upon stipulation required check-ins; until there is compliance with check-ins there won't be consideration for a change of requirements.

Mr. Marx stated a practice plan needs to be submitted for the new practice site.

Dr. Shulze stated he attempted to contact the Division several times however he will work on submitting a practice plan.

DR. NICHOLAS LAFEBER, PROBATIONARY INTERVIEW (1:26)

Dr. Tillmann conducted the interview asking for a brief summary of employment and continuing education.

Dr. LaFeber stated he was over worked which resulted in complaints of poor patient care. Dr. LaFeber stated he has sold one practice and is in the process of selling a second practice. Dr. LaFeber stated he works and owns three separate clinics at this time. Dr. LaFeber stated he has obtained education to improve his clinician skills.

Dr. Tillmann stated the submitted continuing education is not hands-on nor is it progressive.

Dr. LaFeber stated the courses obtained have been during Covid-19 and hands-on options have not been available. Dr. LaFeber stated he is seeking in-person, hands-on courses.

Dr. Tillmann asked what procedures Dr. LaFeber felt were his weakest area, and if he is now at the standard of performing those procedures.

Dr. LaFeber stated root canals were his weakest procedure; however, he feels he is now comfortable with anterior root canals; as the completed courses have assisted in developing

skills. Dr. LaFeber stated he has also had the opportunity to attend and observe procedures in other offices. Dr. LaFeber stated the White Cap course has a hands-on portion of their course; asking if he would be permitted to participate in the hands-on course.

Dr. Tillmann stated as the course is supervised and the goal is to improve hands-on skills then full course participation should be permitted.

Dr. Poulson recommended an audit of current records to assist in course recommendations.

Ms. Lynn stated Dr. LaFeber has a supervisor that completes record review reports.

Dr. Bowen welcomed Dr. McKee to the meeting, asking for more information as presented in the submitted letter.

Dr. McKee requested the meeting be closed at this time.

Dr. Poulson 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. Tillmann 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 11:20 a.m.

The Board requested to speak with Dr. LaFeber's current supervisor Dr. Black prior to Board approval.

DR. STEVEN CHRISTENSEN, PROBATIONARY INTERVIEW (1:55)

Dr. Bowen conducted the interview asking how Dr. Christensen has been doing.

Dr. Christensen stated he continues to work two or three days a week. Dr. Christensen stated his current supervisor will be retiring soon and he will be seeking a new supervisor.

Dr. Bowen recommended submitting the new supervisor's information as soon as possible.

An appointment was made for Dr. Christensen to meet with the Board on December 4, 2020.

DR. S. HIBBERT, PROBATIONARY INTERVIEW (1:58)

Dr. Poulson conducted the interview asking how Dr. Hibbert has been doing.

Dr. Hibbert stated he is doing well with Dr. Spainhower as his supervisor. Dr. Hibbert stated he continues to attend AA meetings. Dr. Hibbert requested consideration to allow the administration of nitrous oxide.

Dr. Poulson stated he is hesitant to allow a change in stipulation requirements or limitations.

Dr. Hibbert stated he has completed an extensive nitrous oxide course and while he was under direct supervision he was utilizing nitrous oxide.

Dr. Poulson made a motion to maintain current restrictions concerning nitrous oxide.

Dr. Tillmann seconded the motion.

The Board motion passed four in agreement and three against.

An appointment was made for Dr. Hibbert to meet with the Board on December 4, 2020.

DR. OWEN WOLFGRAMM, PROBATIONARY INTERVIEW (2:55)

Ms. Harris conducted the interview asking how Dr. Wolfgramm has been doing.

Dr. Wolfgramm stated the clinic has been very busy which had increased his stress levels. Dr. Wolfgramm stated he is aware of his stress levels and addresses the situation before it becomes overwhelming.

Ms. Harris asked about meeting attendance.

Dr. Wolfgramm stated he continues to attend four meetings a month as well as therapy.
Dr. Wolfgramm requested consideration for early termination

Dr. Poulson made a motion recommending early termination of probation.

