

**North Dakota Board of Dental Examiners**  
**MINUTES OF: Special Meeting: December 5, 2023, 7:00 PM CT**

**1. Board Members: Call to order and roll call.**

Meeting called to order at 7:01pm CT. Meeting occurred on the Zoom software's virtual platform.  
Present: Ms. Marsh, Dr. Dohm, Dr. Fallgatter, Dr. Tanabe, Ms. Carlson, Dr. Kangas, Dr. Olson Stremick, Dr. Sarsland. Absent: Ms. Snay

**2. Legislation: Discuss aspects of a Bill the Board may seek to have filed next session.**

Reviewed and discussed language for a possible Bill in 2025 session that would propose changes to NDCC ch. 43-28, 43-20, and 43-17.3. Board support moving forward with the language in draft form and directed Mr. Schaibley to circulate it for stakeholder input and possible identification of legislative sponsors as appropriate.

**3. Rulemaking: Discuss timing, process, and draft rules.**

Reviewed and discussed language for a possible rulemaking on Title 20. Board supports moving forward with the idea of Rulemaking, and for rulemaking to commence within about one month. Board members suggested more changes and were asked to send ideas to Mr. Schaibley. Once the rules are in more complete forms, Mr. Schaibley may circulate the draft among stakeholders as appropriate.

**4. Update on bi-annual audit of Board.**

Motion by Dr. Fallgatter; Second by Dr. Olson Stremick: Approving Ms. Snay, Ms. Marsh, and Mr. Schaibley to follow procurement laws, and to contract with an accountancy firm to conduct our biennial audit.

In Favor: Ms. Marsh, Dr. Dohm, Dr. Fallgatter, Dr. Tanabe, Ms. Carlson, Dr. Kangas, Dr. Olson Stremick, Dr. Sarsland. Absent: Ms. Snay

**5. Update on board administration and software exploration.**

Discussed software options including the existing Albertsons solutions, Albertsons higher level software and its associated cost increase, OMB's work on a request for proposals seeking additional licensing software vendors; and Prominent—it created the software now owned by Board of Plumbing. Mr. Schaibley is to explore options for providing the Board with more information at its January meeting. He may invite Albertsons and Prominent to attend the meeting and share more information.

**6. Discipline Files:**

Dowling: The Board discussed the file and will revisit it at the January 2024 meeting.

Day: The Board discussed the file and found Dr. Day not in compliance with the settlement agreement he signed. Discussion included violations of state and federal laws, rules, and regulations; conclusions it drew from the fitness for practice evaluation; and completion of the AAID course and Exam. Motion by Dr. Fallgatter to revoke Dr. Day's license; Second by Dr. Dohm. Direct Mr. Menge to work on language.

In Favor: Ms. Marsh, Dr. Dohm, Dr. Fallgatter, Dr. Tanabe, Ms. Carlson, Dr. Kangas, Dr. Olson Stremick, Dr. Sarsland. Absent: Ms. Snay

**8. Adjournment:** Meeting adjourned at 8:39p CT.