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 Department of Public Health
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 Board of Registration in Dentistry
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COMMONWEALTH OF MASSACHUSETTS

**NOTICE OF THE REGULARLY SCHEDULED MEETING OF THE
 BOARD OF REGISTRATION IN DENTISTRY**

December 7, 2016
 239 Causeway Street ~ Room 417 A&B
 Boston, Massachusetts 02114

AGENDA

Time	#	Item	Exhibits	Contact
8:30 a.m.	I	CALL TO ORDER, DETERMINATION OF QUORUM, AND APPROVAL OF AGENDA		
8:32	II	M.G.L.c.112, §65C SESSION (closed to the public)		
8:45	III	<p>EXECUTIVE SESSION (closed to the public)</p> <p>The Board will meet in Executive Session as authorized pursuant to M.G.L. c. 30A, § 21(a)(1) for the purposes of discussing the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against an individual.</p> <p>Specifically, the Board will discuss and evaluate a pending disciplinary complaint that involves a patient record and treatment of a patient.</p> <p>Specifically, the Board will discuss and evaluate the Good Moral Character of an applicant for licensure.</p> <p>Specifically, the Board will discuss and evaluate the reputation, character, physical condition or mental health, rather than professional competence of a licensee against whom a complaint has been brought.,</p> <p>(CONTINUED ON NEXT PAGE)</p>		

9:00	IV	<p>COMPLAINT RESOLUTION—PENDING BOARD MATTERS</p> <ol style="list-style-type: none"> 1. DEN-2016-0009: Carissa Hess, RDH 2. DEN-2016-0010: Dr. Geoffrey Davis 3. DEN-2015-0106: Dr. Lihua Zhang 4. DEN-2015-0107: Mariya Shcherba, RDH 5. DEN-2015-0108: Phuoc-Tien Huynh Phan, RDH 6. DEN-2015-0109: Tracy Liu Li, RDH 7. DEN-2015-0059: Dr. Many Jane Miranda 8. DEN-2015-0060: Dr. Damon Anderson 9. DEN-2015-0061: Dr. Jyotika Dhawan 10. DEN-2015-0062: Dr. Neil Blitz 11. DEN-2015-0063: Karina Carvalho, RDH 12. DEN-2015-0064: Vania Brewda, RDH 13. DEN-2015-0065: Shawndra Calle, RDH 14. DEN-2015-0066: Crystal Young, RDH 15. DEN-2015-0067: Miryam Mendes, RDH 16. DEN-2015-0068: Erin LeFrancois, RDH 17. DEN-2015-0069: Nicole Owsney, RDH 18. DEN-2015-0070: Stephanie Dart, RDH 19. DEN-2015-0073: Dr. Nieca Faggioli 20. DEN-2015-0089: Vania Brewda, RDH 21. DEN-2016-0042: Dr. Clancy Boynton 22. DEN-2016-0043: Nancy DeJesus, CDA 23. SA-INV-9915: Dr. Clancy Boynton 24. SA-INV-10004: Dr. Clancy Boynton 25. SA-INV-10005: Dr. Clancy Boynton 26. SA-INV-10221: Dr. Clancy Boynton 27. SA-INV-10415: Dr. Clancy Boynton 	Investigation Reports	E. Mulligan, D. Taylor, S. Millar
9:45	V	<p>PROBATION MATTERS</p> <ol style="list-style-type: none"> 1. Notices of Violation <ol style="list-style-type: none"> A. DEN-2014-0058: Dr. Paul Freedman B. DEN-2015-0031 & DEN-2015-0085: Dr. Robert Kelly 2. Request for Termination of Stayed Probation DEN-2013-0157: Anne Delaney, RDH 3. Monthly Probation Monitor Report 	Memos, Report	K. Fishman
10:25	VI	<p>FLEX SESSION</p> <ol style="list-style-type: none"> 1. Silver Diamine Fluoride 2. ADA Guidelines for the Use of Sedation and General Anesthesia by Dentists, Adopted October 2016 3. Chart of Regional/State Clinical Exams Accepted by Various States 4. Letter from the ADEA <p>(CONTINUED ON NEXT PAGE)</p>	Letters, Statements	B.Young, S. DuLong

11:00	VII	ADMINISTRATIVE MATTERS 1. Review of Minutes A. General Session of October 5, 2016 B. General Session of November 2, 2016 C. Complaint Committee General Session of November 2, 2016 2. Proposed Modification of Compliance Inspection Form 3. Proposed Advisory Ruling on Limited Licensee Scope of Practice 4. Proposed Modification of Consent Agreements for Reprimand and Stayed Probation 5. Policy Discussion: Probation Agreements and Findings 6. Good Moral Character Licensure Report 7. Online Orthodontic Services 8. Yankee Dental Congress 2017—Call for Volunteers 9. Complaint Committee—January through April 2017 10. Election of Officers for Calendar Year 2017	Draft Minutes, Memos, Report, Letter, Ballots	S. Leadholm, B. Young
12:30		ADJOURNMENT		

MASSACHUSETTS BOARD OF REGISTRATION IN DENTISTRY
239 Causeway Street, Boston, MA 02114
Room 417
GENERAL SESSION MINUTES
December 7, 2016

Present: Dr. Stephen DuLong, Board Chair; Ms. Ailish Wilkie, Board Secretary; Dr. Patricia Wu; Ms. Jacyn Stultz, RDH; Dr. Cynthia Stevens; Ms. Kathleen Held; Dr. Keith Batchelder

Absent: Dr. Ward Cromer; Ms. Lois Sobel, RDH; Dr. Paul Levy; Dr. John Hsu

Board Staff Present: Barbara A. Young, Executive Director; Jeffrey Mills, Asst. Executive Director; Samuel Leadholm, Esq., Board Counsel; Dr. Liliana DiFabio, Supervisor of Investigations; OPP Investigators Sarah Millar, Eileen Mulligan, Kathleen O’Connell, Lisa Seeley-Murphy, Danielle Taylor and Barbara Yates.

Ms. Kathleen Held arrived for the meeting at 8:41 a.m.

Ms. Ailish Wilkie arrived for the meeting at 8:42 a.m.

Motion: **At 8:39 a.m., to commence the meeting and to adopt the proposed agenda for today’s meeting.**

Motion Made By: Dr. Cynthia Stevens

Second: Ms. Jacyn Stultz

Vote: Unanimous

At 8:40 a.m., Dr. DuLong announced that the Board will enter an M.G.L. c.112, §65C Session then return to an open session.

Motion: At 8:40 a.m., to enter a M.G.L. c.112, §65C Session

Motion Made By: Ms. Jacyn Stultz

Second: Dr. Cynthia Stevens

Vote: **In Favor:** Dr. Patricia Wu; Dr. Cynthia Stevens; Ms. Jacyn Stultz;
Dr. Stephen DuLong; Dr. Keith Batchelder
Opposed: None
Abstain: None

At 9:01 a.m., Dr. DuLong announced that the Board will meet in closed session as authorized pursuant to M.G.L. c. 30A, §21(a)(1) for the purpose of discussing the reputation, character, physical condition or mental health, rather than the professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual. Specifically, the Board will meet in Executive Session and will discuss and evaluate the Good Moral Character as required for registration of pending applicant(s) for licensure. Additionally, the Board will discuss and evaluate pending disciplinary complaints that involve patient records and treatment of patients. Executive Session is closed to members of the public, except as provided for in M.G.L. c. 30A, §21(a) (1). At the conclusion of the Executive Session, the Board will return to an open session before adjourning the meeting for the day.

