

**OFFICE OF PROFESSIONAL REGULATION
NATIONAL LIFE BUILDING NORTH, FLOOR 2
MONTPELIER, VT 05620-3402**

**APPROVED MINUTES OF THE
VERMONT BOARD OF DENTAL EXAMINERS
SEPTEMBER 12, 2012 MEETING**

Present: Richard Dickinson, Chair, Raymond McCandless, Gertrude Hodge, John Lavoie, Katherine Silloway, Joanne Bugbee, Jennie Reed, Randall Miller, Edward Pantzar and Dixie Vallie; Absent: John Langfeldt; Office of Professional Regulation Personnel: Larry Novins, Peter Comart, Carla Preston, and Diane Lafaille. Others Present: Ellen Grimes, Liz Cote and Dr. Robert Ruhl.

1. The meeting was called to order at 9:00 a.m.
2. The minutes of the August 8, 2012 meeting were approved as written.
3. Hearings/Stipulations/Closing Reports/Removals/Case Manager's Report:

2012-138 – Dr. Lavoie presented this case for closure. Dr. Silloway moved, seconded by Dr. Miller, to approve with changes noted. Approved.

The Board reviewed a charge of dismissal for 2010-711.

The Investigative Team recommended to remove the conditions of Dr. Peter Braun's license. Dr. Silloway moved, seconded by Ms. Reed, to approve the removal of the conditions. Approved.

Case Managers Report:

Carla Preston, Case Manager, reported that the Board has 37 pending cases. 8 are ready for an Investigative Team meeting, 1 are set for closure; 2 are in intake, 23 are under investigation, 1 is pending charges and 2 charges have been filed.

4. Old Business
 - a. The Board reviewed additional documentation submitted for deficient audits of renewal.
 - b. The Board continued its discussion of adopting a jurisprudence exam for dental assistants. It concluded that a mandated jurisprudence examination need not be imposed at this time.
 - c. Discussion on a possible statutory change to create an "inactive" license status was discussed further. Mr. McCandless moved, seconded by Dr. Miller, that this is supported by the Board. Approved.

- d. Dr. Ruhl had sent the Board a letter asking for the Board to consider a change to the dental practice regulations to permit properly accredited registered dental hygienists to administer local anesthesia for operative procedures. Dr. Ruhl came to speak with the Board at today's meeting and stated that he was broadening his request for the Board to consider allowing dental hygienists to administer local anesthesia for day to day occasions when they arose.

Dr. Ellen Grimes spoke on behalf of the Vermont Dental Hygienist's Association in favor of the removal of "dental hygiene purposes" from the statute.

Liz Cote, Director of the Vermont State Dental Society stated that they are in support of striking "dental hygiene purposes" from the statute.

Dr. Pantzar moved, seconded by Ms. Reed, to strike the words "for dental hygiene purposes" from the statute. Approved. Dr. Silloway and Dr. Lavoie were opposed. Vote was 9-2.

Attorney Novins said that this change will be added to the OPR Bill.

5. New Business

- a. Dr. Elizabeth Jones submitted a request for renewal of her license which lapsed in 1993. She has been in active practice in another state and has completed the required continuing education credits. The Board approved for her license to be renewed.
- b. VSDS submitted a request on behalf of a member regarding continuing education for a course entitled, "Memory: A Seminar for Health Professionals". Board Rule 4.13(f)(5) states, "The Board considers that the following are among the subjects that do not contribute to the growth of professional knowledge and competence in providing patient care, and will not be approved by the Board for continuing education credit.... (5) memory training...". This course is not approved by the Board.
- c. Bridgett Rassett sent the Board an email asking if a dental assistant can place retraction cords? Can they do final impressions for crown and bridge? Does the Board have a specific standpoint on digital impressions with CERE or CAD/Cam? The Board refers her to §642 (a)(b)(1)(2) and to 3 V.S.A. § 129a(6).

6. Correspondence

- a. The Board reviewed a letter from the American Academy of Sleep Medicine asking it to render an opinion on a scope of practice issue regarding dentists licensed in Vermont and sleep medicine. The Board responded that it does not issue advisory opinions. Under Vermont law, final determination of the meaning of statutes resides with the judiciary.

7. Other

The Board held elections.

Dr. Lavoie moved, seconded by Dr. Dickinson, to nominate Dr. Silloway as Chair.
Approved.

Dr. Silloway moved, seconded by Dr. Pantzar, to nominate Dr. Lavoie for Vice-Chair.
Approved.

Ms. Reed moved, seconded by Dr. Lavoie, to nominate Ms. Vallie as Secretary.
Approved.

8. The Board adjourned at 11:14 a.m.

Respectfully submitted by:
Diane Lafaille, Licensing Board Specialist