



# North Dakota State Board of Dental Examiners

Administrative Office • P.O. Box 7246, Bismarck, ND 58507-7246 • 701-258-8600 • Fax 701-224-9824 • info@nddentalboard.org • http://www.nddentalboard.org

## Minutes SPECIAL MEETING January 29, 2021 | 7:30 AM CDT Conference Call

- 1. Call to Order and roll call:** Dr. Evanoff called the meeting to order at 7:30 AM CDT. The ND Board of Dental Examiners convened for the purpose of discussion and consideration of review of the proposed administrative rules final amendments and discussion related to HB 1151.

### Board Members and Administrative Staff Attendance

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

### **2. Administrative Rules:**

Subsequent to Ms. Brandner's recommendation of the amendments as offered by the Attorney General's Office, the Board determined modifications were vital to move the rules amendments forward. Ms. Brandner explained modifications regarding licensing, the ADA Code of Ethics, dental hygiene amendments regarding volunteer license and refresher course, and sedation and anesthesia fees. Due to lack of statutory authority some language was removed and will require amendments to the NDCC. Dr. Fallgatter moved to accept the changes from the AG's office. Motion seconded by Dr. Dohm. RCV: Dr. Fallgatter, yes; Dr. Keim, yes; Dr. Evanoff, yes; Dr. Dohm, yes; Ms. Marsh, yes; Dr. Goebel, yes; Mr. Mehlhoff, yes. Motion passed 7-0.

Deleted or removed content during the January 29, 2021 Special Meeting shown in red print:

➤ **Pg. 2. Edited definitions**

"Code of ethics" means the ~~January 2009~~ most recent version November 2020 version of the American dental association's principles of ethics and code of professional conduct.

- **Pg 8. 20-02-01-04.3. Inactive status - License reinstatement.** A dentist may, upon payment of the fee determined by the board, place the dentist's license on inactive status. A dentist on inactive status shall be excused from the payment of renewal fees, except inactive status renewal fees, and continuing education. A dentist on inactive status shall not practice in North Dakota. To reinstate a license of a dentist previously licensed in North Dakota of a licensee maintaining on inactive status, the dentist shall apply on the form as prescribed by the board, pay a reinstatement fee, and meet all of the following requirements...

➤ **Pg. 53. 20-04-01-05. Additional requirements for licensure by credential review.**

The board may grant a license to practice dental hygiene to an applicant who has met the requirements of North Dakota Century Code section 43-20-01.3 and all the following requirements:

1. The applicant has successfully completed a cardiopulmonary resuscitation course within two years of application.

~~2. The applicant has the physical health and visual acuity to enable the applicant to meet the minimum standards of professional competence.~~

3. The applicant has completed sixteen hours of continuing education in accordance with section 20-04-01-08 within two years of application.

~~4. The applicant has met all requirements of North Dakota Administrative Code 20-04-~~

➤ Pg. 54. ~~NEW SECTION CREATED — 20-04-01-05.1 Refresher course — reentry.~~

➤ Pg. 56. ~~NEW SECTION CREATED — 20-04-01-07.1 Volunteer license to practice dental hygiene.~~

➤ Pg 58. 20-05-01-01. Fees

4. For permits:

a. Application fee \$200.00~~\$250.00~~

b. Inspection fee - actual cost

c. Renewal fee \$200.00~~\$250.00~~

d. Late fee \$200.00~~\$250.00~~

3. **HB 1151:** Elements of the telehealth language are objectionable to the NDBDE as the Board determined that language does not favor the consumer/dental patient, the language is vague and would be difficult to uphold. Dr. Fallgatter moved that the Board oppose the bill as it moves to the Senate and present written testimony and testimony either virtually or in person. Ms. Marsh seconded the motion. Discussion: Dr. Keim volunteered to present testimony if road conditions are favorable. RCV: Dr. Fallgatter, yes; Dr. Keim, yes; Dr. Evanoff, yes; Dr. Dohm, yes; Ms. Marsh, yes; Dr. Goebel, yes; Mr. Mehlhoff, yes. Motion passed 7-0.

4. **Adjournment:** Hearing no objection the meeting was adjourned at 8:12 AM.

Submitted by

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Rita Sommers, RDH, MBA, Executive Director

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Tim Mehlhoff, CPA, Secretary-Treasurer