

**ELECTRONIC
MINUTES UTAH DENTIST
& DENTAL HYGIENIST MEETING
September 3, 2021 9:00 A.M.**

CONVENED: 9:04 A.M.

ADJOURNED: 2:23 P.M.

DOPL STAFF PRESENT:

Bureau Manager: Larry Marx

Board Secretary: Lisa Martin

Compliance Specialist: Lisa Lynn

Investigation:

UPHP:

UPHP:

Matt Hunsaker

Kelli Jacobsen

Robert Simpson

BOARD MEMBERS PRESENT:

Shannon Sorensen, DDS

Bryon Talbot, DDS

Ron Bowen, DDS

Jason Chandler, DMD

Kathleen Young, RDH

Kathleen Harris, RDH

Daniel Poulson, DDS

Ruediger Tillmann, DDS

Gloria Miley, Public Member

BOARD MEMBERS NOT PRESENT:

GUESTS:

Alexis Proctor

Alicia Golden

Annabel Parker

Ashlyn Western

Brynn Salisbury

Caitlin Kerr

Cindy Gaskill

Daniel Ford

Emily Parks

Jacob Caldwell

Katy Belnap

Kennedy Ybarguen

Kim Laudenslager, CRDTS

Kim Michelson, UDA

Kylee Sweat

Lauren Neufeld

Mark Edwards

Megan Dinsdale

Sharla Howes

Shevaun Ames

Whitney Eggett

Note: Other guests may have been in attendance electronically but were not identified.

ADMINISTRATIVE BUSINESS:

Call Meeting to Order

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

Read and Approve June 4, 2021 Minutes (Audio 1 0:06)

Dr. Sorensen made a motion approving the minutes as revised.

Ms. Miley seconded the motion.

The Board motion passed unanimously.

APPOINTMENTS:

INVESTIGATION UPDATE (Audio 1 0:12 & 0:25)

Mr. Hunsaker reviewed the investigation update stating the Division received 25 new cases, of those 18 were assigned and cases have been 29 closed. Mr. Hunsaker stated the Division issued 6 letters of concern and 1 citation.

Dr. Bowen requested the Division work closer with the Board members when reviewing investigation cases.

Mr. Hunsaker stated he will contact Board members when starting new quality of care cases.

KELLI JACOBSEN, UPHP UPDATE (Audio 1 0:17)

Ms. Jacobsen summarized the UPHP program and the goals of the program.

Dr. Tillmann clarified the participants of UPHP are anonymous to the Board while compliant within the UPHP program.

Ms. Jacobsen stated the participants of the program do remain anonymous; however, if an individual has a return to use event the UPHP staff will present the case to the Board. Ms. Jacobsen stated the report to the Board will not identify the participant; the intent of meeting with the Board is to promote transparency between the Board and the UPHP program.

AMERICAN ASSOCIATION OF DENTAL BOARDS CONTINUING EDUCATION PROGRAM

The presenter for this appointment were unavailable; this item will be tabled for the December meeting.

CATHY RICHARDSON, PROMETHEAN DENTAL SYSTEMS (Audio 1 0:43)

Ms. Richardson introduced herself and her company. Ms. Richardson provided information as included in the presentation.

COMPLIANCE UPDATE (Audio 1:12)

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

Dr. Nicholas Heiner has a suspended license. Dr. Heiner has not submitted required documents or reports and has three missed tests. Dr. Heiner has new legal action that will be monitored.

Dr. Hibbert has submitted all required reports, has no missed check-ins and all tests were prescription positive as approved.

Dr. Hickman has submitted requested exams, has two negative tests, and no missed check-ins. Dr. Hickman as submitted all required evaluations.

Dr. LaFeber has submitted a continuing education certificate; however, he has not submitted employer reports.

Ms. Larsen has three negative tests and one missed check-in. Ms. Larsen has submitted required reports and the requested narrative.

DR. DALE HIBBERT, PROBATIONARY INTERVIEW (Audio 1 1:28)

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

Dr. Hibbert stated his professional and personal life are both going well. Dr. Hibbert stated there are no changes to report.

Dr. Poulson stated Dr. Hibbert has submitted all required reports and the Board has no concerns at this time.

Dr. Hibbert asked about the status and requirements for his continuing education.

Mr. Marx stated all dentists are required to obtain 30 hours of continuing education for each renewal cycle.

An appointment was made for Dr. Hibbert to meet with the Board on December 3, 2021.

DR. WILLIAM HICKMAN, INITIAL PROBATIONARY INTERVIEW (Audio 1 2:00)

Dr. Chandler conducted the interview asking how Dr. Hickman is doing.

Dr. Hickman stated he has completed several components of the requested regional exam. Dr. Hickman stated he has not been able to complete the endodontic portion of the exam. Dr. Hickman stated he has attempted the endodontic portion of the exam through CITA and CDCA. Dr. Hickman stated he has a third attempt scheduled.

