



ND STATE BOARD OF DENTAL EXAMINERS

REGULAR MEETING MINUTES

Location: Brady Martz & Assoc., 2537 University Dr., Fargo, ND 58103
And remote access via Zoom

Date: January 16, 2026

Time: 12:00 pm CT

AGENDA DETAILS

1. CALL TO ORDER, ATTENDANCE, RESPONSIBILITIES

a. Call to order at 12:00 pm by Dr. Kangas; roll call of attendees

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

b. Discussed Board member terms. Ms. Marsh's second and final term ends March 2026 and at least one candidate has been nominated to her position. Dr. Tanabe's, Dr. Olson Stremick's, and Ms. Carlson's terms expire March 2026. Each are willing to be reappointed to a second term. And Dr. Kangas' first term ends in October 2026. Discussed that due to Dr. Olson Stremick's first term was wrongly set as less than the 5 year requirement and expires in wrong year. Per discussions with the Governor's

Office and as now allowed by SB 2217, her reappointment will be through March 2028—which would bring her service on the Board to about 5 years. She would then be eligible for a second standard 5-year term. Discussed that if Dr. Kangas seeks reappointment in October 2026, the Governor's office would similarly appoint him to March 2027 so that he would have a total time on the Board of about 5 years. He would also then be eligible for another standard 5 year term on the Board.

- c. Discussed CRDTS and ADEX committee appointments. Mr. Schaibley was asked to create a summary of all external appointments and opportunities like these that are available to Board members and provide it at the next meeting.
- d. Ms. Marsh explained that her term on the CRDTS Committee has ended and that she's now eligible to be appointed to the ADEX Committee. It is a three year term. She is willing to serve on it for its duration even though her term on the Board ends March 2026.

Motion

To approve that Ms. Marsh may submit herself as a candidate to serve on the ADEX Committee, and if appointed by ADEX she may serve as the Board's representative on that Committee for its full 3 year term despite her Board member term ending March 15, 2026. Made by Dr. Fallgatter; seconded by Dr. Sarsland.

In Favor: Dr. Kangas, Dr. Sarsland, Dr. Tanabe, Ms. Snay, Ms. Carlson, Dr. Olson Stremick, Dr. Fallgatter, Ms. Marsh. Motion passes 8-0.

- e. Discussed Board officer positions ending March 15, 2026. Dr. Kangas nominated Dr. Sarsland as President and Dr. Olson Stremick as vice-president effective March 16, 2026. No further nominations were made.

Motion

To elect Dr. Sarsland as President and Dr. Olson Stremick as Vice-President effective March 16, 2026 made by Ms. Marsh; seconded by Dr. Fallgatter. In Favor: Dr. Kangas, Dr. Sarsland, Dr. Tanabe, Ms. Snay, Ms. Carlson, Dr. Olson Stremick, Dr. Fallgatter, Ms. Marsh. Motion passes 8-0.

- f. Discussed Ms. Marsh's final term ending on March 15, 2026. Thanked her for 10 years of exemplary service, dedication, and professionalism to the dental field and the State of North Dakota

2. REVIEW AND APPROVE PAST MEETING MINUTES

- a. October 10, and December 2, 2025 meeting minutes.

Motion

To approve the minutes. Made by Ms. Marsh; second by Dr. Fallgatter.

In Favor: Dr. Kangas, Dr. Sarsland, Dr. Tanabe, Ms. Marsh, Ms. Carlson, Dr. Olson Stremick, Dr. Fallgatter, Ms. Snay. Motion passes 8-0.

3. LICENSEES AND REGISTRANTS

- a. Discussed the quantities of licensees in Attachment B and reviewed the licenses granted since last meeting as shown in Attachments C.

Motion

To ratify the list of licenses and registrations on Attachment C, after correction made to Dr. Hong's license number from 2576 to 2577, made by Ms. Marsh; Second by Dr. Fallgatter. In Favor: Dr. Kangas, Dr. Sarsland, Dr. Tanabe, Ms. Marsh, Ms. Carlson, Dr. Olson Stremick, Dr. Fallgatter, Ms. Snay. Motion passes 8-0.

4. MODIFICATIONS TO THIS AGENDA

- a. Discussed Dr. Entze's request related to his inactive license and application for licensure by credential in Arizona.

Motion

To approve Dr. Entze to re-submit his application for licensure as active instead of inactive, with no late fee. Made by Ms. Marsh; second by Dr. Fallgatter.

In Favor: Dr. Kangas, Dr. Sarsland, Dr. Tanabe, Ms. Marsh, Ms. Carlson, Dr. Olson Stremick, Dr. Fallgatter, Ms. Snay. Motion passes 8-0.

