

**MINUTES UTAH DENTIST  
& DENTAL HYGIENIST MEETING**  
March 3, 2023 9:00 A.M.

CONVENED: 9:02 A.M.

ADJOURNED: 2:19 P.M.

**DOPL STAFF PRESENT:**

Bureau Manager: Larry Marx

Board Secretary: Allison Pulsipher

Investigations: Matt Hunsaker

Investigations: Jake Guenon

Compliance Specialist: Lisa Lynn

**BOARD MEMBERS PRESENT:**

Kathleen Harris, RDH

Jason Chandler, DMD

Kelly Faddis, DDS

Daniel Poulson, DDS

Kathleen Young, RDH

Jennifer Wahlen, DMD

Ruediger Tillmann, DDS

Gloria Miley

Bryon Talbot, DDS

**BOARD MEMBERS NOT PRESENT:**

**GUESTS:**

Sam Jacoby

Laura Green

Stacey Swilling

Kelly Mandella

Lauren Newfeld

Richard Cobler

**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 9:02 a.m.

**Read and Approve December 2, 2022 Minutes (Audio 1- 0:02:25)**

Ms. Harris motioned to approve the minutes as written.

Ms. Miley seconded the motion.

The Board passed the motion unanimously.

**Board Chair Vote (Audio 1- 0:03:50)**

Ms. Young nominated Ms. Harris.

Dr. Tillmann seconded the nomination.

Dr. Poulson closed the nominations.

The Board voted Ms. Harris to become the new Board Chair.

## **APPOINTMENTS:**

### **INVESTIGATION UPDATE (Audio 1- 0:07:50)**

Mr. Guenon introduced himself to the Board as the new investigation specialist.

There have been no administration filings and 1 letter of concern. There have been 2 citations. There have been 17 cases, 15 have been assigned, and 16 have been closed.

Mr. Guenon stated Investigations has noticed a lot of the complaints have come from dental hygienists and dental assistants noticing the standard of care is not being met.

### **COMPLIANCE UPDATE (Audio 1- 0:22:45)**

Ms. Lynn gave the compliance update.

Ms. Lynn stated Dr. Scott Chandler submitted a list of CE's he would like the Board to approve for his probation.

Dr. Jason Chandler stated his concerns with the courses Dr. Scott Chandler suggested.

Ms. Lynn stated Dr. Bankhead is current on his reports.

Ms. Lynn stated Dr. Bankhead had three tests, 2 tests were negative and 1 test was positive.

Ms. Lynn stated she sent Dr. Bankhead test results to be reviewed and discussed the results with the Board.

Ms. Lynn stated Dr. Heiner's license is still suspended.

Ms. Lynn stated Dr. Hibbert has turned in all of his reports.

Ms. Lynn stated he had one missed check-in and 6 check-ins.

Ms. Lynn stated Dr. Hickman stated he has one excused missed check-ins.

Ms. Lynn stated Dr. Hickman had 6 tests.

Ms. Lynn stated Dr. LaFeber still has a probationary license as the Notice of Agency Action is still pending.

Ms. Lynn stated Dr. LaFeber submitted a list of possible CE courses to take.

Ms. Lynn stated Ms. Larsen has not been working.

Ms. Lynn stated Ms. Larsen had 4 tests scheduled and missed 3 of those tests.

Ms. Lynn stated Ms. Larsen has new charges against her.

Dr. Faddis asked for the dates Ms. Larsen is anticipated to be on probation.

Ms. Lynn clarified the dates Ms. Larsen is anticipated to be on probation.

Ms. Lynn stated Ms. Lyle is working at two dental offices.

Ms. Lynn stated Ms. Lyle has been submitting her monthly reports on time.

Ms. Lyn stated Ms. Lyle had no missed check-ins and 5 tests all negative.

**DR. DALE HIBBERT PROBATIONARY INTERVIEW (Audio 1- 0:40:40)**

Dr. Poulson started the interview with Dr. Hibbert.

Dr. Poulson asked Dr. Hibbert how he had been doing.

Dr. Hibbert stated he has been skiing and going to the gym.

Dr. Poulson asked if Dr. Hibbert attended his support meetings.

Dr. Hibbert stated he still attends his meeting virtually.

Ms. Harris asked how often Dr. Hibbert is working.

Dr. Hibbert stated he has been working 2 days a week.

Dr. Hibbert stated he hopes in the future the Board will consider releasing him from his probation early.

Dr. Tillmann asked if Dr. Hibbert would increase the days he practices if his license was unrestricted.

Dr. Hibbert stated he would remain practicing 2 days a week.

