

North Dakota Board of Dental Examiners

MINUTES - Quarterly Meeting | January 14, 2022 | 1:00 PM - Office of Brady Martz & Associates, 401 Demers Ave, Grand Forks, ND

1. Call to Order and roll call: Dr. Fallgatter called the meeting to order at 1:09 PM CDT and introduced Joel Kangas, DDS, new member.

Board Members and Administrative Staff Attendance

Alison Fallgatter, DDS, President	Michael Keim, DDS
Tim Mehlhoff, CPA, President-Elect	Marcus Tanabe, DDS
Greg Evanoff, DDS, Immediate Past-President	Otto Dohm, DDS, MS
Bev Marsh, RDH, Secretary-Treasurer	Andrea Carlson, RDA
Joel Kangas, DDS	Rita Sommers, RDH, MBA, Executive Director
David Schaibley, Assistant Attorney General	

2. Review and approve minutes:

September 17, 2021 - quarterly meeting; Ms Marsh moved to approve, Dr Evanoff seconded the motion. Roll call vote (RCV): Dr. Tanabe, yes; Mr. Mehlhoff, yes; Dr. Kangas, yes; Dr. Evanoff, yes; Dr. Keim, yes; Ms. Marsh, yes; Ms. Carlson, yes; Dr. Dohm, yes and Dr. Fallgatter, yes. Motion carried 9-0.

November 2, 2021 - Dr. Tanabe moved to approve the November 2, 2021 minutes. Motion seconded by Ms. Marsh. Roll call vote (RCV): Dr. Tanabe, yes; Mr. Mehlhoff, yes; Dr. Kangas, yes; Dr. Evanoff, yes; Dr. Keim, yes; Ms. Marsh, yes; Ms. Carlson, yes; Dr. Dohm, yes and Dr. Fallgatter, yes. Motion carried 9-0.

December 4, 2021; Ms. Marsh moved to adopt the minutes with an amendment to number 2, to indicate that she would work on proposed changes to the hygiene section *and the dental assisting section*. Motion seconded by Dr. Kangas. Roll call vote (RCV): Dr. Tanabe, yes; Mr. Mehlhoff, yes; Dr. Kangas, yes; Dr. Evanoff, yes; Dr. Keim, yes; Ms. Marsh, yes; Dr. Fallgatter, yes; Dr. Dohm, yes and Ms. Carlson, yes. Motion carried 9-0.

3. Treasurer’s report and review of payables: Ms. Sommers provided a balance sheet, P & L statement, and provided the status of the current audit (ending 6/2021) being performed by Jason Schuh, CPA.

A. 1099 NEC forms will be sent to members who received \$600 or more in honorariums.

B. License renewal report – Ms. Sommers commented on the financials related to the renewals. Although the renewal period ended 12/31/2021, late renewals are trickling in.

License Status										
Year ending in	DDS in state	DDS Total	RDH in state	RDH Total	RDA/QDA in state	RDA/QDA total	Inactive DDS	Inactive RDH	Total in state	Total
2019	433	503	671	875	614	681	25	44	1718	2128
2020	426	473	694	843	687	811	26	47	1807	2200
2021	444	509	715	876	678	790	20	39	1837	2234
Balances and Certificates - 12/30/2021						Total assets - \$603,471.07				
BALANCES			CERTIFICATES OF DEPOSIT				SHORT TERM ASSETS			
US Bank Checking		\$226,506.92	CC Union 1		\$53,263.50	Capitol Credit Union		\$25,111.37		
			1 st Inter. 702		\$102,166.67	Muni. Investor		\$2,832.25		
			1 st Inter. 684		\$78,000.00	Prefer. Business		\$2,792.16		
			Bremer 3		\$56,399.10					
			Bremer 5		\$56,399.10					
Total Checking		\$226,506.92	Total Certificates		\$346,228.37	Total STA		\$30,735.78		

Ms. Sommers provided members a historical summary balance sheet reflecting balances ending the 4th quarter. A brief discussion of the renewal process and current non renewals was also discussed; the executive director speculated that COVID may negatively affect revenue/renewals as has happened with other boards. Moved by Mr. Mehlhoff and seconded by Dr. Fallgatter to approve the Treasurer’s Report. RCV: Dr. Fallgatter, yes; Dr. Evanoff, yes; Ms. Carlson, yes; Dr. Kangas, yes; Dr. Kiem, yes; Ms. Marsh, yes; Dr. Tanabe, yes. Mr. Mehlhoff, yes. Dr. Dohm, yes. Motion carried 9-0.