Motion: At 9:02 a.m., to enter Executive Session pursuant to M.G.L. c. 30A, §21(a)(1)

Motion Made By: Ms. Ailish Wilkie

Second: Ms. Jacyn Stultz

Vote: **In Favor:** Dr. Patricia Wu; Dr. Cynthia Stevens;
Dr. Stephen DuLong; Ms. Jacyn Stultz; Ms. Kathleen Held;
Ms. Ailish Wilkie; Dr. Keith Batchelder
Opposed: None
Abstain: None

Complaint Resolution – Investigator Barbara Yates

--In the Matter of DEN-2016-0009: Carrissa Hess, RDH

The licensee was not present for the discussion and vote of the Board on this matter.

Allegation(s): Unlicensed Practice as a Dental Hygienist

Discussion: Ms. Yates informed the Board this hygienist practiced on an expired license for approx. 3 yrs., 3 mos. from April 1, 2013, to January 20, 2016, when her license was reactivated. Ms. Yates also stated the licensee did not complete a required CEU course in infection control and double counted her general attendance CEUs. Further, Ms. Yates noted the licensee continued to practice while her reactivation application was pending.

1st Motion: **To offer a Consent Agreement for Reprimand**

If this agreement is not accepted by the licensee, the matter will be referred to prosecution.

Motion Made By: Ms. Ailish Wilkie

Second: None

Vote: (None taken)

2nd Motion: **To offer a Consent Agreement for Probation for 6 Months to include the following remedial coursework:**

- **6 Hours: Ethics**

If this agreement is not accepted by the licensee, the matter will be referred to prosecution.

Motion Made By: Ms. Ailish Wilkie

Second: Dr. Keith Batchelder

Vote: **In Favor:** Dr. Patricia Wu; Dr. Cynthia Stevens;
Dr. Stephen DuLong; Ms. Jacyn Stultz; Ms. Kathleen Held;
Ms. Ailish Wilkie; Dr. Keith Batchelder
Opposed: None
Abstain: None

Complaint Resolution – Investigator Barbara Yates

--In the Matter of DEN-2016-0010: Dr. Geoffrey Davis

The licensee was not present for the discussion and vote of the Board on this matter.

Allegation(s): Employment of an Unlicensed Dental Hygienist

Discussion: Ms. Yates informed the Board this licensee employed the hygienist Carrissa Hess, RDH and that the licensee was deficient 2 CEUs for the 2014-2016 licensure cycle.

Motion: **To offer a Consent Agreement for Stayed Probation for 3 Months to include the completion of the deficient CEUs.**

If this agreement is not accepted by the licensee, the matter will be referred to prosecution.

Motion Made By: Ms. Ailish Wilkie

Second: Dr. Cynthia Stevens

Vote: **In Favor:** Dr. Patricia Wu; Dr. Cynthia Stevens;
Dr. Stephen DuLong; Ms. Jacyn Stultz; Ms. Kathleen Held;
Ms. Ailish Wilkie; Dr. Keith Batchelder
Opposed: None
Abstain: None

Complaint Resolution – Investigator Danielle Taylor

--In the Matter of DEN-2015-0106: Dr. Lihua Zhang

Dr. Patricia Wu and Ms. Jacyn Stultz recused themselves from the discussion and vote of the Board on complaint DEN-2015-0106: Dr. Lihua Zhang.

The licensee was not present for the discussion and vote of the Board on this matter.

Allegation(s): Regulatory Violations (Infection Control Violations)

Discussion: Ms. Taylor informed the Board an inspection of this licensee's office was conducted on Oct. 2, 2015, and numerous infection control violations were discovered. Ms. Taylor reported the licensee is now in compliance with weekly spore testing and that she has received the licensee's test results for the last 3 months.

Dr. Batchelder asked how quickly the licensee corrected the deficiencies; Ms. Taylor replied within 4 days.

Motion: To offer a Consent Agreement for Probation for 6 Months to include the following remedial coursework:

- 6 Hours: Infection Control
- 3 Hours: Risk Management
- 3 Hours: Managing Dental Emergencies
- 3 Hours: Ethics

If this agreement is not accepted by the licensee, the matter will be referred to prosecution.

Motion Made By: Ms. Ailish Wilkie

Second: Dr. Cynthia Stevens

Vote: **In Favor:** Dr. Cynthia Stevens; Dr. Stephen DuLong; Ms. Kathleen Held; Ms. Ailish Wilkie; Dr. Keith Batchelder
Opposed: None
Abstain: None

Complaint Resolution – Investigator Danielle Taylor

--In the Matter of DEN-2015-0107: Mariya Shcherba, RDH

Dr. Patricia Wu and Ms. Jacyn Stultz recused themselves from the discussion and vote of the Board on complaint DEN-2015-0107: Mariya Shcherba, RDH.

The licensee was not present for the discussion and vote of the Board on this matter.

Allegation(s): Regulatory Violations (Infection Control Violations)

Discussion: Ms. Taylor informed the Board this hygienist was employed by Dr. Zhang. Atty. Leadholm asked if this licensee was responsible for the practice's infection control procedures; Ms. Taylor replied she was not, a dental assistant was. Ms. Wilkie noted the practice failed to bag instruments properly. Ms. Wilkie asked who was responsible for maintaining the contents of the emergency drug kit; Ms. Taylor replied the dental assistant was.

Motion: **To offer a Consent Agreement for Probation for 3 Months to include the following remedial coursework:**

- **6 Hours: Infection Control**
- **3 Hours: Risk Management**

If this agreement is not accepted by the licensee, the matter will be referred to prosecution.

Motion Made By: Ms. Ailish Wilkie

Second: Dr. Cynthia Stevens

Vote: **In Favor:** Dr. Cynthia Stevens; Dr. Stephen DuLong;
Ms. Kathleen Held; Ms. Ailish Wilkie; Dr. Keith Batchelder
Opposed: None
Abstain: None

Complaint Resolution – Investigator Danielle Taylor

--In the Matter of DEN-2015-0108: Phuoc-Tien Huynh Phan, RDH

Dr. Patricia Wu and Ms. Jacyn Stultz recused themselves from the discussion and vote of the Board on complaint DEN-2015-0108: Phuoc-Tien Huynh Phan, RDH.

The licensee was not present for the discussion and vote of the Board on this matter.

Allegation(s): Regulatory Violations (Infection Control Violations)

Discussion: Ms. Taylor informed the Board this licensee only worked for Dr. Zhang two days as a hygienist.

