

**ELECTRONIC
MINUTES UTAH DENTIST
& DENTAL HYGIENIST MEETING**
June 3, 2022 9:00 A.M.

CONVENED: 9:01 A.M.

ADJOURNED: 12:46 P.M.

DOPL STAFF PRESENT:

Bureau Manager: Larry Marx
Board Secretary: Lisa Martin

Compliance Specialist: Lissa Lynn
Investigation: Matt Hunsaker

BOARD MEMBERS PRESENT:

Kathleen Harris, RDH Ruediger Tillmann, DDS Jason Chandler, DMD
Daniel Poulson, DDS Gloria Miley, Public Member Kathleen Young, RDH
Shannon Sorensen, DDS

BOARD MEMBERS NOT PRESENT:

GUESTS:

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

ADMINISTRATIVE BUSINESS:

Call Meeting to Order

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

Read and Approve March 4, 2022 Minutes (Audio 1 0:03)

Ms. Harris made a motion to approve the minutes with revisions as discussed.

Ms. Miley seconded the motion

The Board motion passed unanimously.

APPOINTMENTS:

INVESTIGATION UPDATE (Audio 10:05)

Mr. Hunsaker reviewed the investigation numbers stating the Division received 36 cases, all were assigned and 36 cases were closed. Mr. Hunsaker stated the Division issued 1 administrative filing, 4 letters of concern, and issued 2 citations. Mr. Hunsaker stated the Division has received a complaint against Dr. LaFeber.

COMPLIANCE UPDATE (Audio 1 0:12)

Dr. Christensen has submitted required meeting log; however, the April employer report was insufficient. Dr. Christensen has eight negative tests and no missed check-ins.

Dr. Bankhead has submitted the physical health fit-for-duty letter; evaluations are due by July. Dr. Bankhead has submitted required meeting log and one negative test with no missed check-ins.

Dr. Heiner remains on a suspended license until all required evaluations and treatment documents are submitted. Dr. Heiner is not checking in or testing. Dr. Heiner has new legal events as of April.

Dr. Hibbert has submitted all required reports, has two missed check-ins and all tests results are prescription positive.

Dr. Hickman has submitted required exams and reports. Dr. Hickman has three negative tests and no missed check-ins.

Dr. LaFeber's employer reports continue to be submitted late.

Ms. Larsen has not been attending therapy and requires employment clarification. Ms. Larsen has 3 no shows, 1 negative test, and no missed check-ins.

Ms. Lyle has not submitted therapy reports and meeting logs. Ms. Lyle remains at Sober Living.

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. Tillman seconded the motion.

All Board members voted in favor of closing the meeting.

The meeting was closed at 9:35 a.m. The meeting was opened at 10:03 a.m.

DR. STEVEN CHRISTENSEN, PROBATIONARY INTERVIEW (Audio 1 0:34)

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

Dr. Christensen stated there have been no changes and things are going well.

Dr. Chandler stated he has spoken with Dr. Christensen's supervisor; Dr. Anderson sees no issue with removing the supervision requirement. Dr. Chandler asked Dr. Christensen about the impact of maintaining supervision.

Dr. Christensen stated the supervisor requirement has not been a big impact on his practice or probation. Dr. Christensen stated he hasn't seen a benefit of maintaining supervision. Dr. Christensen stated to his knowledge there haven't been any issues with while he has been on probation and with a supervisor.

Dr. Sorensen made a motion to remove the supervision requirement.

Ms. Miley seconded the motion.

The Board motion passed unanimously.

An appointment was made for Dr. Christensen to meet with the Board on September 2, 2022.

MS. JAMIE LYLE, PROBATIONARY INTERVIEW (Audio 1 0:43)

Ms. Harris conducted the interview asking how Ms. Lyle is doing.

Ms. Lyle stated she has transitioned out of Sober Living, is participating with intensive outpatient (IOP) treatment and tests three days a week. Ms. Lyle asked about employment requirements as she has started working four days a week at three different clinic locations. Ms. Lyle stated all locations are aware of the stipulation. Ms. Lyle stated one of the dentists she works with, Dr. Valentine, has been supportive and willing to assist with requirements from the Board.

Ms. Lynn stated the Board needs to be informed about all location sites and a supervisor needs to be approved. Ms. Lynn stated each office will need to submit the memorandum of understanding (MOU) stating they have read the stipulation.

