

North Dakota Board of Dental Examiners
Minutes
November 21, 2016, 5:30 PM
Special Meeting via Conference Call

1. **Call to Order**
2. **Roll Call**

Board Members and Administrative Staff Attendance

Troy Petersen, DMD, MD, President	Greg Evanoff, DDS
Otto Dohm, DDS, President-Elect	Tim Mehlhoff, CPA
Mike Goebel, DDS	Michael Keim, DDS
Bev Marsh, RDH	Rita Sommers, Executive Director
John Tyler, Assistant Attorney General	

3. **COMPLAINT COMMITTEE**

A. Dr. Dube: Dr. Evanoff moved to accept the counteroffer from Dr. Dube presented to the Board by John Tyler. The motion was seconded by Dr. Petersen. Discussion; the Board determined that the counteroffer to the Board's Settlement Agreement for a letter of concern plus the continuing education requirement would be acceptable. The Board previously offered a letter of reprimand and continuing education. Roll call vote: Dohm, yes; Marsh, yes; Keim, yes; Evanoff, yes; Mehlhoff, yes; Petersen, yes; Dr. Goebel, yes. Motion carried 7-0.

B. Dr. Hampton: Dr. Petersen moved to accept Hampton's written withdrawal of the dental license application in lieu of dismissal of the complaint. Dr. Dohm seconded the motion. Discussion; Dr. Hampton was granted a temporary license which has since expired. In terms of the Agreement offered by the Board, the license would be granted if the Agreement was accepted. However, Dr. Hampton did not accept the agreement, therefore he remains an applicant. Dr. Hampton's counteroffer was to agree to withdraw the dental license application, making the complaint a moot point because Dr. Hampton would no longer be trying to become licensed in ND. If Dr. Hampton applied for licensure at a later date the principle of res judicata does not apply, therefore, the Board may deny the application based on awareness of allegations of misconduct. Mr. Tyler will request the written notice of withdrawal from Dr. Hampton. Roll call vote: Dohm, yes; Marsh, yes; Keim, yes; Evanoff, yes; Mehlhoff, yes; Petersen, yes; Dr. Goebel, yes. Motion carried 7-0.

C. Dr. Gandhi: Dr. Evanoff moved that the Board authorize a subcommittee to review complaint documents, identify concerns and prepare written documentation of the Board's specific concerns and items to be addressed to the UCSF School of Dentistry and communicate with the school to determine an acceptable remediation program. The committee shall be authorized to accept or reject a remediation program. The subcommittee shall consist of Dr. Evanoff, Dr. Goebel and Dr. Keim. The motion was seconded by Dr. Petersen. Discussion; Dr. Gandhi accepted a Settlement Agreement requiring evaluation and remediation via D-PREP or a possible alternative remedial program. The UCSF does not provide an overall evaluation, rather offers remediation based on the concerns articulated by the Board. Roll call vote: Dohm, yes; Marsh, yes; Keim, yes; Evanoff, yes; Mehlhoff, yes; Petersen, yes; Dr. Goebel, yes. Motion carried 7-0. Dr. Goebel, Dr. Evanoff, and Dr. Keim volunteered to review the documents and prepare a written document relaying the Board's concerns at a meeting to be held December 2nd, 2016, at 2:00 PM at the offices of Brady Martz, in Bismarck. Roll call vote: Dohm, yes; Marsh, yes; Keim, yes; Evanoff, yes; Mehlhoff, yes; Petersen, yes; Dr. Goebel, yes. Motion carried 7-0.

4. **Adjournment:** Moved and seconded to adjourn. All voted in favor. The meeting was adjourned at 6:22 PM. The next meeting of the full Board will be held in Grand Forks, Jan 13-14, 2017. The NDBDE's Subcommittee will meet 12/2/2016.

Respectfully Submitted, Rita Sommers, Executive Director _____
Tim Mehlhoff, CPA, Secretary-Treasurer _____