Mr. Marx suggested connecting Dr. Hickman with our presenter from this morning in lieu of additional sections of the regional exam.

Dr. Poulson asked Dr. Hickman which sections of the regional exam he has completed.

Dr. Hickman stated after the Board meeting and a discussion with Mr. Marx it was his understanding that only two section of an exam were required. Dr. Hickman confirmed he has not taken a periodontics or operative section of the exam.

Mr. Marx stated to maintain consistency with prior probationers in similar situations he did instruct Dr. Hickman complete two sections of the selected exam.

Dr. Poulson stated his intent at the last meeting was to have Dr. Hickman take all four sections of the exam, including the periodontics, endodontic, operative portions.

Ms. Young asked if Dr. Hickman would be willing to participate in additional training.

Dr. Hickman stated he understands that those courses can become costly; however, if there is a clear expectation he would be willing to look into requirement of that type.

Dr. Bowen suggested completing all portions of a regional exam may be more cost effective than participating in additional training.

The Board agreed that Dr. Hickman needs to complete all the exam components.

Ms. Lynn asked the Board for clarification on the evaluation requirement; stating Dr. Hickman submitted evaluations for his massage therapy license in 2016.

The Board agreed that documentation submitted in 2016 will qualify and complete the requirement in the dentist stipulation.

Ms. Lynn stated the stipulation allows the Board to determine meeting attendance; Ms. Lynn asked about Dr. Hickman's current meeting attendance.

Dr. Hickman stated he had been attending 12-step meetings for several years; however, at this point in his recovery the meetings do not hold the same value as when he started recovery. Dr. Hickman stated he continues to meet with a therapist regularly.

Dr. Tillmann made a motion requiring Dr. Hickman attend a recovery meeting once a week while on probation.

Dr. Poulson seconded the motion.

The Board motion passed unanimously.

Dr. Hickman stated his willingness to attend a PIR (professionals in recovery) meeting.

Ms. Lynn stated she will provide information on different PIR meetings.

An appointment was made for Dr. Hickman to meet with the Board on December 3, 2021.

MS. LINDSEY LARSEN, INITIAL PROBATIONARY INTERVIEW (Audio 1 2:30)

Ms. Young conducted the interview asking Ms. Larsen how she is doing.

Ms. Larsen stated she is currently seeking new housing. Ms. Larsen stated she continues to attend AA and PIR meetings. Mr. Larsen requested additional electronic PIR meeting information. Ms. Larsen stated she attends at least 2 meetings a week.

Ms. Lynn stated she will send Ms. Larsen the requested meeting information.

Ms. Young asked how Ms. Larsen's employment search is going.

Ms. Larsen stated she has two job prospects. Ms. Larsen stated one would be a full-time position in a clinic she was able to temp work at. Ms. Larsen stated she had an interview at a different location and was offered a part-time position. Ms. Larsen stated she is not certain which opportunity will be the best path forward.

Ms. Harris asked how Ms. Larsen did with the additional stress of moving, asking if Ms. Larsen struggled with cravings or triggers.

Ms. Larsen stated she has passing thoughts of usage; however, she is aware of her addictive nature and fully understands that she cannot have a single drink. Ms. Larsen stated even with passing thoughts she was not tempted to participate in drinking.

An appointment was made for Ms. Larsen to meet with the Board on December 3, 2021.

DR. NICHOLAS LAFEBER, PROBATIONARY INTERVIEW (Audio 1 2:39)

Dr. Tillman conducted the interview asking about the continuing education courses Dr. LaFeber has completed.

Dr. LaFeber stated his stress levels have reduced over the past six months. Dr. LaFeber stated he currently owns two practice sites and one of those locations is under contract to be sold. Dr. LaFeber stated there are no other associates at the practice sites.

Dr. Tillmann asked about Dr. LaFeber's relationship with his supervisor including how often they meet.

Dr. LaFeber stated between June and September he has met with Dr. Fisher over twenty times. Dr. LaFeber stated some meetings were in person at Dr. Fisher's office and other meetings were electronic. Dr. LaFeber stated Dr. Fisher has been an excellent supervisor.

Dr. Tillmann reviewed the submitted continuing education courses. Dr. Tillmann asked about the missing supervisor reports after the change back to monthly report submission.

Ms. Lynn stated Dr. Fisher was able to submit the missing reports.

An appointment was made for Dr. LaFeber to meet with the Board on December 3, 2021.

DR. ALEX BANKHEAD, APPLICATION REVIEW (Audio 1 2:58 & Audio 2 0:08)

Dr. Bowen asked Dr. Bankhead how he is doing.

Dr. Bankhead stated he is feeling well and the largest life stressor has now been completed and is no longer an issue in his life. Dr. Bankhead stated his license was revoked on 4/23 at that time he found a provider to cover his practice. Dr. Bankhead stated he attended a rehabilitation center for just over a month and was discharged on June 26, 2021. Dr. Bankhead stated he has been able to clear all criminal charges. Dr. Bankhead stated he attends several meetings a week as well as therapy attendance.