Ms. Harris asked about Ms. Lyle's stressors and support system.

Ms. Lyle stated the office locations are low stress with supportive staff. Ms. Lyle stated she continues to attend six meetings a week. Ms. Lyle stated maintaining sobriety has reduced her stress levels and she maintains connections with the Sober Living facility for support.

Ms. Lynn stated the April and May therapy reports have not been submitted.

Dr. Tillmann made a motion approving Dr. Matthew Valentine as supervisor.

Ms. Harris seconded the motion.

The Board motion passed unanimously.

Dr. Poulsen stated employer reports should be submitted from each office.

Ms. Lynn reviewed the required documents including: the memorandum of understanding from each practice site, a CV or resume from Dr. Valentine, and employer reports will be due monthly starting July 1st.

An appointment was made for Ms. Lyle to meet with the Board on September 2, 2022.

DR. NICHOLAS LAFEBER, PROBATIONARY INTERVIEW (Audio 1 0:56)

Dr. Tillmann conducted the interview asking how Dr. LaFeber is doing.

Dr. LaFeber stated his appreciation for Dr. Fisher and his guidance as a supervisor. Dr. LaFeber stated he has completed an additional 11 hours of continuing education; however, none of them were hands-on. Dr. LaFeber stated he has another course scheduled in September.

Dr. Tillmann asked if Dr. LaFeber has received any new complaints or court actions.

Dr. LaFeber stated no complaints but a court action has been filed. Dr. LaFeber stated a patient from another state that had an abscess on a tooth that was worked on. Dr. LaFeber stated the case is in the early stages and has not been resolved.

Dr. Tillmann asked how many locations Dr. LaFeber was working in and how many locations he is currently working at.

Dr. LaFeber stated he currently works at one office Monday-Thursday. Dr. LaFeber stated he was involved with four office locations at one point in time.

Dr. Tillmann requested Dr. LaFeber submit the name and location of each of the four offices he has worked with; as well as a list of associate providers for each location.

Dr. LaFeber stated he will provide the information as requested.

Dr. Tillmann stated at this time Dr. LaFeber is permitted to provide general dentistry and general operative work as well as prosthodontics. Dr. Tillman stated Dr. LaFeber is not permitted to provide root canals, implants, or perio surgeries. Dr. Tillmann asked about extractions and wisdom tooth removal.

Dr. LaFeber confirmed his current scope of practice. Dr. LaFeber stated he can perform extractions and wisdom tooth removal.

Dr. Tillmann asked what Dr. LaFeber is willing to do to show his improvement of skills.

Dr. LaFeber stated he is aware of and willing to attend one of the Board recommended courses. Dr. LaFeber stated he is working on obtaining the funds to attend one of the courses.

Dr. Tillmann recommended a change in the stipulation to require a Board selected course.

Mr. Marx asked if Dr. LaFeber would agree to an amendment of the stipulation that would require a specific course to be completed.

Dr. LaFeber stated he would be agreeable to a stipulation change.

Dr. Tillmann asked if Dr. LaFeber would agree to complete a CDCA exam after the recommended continuing education course. Dr. Tillmann stated the Board would like to see all components of the regional exam be completed.

Dr. LaFeber stated he would be willing to complete the CDCA exam.

Dr. Poulsom stated that missing or late reports results in a non-compliant status with the probationary requirements.

An appointment was made for Dr. LaFeber to meet with the Board on September 2, 2022.

DR. WILLIAM HICKMAN, PROBATIONARY INTERVIEW (Audio 1 1:20)

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

Dr. Hickman stated he continues to practice in Tooele four days a week. Dr. Hickman stated the practice includes a supportive staff. Dr. Hickman requested consideration to change supervision from direct to general. Dr. Hickman stated the stipulation states the change can occur after six months and he has been with his supervisor for seven months at this point.

Dr. Poulsom asked if there have been any concerns within the supervisor reports.

Ms. Lynn stated the supervisor reports have all been positive and have not indicated any problems.

Ms. Harris made a motion to change the requirement from direct supervision to general supervision.

Dr. Tillmann seconded the motion.

The Board motion passed unanimously.

Dr. Hickman asked about changing the anesthesia level from the class A license to the class B license. Dr. Hickman stated he has completed several continuing education courses and has been on probation for a year.