Motion: **To dismiss the complaint with an advisory letter on the infection control regulations.**

Motion Made By: Ms. Ailish Wilkie

Second: Ms. Kathleen Held

Vote: **In Favor:** Dr. Cynthia Stevens; Dr. Stephen DuLong;
Ms. Kathleen Held; Ms. Ailish Wilkie; Dr. Keith Batchelder
Opposed: None
Abstain: None

Complaint Resolution – Investigator Danielle Taylor

--In the Matter of DEN-2015-0109: Tracy Liu Li, RDH

Dr. Patricia Wu and Ms. Jacyn Stultz recused themselves from the discussion and vote of the Board on complaint DEN-2015-0109: Tracy Liu Li, RDH.

The licensee was not present for the discussion and vote of the Board on this matter.

- Allegation(s):** Regulatory Violations (Infection Control Violations)
- Discussion:** Ms. Taylor informed the Board this licensee was another hygienist employed by Dr. Zhang.
- Motion:** **To offer a Consent Agreement for Probation for 3 Months to include the following remedial coursework:**
- **6 Hours: Infection Control**
 - **3 Hours: Risk Management**
- If this agreement is not accepted by the licensee, the matter will be referred to prosecution.**
- Motion Made By:** Ms. Ailish Wilkie
- Second:** Dr. Keith Batchelder
- Vote:** **In Favor:** Dr. Cynthia Stevens; Dr. Stephen DuLong; Ms. Kathleen Held; Ms. Ailish Wilkie; Dr. Keith Batchelder
Opposed: None
Abstain: None

The Board took its morning recess and 9:57 a.m. and resumed its meeting at 10:05 a.m.

Complaint Resolution – Investigator Sarah Millar

--In the Matter of DEN-2015-0059: Dr. Mary Jane Miranda

The licensee was not present for the discussion and vote of the Board on this matter.

- Allegation(s):** Regulatory Violations (Infection Control Violations)
- Discussion:** Ms. Millar informed the Board an unannounced inspection was conducted on July 24, 2015, and numerous infection control violations were discovered.

Motion: **To offer a Consent Agreement for Probation for 3 Months to include the following remedial coursework:**

- **3 Hours: Infection Control**
- **3 Hours: Risk Management**

If this agreement is not accepted by the licensee, the matter will be referred to prosecution.

Motion Made By: Ms. Ailish Wilkie

Second: Dr. Keith Batchelder

Discussion (cont'd): Atty. Leadholm advised the Board it generally offers a non-owner licensee a consent agreement for stayed probation and the owner a consent agreement for probation. Atty. Leadholm questioned why the Board was seeking to offer a disciplinary resolution to this licensee, a non-owner. Dr. Batchelder replied the licensee practiced at this office for more than 3 yrs. and was relying on unlicensed staff but Atty. Leadholm informed the Board the issue of using unlicensed staff is not before the Board and is unfounded at this point.

Ms. Wilkie noted the licensee practiced for more than 3 yrs. at this office while the infection control issues were ongoing; Ms. Stultz agreed noting it is the responsibility of all clinicians to follow the rules. Atty. Leadholm agreed but asked the Board why it was deviating from its precedent; Ms. Stultz replied there is no evidence this licensee had a conversation about infection control procedures with the practice owner.

Vote: **In Favor:** None
Opposed: Dr. Cynthia Stevens; Dr. Stephen DuLong;
Ms. Kathleen Held; Ms. Ailish Wilkie; Dr. Keith Batchelder;
Dr. Patricia Wu; Ms. Jacyn Stultz
Abstain: None

(Motion Fails)

Motion: **To offer a Consent Agreement for Stayed Probation for 3 Months to include the following remedial coursework:**

- **3 Hours: Infection Control**
- **3 Hours: Risk Management**

If this agreement is not accepted by the licensee, the matter will be referred to prosecution.

Motion Made By: Dr. Keith Batchelder

Second: Ms. Kathleen Held

Vote: **In Favor:** Dr. Patricia Wu; Dr. Cynthia Stevens; Dr. Keith Batchelder; Dr. Stephen DuLong; Ms. Kathleen Held; Ms. Ailish Wilkie
Opposed: Ms. Jacyn Stultz
Abstain: None

Complaint Resolution – Investigator Sarah Millar

--In the Matter of DEN-2015-0060: Dr. Damon A. Anderson

The licensee was not present for the discussion and vote of the Board on this matter.

Allegation(s): Regulatory Violations (Infection Control Violations)

Discussion: Ms. Millar informed the Board this licensee had only been employed for 4 days by the practice owner when the office was inspected on July 24, 2015.

Motion: **To dismiss the complaint with an advisory letter on the infection control regulations.**

Motion Made By: Dr. Keith Batchelder

Second: Ms. Kathleen Held

Vote: **In Favor:** Dr. Cynthia Stevens; Dr. Stephen DuLong; Ms. Kathleen Held; Ms. Ailish Wilkie; Dr. Keith Batchelder; Dr. Patricia Wu
Opposed: None
Abstain: Ms. Jacyn Stultz

Complaint Resolution – Investigator Sarah Millar

--In the Matter of DEN-2015-0061: Dr. Jyotika K. Dhawan

The licensee was not present for the discussion and vote of the Board on this matter.

- Allegation(s):** Regulatory Violations (Infection Control Violations)
- Discussion:** Ms. Millar informed the Board this licensee was employed by the same practice owner and was deficient 28 CEUs for the 2012-2014 licensure cycle.
- Motion:** **To offer a Consent Agreement for Stayed Probation for 6 Months to include the completion of 28 deficient CEUs and the following remedial coursework:**
- **3 Hours: Infection Control**
 - **3 Hours: Risk Management**
- If this agreement is not accepted by the licensee, the matter will be referred to prosecution.**
- Motion Made By:** Ms. Jacyn Stultz
- Second:** Ms. Ailish Wilkie
- Vote:** **In Favor:** Dr. Cynthia Stevens; Dr. Stephen DuLong; Ms. Kathleen Held; Ms. Ailish Wilkie; Dr. Keith Batchelder; Ms. Jacyn Stultz; Dr. Patricia Wu
Opposed: None
Abstain: None

Complaint Resolution – Investigator Sarah Millar

--In the Matter of DEN-2015-0062: Dr. Neil L. Blitz

The licensee was not present for the discussion and vote of the Board on this matter.

- Allegation(s):** Regulatory Violations (Infection Control Violations)
- Discussion:** Ms. Millar informed the Board this licensee was employed part-time by the same practice owner as an orthodontist.

Motion: **To offer a Consent Agreement for Stayed Probation for 3 Months to include the following remedial coursework:**

- **3 Hours: Risk Management**

If this agreement is not accepted by the licensee, the matter will be referred to prosecution.

Second: None

Discussion (cont'd): Atty. Leadholm suggested the Board consider offering this licensee a consent agreement for 6 mos. stayed probation with a clause permitting early termination if all conditions are satisfied by the licensee.

Amended Motion: **To offer a Consent Agreement for Stayed Probation for 6 Months to include the following remedial coursework:**

- **3 Hours: Risk Management**
- **Stayed probation period may be terminated early by the licensee upon evidence of the successful completion of the remedial coursework.**

If this agreement is not accepted by the licensee, the matter will be referred to prosecution.