5. PORTFOLIOS

a. Secretary/Treasurer Portfolio

- i. Ms. Snay. Shared a summary of the Board's finances and continues to be confident that bookkeeping is being carried out fully and accurately, and the Board is sound financially.
- ii. Discussed that all financial reports are being generated monthly and reports are being posted to SecureDocs for Board member review.
- iii. Clover online renewal system was smooth and cost-effective.

b. Anesthesia Portfolio

- i. Mr. Schaibley. Shared the two completed site evaluations and explained that another should be approved soon.
- ii. Dr. Tanabe. Shared that while site evaluations are being approved, anomalies and concerns are still being found and need correcting before they can be approved for patient safety. Given that continuing concern he shared that the Board's decision to keep site evaluations on 3 year intervals continues to be important.
- iii. Dr. Tanabe. Discussed whether the Board's site evaluation criteria might be scaled back as to the evaluator's assessment of the dentist's controlled substances or whether be scaled back because the DEA also monitors controlled substances. Discussion reached the conclusion of keeping the scope of the site evaluation report as is.

c. Continuing Education Portfolio

- i. Ms. Carlson. Discussed that she anticipates carrying out CE audits after the upcoming renewal cycle for dentists and hygienists once the late renewal period ends. She seeks no changes to the current CE review administrative process because it worked well when revised last year.

d. Legislation and Rulemaking Portfolio

- i. Dr. Fallgatter. Discussion of Attorney General review of proposed changes to Title 20 of the North Dakota Administrative Code, supporting materials, and comments. Discussed that we have informal approval from the Assistant Attorney General who reviewed our rules and we have been assured that their formal approval letter will be sent to us by the February 1, 2026, deadline for filing with legislative council.

Motion

To approve the proposed rules and supporting materials as revised at today's meeting, and to direct Mr. Schaibley to submit the materials to legislative council once we receive the letter of approval from the office of the Attorney General.

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

In Favor: Dr. Kangas, Dr. Sarsland, Ms. Snay, Ms. Marsh, Ms. Carlson, Dr. Olson Stremick, Dr. Tanabe, Dr. Fallgatter. Motion passes 8-0.

e. Applications Portfolio

- i. Dr. Olson Stremick. Shared that no applications in the intervening period between meetings rose to the level of concern for full Board review. Discussed one RDH/Military applicant that she approved. The applicant met all criteria except for the one requiring hygiene practice during the three years preceding application. Given that the military spouse licensure statute allows the Board to waive some criteria such as this one, and how the Board has applied this discretion in the recent past, she approved this license.

f. Executive Director Portfolio

- i. Mr. Schaibley. Shared aspects of his Quarterly Summary—notably that his work focused largely on rulemaking and the renewal process, and Board meeting preparations.
- ii. The Board carried out Mr. Schaibley's annual performance review. He left the room for that discussion. Discussion included:
 1. The Board expressed appreciation for his work, including that they feel Dave is doing an excellent job.
 2. The last year was very busy, especially with the rulemaking process and the board appreciated Dave's attention to detail and organization.
 3. The Board appreciates Mr. Schaibley's accessibility and his timely response to questions and issues; his thorough understanding of the statutes and rules relating to dentistry.
 4. The Board also appreciates his professional presentation before the legislative committees.

Motion

To grant Mr. Schaibley a 5% raise effective March 1, 2026, made by Dr. Fallgatter; second by Ms. Snay. In Favor: Dr. Kangas, Dr. Sarsland, Dr. Tanabe, Ms. Marsh, Ms. Carlson, Dr. Olson Stremick, Dr. Fallgatter, Ms. Snay. Motion passes 8-0.

Mr. Schaibley expressed his sincere appreciation for the opportunities and challenges of this position, and the compensation increase.

6. OLD BUSINESS

- a. The Board discussed an inquiry asking if those who take the jurisprudence examination could be told which questions they get right and wrong. Board discussed that exam information, including questions/answers, is exempt. It is an open book test so test takers can look up each issue in the rules and by doing so they will always know the correct answer.

