

**APPROVED MINUTES OF THE
VERMONT BOARD OF DENTAL EXAMINERS
JULY 13, 2011 MEETING**

Present: Edward Pantzar, Chair, John Lavoie, Raymond McCandless, Richard Dickinson, Katherine Silloway, John Langfeldt, Joanne Bugbee, Randall Miller and Jennie Reed; Absent: Dixie Vallie and Gertrude Hodge; Office of Professional Regulation Personnel: Larry Novins, Peter Comart, Christopher Winters, and Diane Lafaille; Others: Peter Taylor, Anthony Otis, Patrick Rowe and Peggy Broziuvic.

1. The meeting was called to order at 9:02 a.m.
2. The minutes of the May 11, 2011 meeting were approved as written.
3. Hearings/Stipulations/Closing Reports/Case Manager's Report:

2010-450 – Dr. Lavoie presented this case for closure. Dr. Silloway moved, seconded by Dr. Dickinson, to close this case. Approved.

Carla Preston, Case Manger updated the Board on its cases. The Board currently has 35 pending cases: 1 was closed today, 3 are ready for an I-Team meeting, 1 is in intake, 6 are ready to be closed, 6 are ready for charges or pending a hearing, and 18 are under investigation.
4. Other
 - A. Christopher Winters, Director of the Office of Professional Regulation, came to speak with the Board about the following topics:
 - 1) He reported that the dental renewals for all disciplines will be online and paid by credit card. If one is not able to access this by internet, they may submit a paper copy and pay by money order or check. The Office of Professional Regulation will be sending a letter with instructions on how to access our website and how to renew online.
 - 2) The Vermont Department of Health's survey will be added to the renewal, both online and paper. The Board has approved that this survey be included with the renewal for Dentists. The Board requires that the survey state that it is not confidential and that it is a voluntary survey.
 - 3) Public records and publishing Board decisions regarding physical or mental disabilities on the website was discussed. The Board agreed with the Director that Board decisions which do not result in a finding of unprofessional conduct need not be published on the Office of Professional Regulation website. Approved.
5. Old Business
 - A. Dr. Pantzar did not have any additional news regarding other states positions on lasers and ownership of dental businesses.
 - B. Attorney Novins presented the Board with a draft statement regarding the usage of lasers by non-dental personnel in the dental office. The Board had changes to the draft. Attorney Novins will make these changes and present a re-draft to the board at its next meeting.
6. New Business
 - A. Attorney Meredith Sharp e-mailed the Board asking if a dentist holds an active license in the state of Michigan, reviews insurance claims for an insurance company, and makes claim determinations based on medical necessity, must this same dentist hold an active dental license in Vermont to review such claims based on medical necessity for Vermont residents? Dr. Langfeldt moved,

seconded by Ms. Bugbee, that the licensing statutes for Vermont dentists do not address the requirements for insurance evaluations of claims or who is permitted to make those evaluations. The Board suggests that she contact the Vermont Department of Banking Insurance Securities and Health Care Administration to see what insurance laws may be applicable. The Board has not yet received a complaint alleging that someone conducting such evaluations is engaged in the practice of dentistry as defined by Vermont law. Should such a complaint reach the Board, the office will review it and the full facts behind the complaint before a decision is made to file charges, or not. If charges are filed, the matter will receive a full hearing. Approved. Dr. Dickinson abstained from voting.

B. H. Hawkins Dental Group e-mailed the Board asking if a dentist from outside the country that does not have a green card, but does have a Vermont license to practice, could buy a dental practice under a family member. The Board refers them to 26 V.S.A. Sections 721 and 722 and states that immigration status is not within the Board's jurisdiction.

C. Continuing Education requests:

- 1) "Food Addictions: Overeating, & Mood Swings" – Dr. Miller moved, seconded by Dr. Lavoie, to approve this course for 6 non-clinical continuing education credits. Approved. Dr. Pantzar abstained from voting.
- 2) "Let's Get This Straight ... the how's and why's of Orthodontics, along with what is new and exciting" – Dr. Miller moved, seconded by Ms. Reed, to approve this course for 3 clinical hours of continuing education credit. Approved.

D. Newsletter – The Board is in the process of drafting a newsletter to be sent out in the Fall.

E. The Board approved to pay the expenses for Dr. Dickinson to attend the AADE meeting.

7. The Board adjourned at 12:10 p.m.

Respectfully submitted by Diane Lafaille