Dr. Sorensen seconded the motion.

The Board motion passed unanimously.

DR. ANDREW VERNON, REPRIMAND INTERVIEW (2:20)

Dr. Sorensen conducted the interview asking Dr. Vernon about the events that resulted in a public reprimand.

Dr. Vernon stated there was a period of time with a difficult employer as well as a stressful situation in his personal life, which resulted in poor patient care and negative outcomes.

Dr. Sorensen asked about the end of employment with the employer.

Dr. Vernon stated the provided schedule was not manageable and was let go from the clinic.

Dr. Sorensen asked if the poor patient care was due to the overload in schedule or if there was a standard of care issue.

Dr. Vernon stated at the time he believed it was due to the overload of patients; however, after reflection of the situation there may have been poor practice standards.

Dr. Sorensen asked about Dr. Vernon's current employment.

Dr. Vernon stated he is part of a group practice that has been very supportive. Dr. Vernon stated he also owns his own practice.

Dr. Tillmann asked about the submitted continuing education document.

Dr. Vernon stated several of the courses were initial hands-on courses; however, due to Covid-19 they were converted to online courses.

Dr. Bowen asked if all the negative outcomes were with Monarch Dental.

Dr. Vernon confirmed that none of the cases were with his private practice.

Dr. Tillmann recommended a focus on posterior-endo continuing education courses.

Dr. Bowen stated the Board will provide a list of recommended continuing education courses. Dr. Bowen requested a chart review and a follow-up appointment at the December 4, 2020 meeting.

AMERICAN STUDENT DENTAL ASSOCIATION (3:13)

Mr. Caldwell introduced himself and recognized the efforts taken to assist the graduating class during the changes required due to Covid-19.

Ms. Avery stated the association has two questions for the Board. Ms. Avery asked about the exams changes for the 2021 class and if exam changes have the potential to be permanent changes for licensure requirements.

Dr. Bowen stated the Board has not made any final decisions concerning exams or potential changes. Dr. Bowen stated the Board is continuing discussion on this topic as developments in testing options are presented.

Dr. Smith thanked the board for the attention on exam changes early in the process.

Ms. Young recommended the Board have a determination of exams by the December meeting.

TELEDENTISTRY TASKFORCE UPDATE (3:31)

Dr. Bowen welcomed Dr. Chamberlain to the meeting

Dr. Chamberlain stated the taskforce has submitted recommendations to the Division that were reviewed by the Division's legal team.

DISCUSSION:**EXAM UPDATE (3:40)**

Dr. Christensen reviewed updates for the WREB exam in response to Covid-19. Dr. Christensen stated they have field tested a manikin tooth if a live patient exam is not an option.

Dr. Poulsen requested an example of the manikin tooth and field test results. Dr. Poulsen stated the typodont standards created were a minimum standard which would be allowed in non-patient based tests.

Mr. Marx suggested adding an additional Board meeting to ensure the open meetings act is not violated.

LEGISLATIVE UPDATE (4:08)

Mr. Marx stated SB 135 enacted teledentistry. Mr. Marx stated SB 23 allowed fine authority for the Division and Boards. Mr. Marx stated SB 23 also allowed changes for licensure by endorsement; however, as the dental practice act includes endorsement provisions, the bill will not affect the dental profession.

BIOLOGICAL DENTISTRY (4:10)

Dr. Engar stated there are Utah dentists that participating in biological dentistry which includes cavitation, injection of ascorbic acid and vitamin C. Dr. Engar stated there is also use of IV injections and other holistic products. Dr. Engar requested the Board review the practice and discuss if this type of practice is within the scope of dentistry.

The Board requested the topic be included on a future agenda which will allow time to learn about this type of practice.

NEXT SCHEDULED MEETING: DECEMBER 4, 2020

ADJOURN:

Meeting adjourned at 2:21 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.

11/01/2020 (ss) JESBrown

Date Approved

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

10/30/2020

(ss) Larry Marx

Date Approved

Bureau Manager, DOPL