7. NEW BUSINESS

- a. Discussed Affiliated monitors marketing materials.
- b. Discussed CE manager's marketing materials.
- c. Discussed FDA Fluoride statement and concluded that the matter is better aligned with North Dakota Dental Association scope.
- d. Discussed anonymous letter received related to Dr. Day.
- e. Discussed Board member obligation to complete the Statement of Interest form through the Secretary of State website. Deadline is January 31, 2026 and annual thereafter.
- f. Discussed possible Bill that may be brought by Board of Pharmacy related to allowing pharmacists to be added to the exemption in NDCC 43-28-02(7). Board discussed existing problems with the current exemption and how the placement of fluoride varnish requires an assessment of the patient's oral health, cavities/caries, and if applied to teeth with problematic conditions can lead to complications. Directed Mr. Schaibley to share these complications with the Board of Pharmacy. Board will not oppose the possible Bill.
- g. Discussed that the Board's Participating Addendum with APT will need renewing in March, 2026; discussed that the Master Contract between OMB and APT will expire in March 2027 and that OMB is expected to reprocure contracts for Board management services. Discussed that while we anticipate APT will again be a vendor who offers that service, that is not a guarantee. Discussed that the Board will have to assess the vendors who enter into that future Master Contract and choose the right one for its needs. Discussed that the Board will also discuss the possibility of hiring a Deputy Executive Director as either a supplement to or replacement for a Board management vendor contract. Ms. Snay to explore financial practicalities of that possibility and report back to the Board by the July meeting.

Motion

To extend the current Participating Addendum between the Board and APT from March 2026 to March 2027 made by Dr. Fallgatter; second by Ms. Snay. In Favor: Dr. Kangas, Dr. Sarsland, Dr. Tanabe, Ms. Marsh, Ms. Carlson, Dr. Olson Stremick, Dr. Fallgatter, Ms. Snay. Motion passes 8-0.

h. Public Forum; none.

8. UPCOMING MEETINGS

a. Discussed that Mr. Schaibley will assess the agendas for the AADB Midyear Meeting; in April and the FARB Conference meeting in July 2026, and request to attend if agendas look beneficial.

9. PROFESSIONAL CONDUCT PORTFOLIO

- a. Discipline. Discussed Dr. Napoles request that the Board consider how his current and ongoing probationary discipline is impacting his goal to practice general dentistry for underserved populations. He plans to retire in two years. The Board agreed that Mr. Schaibley may work with legal counsel to negotiate a revised settlement agreement that would remove the indefinite probation, but still keep in place the prohibition on performing implants and the administrative cost submission.
- b. Complaints. Investigation into allegations against licensees/registrants may be discussed in Executive Session under the following legal authority: NDCC §§ 43-28-18.2(3) (patient records and information-confidential); 43-28-18.2(4) (complaint files prior to decision to discipline-exempt); 44-04-19.1(5) (attorney consultation-exempt); 44-04-19.1(7) (investigatory work product-exempt); 44-04-19.1(9) (negotiation strategy-exempt); 44-04-18.1(4) (licensee personal information-exempt); 44-04-18.32 (medical records/information-exempt).

Motion

To enter into executive session to discuss non-public investigations made by Dr. Kangas; Second by Dr. Fallgatter.

In Favor: Dr. Kangas, Dr. Sarsland, Dr. Tanabe, Ms. Marsh, Ms. Carlson, Dr. Olson Stremick, Dr. Fallgatter, Ms. Snay. Motion passes 8-0.

Entered into executive session at 2:39p for discussion of copmlaints led by Dr. Kangas as Complaints Portfolio holder. Attended by Dr. Kangas, Dr. Sarsland, Dr. Tanabe, Ms. Marsh, Ms. Carlson, Dr. Fallgatter, Ms. Snay, Mr. Schaibley, Mr. Menge, and Ms. Simmons. Exited executive session at 3:39p.

Motion

To dismiss complaint 138 made by Dr. Fallgatter; Second by Dr. Sarsland.

In Favor: Dr. Kangas, Dr. Sarsland, Dr. Tanabe, Ms. Marsh, Ms. Carlson, Dr. Ms. Snay, Dr. Fallgatter. Motion passes 7-0.

Motion

To dismiss complaint 139 made by Dr. Fallgatter; Second by Dr. Kangas.
In Favor: Dr. Kangas, Dr. Sarsland, Dr. Tanabe, Ms. Marsh, Ms. Carlson, Ms. Snay,
Dr. Fallgatter. Motion passes 7-0.

Motion

To dismiss complaint 141 made by Dr. Fallgatter; Second by Ms. Marsh.
In Favor: Dr. Kangas, Dr. Sarsland, Dr. Tanabe, Ms. Marsh, Ms. Carlson, Ms. Snay,
Dr. Fallgatter. Motion passes 7-0.

Motion

To commence a Board-initiated complaint on matter 143 made by Dr. Fallgatter;
Second by Ms. Marsh.
In Favor: Dr. Kangas, Dr. Sarsland, Dr. Tanabe, Ms. Marsh, Ms. Carlson, Dr. Ms.
Snay, Dr. Fallgatter. Motion passes 7-0.

10. ADJOURNMENT

a. 3:39 PM, CT