

**North Dakota State Board of Dental Examiners**  
**Agenda for Regular Meeting: September 20, 2024, 12:00 PM CDT**  
**Remote Only**

**1. Call to Order, roll call, officers**

Dr. Tanabe called the meeting to order at 12:01 pm CT.

**Board Members and Administrative Staff Attendance**

Andrea Carlson, RDA

Marcus Tanabe, DDS, OMFS, President

Joel Kangas, DDS

Cindy Snay, Consumer Member, Sec/Treasurer

David Schaibley, Executive Director

Jacinda Simmons: APT

Alison Fallgatter, DDS

Jennifer Sarsland, DDS

Otto Dohm, DDS

Bev Marsh, RDH

Matt Menge: Board Legal Counsel

Absent: Megan Olson Stremick, DDS

**2. Minutes**

Reviewed drafts of the minutes of the July 19, 2024, Regular Meeting.

Motion by Ms. Marsh; Second by Dr. Fallgatter: Approve the July 19, 2024, meeting minutes.

In Favor: Ms. Marsh, Dr. Kangas, Dr. Dohm, Dr. Fallgatter, Dr. Tanabe, Ms. Carlson, Dr. Sarsland, Ms. Snay. Motion carried 8-0.

**3. Bismarck State College—Development of Dental Programs**

Guest speaker Dan Leingang, Bismarck State College Vice President of Academic Affairs.

Mr. Leingang shared that Bismarck State College was approached by dental professionals in the community and region about the possibility of developing dental training programs to help dental offices better meet workforce needs. BSC responded by moving forward with developing three dental programs. It has reached out to CODA to begin the process of creating an accredited dental hygiene program (graduates would meet the criteria of Registered Dental Hygienist) and an accredited dental assisting program (graduates would meet the criteria of Registered Dental Assistant). BSC is hopeful that one or both programs might be viable by the fall of 2025, but understands the CODA process is thorough and must be completed before that occurs. BSC is also developing a non-degree program designed so that those who complete that course meet the criteria to be registered as Qualified Dental Assistants or Qualified Dental Assistant-Limited Radiology Registrants. BSC is hoping to have that program ready for the Board to consider approving by December 6, 2024, and to enroll participants in January 2025.

Board members shared their appreciation for these new programs and the contributions to workforce that would hopefully result. Ms. Marsh and Ms. Carlson offered to be resources for BSC and share their insights to those who are developing the program.

#### **4. Legislation and Rulemaking**

The Board discussed the possible statutory modifications that are set out in the draft shared at the meeting, including:

A possible change listed at 43-28-15; decided to remove that proposed language due to concerns about some jurisdictions granting licenses to applicants who have not completed a clinical examination that includes hand-skill testing.

Updates that arose through the rulemaking process and were recommended by the Office of the Attorney General.

The possibility of adding language that would regulate Dental Service Organizations; that Dr. Bradley King has asked to address this topic with the Board at the October meeting; that Mr. Schaibley should research legislation and share that background with Board members for discussion at the next meeting.

That Minnesota is the first state to allow dental assistants to administer local anesthetic and whether we might consider that possibility in our statute. Board members shared that they see little to no efficiencies or benefits to making that change; that they see risks to patients; that Texas has only this year allowed Hygienists to administer local anesthetic. The Board was not interested in adding this possible change to its Bill draft.

The idea other stakeholders previously suggested—the idea of removing the language that exempts dental students from regulation. Mr. Schaibley shared that some stakeholders were concerned about that. He also discussed another option with stakeholders—that regulation of student supervisors can occur under NDCC 43-28-02, and so the Board can gather stakeholder input and do rulemaking on that issues that. Stakeholders were accepting of that option (as opposed to the statutory change) and the Board concurred with it.

The Board directed Mr. Schaibley to use the draft as discussed and circulate it among stakeholders and legislators.

The Board discussed the recent rulemaking process, Committee hearing, and the positive comments about the Board made by Legislators, the NDDA, and other stakeholders. It discussed the likelihood that another round of rulemaking is anticipated to be necessary after the forthcoming legislative session—so beginning on or about August 2025.

The Board discussed the rules change that created the Qualified Dental Assistant-Limited Radiology Registrant. It discussed the Radiation Health & Safety training program DA Prep has developed in response to that new rule. If the Board approves DA Prep's program, those who complete it would meet the educational criteria for QDA-LRR.

Motion by Dr. Dohm; Second by Dr. Fallgatter: Approval of DA Prep's Stand-Alone Radiation Health and Safety program.

In Favor: Ms. Marsh, Dr. Kangas, Dr. Fallgatter, Dr. Tanabe, Ms. Carlson, Dr. Sarsland, Dr. Dohm, Ms. Snay. Motion carried 8-0.

#### **5. Other Business**

Discussed a potential dental applicant who was educated in Australia/New Zealand—which was not a CODA-accredited academic program. Discussed the interaction and agreements between accrediting bodies in the US (CODA) and Canada (CDAC), the equivalencies and recognitions between those two bodies, that CODA has stated that all programs CDAC accredits are viewed

by CODA as being equivalent to a CODA-accredited program. The Board also discussed the importance of hand-skills testing that may not be required by CDAC.

## **6. Complaints**

Discussed that the complaints on the agenda may be reviewed in Executive Session pursuant to NDCC §§ 43-28-18.2.

Motion by Dr. Tanabe; Second by Dr. Fallgatter: Motion to enter into executive session.  
In Favor: Ms. Marsh, Dr. Kangas, Dr. Fallgatter, Dr. Tanabe, Ms. Carlson, Dr. Sarsland, Dr. Dohm, Ms. Snay. Motion carried 8-0.

Entered executive session at 1:33 pm CT. Attended by Ms. Marsh, Dr. Kangas, Dr. Fallgatter, Dr. Tanabe, Ms. Carlson, Dr. Sarsland, Ms. Snay, Dr. Dohm, Mr. Schaibley, Ms. Simmons, and Assistant Attorneys General Mr. Matt Menge, Ms. Ashley Roll, and Mr. Mark Openshaw.

Ended executive session at 2:00pm CT.

After close of the executive session and return to open meeting, the following occurred:

Motion by Dr. Dohm; Second by Dr. Fallgatter: Move to dismiss complaint 115 using a letter of concern.

In Favor: Ms. Marsh, Dr. Kangas, Dr. Fallgatter, Dr. Tanabe, Ms. Carlson, Dr. Sarsland, Dr. Dohm, Ms. Snay. Motion carried 8-0.

Motion by Dr. Dohm; Second by Dr. Kangas: Move to dismiss complaint 117.

In Favor: Ms. Marsh, Dr. Kangas, Dr. Fallgatter, Dr. Tanabe, Ms. Carlson, Dr. Sarsland, Dr. Dohm, Ms. Snay. Motion carried 8-0.

## **7. Adjournment**

2:05 pm CT