Amended Motion Made By: Dr. Keith Batchelder

Second: Ms. Jacyn Stultz

Vote: **In Favor:** Dr. Cynthia Stevens; Dr. Stephen DuLong; Ms. Kathleen Held; Ms. Ailish Wilkie; Dr. Keith Batchelder; Ms. Jacyn Stultz; Dr. Patricia Wu
Opposed: None
Abstain: None

Complaint Resolution – Investigator Sarah Millar

--In the Matter of DEN-2015-0063: Karina Carvalho, RDH

The licensee was not present for the discussion and vote of the Board on this matter.

Allegation(s): Regulatory Violations (Infection Control Violations)

Discussion: Ms. Millar informed the Board this licensee was employed part-time by the same practice owner as a hygienist.

Motion: To offer a Consent Agreement for Stayed Probation for 6 Months to include the completion of 28 deficient CEUs and the following remedial coursework:

- 3 Hours: Infection Control
- 3 Hours: Risk Management
- 3 Hours: Ethics

If this agreement is not accepted by the licensee, the matter will be referred to prosecution.

Motion Made By: Ms. Jacyn Stultz

Second: None

Discussion (cont'd): Ms. Wilkie asked why an ethics course was included as no other licensee who worked at this practice had to take an ethics course; Ms. Stultz replied she usually considered the length of the licensee's employment.

Motion: To offer a Consent Agreement for Stayed Probation for 6 Months to include the completion of the following remedial coursework:

- 3 Hours: Infection Control
- 3 Hours: Risk Management
- Stayed probation period may be terminated early by the licensee upon evidence of the successful completion of the remedial coursework.

If this agreement is not accepted by the licensee, the matter will be referred to prosecution.

Motion Made By: Dr. Keith Batchelder

Second: Ms. Kathleen Held

Vote: **In Favor:** Dr. Cynthia Stevens; Dr. Stephen DuLong; Ms. Kathleen Held; Ms. Ailish Wilkie; Dr. Keith Batchelder; Ms. Jacyn Stultz; Dr. Patricia Wu
Opposed: None
Abstain: None

Complaint Resolution – Investigator Sarah Millar

--In the Matter of DEN-2015-0064: Vania S. Brewda, RDH

The licensee was not present for the discussion and vote of the Board on this matter.

- Allegation(s):** Regulatory Violations (Infection Control Violations)
- Discussion:** Ms. Millar informed the Board this licensee was employed by the same practice owner as a hygienist.
- Motion:** **To offer a Consent Agreement for Stayed Probation for 6 Months to include the completion of 28 deficient CEUs and the following remedial coursework:**
- **3 Hours: Infection Control**
 - **3 Hours: Risk Management**
 - **Stayed probation period may be terminated early by the licensee upon evidence of the successful completion of the remedial coursework.**
- If this agreement is not accepted by the licensee, the matter will be referred to prosecution.**
- Motion Made By:** Dr. Keith Batchelder
- Second:** Ms. Kathleen Held
- Vote:** None taken as the Board elected to consider the licensee's second complaint, DEN-2015-0089, first.

Complaint Resolution – Investigator Sarah Millar

--In the Matter of DEN-2015-0089: Vania S. Brewda, RDH

The licensee was not present for the discussion and vote of the Board on this matter.

- Allegation(s):** Unlicensed Practice by a Dental Hygienist
- Discussion:** Ms. Millar informed the Board this licensee practiced on an expired license from March 31, 2015, to July 28, 2015.
- Motion:** **To join DEN-2015-0064 and DEN-2015-0089**
- Motion Made By:** Dr. Keith Batchelder
- Second:** Dr. Cynthia Stevens

Vote: **In Favor:** Dr. Cynthia Stevens; Dr. Stephen DuLong;
Ms. Kathleen Held; Ms. Ailish Wilkie; Dr. Keith Batchelder;
Ms. Jacyn Stultz; Dr. Patricia Wu
Opposed: None
Abstain: None

Motion: **To offer a Consent Agreement for Probation for 6 Months to include the completion of 28 deficient CEUs and the following remedial coursework:**

- **3 Hours: Infection Control**
- **3 Hours: Risk Management**
- **3 Hours: Ethics**

If this agreement is not accepted by the licensee, the matter will be referred to prosecution.

Motion Made By: Ms. Jacyn Stultz

Second: Dr. Keith Batchelder

Vote: **In Favor:** Dr. Cynthia Stevens; Dr. Stephen DuLong;
Ms. Kathleen Held; Ms. Ailish Wilkie; Dr. Keith Batchelder;
Ms. Jacyn Stultz; Dr. Patricia Wu
Opposed: None
Abstain: None

Complaint Resolution – Investigator Sarah Millar

--In the Matter of DEN-2015-0065: Shawndra E. Calle, RDH

The licensee was not present for the discussion and vote of the Board on this matter.

Allegation(s): Regulatory Violations (Infection Control Violations)

Discussion: Ms. Millar informed the Board this licensee was also employed by the same practice owner as a hygienist.

Motion: **To offer a Consent Agreement for Stayed Probation for 6 Months to include the following remedial coursework:**

- **3 Hours: Infection Control**
- **3 Hours: Risk Management**
- **Stayed probation period may be terminated early by the licensee upon evidence of the successful completion of the remedial coursework.**

If this agreement is not accepted by the licensee, the matter will be referred to prosecution.

Motion Made By: Dr. Keith Batchelder

Second: Ms. Ailish Wilkie

Vote: **In Favor:** Dr. Cynthia Stevens; Dr. Stephen DuLong; Ms. Kathleen Held; Ms. Ailish Wilkie; Dr. Keith Batchelder; Ms. Jacyn Stultz; Dr. Patricia Wu
Opposed: None
Abstain: None

Complaint Resolution – Investigator Sarah Millar

--In the Matter of DEN-2015-0066: Crystal J. Young, RDH

The licensee was not present for the discussion and vote of the Board on this matter.

Allegation(s): Regulatory Violations (Infection Control Violations)

Discussion: Ms. Millar informed the Board this licensee was also employed by the same practice owner as a hygienist.

Motion: **To offer a Consent Agreement for Stayed Probation for 6 Months to include the following remedial coursework:**

- **3 Hours: Infection Control**
- **3 Hours: Risk Management**
- **Stayed probation period may be terminated early by the licensee upon evidence of the successful completion of the remedial coursework.**

If this agreement is not accepted by the licensee, the matter will be referred to prosecution.

Motion Made By: Dr. Keith Batchelder

Second: Ms. Kathleen Held

Vote: **In Favor:** Dr. Cynthia Stevens; Dr. Stephen DuLong;
Ms. Kathleen Held; Ms. Ailish Wilkie; Dr. Keith Batchelder;
Ms. Jacyn Stultz; Dr. Patricia Wu
Opposed: None
Abstain: None

Complaint Resolution – Investigator Sarah Millar

--In the Matter of DEN-2015-0067: Miryam Mendes, RDH

The licensee was not present for the discussion and vote of the Board on this matter.