Dr. Sorensen made a motion approving the request to upgrade to an anesthesia class B license.

Ms. Miley seconded the motion.

The Board motion passed unanimously.

Mr. Marx stated an amendment to the stipulation will need to be completed as well as an upgrade application form.

An appointment was made for Dr. Hickman to meet with the Board on September 2, 2022.

DR. DALE HIBBERT, PROBATIONARY INTERVIEW

Dr. Hibbert was not present for his appointment.

MS. LINDSEY LARSEN, PROBATIONARY INTERVIEW (Audio 2 1:07)

Ms. Larsen was not present for her appointment.

Mr. Marx stated due to Ms. Larsen missing meetings, missed check-ins and recent testing history the Division is preparing to compose a notice of agency action to revoke the license.

Ms. Young asked what Ms. Larsen would need to do in order to get the license back to an active on probation status.

Mr. Marx stated typically the Division will require an evaluation and a new stipulation. Mr. Marx stated Ms. Larsen is not in compliance with the stipulation.

Dr. Tillmann made a motion recommending revocation of Ms. Larsen's license due to non-compliance of the stipulation.

Ms. Young seconded the motion.

The Board motion passed unanimously.

DR. ALEX BANKHEAD, APPLICATION REVIEW (Audio 2 0:10)

Dr. Poulsom conducted the interview asking how Dr. Bankhead is doing.

Dr. Bankhead stated he has been working one day a week seeing a handful of patients each day.

Dr. Poulsom asked if the Board has approved a supervisor at this time.

Dr. Bankhead stated he has requested Dr. Ben Frandsen serve as a supervisor; however, the Board has not approved the request at this time.

Dr. Poulsom asked if Dr. Bankhead has any questions concerning the stipulation.

Dr. Bankhead stated he has no questions at this time and Ms. Lynn has been a good resource. Dr. Bankhead stated he would like to see the class C license restored.

Dr. Poulsom reviewed requirements within the stipulation; including the requirement to have the supervisor and practice plan approval by the Board.

Dr. Bankhead requested clarification on the requirement of direct supervision and why direct supervision is required.

Dr. Poulsom stated the direct supervision requires the supervisor be on-site when dentistry is being performed. Dr. Poulsom stated the stipulation as written was agreed upon and is the reason why direct supervision is required. Dr. Poulsom stated at this time Dr. Bankhead is not in compliance with his stipulation as he is practicing without an approved supervisor and practice plan.

Dr. Tillmann suggested Dr. Bankhead select a periodontist to fulfill the supervisor requirement.

Mr. Marx stated at this time Dr. Bankhead doesn't have an approved practice plan, nor an approved supervisor and cannot practice until those items are approved.

Dr. Bankhead stated he will update the suggested supervisor to Dr. Jeffery Jensen.

Dr. Tillmann made a motion approving Dr. Jeffery Jensen as Dr. Bankhead's direct supervisor; with a requirement to submit a CV and meet with the Board at the September meeting.

Dr. Sorensen seconded the motion.

The Board motion passed unanimously.

Ms. Harris stated the submitted practice plan will need revisions prior to approval.

Dr. Bankhead stated he will submit an updated practice plan.

The Board determined a meeting may be hosted prior to the September meeting, once a CV for Dr. Jensen and revised practice plan have been submitted.

An appointment was made for Dr. Bankhead to meet with the Board on September 2, 2022.

DISCUSSION ITEMS:

CONTROLLED SUBSTANCES ADVISORY COMMITTEE (Audio 2 0:02)

Mr. Marx stated Dr. Talbot has been serving on the Controlled Substance Advisory Committee; however, he is no longer available. Mr. Marx asked if a member of the Board is able to serve on the committee.

Dr. Tillmann stated he is able to join the Controlled Substance Advisory Committee.

LEGISLATIVE UPDATE WITH RULE REVISIONS (Audio 2:20)

Mr. Marx presented a legislative review for the 2022 session.

REGIONAL EXAMS (Audio 2 0:04)

Dr. Tillmann stated he attended a meeting with ADEX in preparation for the September meeting. Dr. Tillmann stated there will be discussion concerning changes due to the merging of exam providers.

NEXT SCHEDULED MEETING: SEPTEMBER 2, 2022

ADJOURN:

Meeting adjourned at 12:46 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**