C. Executive Director/annual review – Ms. Sommers discussed the duties of the Executive Director (ED) position and the related duties provided by APT. Ms. Sommers suggested turning all accounting over to a professional organization and relinquishing other duties to APT as the APT contract is currently under review via the procurement officer appointed to the Board. Ms. Sommers engaged the Board in a conversation regarding transition of the ED position, the end result being a new executive director and what the process might look like. The immediate goal being to downsize the duties and redefine the position of the Executive Director for a future employee. Due to the broader range of severity of complaints and numbers of allegations, Ms. Sommers also recommended the Board restructure the Complaint Committee to consist of at least three members, one of which should be the consumer member. Mr. Schaibley

recommended the Board talk to the Board of Medicine regarding the structure of their Board in dealing with the matter of complaints and duties held by the ED. Moved by Mr. Mehlhoff to increase the executive director salary 5% the monthly reimbursement for use of office space to \$200 (from \$182) and provide \$50 (from \$42) for internet and fax. Dr. Tanabe seconded the motion. RCV: Dr. Fallgatter, yes; Dr. Evanoff, yes; Ms. Carlson, yes; Dr. Kangas, yes; Dr. Kiem, yes; Ms. Marsh, yes; Dr. Tanabe, yes. Mr. Mehlhoff, yes. Dr. Dohm, yes. Motion carried 9-0. The expectation would then be that once the position and duties have been redefined the current contract would be renegotiated, and Ms. Sommers would be willing to assist in the transition. Dr. Fallgatter and the ED will work toward defining the job description, and at a subsequent meeting outline a committee tasked with assisting with and moving forward with the transition.

4. Licensing report

Ratification of license: NDBDE members signed the following RDH and DDS licenses: Ratification of license list and registrations: Dr. Dohm moved to ratify the following licenses, motion seconded by Dr. Keim. RCV: Dr. Fallgatter, yes; Dr. Evanoff, yes; Dr. Kiem, yes; Ms. Carlson, yes; Dr. Kangas, yes; Ms. Marsh, yes; Dr. Tanabe, yes. Mr. Mehlhoff, yes. Dr. Dohm, yes. Motion passed 9-0.

10/13/2021	Kevin Mark, DMD	2460
11/15/2021	Jay Khorsandi, DDS	2448
09/01/2021	Allyson Seltvedt, RDH	1838
01/16/2021	Sheyanne Cariveau, RDH	1840
12/17/2021	Danielle Rose Silbernagel, DMD	2450
12/07/2021	My Lee Thi Harder, RDH	1845
12/03/2021	Jessica M. Bischoff, RDH	1830
01/02/2022	David Charles Duevel, DDS	2449
01/11/2022	Joyce Hollinshead, DDS	2451

5. Committee Reports

A. Complaint Committee/Legal Issues: The following complaints were postponed (weather conditions) to next meeting of the Board, yet to be determined.

1) 39-08042020	9) 54-06012021
2) 47-01052021	10) 55-06112021
3) 49-02112021 -1	11) 56-07222021
4) 49-02112021 -2	12) 58-07302021
5) 49-02112021 -3	13) 59-07072021
6) 49-02112021 -4	14) 60-08132021
7) 50-02192021	15) 62-06182021
8) 53-05272021	16) 63-10312021

B. Anesthesia Committee: Dr. Tanabe reviewed a recent anesthesia site inspection evaluation for moderate sedation provided by a CRNA. Dr. Tanabe had concerns regarding benzodiazepines and reversal drugs and suggested that the practitioner should be required to complete additional education regarding half-lives of sedation medications. Also, he expressed concern regarding the amount of medication/prescriptions being sent with the patient following care provided. Dr. Tanabe articulated concerned that the practitioner was deficient in aspects of pharmacology and current practices. Dr. Evanoff moved to initiate a complaint. The Board is specifically concerned about the inadequate equipment and the use of two benzodiazepines (valium and versed). Dr. Tanabe seconded the motion. Once the practitioner responds the Board shall continue the discussion. RCV: Dr. Fallgatter, yes; Dr. Evanoff, yes; Dr. Kiem, yes; Ms. Carlson, yes; Dr. Kangas, yes; Ms. Marsh, yes; Dr. Tanabe, yes. Mr. Mehlhoff, yes. Dr. Dohm, yes. AIF. Motion passed 9-0. Ms. Sommers will submit the Board initiated complaint to the practitioner.

Two moderate sedation site evaluations remain incomplete as the Board has pending complaints related to the site evaluations.

Dr. Tanabe volunteered to further explore the technology used in the AAOMS National Simulation Program. The board adopted in its proposed rules a requirement beginning in 2026 for anesthesia and sedation providers to participate in the standardized participation program which addresses the Board's concern that practitioners providing sedation should be adequately prepared for office-based emergency airway management. The simulation offers staff an effective way to assess emergency readiness. Major hospitals in the state may be providing this opportunity for the state-of-the-art technology.

C. Continuing Education Committee:

1) Random Audits: Ms Marsh provided a report regarding recent random audits and commented one practitioner had difficulty obtaining CE due to COVID and was under the impression that practitioners were exempt from live credit CE requirements due to COVID. Ms. Marsh informed the practitioner otherwise. Ms. Marsh moved to conduct a follow up audit during the next cycle and recommended no disciplinary action. Motion seconded by Dr. Evanoff. Ms. Marsh will send a letter to the licensee. RCV: Dr. Fallgatter, yes; Dr. Keim, yes; Dr. Evanoff, yes; Ms. Marsh, yes; Ms. Carlson; Dr. Kangas; Dr. Tanabe, yes. Mr. Mehlhoff, yes. Dr. Dohm, yes. Motion Carried. 9-0.