Allegation(s): Regulatory Violations (Infection Control Violations)

Discussion: Ms. Millar informed the Board this licensee was also employed by the same practice owner as a hygienist and was deficient 4 CEUs for the 2011-2013 licensure cycle.

Motion: **To offer a Consent Agreement for Stayed Probation for 6 Months to include the completion of the 4 deficient CEUs and the following remedial coursework:**

- **6 Hours: Infection Control**
- **3 Hours: Risk Management**
- **Stayed probation period may be terminated early by the licensee upon evidence of the successful completion of the remedial coursework.**

If this agreement is not accepted by the licensee, the matter will be referred to prosecution.

Motion Made By: Dr. Keith Batchelder

Second: Dr. Cynthia Stevens

Vote: **In Favor:** Dr. Cynthia Stevens; Dr. Stephen DuLong;
Ms. Kathleen Held; Ms. Ailish Wilkie; Dr. Keith Batchelder;
Ms. Jacyn Stultz; Dr. Patricia Wu
Opposed: None
Abstain: None

Complaint Resolution – Investigator Sarah Millar

--In the Matter of DEN-2015-0068: Erin M. Lefrancois, RDH

The licensee was not present for the discussion and vote of the Board on this matter.

- Allegation(s):** Regulatory Violations (Infection Control Violations)
- Discussion:** Ms. Millar informed the Board this licensee was also employed by the same practice owner as a hygienist.
- Motion:** **To offer a Consent Agreement for Stayed Probation for 6 Months to include the following remedial coursework:**
- **3 Hours: Infection Control**
 - **3 Hours: Risk Management**
 - **Stayed probation period may be terminated early by the licensee upon evidence of the successful completion of the remedial coursework.**
- If this agreement is not accepted by the licensee, the matter will be referred to prosecution.**

- Motion Made By:** Dr. Keith Batchelder
- Second:** Dr. Cynthia Stevens
- Vote:** **In Favor:** Dr. Cynthia Stevens; Dr. Stephen DuLong; Ms. Kathleen Held; Ms. Ailish Wilkie; Dr. Keith Batchelder; Ms. Jacyn Stultz; Dr. Patricia Wu
Opposed: None
Abstain: None

Complaint Resolution – Investigator Sarah Millar

--In the Matter of DEN-2015-0069: Nicole Owsney, RDH

The licensee was not present for the discussion and vote of the Board on this matter.

- Allegation(s):** Regulatory Violations (Infection Control Violations)
- Discussion:** Ms. Millar informed the Board this licensee was also employed by the same practice owner as a hygienist.

Motion: To offer a Consent Agreement for Stayed Probation for 6 Months to include the following remedial coursework:

- 3 Hours: Infection Control
- 3 Hours: Risk Management
- Stayed probation period may be terminated early by the licensee upon evidence of the successful completion of the remedial coursework.

If this agreement is not accepted by the licensee, the matter will be referred to prosecution.

Motion Made By: Dr. Keith Batchelder

Second: Dr. Cynthia Stevens

Vote: **In Favor:** Dr. Cynthia Stevens; Dr. Stephen DuLong; Ms. Kathleen Held; Ms. Ailish Wilkie; Dr. Keith Batchelder; Ms. Jacyn Stultz; Dr. Patricia Wu
Opposed: None
Abstain: None

Complaint Resolution – Investigator Sarah Millar

--In the Matter of DEN-2015-0070: Stephanie C. Dart, RDH

The licensee was not present for the discussion and vote of the Board on this matter.

Allegation(s): Regulatory Violations (Infection Control Violations)

Discussion: Ms. Millar informed the Board this licensee was also employed by the same practice owner as a hygienist.

Motion: To offer a Consent Agreement for Stayed Probation for 6 Months to include the following remedial coursework:

- 3 Hours: Infection Control
- 3 Hours: Risk Management
- Stayed probation period may be terminated early by the licensee upon evidence of the successful completion of the remedial coursework.

If this agreement is not accepted by the licensee, the matter will be referred to prosecution.

Motion Made By: Dr. Keith Batchelder

Second: Dr. Cynthia Stevens

Vote: **In Favor:** Dr. Cynthia Stevens; Dr. Stephen DuLong;
Ms. Kathleen Held; Ms. Ailish Wilkie; Dr. Keith Batchelder;
Ms. Jacyn Stultz; Dr. Patricia Wu
Opposed: None
Abstain: None

Complaint Resolution – Investigator Sarah Millar

--In the Matter of DEN-2015-0073: Dr. Nieca Faggioli

The licensee was not present for the discussion and vote of the Board on this matter.

Allegation(s): Employment of an Unlicensed Dental Hygienist

Discussion: Ms. Millar informed the Board this licensee employed a hygienist Diana Zocci, RDH who practiced on an expired hygiene license from March 31, 2015, to August 12, 2015, and that this licensee failed to complete the mandatory opioid/pain mgmt. course during the 2012-2014 licensure cycle.

Motion: **To offer a Consent Agreement for Stayed Probation for 6 Months to include the following remedial coursework:**

- **3 Hours: Risk Management**
- **Stayed probation period may be terminated early by the licensee upon evidence of the successful completion of the remedial coursework.**

If this agreement is not accepted by the licensee, the matter will be referred to prosecution.

Discussion (cont'd): Atty. Leadholm advised the Board its custom is to usually dismiss these allegations with an advisory letter on the licensure regulations unless the licensee/employer has CEU issues.

Motion Made By: Dr. Keith Batchelder

Second: Ms. Jacyn Stultz

Vote: **In Favor:** Dr. Patricia Wu; Dr. Cynthia Stevens;
Dr. Stephen DuLong; Ms. Jacyn Stultz; Ms. Kathleen Held;
Ms. Ailish Wilkie; Dr. Keith Batchelder
Opposed: None
Abstain: None

Complaint Resolution – Investigator Sarah Millar

--In the Matter of DEN-2016-0042: Dr. Clancy Boynton

The licensee was not present for the discussion and vote of the Board on this matter.

Allegation(s): Regulatory Violations (Infection Control Violations)

Discussion: Ms. Millar informed the Board an inspection of the licensee’s office was conducted on June 21, 2016, and numerous infection control violations were discovered.

Ms. Young reported the licensee has since failed to cooperate with the investigation since the date of the inspection and his current whereabouts are unknown. Ms. Young reported the Haverhill Police did a well-being check at the request of the investigators and a police officer left a message for Ms. Young stating he had spoken to the licensee, that the licensee has serious health issues and that the licensee will contact the Board. Ms. Young stated the officer would not provide any contact info for the licensee or an attorney. Ms. Wilkie noted the Board’s hands are tied at this point due to the licensee’s failure to cooperate.

Dr. DiFabio stated the investigators did a follow up visit to the licensee’s office in Aug. 2016 but the office was closed. Ms. Held asked if the investigators were sure the licensee’s patients had not received copies of their treatment records yet; Dr. DiFabio confirmed the investigators have spoken to the patients and no records have been provided to the patients as of yet.

Dr. Batchelder asked if the Board should consider a summary suspension action; Atty. Leadholm advised the Board it would need to prove the licensee presents a risk of immediate harm to his patients or the public and simply failing to provide records is not an “immediate harm.”