**MS. JAMIE LYLE, PROBATIONARY INTERVIEW (Audio 1- 0:47:05)**

Ms. Harris started the interview with Ms. Lyle by asking how she is doing.

Ms. Lyle stated things are going excellently. She is working 4 days a week and going to 1 to 2 meetings a week.

Ms. Lyle stated she celebrated one year sober in December and stated it is a good motivation to stay sober around the holidays.

Ms. Harris asked about work.

Ms. Lyle stated her work is very supportive and enjoys the support.

Dr. Faddis asked Ms. Lyle about the plan she followed during the holidays.

Ms. Lyle stated she always drove separately, kept plans for where she would go if needed, and followed her feelings.

Dr. Tillmann motioned to move Ms. Lyle's reports to quarterly.

Dr. Poulson seconded the motion.

The Board passed the motion unanimously.

**DR. ALEX BANKHEAD, PROBATIONARY INTERVIEW (Audio 1- 0:55:05)**

Dr. Poulson started the interview with Dr. Bankhead by asking how he is doing.

Dr. Bankhead stated his son is around a lot and has no complaints.

Dr. Bankhead stated he is still working 1 day a week.

Dr. Poulson asked Dr. Bankhead about his CE's courses.

Dr. Bankhead stated the PBI courses were small and were different than what he is used to in CE courses.

Dr. Bankhead stated that he wants to keep practicing and learned that he needs to stay out of trouble and keep to himself.

Dr. Poulson asked Dr. Bankhead about his positive test.

Dr. Bankhead stated he did not knowingly take a medication that will make his test positive.

Dr. Faddis asked Ms. Lynn the likelihood of an over-the-counter product registering that high on Dr. Bankhead's test.

Ms. Lynn explained the review received regarding Dr. Bankhead's positive test.

Mr. Marx stated he recommends Dr. Bankhead stop taking the supplements in question involved with his positive test.

Dr. Tillmann stated he agrees with Mr. Marx and recommends asking about the supplements he wants to take.

Dr. Bankhead stated he has stopped taking the supplement and will research any new supplement he intends to take.

Dr. Wahlen discussed her concern with Dr. Bankhead

Dr. Poulson motioned to fine Dr. Bankhead \$500 for having another positive test.

Dr. Faddis seconded the motion.

The Board passed the motion unanimously.

Dr. Tillmann asked Dr. Bankhead about how often he practice.

Dr. Bankhead stated he can only practice 1 day a week due to his supervision requirement.

Dr. Tillmann asked the Board if there is an adjustment that can be made to allow Dr. Bankhead to work more than one day a week.

Dr. Poulson stated he has a hard time recommending a change of supervision after his positive test.

Dr. Tillmann stated Dr. Bankhead has until the next meeting to prove he wants to still work.

Dr. Tillmann motioned to allow Dr. Bankhead to work an extra day under a second supervisor approved by Dr. Jensen.

Dr. Talbot seconded the motion.

The Board passed the motion unanimously.

#### **MS. LINDSEY LARSEN, PROBATIONARY INTERVIEW (Audio 1- 1:31:45, Audio 2- 0:00:10)**

Ms. Young started Ms. Larsen's interview.

Ms. Young discussed the compliance report the Board received regarding Ms. Larsen and recommended the Board suspends or revokes her license.

Mr. Marx explained the difference between suspending or revoking Ms. Larsen's license.

Ms. Young asked Ms. Larsen how she feels about the recommendations.

Ms. Larsen stated she is sad about the recommendation.

Ms. Harris asked if Ms. Larsen is working.

Ms. Larsen stated she has been having a hard time getting a job temping because some of the companies will no longer allow her to use their services while she is on probation.

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. Wahlen seconded the motion.

All Board members voted in favor of closing the meeting.

The meeting was closed at 10:40 a.m. The meeting was opened at 10:47 a.m.

Dr. Tillmann stated he feels Ms. Larsen is trying to get her life on track so suspending her license will give her the chance to come back to the profession. Dr. Talbot stated he has a hard time understanding why Ms. Larsen is not compliant with her probation because if it was important she would make it work.

Ms. Young made a motion to suspend Ms. Larsen's license for noncompliance with her stipulation.

Dr. Wahlen seconded the motion.

The Board passed the motion unanimously.

Ms. Young asked Ms. Larsen if she had completed her reports with her life coach the Board asked her to complete last meeting.

Ms. Larsen stated she did not.

#### **DR. SCOTT CHANDLER, PROBATIONARY INTERVIEW (Audio 3- 0:00:15)**

Dr. Jason Chandler started the interview with Dr. Scott Chandler.

Dr. Jason Chandler asked Dr. Scott Chandler about the proposed CE Courses.

