

**Minutes**  
**10 AM March 6, 2015**  
**Kelly Inn, Bismarck, ND**

1. **Call to Order:** Dr. Rob Lauf, President of the NDSBDE called the meeting to order at 10 AM.

Board Members and Administrative Staff Attendance

Rob Lauf, DDS, President  
Greg Evanoff, DDS, President-Elect  
Tim Mehlhoff, CPA  
Dale Brewster, DDS  
Cathy Cornell, RDH  
Anthony Malaktaris, DDS

Rita Sommers, NDSBDE Executive Director  
Nate Martindale, Esq., Assistant Attorney General

Others in Attendance

Rachelle Gustafson, RDH, NDDHA	Carla Schneider, RDA, NDDAA
Judy Bernat, NDDHA	Susan Peters, RDA, NDDAA
Kim Yineman, RDH, Dept of Oral Health	Marsha Krumm, RDA, NDDAA
Marcia Olson, Bridging the Dental Gap	Paul Tronsgard, DDS, NDDA
Nate Martindale, Assistant Attorney General	

2. **Approval of Minutes:** Moved and seconded to accept the minutes of the January 9-10, 2015; January 28, 2015. A roll call vote was taken (RCV). All voted in favor of the motion (AIF).

3. **Legislative Update**

- Administrative Rules Committee meets March 6 and will reconsider NDSBDE rules amendments.
- Lobbyist: Moved and seconded to verify that discussions during the September 2014 meeting encompassed the need for a lobbyist in the 2015 legislative activities. Discussion; Dr. Lauf commented that the decision to employ a lobbyist was the general consensus of the Board. Jack McDonald, Esq. was subsequently contracted to assist the NDSBDE with legislative activity. A roll call vote was taken. Lauf, abstained; Brewster, yes; Cornell, no; Evanoff, yes; Malaktaris, yes; Mehlhoff, yes. Motion carried 4 -1.
- Senate Concurrent Resolution No. 4004: Directs Legislative Management to *continue* to study dental services in the state, including the effectiveness of case management services and the state infrastructure necessary to cost effectively use mid-level providers to improve access to services and address dental service provider shortages in underserved areas of the state.
- HB 1149 requires professional licensing boards who license individuals with prescriptive authority to adopt rules pertaining to prescription monitoring. The NDSBDE would be subject to the rulemaking requirement. Mark Hardy, Executive Director of the ND Board of Pharmacy will be instrumental in drafting language for joint rulemaking proceedings under Chapter 28-32 to implement the rules.
- SB 2066: A Tribal Sovereignty section, language from SB 2354 subsequent to being defeated has been added to the bill by the Senate Human Services Committee. Lauf moved to oppose the language. Motion seconded. Discussion; the section promotes a “dental provider”, rather than “dentist”. The Board opposes initiatives that would create any two-tiered levels of dentistry. The Tribes currently have sovereignty therefore the language is redundant. RCV. Lauf, abstained; Brewster, yes; Cornell, abstain; Evanoff, yes; Malaktaris, yes; Mehlhoff, yes. Motion carried 4-0.

- RMHC – Dr. Lauf moved to provide a supportive statement of the current law which defines the scope and acknowledges the various practice settings and the services provided. The motion was seconded. Discussion; Marcia Olson and Kim Yineman requested that the Board provide clarification regarding the RDH scope of practice. Bridging the Dental Gap and the State Oral Health Program operate under standing orders and stated that they are fine with the statute and that currently there is not an issue for their workforce since the implementation of the law. However, they are anticipating that there could be an issue for example with the Ronald McDonald care mobile. The care mobile will be providing sealants to below poverty level children in the Bis/Man area. Ms. Cornell commented that without specific rules for private practice dental hygienists the public is at risk; another concern is whether or not the language is specific enough to prompt private practice hygienists to embark on providing care outside of the office under the general supervision statute. Ms. Cornell also expressed concern that direct access is not defined and guidelines are needed. Discussion; Ms. Sommers will present a draft at the next meeting. RCV; Dr. Lauf abstained; AIF.
- SB 2354: Dr. Lauf noted Ms. Sommers was requested to return to Bismarck during her leave of absence to attend to the unexpected matter of SB 2354. SB 2354 was defeated on the Senate floor by a vote of 40-6.
- Ms. Olson also commented on the dental assistant shortage and suggestions for supportive measures.

**4. CE Committee**

- Dr. Turman CE approval request: Dr. Lauf moved to request further information from Dr. Turman and award up to 28 hours for the CE research project. Motion was seconded. RCV; Lauf, abstained; AIF.
- Dr. Lauf moved to grant Ms. Viken 8 CE hours for home study CE submitted to the CE Committee for review. Motion seconded. RCV; Lauf, abstained; AIF.
- Dr. Lauf moved to grant Dr. Danel up to 7 CE hours and gather further info of CE. Motion seconded. RCV; Dr. Lauf abstained; AIF.

**5. Complaints and Legal matters**

- B. Quamme, DDS: Dr. Quamme rejected the Board’s offer of the Settlement Agreement which consisted of a letter of reprimand. Moved and seconded to re submit the Offer. Discussion; Nate Martindale will communicate with Dr. Quamme and report back to the Board. RCV; AIF.
- R. Callender, DDS: Sent comments to the Board regarding his Settlement Agreement.

**6. Date, time of next meeting:** Monday, April 6, 2015, 8 AM, Bismarck.

**7. Adjournment:** Having no further business, the meeting was adjourned.

Respectfully Submitted,

Rita M. Sommers, Executive Director \_\_\_\_\_

Tim Mehlhoff, CPA, Secretary-Treasurer \_\_\_\_\_