Dr. Batchelder suggested the Board set a deadline for the licensee to respond.

Motion: To offer a Consent Agreement for a Voluntary Surrender of his License with a provision the Licensee must provide a mechanism for patients to access their treatment records within 10 days of the effective date of the Consent Agreement.

If this agreement is not accepted by the licensee, the matter will be referred to prosecution.

Motion Made By: Dr. Keith Batchelder

Second: Dr. Cynthia Stevens

Discussion (cont'd): Ms. Stultz noted it is clear the licensee does not care about the status of his license. Dr. Batchelder agreed noting it's not likely the licensee will respond to the Board's offer. Ms. Wilkie agreed with the deadline but Atty. Leadholm noted he typically gives licensees 21 days to respond.

Vote: **In Favor:** Dr. Keith Batchelder
Opposed: Dr. Stephen DuLong; Dr. Cynthia Stevens; Dr. Patricia Wu; Ms. Kathleen Held; Ms. Jacyn Stultz; Ms. Ailish Wilkie
Abstain: None

(Motion Fails)

Motion: To offer a Consent Agreement for Probation for 6 Months to include the following provision(s) and remedial coursework:

- Notice of practice closure to all patients within 21 days of the effective date of the Consent Agreement with directions on how patients can request their records
- 6 Hours: Infection Control
- 3 Hours: Ethics

If this agreement is not accepted by the licensee, the matter will be referred to prosecution.

Motion Made By: Ms. Jacyn Stultz

Second: Dr. Keith Batchelder

Vote: **In Favor:** Dr. Patricia Wu; Dr. Cynthia Stevens; Dr. Stephen DuLong; Ms. Jacyn Stultz; Ms. Kathleen Held; Ms. Ailish Wilkie; Dr. Keith Batchelder
Opposed: None
Abstain: None

Complaint Resolution – Investigator Sarah Millar

--In the Matter of DEN-2016-0043: Nancy DeJesus, RDA

The licensee was not present for the discussion and vote of the Board on this matter.

- Allegation(s):** Regulatory Violations (Infection Control Violations)
- Discussion:** Ms. Millar informed the Board this dental assistant was employed by Dr. Boynton but was terminated from her job shortly after the inspection was completed in June 2016.
- Motion:** **To dismiss the complaint with an advisory letter on the infection control regulations.**
- Motion Made By:** Ms. Kathleen Held
- Second:** Ms. Ailish Wilkie
- Vote:** **In Favor:** Dr. Cynthia Stevens; Dr. Stephen DuLong; Ms. Kathleen Held; Ms. Ailish Wilkie; Dr. Keith Batchelder
Opposed: None
Abstain: None

Complaint Resolution – Investigator Sarah Millar

--In the Matters of SA-INV-9915, SA-INV-10004, SA-INV-10221 and SA-INV-10415: Dr. Clancy Boynton

The licensee was not present for the discussion and vote of the Board on these matters.

- Allegation(s):** Patient Abandonment; Unable to Obtain Records; Business Practice Issues; Fraud
- Discussion:** Ms. Millar informed the Board all of these staff assignments were opened after these former patients of Dr. Clancy Boynton were unable to contact him to request their treatment records.
- Motion:** **To open formal complaints on each matter on the grounds of patient abandonment, failure to obtain records, business practice issues and fraud and to combine all new complaints with DEN-2016-0042.**
- Motion Made By:** Ms. Ailish Wilkie

Second: Dr. Keith Batchelder

Vote: **In Favor:** Dr. Cynthia Stevens; Dr. Stephen DuLong;
Ms. Kathleen Held; Ms. Ailish Wilkie; Dr. Keith Batchelder;
Ms. Jacyn Stultz; Dr. Patricia Wu
Opposed: None
Abstain: None

Motion: **To open a formal complaint on the grounds of failing to respond to the Board's investigations as required.**

Motion Made By: Dr. Keith Batchelder

Second: Dr. Patricia Wu

Vote: **In Favor:** Dr. Cynthia Stevens; Dr. Stephen DuLong;
Ms. Kathleen Held; Ms. Ailish Wilkie; Dr. Keith Batchelder;
Ms. Jacyn Stultz; Dr. Patricia Wu
Opposed: None
Abstain: None

Request for Extension – Probation Monitor Karen Fishman

--In the Matter of DEN-2014-0058: Dr. Paul Freedman, DN14818

Ms. Fishman informed the Board she made a few errors in her report noting on page 3 of her memo that she transposed “6 hours in Effective Pain Management” and “3 hours in Infection Control” when the hours should be the opposite.

Ms. Fishman stated the licensee was late in completing the ethics exam so a notice of violation was sent to the licensee but he has since been in compliance with the terms of his consent agreement. Ms. Fishman stated the licensee has completed nearly all of the required CEUS but he was scheduled to complete an infection control course on Nov. 29th and she's waiting for the certificate of completion. Dr. Batchelder asked if the licensee has been trying to comply; Ms. Fishman replied the licensee has been very lax and apparently not very concerned about complying. Dr. Batchelder suggested bringing the licensee back before the Board to answer questions about his compliance. Atty. Leadholm advised the Board it can decide to notice the licensee for a violation of probation hearing and possible surrender of his license.

Ms. Millar informed the Board the licensee's office is very small and only he and a dental assistant worked there. Ms. Fishman asked for guidance from the Board on whether the licensee's response to the condition he establish an emergency protocol in his office is sufficient. Ms. Millar informed the Board she and the other investigator specifically informed the licensee what he must do with regards to emergency protocols and training logs.

Motion: **To schedule a Violation of Probation hearing and to send notice to the licensee of such as appropriate**

Motion Made By: Dr. Keith Batchelder

Second: Ms. Jacyn Stultz

Vote: **In Favor:** Dr. Cynthia Stevens; Dr. Stephen DuLong;
Ms. Kathleen Held; Ms. Ailish Wilkie; Dr. Keith Batchelder;
Ms. Jacyn Stultz; Dr. Patricia Wu
Opposed: None
Abstain: None

Request for Extension – Probation Monitor Karen Fishman

--In the Matter of DEN-2015-0031 & DEN-2015-0085: Dr. Robert Kelly, DN15764

Ms. Fishman informed the Board the licensee admitted he failed to submit proof of the required CEUs on time and has since provided records for 2 of the 3 required courses. Ms. Fishman noted the licensee has yet to complete the required infection control course.

Dr. Batchelder suggested the Board extend the licensee's probationary period; Ms. Fishman agreed.

Motion: **To extend the term of the licensee's stayed probation for 3 months**

Motion Made By: Dr. Keith Batchelder

Second: Ms. Jacyn Stultz

Vote: **In Favor:** Dr. Cynthia Stevens; Dr. Stephen DuLong;
Ms. Kathleen Held; Ms. Ailish Wilkie; Dr. Keith Batchelder;
Ms. Jacyn Stultz; Dr. Patricia Wu
Opposed: None
Abstain: None

Request for Termination – Probation Monitor Karen Fishman

--In the Matter of DEN-2013-0157: Anne V. Delaney, DH5932

Ms. Fishman reminded the Board it previously agreed to extend the licensee's period of stayed probation for 1 year due to the licensee's difficulty in locating an appropriate hygiene refresher course. Ms. Fishman reported the licensee recently completed this course and is seeking to have her probationary period terminated earlier than scheduled.

