

**MINUTES**  
**North Dakota Board of Dental Examiners**  
**September 20, 2019, 1:24 PM**  
**Holiday Inn, Fargo, ND**

1. Call to Order and roll call: Dr. Keim called the meeting to order.

**Board Members and Administrative Staff Attendance**

Michael Keim, DDS, President	Tim Mehlhoff, CPA, Secretary-Treasurer
Greg Evanoff, DDS President-elect	Otto Dohm, DDS
Bev Marsh, RDH, Immediate Past President	Mike Goebel, DDS
Rita Sommers, Executive Director	Alison Fallgatter, DDS
Tara Brandner, Assistant Attorney General	

2. Review and approve minutes: Moved by Dr. Keim, and seconded by Mr. Mehlhoff to approve the July 18, 2019 Special Meeting and June 14, 2019 minutes. Roll call vote (RCV): Keim, yes; Evanoff, yes; Marsh, yes; Mehlhoff, yes; Goebel, yes; Dohm, yes; Fallgatter, yes. Motion carried, 7-0.

3. Additions to agenda: None

4. Treasurer's Report: Tabled to next meeting

6. Committee reports:

A. Application Review: No report

B. Complaint Committee:

1) Case number 22-06132019: Dr. Evanoff moved to send a letter of concern.

Grounds for disciplinary action do not exist. Motion seconded by Dr. Goebel. RCV: Keim, yes; Evanoff, yes; Marsh, yes; Mehlhoff, yes; Goebel, yes; Dohm, yes; Fallgatter, yes. Motion carried, 7-0. Dr. Evanoff will write the letter of concern. RCV: Keim, yes; Evanoff, yes; Marsh, yes; Mehlhoff, yes; Goebel, yes; Dohm, yes; Fallgatter, yes. Motion carried, 7-0.

2) Case number 23-07092019: Since the complaint stems from an issue over 30 years ago, relevant dental records such as x-rays or patient charting from either party were unavailable. Ms Brandner advised the Board that although the licensee has been retired for several years, potential remains for discipline, should the Board determine grounds for disciplinary action exist. Dr. Evanoff moved to dismiss, grounds for disciplinary action do not exist. Dr. Dohm seconded the motion. RCV: Keim, yes; Evanoff, yes; Marsh, yes; Mehlhoff, yes; Goebel, yes; Dohm, yes; Fallgatter, yes. Motion carried, 7-0.

4) Kristy Smid, RDA: The Complaint committee is concerned with the employee falsification of records related to hours worked. Dr. Evanoff moved to send a letter of reprimand and recommended 6 hours of CE related to ethics and or record keeping which may be achieved online. The CE required by the settlement agreement may not be used toward the 16 hours of CE required for renewal of the dental assistant certificate of registration. Dr. Goebel seconded the motion. RCV: Keim, yes; Evanoff, yes; Marsh, yes; Mehlhoff, yes; Goebel, yes; Dohm, yes; Fallgatter, yes. Motion carried, 7-0.

3) St. Claire, RDA: Currently Ms. St. Clair is subject to random drug testing and has had no problems or issues with Federal probation. Ms. St. Clair petitioned the Board to accept the reduced Federal testing rather than additional testing. Although the Federal agency cannot issue drug testing results to the Board, moved by Dr. Evanoff to revise the Settlement Agreement to reflect acceptance of Ms. St. Claire's reported results of Federal testing (once per year) and to require Ms. St. Clair to report adverse findings. In addition, the Board shall require a letter of determination to track the completion of the testing and the Board shall reduce the suspension to 3 months. Ms. Brandner will revise the Agreement. Ms. Marsh seconded the motion. RCV: Keim, yes; Evanoff, yes; Marsh, yes; Mehlhoff, yes; Goebel, yes; Dohm, yes; Fallgatter, yes. Motion carried, 7-0.

C. Anesthesia Committee: Moved agenda item to next meeting of the Board.

D. CE Committee: Moved agenda item to next meeting of the Board.

E. Legislative Committee

1) Review laws draft: The Board reviewed proposed Administrative Rules amendments. Ms. Marsh moved to authorize Rita to research the issue and present information regarding rules for hygienists and dental assistants at the next meeting. Motion seconded by Dr. Evanoff. Discussion; Dr. Goebel requested we research RDH and RDA nitrous oxide duties in neighboring states and report at the next meeting. RCV: Keim, yes; Evanoff, yes; Marsh, yes; Mehlhoff, yes; Goebel, yes; Dohm, yes; Fallgatter, yes. Motion carried, 7-0.

2) At the June/2019 meeting Dr. Goebel moved to add prosthetic exam as a component of the clinical board. Dr. Fallgatter seconded the motion. The Board did not vote at the June meeting. Further Discussion; Such components are offered at all the exams. Dr. Evanoff commented that the effect of making the exam more difficult, could cause the OSCE exam to become more enticing. RCV: Keim, yes; Evanoff, no; Marsh, yes; Mehlhoff, yes; Goebel, yes; Dohm, yes; Fallgatter, no. Motion carried, 5-2.

3) The Board discussed the anesthesia section of the new rules. Dr. Goebel moved that the Anesthesia Committee continue to draft amended anesthesia rules. Seconded by Dr. Goebel. Discussion; Tim Mehlhoff would be available to assist with tackling the word processing. RCV: Keim, yes; Evanoff, yes; Marsh, yes; Mehlhoff, yes; Goebel, yes; Dohm, yes; Fallgatter, yes. Motion carried, 7-0.

8. New Business
  - A. Mandatory Training; Dr. Evanoff will attend training.
9. Meetings & National Organizations
  - A. Regional clinical boards: Reports
  - B. AADA-AADB: Mid-Winter Meeting 2019: Trip reports
    - 1) AADA-AADB Annual Meetings; Las Vegas - October 17-21 to be attended by R. Sommers and T. Brandner, AAG
  - C. FARB: Annual Regulatory Law Seminar October 3-6; St. Louis, MO to be attended by R. Sommers and T. Brandner, AAG
  - D. DERB: Dr. Keim will attend the November 8, 2019 meeting in Dr. Evanoff's absence and report back to the Board at their January 2020 meeting.
10. Remuneration
11. Next meeting January 17, 2020 - Bismarck Office of Brady Martz 1:00 PM CDT April; teleconference as needed. Friday June 12, 1:00 PM in Fargo, ND; September 18, 2020 in Bismarck, ND.
12. Adjournment: Dr. Keim moved to adjourn, seconded by Bev Marsh. All voted in favor of the motion. Meeting adjourned at 5:29 PM.

Submitted by, Rita Sommers, Executive Director

Tim Mehlhoff, CPA, Secretary-Treasurer

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