

North Dakota Board of Dental Examiners
Minutes for Special Meeting: March 13, 2024, 12:00 PM CDT
Location: Remote Attendance Only

1. Call to order and roll call.

Meeting called to order at 12:01pm

Present: Ms. Marsh; Dr. Dohm; Dr. Fallgatter; Dr. Tanabe (at 12:05p); Ms. Carlson (at 12:10p); Dr. Kangas; Dr. Olson Stremick (at 12:20p); Dr. Sarsland; Ms. Snay.

Reminder that new officers take effect 3/15/24. Dr. Tanabe as President (1-year term); Dr. Kangas as Vice President (1-year term); Ms. Snay continues as Secretary/Treasurer (2-year term).

2. Commissioner of Department of Labor

The Commissioner shared an overview of SB 2249 and his role in that study; the intent of the legislation; an appreciation for the Board's responses to the Department of Labor's questionnaire. Focused on the Board's licensure by credential requirements and continuing education requirements. Discussed an appreciation of the flexibility of the Board's licensure by examination laws. Discussed that some surrounding states, including Montana, Minnesota, South Dakota, and Wyoming, require more continuing education hours than North Dakota, and some require fewer hours. He shared an appreciation for the Board's targeted CEs—that when it sees a need for further education of licensees, instead of increasing the number of hours a licensee needs the Board requires that subsets of their hours must be in certain subject matters (e.g., anesthesia, infection control, CPR). The Board shared that as members of the Board and as years-long licensees it has no recollection of a licensee complaining that too many continuing education hours are required. Shared that the requirements have public policy underpinnings (e.g., two hours of infection control is required each cycle; a requirement triggered by the AIDS crisis and that while its requirement each renewal cycle seems repetitive, is critical to patient safety especially in light of issues such as COVID). The Board expressed an appreciation for Commissioner Svihovec's and Ms. Laird's work and offered any further assistance.

3. Rulemaking

Discussed that the Board has not yet moved into formal rulemaking, but previously approved a preliminary draft of proposed rule changes and circulated it to stakeholders in order to be fully inclusive, seek all input early, often, and repeatedly. Discussed all comments it received and made changes based on those comments.

Motion by Ms. Marsh; Second by Dr. Fallgatter:

Accept the draft of the proposed rule changes modified as discussed today and go forward with formal rulemaking under NDCC 28-32.

In Favor: Ms. Marsh, Dr. Dohm, Dr. Fallgatter, Dr. Tanabe, Ms. Carlson, Dr. Kangas, Dr. Sarsland, Ms. Snay. Motion carried 8-0. Dr. Olson Stremick present but inadvertently muted; no vote recorded.

4. January 12, 2024, Meeting Minutes.

Motion by Ms. Marsh; Second by Dr. Fallgatter: Approving the January 12, 2024, minutes as drafted.

In Favor: Ms. Marsh, Dr. Dohm, Dr. Fallgatter, Dr. Tanabe, Ms. Carlson, Dr. Kangas, Dr. Sarsland, Ms. Snay. Motion carried 8-0. Dr. Olson Stremick present but inadvertently muted; no vote recorded.

5. Dr. Joshua Day

As requested at the January 12, 2024, meeting Dave updated the Board on matters related to Dr. Day; recounted that he and AAG Menge have been working toward resolution of this matter as directed by the Board. They'll continue doing so but given the lack of progress Dave will also be shifting time back to the investigations.

6. Software Proposals

Discussed our current software and proposed options that were shared at the January 12, 2024, meeting.

Motion by Dr.Dohm; Second by Dr. Kangas: Accept Albertson Consulting's cost and services proposal as discussed at the January 12, 2024, meeting; move from CloudDocs to WorkDocs under the state contract; receive the no-cost website upgrade.

In Favor: Ms. Marsh, Dr. Dohm, Dr. Fallgatter, Dr. Tanabe, Ms. Carlson, Dr. Kangas, Dr. Sarsland, Ms. Snay. Motion carried 8-0. Dr. Olson Stremick present but inadvertently muted; no vote recorded.

7. Joint Statement with Board of Nursing as to Anesthesia Assistants

Discussed the draft joint statement between the Board and the Board of Nursing. Recounted that it outlines both board's perspectives on how the Board's existing NDAC 20-03-01-01.1 and NDAC 20-03-01-01.2 licensees interrelate with licensees of the Board of Nursing; discussed the Board of Nursing's edits; discussed the benefits of providing this guidance to licensees, especially oral surgeons.

Motion by Dr. Tanabe; Second by Ms. Marsh: Accept the joint statement as circulated.

In Favor: Ms. Marsh, Dr. Dohm, Dr. Fallgatter, Dr. Tanabe, Ms. Carlson, Dr. Kangas, Dr. Sarsland, Ms. Snay. Motion carried 8-0. Dr. Olson Stremick present but inadvertently muted; no vote recorded.

8. Biennial audit update

Dave shared that Brady Martz has withdrawn its offer of providing our audit due to a conflict. Other proposals received so far are in the \$25,000 range; working hard to find a more reasonably priced option. Confirmed that Board delegated this decision to the President and that delegation remains in place.

9. Aspects of Executive Director evaluation/review and employee matters

Tabled due to time constraints. Dave to try and schedule a special meeting for this topic.

10. Adjournment

1:01 PM, CDT