Ms. Pulsipher explained the courses Mr. Marx and Dr. Scott Chandler found that would fulfill his CE courses.

Dr. Scott Chandler stated he has found courses and discussed with Dr. Taylor from the UDA about creating a course regarding the Dentist scope of practice.

Dr. Poulsom stated what was asked of Dr. Scott Chandler during the December meeting.

Dr. Poulsom asked Dr. Scott Chandler to resubmit his courses, as the courses he submitted were not clear.

#### **DR. NICHOLAS LAFEBER, PROBATIONARY INTERVIEW (Audio 3- 0:21:55)**

Dr. LaFeber introduced Mr. Lewis as his legal council.

Dr. Tillmann started the interview with Dr. LaFeber.

Dr. Tillmann stated Dr. LaFeber has taken the CRDTS exams and discussed the remediation courses Dr. LaFeber should take.

Dr. LaFeber stated he took the Ethics portion of the CRDTS exam and is waiting for approval to take either the CRDTS remediation course or the Promethean remediation course.

Ms. Young asked for clarification of the difference between the two courses.

Dr. Poulsom asked Dr. LaFeber which course he would prefer to take.

Dr. LaFeber stated he would prefer to take the Promethean course.

Dr. Faddis asked when the courses would be taking place.

Dr. LaFeber stated he would be able to start once it is approved.

Dr. Tillmann asked Mr. Marx for clarification regarding what needs to be included.

Mr. Marx explained what would be required to be apart of the remediation course Dr. LaFeber needs to take.

Dr. LaFeber stated if it would take the Board until the next meeting to approve the Promethean course, he will take the CRDTS course.

Dr. Poulsom stated the Board and the Division has had more communication with CRDTS to ensure the training Dr. LaFeber needs will be included in the remediation course.

Dr. Poulsom motioned the Board accepts the CRDTS remediation course for Dr. LaFeber to be completed the course as outlined.

Ms. Young seconded the motion.

The board passed the motion unanimously.

#### **DR. MOHAMADREZA YAZDI, APPLICATION REVIEW (Audio 3- 0:41:35)**

The Board introduced themselves to Dr. Yazdi.

Dr. Yazdi started the interview with the Board by explaining his situation.

Ms. Harris asked Dr. Yazdi where he is currently licensed.

Dr. Yazdi stated he is licensed in Maryland and Massachusetts.

Dr. Poulson asked about the status of the California License.

Dr. Yazdi stated he does not have an active license; he voluntarily surrendered the license.

Dr. Poulson asked about the Maryland license.

Dr. Yazdi confirmed his Maryland license is active under probation.

Ms. Young asked what the probation terms on his Maryland license are.

Dr. Yazdi stated he does not know and believes most of the terms come from the California terms.

Ms. Young asked if Dr. Yazdi has thought about surrendering his Maryland license.

Dr. Yazdi stated he has thought about surrendering the Maryland license.

Dr. Faddis asked why Dr. Yazdi does not practice full time in Massachusetts.

Dr. Yazdi stated he would like to practice part-time as an associate, has an offer in Utah to practice, and the position would keep him close to California.

Dr. Tillmann informed Dr. Yazdi that the Board is not inclined to approve his license application while he still has unresolved discipline with California and Maryland.

Dr. Poulson motioned to postpone the discussion regarding Dr. Yazdi's application until the Board has more information regarding his discipline with California.

Dr. Wahlen seconded the motion.

The Board passed the motion unanimously.

#### **DISCUSSION ITEMS:**

##### **Dentist and Dental Hygienist Interstate Compact (Audio 3- 1:32:15)**

Mr. Marx explained the Dentist and Dental Hygienist Interstate Compact is in the process of being created.

Dr. Poulson stated his concern about how discipline is handled with a compact license.

Dr. Poulson stated his concern regarding the education and examination requirements explained in the model language.

##### **CRDTS Meeting Review (Audio 3- 1:45:00)**

Ms. Young gave a review of the CRDTS meeting.

Ms. Young stated CRDTS is creating a program of remediation for Dental Hygienist who have been out of practice or would like to self-educate.

**Exam Comparisons (Audio 3- 1:47:45)**

Ms. Young mentioned Nebraska has decided to only accept the CRDTS exams.

Dr. Poulsen stated his concerns with the criteria Nebraska used to come to this determination.

Ms. Young asked the Board if they ever sat down to review the exams to determine what should be accepted.

Dr. Tillmann stated the Board discussed a couple years ago on what regional exams to accept for licensure.

**CDCA Meeting Review (Audio 3- 1:56:40)**

Dr. Poulsen stated that it is important the Board knows who is on the Steering Committee for Utah.

Ms. Harris stated she suggested to CDCA that they have both a dentist and dental hygienist on the steering committee.

