

North Dakota Board of Dental Examiners
Minutes of Regular Meeting: May 2, 2025, 12:00 PM CDT
Brady Martz, 207 E. Broadway Ave, Bismarck, and Remote
APPROVED August 1, 2025

1. Call to Order and Roll Call

Dr. Sarsland called the meeting to order at 12:02p, followed by roll call.

Board Members	Attendance: In-Person; Remote; or Absent	Notes; times of arrival/departure other than the meeting start/end
Dr. Kangas President	Absent	
Dr. Sarsland Vice President	In-Person	
Ms. Snay Secretary/Treasurer	Remote	
Ms. Marsh	Remote	Departed at 12:30p
Dr. Tanabe	Remote	Joined at 12:20p
Dr. Fallgatter	In-Person	
Ms. Carlson	In-Person	
Dr. Olson Stremick	Remote	Departed at 2:00p
Dr. Stewart	In-Person	
Staff		
Jacinda Simmons-APT	Remote	
Matt Menge—AAG	In-Person	
Dave Schaibley—ED	In-Person	

Discussed the appointment of Dr. Katie Stewart to the Board effective March 16, 2025.
Provided an overview of open meetings and open records issues for Board members.

2. Minutes

Review and approve minutes of the Board's February 21, 2025, Regular meeting minutes.

Motion by Dr. Fallgatter; Second by Ms. Carlson: Approve the February 21, 2025, minutes.
In Favor: Dr. Sarsland, Ms. Marsh, Dr. Stewart, Dr. Olson Stremick, Ms. Carlson,
Dr. Fallgatter, Ms. Snay. Motion carried 7-0. Absent: Dr. Kangas, Dr. Tanabe.

3. Bismarck State College

Mikalya Atchison and Mikey Wegner from Bismarck State College discussed the BSC Qualified Dental Assistant program; Board members asked questions and confirmed that they reviewed the materials and curriculum.

Motion by Dr. Fallgatter; Second by Dr. Stewart: Bismarck State College's Qualified Dental Assisting program is Board-approved pursuant to NDAC 20-03-01-0(2)(a)(4).

In Favor: Dr. Sarsland, Dr. Olson Stremick, Dr. Tanabe, Ms. Carlson, Dr. Fallgatter, Ms. Snay, Dr. Stewart. Motion carried 7-0. Absent: Dr. Kangas, Ms. Marsh.

4. Treasurer's Report

Ms. Snay shared the 2025-2027 biennial budget, the Board's quarterly financial materials as saved in SecureDocs, and a summary of the Board's financial situation. She confirmed that the Board is running a positive cash flow by a marginal and responsible amount; shared that Widmer & Roehl have confirmed that we should be receiving the final draft of their proposed audit for the 2021-2023 biennium in the next few business days; explained that we are transitioning from Sage/Peachtree accounting software to Quickbooks with a payroll module effective on July 1, 2025. Discussed progress made on the closing of the Board's US Bank account, the shift of our online payment tool—Elavon—from US Bank to Starion.

Motion by Dr. Fallgatter; Second by Dr. Stewart: Approve the 2025-2027 biennial budget
In Favor: Dr. Sarsland, Dr. Olson Stremick, Dr. Tanabe, Ms. Carlson, Dr. Fallgatter, Ms. Snay, Dr. Stewart. Motion carried 7-0. Absent: Dr. Kangas, Ms. Marsh.

5. Licensees/Registrants

The Board reviewed the table of current quantities of licensees and registrants, and the attachment listing new licenses and registrations that have been issued since the last meeting.

Motion by Dr. Fallgatter; Second by Dr. Stewart: Ratification of licenses and registrations on Attachment C.

In Favor: Dr. Sarsland, Dr. Olson Stremick, Dr. Tanabe, Ms. Carlson, Dr. Fallgatter, Ms. Snay, Dr. Stewart. Motion carried 7-0. Absent: Dr. Kangas, Ms. Marsh.

6. Portfolio Report: Anesthesia

Site Evaluation approvals:

-Permit Holders:

Dr. Stanley

Dr. Newman

-Host Dentists:

Concept Dentistry: Dr. Bulik, Dr. Slama, Dr. Quinn (26th Ave.)

Concept Dentistry: Dr. Bulik, Dr. Slama, Dr. Quinn (Sheyenne St)

Explained that the Concept Dentistry Site Evaluation on their 26th Ave location occurring in January 2025 was fully acceptable. Then within about a month they moved to their Sheyenne St. location. Because all their documentation, credentials, staff, and dentists had already been fully vetted and evaluated, the Site Evaluation for Sheyenne Street was completed remotely by CRNA Pierce and focused on the physical aspects of the new office such as the presence, location, and security of equipment and medication.

Dr. Tanabe sought input from the Board as to his approval authority for sedation programs. The Board agreed that we must always ensure that the law's requirements are met. And that while the quantity of hours required for completion of a certain program is important, the substance within the program and its hours is paramount.

Dr. Tanabe shared that he is working with CRNA Bridgette Buman, who is interested in beginning to carry out Site Evaluations.

7. Portfolio Report: Continuing Education

Jacinda randomly selected the designated quantity of dental assistants for the audit of their continuing education attestations contained on their renewal applications at the end of 2024. Ms. Carlson is reviewing their materials and so far has found none that have fallen short of requirements.

8. Portfolio Report: Applications

Discussed the Treybig application for QDA-Limited Radiology Registrant. Explained that the applicant was licensed as a dentist in Mexico in 2016 and took two courses on radiology during her education. Explained that Dr. Olson Stremick and Dr. Kangas reviewed the application and that Dr. Olson Stremick the applicant's program completion qualified for registration as a QDA-Limited Radiology Registrant.