Dr. Bowen asked if Dr. Bankhead has been testing after leaving the treatment facility.

Dr. Bankhead stated he has not been tested after leaving rehab.

Dr. Bowen asked when the last time Dr. Bankhead had a drink.

Dr. Bankhead stated May 20th is his sobriety date; which is when he entered the program.

Dr. Bowen asked what Dr. Bankhead's return to practice plan would look like; as well as the plan if the license is not granted at this time.

Dr. Bankhead stated he would continue working with his sponsor, attending meetings and continue with his therapist. Dr. Bankhead requested the Board utilize compassion in making a decision. Dr. Bankhead stated he would work 2 half days a week; and the provider covering his practice has requested to remain at the clinic 1 day a week.

Dr. Poulson referred the legal events; as the statements provided in writing and the statement made a moment ago are different; however, they are from the same legal events. Dr. Poulson asked when Dr. Bankhead will be forthright with the Board. Dr. Poulson also asked about a positive test; which Dr. Bankhead has provided different answers about. Dr. Poulson asked if Dr. Bankhead is being truthful with the Board and if he is taking ownership of his actions.

Dr. Bankhead stated he has no desire to violate the stipulation and is willing to follow the Board's requests.

Ms. Young stated Dr. Bankhead should have the opportunity to show his commitment to staying sober.

Dr. Bowen asked the Board for the consideration of granting the license.

Ms. Young 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. Poulson seconded the motion.

**All Board members voted in favor of closing the meeting.
The meeting was closed at 12:47 p.m. The meeting was opened at 1:05 p.m.**

Dr. Bankhead requested the Board extend compassion when making a decision.

**Dr. Poulson made a motion requiring Dr. Bankhead to test and attend recovery meetings twice a week for 3 months prior to consideration of issuing a license.
Ms. Miley seconded the motion.
The Board motion passed unanimously.**

An appointment was made for Dr. Bankhead to meet with the Board on December 3, 2021.

DISCUSSION:

REGIONAL EXAMS (Audio 1 1:55, Audio 2 0:04, and 0:18)

Dr. Tillman stated he was able to attend the ADEX conference. Dr. Tillman stated the ADEX organization will not allow a Utah dental hygienist be a member of the organization at this time. Dr. Tillman stated no dental hygiene exam changes were made at this time. Dr. Tillman stated some good changes were made to the dental exam.

Ms. Harris stated will be using a manikin exam and

Dr. Tillman stated the typodont products are very different between each provider.

Dr. Poulson stated the quality of the exams is dependent upon the manikin provided to the candidates.

Dr. Sorensen asked if the difference in the provided manikins will be solved with the merger of WREB and CDCA.

Dr. Bowen stated WREB & CDCA have merged and the testing will be the ADEX exam in 2023.

Ms. Young stated the Board needs to make a permanent decision and not readdress the topic year after year.

Dr. Poulson made a motion not accepting the WREB typodont operative or perio hygiene scaling exam for the 2022 testing cycle.

Dr. Bowen

Dr. Talbot seconded the motion.

The Board motion passed with 6 in favor and 2 against.

Ms. Young made a motion accepting the CDCA manikin and OSCE exam

Dr. Bowen suggested changing CDCA to ADEX exam as multiple exam providers use the ADEX exam.

Ms. Young stated the revised motion to state accept the ADEX manikin and Dental Hygiene OSCE exams for the 2022 testing cycle.

Dr. Talbot seconded the motion.

The Board motion passed unanimously.

RULE REVIEW (AUDIO 2 1:08)

Mr. Marx reviewed a revision in the rule concerning Botox continuing education requirement.

Ms. Young made a motion accepting the rule change as presented.

Dr. Tillmann seconded the motion.

The Board motion passed unanimously.

TEETH WHITENING (AUDIO 1 1:33)

Ms. Harris stated there are a lot of pop-up teeth whitening locations and anything less than 25% peroxide can be performed by anybody. Ms. Harris stated currently if a dental hygienist performs teeth whitening they must practice under a dentist. Ms. Harris asked if the rule can be altered to address dental hygienists performing whitening without supervision of a dentist.

Mr. Marx stated the statute defines supervision for dental hygienists and the legislature would need to make a change to the statute in order to allow changes in the rule.

Dr. Bowen suggested Ms. Harris and Ms. Young draft a potential proposal for a revision of the practice act to present to the legislature.

BOARD ROLE IN SELECTING SUPERVISORS (Audio 2 1:06)

Dr. Poulson submitted an article to the UDA newsletter indicating licensed dentists interested in potentially serving as supervisor to respond. Dr. Poulson stated three responses were received.

MEETING FREQUENCY

This item was table for the December meeting.

NEXT SCHEDULED MEETING: DECEMBER 3, 2021

ADJOURN:

Meeting adjourned at 2:23 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.

_____ (ss) _____

Date Approved

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

_____ (ss) _____

Date Approved

Bureau Manager, DOPL