

North Dakota Board of Dental Examiners

SPECIAL MEETING

MINUTES

April 27, 2020, 8:00 AM CDT

1. Call to Order: The meeting was called to order at 8:02 AM CDT.

Board Members and Administrative Staff Attendance

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

Others attendees known to the Board

Cheri Kiefer, Oral Health Program Director

2. Review and approve April 15, 2020 minutes: Dr. Fallgatter moved to accept the minutes; motion seconded by Ms. Marsh. Discussion; All voted in favor of the motion.

3. COVID-19

A. AADB letter: The Board acknowledged receipt of the letter sent to the Chairperson of the National Governors Association from the AADB. No comments.

B. COVID-19 taskforce statement - discussion: Dr. Evanoff invited all Board members to comment. Dr. Dohm summarized the Board's recent recommendations and encouraged all to rely on the information provided by the ADA as they are best resource for dentists and have the scientific expertise. Dr. Dohm suggested that dentists use ADA guidelines, CDC guidelines and OSHA along with their best clinical judgment and begin providing care to ND citizens. Dr. Goebel noted other states guidelines implemented and proposed the status quo is the "new abnormal" and that dentists must return to providing care for dental patients or watch dental health continue to decline. Practitioners may utilize the ADA's *Return to Work Toolkit* and adapt it to their needs. Patients can be seen by offices with the proper PPE and other mechanisms that must be implemented in this environment. Dr. Keim thanked Dr. Dohm for his time in participating in the task force. Dr. Keim noted each office is unique in their staff needs and schedules and believes each will work to maintain the health and safety of patients and staff. Dr. Fallgatter agreed with the previous statements. Mr. Mehlhoff, commenting from a consumer perspective, confirmed that the Board is not in a position to make recommendations as each location requires special considerations and each practitioner must provide the environment to ensure the patients and staff remain safe as possible and that dentists should stay informed and current on the CDC, ADA guidelines. Dental offices will not operate as they did pre-COVID. Mr Mehlhoff agreed that practitioners should make assessments and determine how to open up safely for the public/staff. Ms. Marsh agreed with Mr. Mehlhoff's statement and suggested dentists should be very diligent in watching what is happening as areas such as Cass County – which continues to show an escalation of COVID cases. Ms. Marsh hopes that all dental offices will take the needed precautions to protect staff and patients. Dr. Evanoff agreed with previous comments regarding offices reopening for non-emergent care, But also expressed concerned with the Board issuing a specific statement because laws and rules do not give specific guidance such as PPE etc., and also commented against the continuance of extending recommendations going forward. Dr. Evanoff commented on CDC guidelines and noted that the necessity for implementation of all guidelines may vary and may not apply to every county equally, for example Bottineau County having no cases of COVID. Dental offices in some parts of the state have few or no cases of COVID and should not be expected to take the same precautions as other counties ranking at the top for COVID cases. Dr. Evanoff advocated reliance on the Board's legal counsel to guide the Board. Ms. Brandner reminded the group that the Board does not have statutory authority to close dental offices and added that currently the CDC, a non-member driven organization, recommends dental offices provide emergent and urgent care only, in contrast to the ADA offering their members information on how dentists should go back to work. Ms. Brandner advised the Board to remove itself from the role of specific guidance to enable dentists to return to work. When dentists decide to go back to work they must rely on information from their own attorneys, insurance companies, OSHA and consider CDC and ADA advisement. Dr. Dohm commented that the intent of the taskforce statement is that dentists are responsible for the decisions they make and that the Board should not delineate every

step for every office. Dentists would best educate themselves how to safely reopen and operate offices, based on guidelines from available sources. Ms. Marsh moved that Ms. Brandner compose a statement which encompasses the Board's duties and note that no further guidance will be issued by the Board. Dr. Fallgatter seconded. Discussion; Dr. Goebel recommended the statement be issued as soon as possible. The Board should have an opportunity to review the statement before they move to adopt. Roll call vote: Ms. Marsh, yes; Dr. Dohm, yes; Dr. Goebel, yes; Dr. Fallgatter, yes; Mr. Mehlhoff, yes; Dr. Keim, yes; Dr. Evanoff, yes. Motion carried. 7-0.

Ms. Brandner provided clarification regarding the state's PPE cache; if dental offices are opening for normal business they are not able to use the HAN (Health Alert Network, Emergency Preparedness Section) to obtain PPE and must order from their own distributors once they return to "normal" business. The HAN is still requesting that dental offices who did ask for PPE through the HAN replace it with what they asked for.

3. Next meeting: The Board will reconvene 4/28/2020 at 4:00 PM.

4. Adjournment: Dr. Fallgatter moved to adjourn, seconded by Mr. Mehlhoff. Without objection, the meeting was adjourned at 8:44 AM.

Respectfully submitted,

Rita Sommers, Executive Director

Tim Mehlhoff, CPA, Secretary-Treasurer