Motion: **To terminate the licensee's stayed probationary period**

Motion Made By: Dr. Keith Batchelder

Second: Ms. Jacyn Stultz

Vote: **In Favor:** Dr. Cynthia Stevens; Dr. Stephen DuLong;
Ms. Kathleen Held; Ms. Ailish Wilkie; Dr. Keith Batchelder;
Ms. Jacyn Stultz; Dr. Patricia Wu
Opposed: None
Abstain: None

Probation Monthly Report for Period of 9.28.16 to 10.25.16 –

Probation Monitor Karen Fishman

Ms. Fishman submitted her monthly probation report to the Board. Dr. Batchelder asked Ms. Fishman if more licensees were on probation currently than in the past; Ms. Fishman replied generally less on average.

Flex Session:

A. Silver Diamine Fluoride and its use by Hygienists

Ms. Young reported she had received two phone calls from dental hygienists in the past few weeks asking if the Board approved the use of silver diamine fluoride by hygienists. Dr. Batchelder noted this product actually arrests decay and suggested it is good for use in nursing homes, for example, while noting the down side of its use is blackened teeth. Dr. DuLong asked if the black areas erode; Dr. Batchelder replied it does noting its use is a reversible procedure and its use by hygienists has been approved in New Hampshire.

Dr. Batchelder asked if a hygienist would need specific informed consent from the patient or guardian before applying silver diamine fluoride noting specific informed consent is not request if a hygienist places a temporary restoration. Ms. Stultz noted a caries risk assessment should be completed before deciding to use this material. Dr. DuLong noted requiring specific informed consent would be a great way to educate the public. Ms. Stultz suggested including a separate line item in the delegable duties chart for hygienists regarding silver diamine fluoride.

B. ADA Guidelines for the Use of Sedation and General Anesthesia by Dentists

Mr. Mills provided the Board members with a copy of the latest version of the ADA's Guidelines on sedation/anesthesia indicating the Regulatory Review Workgroup members would also be provided a copy at its next meeting on Dec. 21, 2016.

C. State Dental Boards: Clinical Exams for Initial Dental Licensure

Dr. DuLong provided the Board members with a list of acceptable clinical exams for each state noting licensure requirements are changing in several states. Dr. DuLong noted he was surprised to learn 7 states now accept PGY1 training in lieu of a passing score on a clinical competency exam. Dr. DuLong also noted a few states still offer their own clinical competency exam and that dental schools regularly have to address this issue for its students. Dr. DuLong noted California recently voted to participate in the CDCA exam.

Dr. DuLong explained the Canadian exam does not include a clinical component as it offers a difficult written exam and an objective, simulated exam that is very difficult for students to pass on the first try.

D. Letter from the American Dental Education Association (ADEA)

Dr. DuLong provided the Board members with a copy of a letter written to him on behalf of the Board by the ADEA noting the American Dental Student Association is seeking to eliminate live patients from any clinical competency exam but ADEX is against that proposition.

E. Practice Locations

Dr. Batchelder expressed concern the Board does not track all practice locations for dentists suggesting the Board require all licensed dentists to provide the addresses for each practice location where they practice dentistry. Atty. Leadholm advised the Board one of its governing statutes requires this but its regulations do not and the issue will likely be tackled by the regulatory workgroup when it begins reviewing 234 CMR 5.00; Dr. DuLong agreed.

F. Assessment of Monetary Fines for Regulatory Violations

Dr. Batchelder expressed dismay the pharmacy board can now assess monetary fines but the dental board has yet to be given that authority. Dr. Batchelder suggested the Board ask the legislature for this authority and the ability to fine should also include corporate entities. Dr. Batchelder asked to have this issue included in the agenda for the next Board meeting; Dr. DuLong agreed. Atty. Leadholm advised the Board this issue had already been addressed by BHPL Director Jim Lavery at a previous Board meeting; Dr. Batchelder agreed but noted he doesn't care and wants the issue to be addressed at the January 2016 meeting.

Administrative Matters:

A. Review of the General Session Minutes of Prior BORID Meetings:

1. October 5, 2016

Discussion: Ms. Wilkie noted there was an error on page 7 in the second paragraph regarding the WREB and Canadian dental schools. Ms. Wilkie suggested the last sentence of this paragraph should read “Ms. Wilkie asked if the WREB is administered at Canadian dental schools; Dr. Paul replied the WREB does administer the Canadian exam.” The Board members agreed to the change.

Motion: **To approve the General Session Minutes of October 5, 2016, as amended**

Motion Made By: Dr. Keith Batchelder

Second: Dr. Cynthia Stevens

Vote: **In Favor:** Dr. Cynthia Stevens; Dr. Stephen DuLong;
Ms. Kathleen Held; Ms. Ailish Wilkie; Dr. Keith Batchelder;
Ms. Jacyn Stultz; Dr. Patricia Wu
Opposed: None
Abstain: None

2. November 2, 2016

Motion: **To approve the General Session Minutes of November 2, 2016**

Motion Made By: Ms. Ailish Wilkie

Second: Ms. Jacyn Stultz

Vote: **In Favor:** Dr. Cynthia Stevens; Dr. Stephen DuLong;
Ms. Kathleen Held; Ms. Ailish Wilkie; Dr. Keith Batchelder;
Ms. Jacyn Stultz; Dr. Patricia Wu
Opposed: None
Abstain: None

B. Review of the General Session Minutes of Prior Complaint Committee Meetings:

1. November 2, 2016

Motion: **To approve the General Session Minutes of the November 2, 2016, Complaint Committee meeting**

Motion Made By: Ms. Kathleen Held

Second: Dr. Patricia Wu

Vote: **In Favor:** Ms. Kathleen Held; Dr. Patricia Wu;
Dr. Stephen DuLong
Opposed: None
Abstain: None

Motion: **To adopt the recommendations of the November 2, 2016,
Complaint Committee**

Motion Made By: Ms. Ailish Wilkie

Second: Ms. Jacyn Stultz

Vote: **In Favor:** Dr. Cynthia Stevens; Dr. Stephen DuLong;
Ms. Kathleen Held; Ms. Ailish Wilkie; Dr. Keith Batchelder;
Ms. Jacyn Stultz; Dr. Patricia Wu
Opposed: None
Abstain: None

C. Proposed Modification of Compliance Inspection Form

Atty. Leadholm informed the Board he is recommending changing the way investigators and the Board handle immunization records from dental employees as this issue is addressed by the OSHA regulations and the CDC guidelines. However Atty. Leadholm advised the Board it cannot enforce or interpret OSHA regulations as a result of the decision in the Chadwick case so he is recommending this item be moved to the “best practices” category on the inspection form.