D. Application Review Committee:

1) Self reports: The Board reviewed three self-reports, where public records were submitted to the Board. In all cases, court ordered fines were paid and no further requirements were deemed necessary. No action.

2) Licensing/registration applications: The Board reviewed two applications where the requirements for reinstatement were incomplete. The Board does not have the authority to grant these licensees at this time. However, future amendments to Administrative Rules may be beneficial to these applicants. No motion.

E. Nominating Committee: The Board's President resides over the Nominating Committee. Dr. Fallgatter opted to address the status of all board committees.

1) Complaint Committee - The Board discussed options for expansion of the Complaint Committee. Dr. Kangas, Dr. Dohm and Mr. Mehlhoff agreed to participate in reviewing addressing and making recommendations to the Board at their regularly scheduled meetings. Dr. Dohm will continue to chair the committee and recommended monthly meetings to begin the Committee's transition. Dr. Evanoff recommended that as some complaints are received before a Board meeting leaving insufficient time for the Committee to review, that those complaints would be moved forward to a subsequent meeting for full Board review. The Board discussed the logistics of public meetings and notices.

2) Continuing Education Committee - Ms. Marsh agreed to continue to chair the Continuing Education Committee.

3) Anesthesia Committee – Dr. Tanabe will continue to chair the Anesthesia Committee.

4) Search Committee – Dr. Fallgatter and Ms. Sommers will summarize an ED job description and a Search Committee will be established at the next meeting of the Board.

5) Election of Officers – Moved by Dr. Fallgatter, seconded by Mr. Mehlhoff to elect the following slate of officers: President; Mr. Mehlhoff; President-elect, Ms. Marsh; Secretary Treasurer - Dr. Tanabe (review Policy & Procedure manual). RCV: Dr. Fallgatter, yes; Dr. Keim, yes; Dr. Evanoff, yes; Ms. Marsh, yes; Ms. Carlson; Dr. Kangas; Dr. Tanabe, yes. Mr. Mehlhoff, yes. Dr. Dohm, yes. Motion Carried. 9-0.

F. Legislative Committee:

1) Admin Rules: Following a review of the proposed Administrative Rules Title 20, Ms. Marsh moved to adopt the rules as amended and move forward with the Administrative Rules procedures. Dr. Dohm seconded the motion. RCV: Dr. Fallgatter, yes; Dr. Keim, yes; Dr. Evanoff, yes; Ms. Marsh, yes; Ms. Carlson; Dr. Kangas; Dr. Tanabe, yes. Mr. Mehlhoff, yes. Dr. Dohm, yes. Motion Carried. 9-0. Ms. Sommers briefly summarized the rules process and will schedule the Hearing.

6. Old Business:

A. Review of P&P Manual: moved to next quarterly meeting.

B. Review disciplinary procedures re: open meetings and Exec Session: Moved to next quarterly meeting.

7. New Business:

A. Election of Officers: Mr. Mehlhoff will begin his term March 15, 2022. Ms. Marsh remains Secretary-Treasurer (24 month term).

8. National Organizations; Regional Clinical Boards; Trip Reports:

A. AADB & AADA: Ms Sommers will attend the virtual Mid-Winter AADA April 7, 2022.

B. CDCA/WREB:

C. CRDTS: August 26th-27th Kansas City Annual meeting celebrating their 50th Anniversary.

Subsequent to the April 22nd Board meeting, Dr. Dohm will host CRDTS representatives at his clinic location, , who will be providing a demonstration on the nuances of manikin-based product offered to practitioners taking the manikin based CRDTS exam. In addition to testing criteria the Board is interested in the proprietary product and exactly how lifelike the manikin teeth materials are - as they are not all the same. CRDTS will demonstrate on teeth used for their periodontal exam, dental exam and hygiene exam providing examiners the experience of the clinical facet of the exam. Administrative Rules in affect as of 4/1/2021 no longer prohibit the manikin-based clinical exams for dentists and hygienists.

9. Remuneration: 2021 In-state travel reimbursement rate: 58.5 cents/mile.

10. Scheduled quarterly meetings of the NDBDE:

- April 22, 2022, Brady Martz & Associates, 207 E Broadway, Bismarck.
- June 17, 2022, Brady Martz & Associates, 2537 S University Drive, Fargo.
- September 16, 2022, Brady Martz & Associates, Bismarck.

11. Adjournment: Moved by Dr. Fallgatter to adjourn. Hearing no objection, the meeting adjourned at 4:35 PM.

Respectfully submitted,

Rita Sommers, Executive Director

Bev Marsh, RDH, Secretary-Treasurer

*There were no additions to the agenda.