



Board of Dental Examiners

Office of Professional Regulation - Vermont Secretary of State

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UNAPPROVED MINUTES OF THE VERMONT BOARD OF DENTAL EXAMINERS AUGUST 08, 2018 MEETING

Present: Gerald Theberge, Robert Ruhl, David Baasch, Dixie Vallie, Sally Buell, Elizabeth Merrill, and William Koch; Absent: Mimi Kevan, Jennie Kendall, Randall Miller, and Cheryl Ullman; Office of Professional Regulation Personnel: Gabriel Gilman and Diane Lafaille; Others present: Ellen Grimes, Vaughn Collins, Diane Dumas, Barbara Hodgkins, Eve Pomazi, Michelle Tetreault, Robin Miller, Shayle Livingston, Nancy Martin, Nancy Dumont, Cheyanne Warren, Linda Greaves, John Echternach, and Debora Teixeira via phone.

1. The meeting was called to order at 9:03 a.m.
2. Dr. Ruhl moved, seconded by Ms. Buell, to approve the minutes of the July 11, 2018 as written. Approved.
3. Correspondence:
 - a. Dr. Lisa Heinrich-Null, Chair of the Joint Commission on National Dental Examinations sent the Board a letter of notification that effective July 31, 2020 the NBDE Part I will be discontinued and that the INBDE will be available for administration beginning on August 1, 2020. NBDE Part II will be discontinued on August 1, 2022. The administrative rules may need to be changed to reflect this.
 - b. Dr. Michael Dick sent the Board a letter stating that he is retired from active dental practice and that the only dentistry that he currently undertakes is to examine dental patients at the Rutland Free Clinic periodically. He asks the Board if waiver of continuing education could be granted. The Board responded that it appreciates what he does and it encourages hi to continue. However, the current rules require continuing education to maintain licensure and the Board is unable to waive this requirement.
4. Topics for Discussion:
 - a. Consistency among exam programs: SRTA; CDCA/CITA (ADEX); CRDTS; and WREB, including whether updated administrative rules should continue recognize WREB was discussed. The Board will revisit this in the rule making process.
 - b. The Board had a discussion regarding Silver Diamine Fluoride. Dr. Baasch moved, seconded by Dr. Ruhl, to approve Attorney Gabriel Gilman to develop language with the Vermont Department of Health as an emergency rule. This will be brought back to the Board for approval before it is submitted. Approved. Dr. Koch was opposed to doing this as an emergency rule. He feels it needs more discussion.

5. Education Course Review:

- a. The following continuing education course was reviewed for continuing education approval:

2018 Annual Tooth Tutor meeting – Dr. Baasch moved, seconded by Ms. Merrill, to approve this course. Approved. Ms. Buell was opposed to approving 5 continuing education credits.

6. File Review:

- a. Dr. Koch moved, seconded by Ms. Vallie, to approve the foreign trained dental application of Abhishek Patel once he has re-applied and the application has been reviewed and there has not been any changes. The application fee is waived. Approved.

7. Other:

- a. Draft rules will be reviewed at the Board's September meeting.
- b. Attorney Gilman reviewed Title 3, Section 129a. Unprofessional Conduct with the Board and noted that one change that will take effect in January of 2019 is that sole dentists must have records succession plan in place.
- c. The Board reviewed the General Supervision Agreement forms. It was determined that this form needs to be revised. The Board will revise this form at its next meeting.
- d. Dr. Ruhl moved, seconded by Ms. Vallie, to approve the AADB membership dues. Approved.
- e. Ms. Buell and Dr. Theberge updated the Board of the Steering Committee meeting they attended.
- f. Dr. Baasch moved, seconded by Dr. Ruhl, to approve Dr. Koch to attend the AADB meeting September 22-23, 2018. Approved.
- g. The Board's next meeting is scheduled for September 12, 2018.

8. Public Comment

Vaughn Collins expressed that some licensees wished the Board to consider a "statute of limitations" on online access to disciplinary orders. Attorney Gilman advised that the Vermont Public Records Act and provisions in Title 3 make all Board Orders public, but that online publication is more discretionary. Gilman advised that, some years ago, the Legislature amended 3 V.S.A. § 129 to allow non-disciplinary monetary penalties in cases unrelated to patient care. This amendment was intended to help the public distinguish genuine discipline, based in unprofessional conduct, from minor errors of no consequence to patients.

9. The Board adjourned at 1:45 p.m.

Respectfully submitted by: Diane Lafaille, Licensing Administrator I