**Legislation Review (Audio 3- 2:04:00)**

Mr. Marx went over SB 237 and the changes it will make for Dental Hygiene.

Dr. Faddis discussed his concerns with the bill.

Mr. Marx went over HB 159 and the requirements regarding tele-medicine.

Mr. Marx explained the changes the Division intends to accommodate.

Mr. Marx went over HB 288 with the Board.

Mr. Marx went over SB 171 and changes it makes regarding unprofessional conduct.

Mr. Marx went over the stipulations added to SB 171 that healthcare providers would need to follow when practicing outside their scope.

**Guidance for New Board Members (Audio 3- 2:18:20)**

Ms. Harris stated she feels that new Board members should receive more guidance when joining the board to help with questions.

Dr. Wahlen stated would like to receive more information regarding discussion topics to understand what direction the meeting will be going.

Dr. Faddis stated he sat down with other Board Members to get familiar with the process.

**Investigation and Complaints Protocol (Audio 3- 2:25:25)**

Ms. Harris asked what the protocol regarding complaints.

Mr. Marx stated complaints come in, the supervisor reviews a complaint to decide if it needs to go to an investigator, then the investigator goes out to research and investigate the complaint.

Ms. Harris asked how much information the Board can have when reviewing probationers and cases.

Mr. Marx stated the problem with the Board receiving all the information is if the case needs to go to a hearing.

Mr. Marx stated it is not practical to have a Board member review all the cases received.

Ms. Harris expressed the concern regarding follow up with probationer who get put on probation.

**Dental Assistant Radiology Course Review (Audio 3- 3:00:00)**

Ms. Rodriguez introduced herself to the Board.

Ms. Harris asked if her proposed courses is specifically for their students or to bring out outside students to get them trained in radiology.

Ms. Rodriguez stated it is not a separate course, it is included in their dental assisting program.

Ms. Harris explained some gaps she noticed in the dental assisting radiology course.

Ms. Pulsipher informed Ms. Rodriguez that the Board is comparing her course to Utah Code R156-69-604.

**NEXT SCHEDULED MEETING: JUNE 2, 2023**

**ADJOURN:**

Meeting adjourned at 2:19 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.**

6/2/2023

(ss)



**Date Approved**

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

June 2, 2023

(ss)



**Date Approved**

**Bureau Manager, DOPL**



# SWORN STATEMENT

## SUPPORTING CLOSURE OF BOARD MEETING

DOPL-FM-010 05/02/2006

I, Kathleen Harris as the presiding member of the Dentist + Dental Hyge Board, which met on the 3 day of March, 2019. 2023

Appropriate notice was given of the Board's meeting as required by Utah Code Annotated § 52-4-202.

A quorum of the Board was present at the meeting and voted by at least a two-thirds vote, as detailed in the minutes of the open meeting, to close a portion of the meeting to discuss the following:

→  The character, professional competence, or physical or mental health of an individual (§ 52-4-205(1)(a))  
 Strategy regarding pending or reasonably imminent litigation (§ 52-4-205(1)(c))  
 Deployment of security personnel, devices, or systems (§ 52-4-205(1)(f))  
 Investigative proceedings regarding allegations of criminal misconduct (§ 52-4-205(1)(g))

The content of the closed portion of the Board meeting was restricted to a discussion of the matter(s) for which the meeting was closed.

With regard to the closed meeting, the following was publically announced and recorded, and entered on the minutes of the open meeting at which the closed meeting was approved:

(a) The reason or reasons for holding the closed meeting;  
(b) The location where the closed meeting will be held; and  
(c) The vote of each member of the public body either for or against the motion to hold the closed meeting.

If required, and/or kept or maintained, the recording and any minutes of the closed meeting will include:

(a) The date, time, and place of the meeting;  
(b) The names of members present and absent; and  
(c) The names of all others present except where such disclosure would infringe on the confidentiality necessary to fulfill the original purpose of closing the meeting.

Pursuant to § 52-4-206(5), a sworn statement is required to close a meeting under § 52-4-205 (1)(a) or § 52-4-205(1)(f), but a record by tape recording or detailed minutes is not required.  
 A record was not made  
 A record was made by:  Tape Recording  Detailed Written Minutes

Pursuant to § 52-4-206(1), a record by tape recording is required for a meeting closed under § 52-4-205(1)(c) or § 52-4-205(1)(g), and was made.  
 Detailed written minutes of the content of a closed meeting although not required, are permitted and were kept of the meeting.

I hereby swear or affirm under penalty of perjury that the above information is true and correct to the best of my knowledge.

  
Board Chairman or other Presiding Member

3/2/2023  
Date