9. Portfolio Report: Legislation and Rulemaking

Mr. Schaibley provided a summary of legislative session, testimony, amount of work, Bills that failed and Bills that passed—notably SB 2217.

Discussed rulemaking is be required due to new legislation taking effect August 1, 2025. The goal is to complete rulemaking within 9 months of August 1st. The Board will strive to do that, but it is prepared to miss that timing guideline due to factors including the fact that a full new chapter of rules will need to be written and adopted for the professional health program, the Legislative Administrative Rules Committee only meet quarterly, and we've received substantial input and may receive more.

Mr. Schaibley prepared and circulated a rules draft and the comments received through April 2025. Next steps will be for him to consolidate all input into a single document and attempt to develop proposed language for as many of them as he can based on his understandings. He will work closely with Dr. Fallgatter on this undertaking.

At the August 1, 2025, meeting, the Board will review that information and attempt to arrive at a consensus, and at the September 19, 2025, meeting consider approving the start of formal rulemaking under NDCC ch. 28-32.

10. Portfolio Report: Executive Director

Discussed Mr. Schaibley's Q1 2025 report.

11. Old Business

Board moved from CloudDocs to SecureDocs. Mr. Schaibley will work with Albertson Consulting to create a more user-friendly agenda that Board members can use to access the documents/folders related to each agenda topic.

12. New Business

Mr. Schaibley shared that the Board consulted with OMB-Risk Management about the fact that some risks for licensing boards are not encompassed by the state Risk Management Fund. OMB-Risk

Management approved the Board obtaining an insurance policy to provide coverage for financial theft.

Discussed that the laws allow dentists and hygienists to shift their licenses into Inactive Status, renewing that status annually; that Inactive licenses can be Reinstated if certain criteria are met. Discussed that the Board's internal procedures indicated it had a process allowing dental assistants to reinstate their licenses; shared that the law doesn't complete an Inactive status for dental assistants or a reinstatement for their registrations. The Board confirmed that our procedures need to reflect those limitations and not allow dental assistants to reinstate registrations.

Discussed that Mr. Schaibley is the AADA By-Laws Committee Chairperson

Reviewed the REM (Risk Evaluation and Mitigation) Opioid Memo

Discussed the Dental Assisting Model and encouraged Board members to provide Dr. Kangas with written input he can submit by May 15, 2025.

Discussed that ADEX invited Ms. Marsh to serve on the ADEX Board of Directors for its hygienist opening. Board approved Ms. Marsh filling that role if she is so inclined.

13. Portfolio Report: Complaints, Discipline, Inquiries

Non-Complaint files/Inquiries:

The Board reviewed two concerns raised at the January meeting related to advertising by licensees that may have exceeded the limits of NDAC 20-02. Mr. Schaibley and Mr. Menge confirmed that the concerning wording was voluntarily revised, and both situations were remedied to the degree sought by the Board.

Complaints:

Discussed that the inquiries containing medical information on the agenda and the complaints on the agenda that may be reviewed in Executive Session pursuant to NDCC §§ 43-28-18.2(3) (patient records and information is confidential); 43-28-18.2(4) (complaint files prior to decision to discipline are exempt); 44-04-19.1(5) (attorney consultation is exempt); 44-04-19.1(7) (investigatory work product is exempt); 44-04-19.1(9) (negotiation strategy is exempt); 44-04-18.1(4) (licensee personal information is exempt); 44-04-18.32 (medical records and information are exempt).

Motion by Dr. Fallgatter; Second by Dr. Stewart: Motion to enter into executive session. In Favor: Dr. Stewart, Dr. Tanabe, Ms. Carlson, Dr. Sarsland, Dr. Fallgatter, Ms. Snay. Motion carried 6-0. Absent: Ms Marsh, Dr. Kangas, Dr. Olson Stremick.

Entered executive session at 2:53 pm CT. Attended by Dr. Tanabe, Ms. Carlson, Dr. Sarsland, Ms. Snay, Dr. Fallgatter, Dr. Stewart, Ms. Simmons, Mr. Schaibley, Mr. Menge.

Ended executive session at 3:30 pm CT.

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

Continue ongoing monitoring of 106, but place it on the agenda only if new information arises or the court matter is finalized.

End the monitoring of and administratively close the investigation on 93.

Motion by Dr. Fallgatter; Second by Ms. Carlson: Motion to dismiss complaint 124.

In Favor: Dr. Stewart, Dr. Tanabe, Ms. Carlson, Dr. Sarsland, Dr. Fallgatter, Ms. Snay.

Motion carried 6-0. Absent: Ms Marsh, Dr. Kangas, Dr. Olson Stremick.

Motion by Dr. Fallgatter; Second by Dr. Stewart: Motion to dismiss complaint 125 with direction to ensure close review of delegable duties.

In Favor: Dr. Stewart, Dr. Tanabe, Ms. Carlson, Dr. Sarsland, Dr. Fallgatter, Ms. Snay.

Motion carried 6-0. Absent: Ms Marsh, Dr. Kangas, Dr. Olson Stremick.

Motion by Dr. Fallgatter; Second by Dr. Stewart: Motion to dismiss complaint 126.

In Favor: Dr. Stewart, Dr. Tanabe, Ms. Carlson, Dr. Sarsland, Dr. Fallgatter, Ms. Snay.

Motion carried 6-0. Absent: Ms Marsh, Dr. Kangas, Dr. Olson Stremick.

14. National/State Organizations

If schedules permit, Mr. Menge and Mr. Schaibley will attend the FARB annual training in July and Mr. Schaibley will attend the AADB conference in October.

15. Calendar of Meeting Dates

Noted the calendar and the next meeting on August 1, 2025.

16. Adjournment

3:35 pm CT