Atty. Leadholm advised the investigators cannot collect this information from dental staff but the investigators can inform the dental employer that he/she may be subject to discipline by OSHA for failing to follow its regulations. Dr. Batchelder asked if this information is gathered by other states; Atty. Leadholm replied he did not know noting this area of inquiry is pre-empted by federal law. Ms. Wilkie suggested removing this item altogether from the inspection form.

Motion: **To remove the line item “immunization records for all dental
healthcare personnel” from the Board’s compliance
inspection form**

Motion Made By: Ms. Ailish Wilkie

Second: Ms. Kathleen Held

Vote: **In Favor:** Ms. Kathleen Held; Ms. Ailish Wilkie; Dr. Patricia Wu
Opposed: Dr. Cynthia Stevens; Ms. Jacyn Stultz; Dr. Keith Batchelder; Dr. Stephen DuLong
Abstain: None

(Motion Fails)

Motion: **To add the line item “immunization records for all dental healthcare personnel” as a “Best Practices” at the end of the Board’s compliance inspection form**

Motion Made By: Dr. Keith Batchelder

Second: Ms. Jacyn Stultz

Vote: **In Favor:** Dr. Patricia Wu; Dr. Cynthia Stevens; Dr. Keith Batchelder; Ms. Jacyn Stultz; Dr. Stephen DuLong
Opposed: Ms. Kathleen Held; Ms. Ailish Wilkie
Abstain: None

D. Proposed Advisory Ruling on Limited Licensee Scope of Practice

Atty. Leadholm provided the Board with a proposed advisory ruling permitting limited licensees to delegate and supervise the dental duties of licensed hygienists and assistants. Dr. DuLong agreed with the proposed ruling noting this would permit limited licensees to do whatever licensed dentists do currently.

Motion: **To adopt the proposed advisory ruling on the practice of dentistry by limited licensees**

Motion Made By: Dr. Keith Batchelder

Second: Dr. Cynthia Stevens

Vote: **In Favor:** Dr. Cynthia Stevens; Dr. Stephen DuLong; Ms. Kathleen Held; Ms. Ailish Wilkie; Dr. Keith Batchelder; Ms. Jacyn Stultz; Dr. Patricia Wu
Opposed: None
Abstain: None

E. Proposed Modification of Consent Agreements for Reprimand and Stayed Probation

1. Reprimand

Atty. Leadholm advised the Board it could decide to remove the requirement that all licensees who agree to a Consent Agreement for a Reprimand must report the reprimand to other state licensing boards as this information is already reported by the BHPL to the National Practitioner Data Bank and Ms. Fishman does not monitor licensees who have agreed to a Consent Agreement for Reprimand for compliance with this requirement.

Motion: **To eliminate the requirement from all Consent Agreements for Reprimand that licensees must report the reprimand to other state licensing boards**

Motion Made By: Dr. Keith Batchelder

Second: Ms. Jacyn Stultz

Vote: **In Favor:** Dr. Cynthia Stevens; Dr. Stephen DuLong;
Ms. Kathleen Held; Ms. Ailish Wilkie; Dr. Keith Batchelder;
Ms. Jacyn Stultz; Dr. Patricia Wu
Opposed: None
Abstain: None

2. Stayed Probation

Atty. Leadholm advised the Board it could vote to include a provision, as standard language, in all Consent Agreements for Stayed Probation that the probationary period may be terminated upon proof of the successful completion of all terms as stated in the consent agreements including remedial coursework.

Motion: **To include, as standard language, a provision that all Consent Agreements for Stayed Probation may be terminated upon proof of the successful completion of all stated terms**

Motion Made By: Dr. Keith Batchelder

Second: Ms. Jacyn Stultz

Vote: **In Favor:** Dr. Cynthia Stevens; Dr. Stephen DuLong;
Ms. Kathleen Held; Ms. Ailish Wilkie; Dr. Keith Batchelder;
Ms. Jacyn Stultz; Dr. Patricia Wu
Opposed: None
Abstain: None

F. GMC Licensure Report - Executive Director Barbara A. Young

Pursuant to BORID Policy 14-01, the following licenses were issued between 10.5.16 and 11.2.16:

Ms. Stultz reiterated she is very interested in the position and has lots of free time to dedicate to the Board as she no longer works at the college. Ms. Stultz stated she was encouraged by the DPH Commissioner's recent comments to the Board that her focus is on an evidence-based approach noting she has lots of experience with this approach to education and has chaired several committees including being appointed by CODA to draft test questions. Dr. DuLong stated he has great respect for Ms. Stultz and that he has worked very hard on behalf of the Board as evidenced by his participation in the regulatory workgroup and presence at all public hearings. Dr. DuLong voiced his position that all Board members should have the opportunity to speak at all Board meetings.

Ms. Young then conducted a roll-call vote for Board Chair:

Dr. Keith Batchelder	votes for Dr. DuLong
Dr. Cynthia Stevens	votes for Dr. DuLong
Ms. Ailish Wilkie	votes for Dr. DuLong
Ms. Kathleen Held	votes for Dr. DuLong
Dr. Patricia Wu	votes for Dr. DuLong
Ms. Jacyn Stultz	votes for Ms. Stultz
Dr. Stephen DuLong	votes for Dr. DuLong

Dr. Batchelder suggested the Board set a three-year term limit for Board Chair and Board Secretary; Ms. Stultz agreed but Dr. Wu objected. Mr. Mills noted one other BHPL board has set a 1 year/1 term limit but Ms. Wilkie disagreed stating 1 year is too short recommending 2 years instead. Dr. Stevens disagreed with any term limits.

Dr. DuLong agreed to add this issue to the agenda for the next Board meeting on January 18, 2017.

Ms. Young then conducted a roll-call vote for Board Secretary:

Dr. Keith Batchelder	votes for Ms. Wilkie
Dr. Cynthia Stevens	votes for Ms. Wilkie
Ms. Ailish Wilkie	votes for Ms. Wilkie
Ms. Kathleen Held	votes for Ms. Wilkie
Dr. Patricia Wu	votes for Ms. Wilkie

Ms. Jacyn Stultz votes for Ms. Wilkie

Dr. Stephen DuLong votes for Dr. Wilkie

K. CDCA Steering Committee meeting – January 2017

Dr. DuLong noted the next CDCA Steering Committee meeting is after the next Board meeting on January 18th and the Board needs to choose 1 or 2 people to attend. Dr. DuLong noted the current Board representatives are Ms. Wilkie, Dr. Mina Paul, Dr. Myron Alukian and Dr. Stevens as the alternate. Dr. DuLong noted it is proposed that the public member will only be permitted to serve on the steering committee as long as the public meeting is an active member of a state board.

Motion: **At 12:46 p.m. to adjourn the meeting for the day**

Motion Made By: Ms. Jacyn Stultz

Second: Ms. Ailish Wilkie

Vote: **In Favor:** Dr. Cynthia Stevens; Dr. Stephen DuLong;
Ms. Kathleen Held; Ms. Ailish Wilkie; Dr. Keith Batchelder;
Ms. Jacyn Stultz; Dr. Patricia Wu
Opposed: None
Abstain: None

Respectfully submitted,

Ms. Ailish Wilkie, Board Secretary

Date