

**APPROVED MINUTES OF THE
VERMONT BOARD OF DENTAL EXAMINERS
SEPTEMBER 9, 2009 MEETING**

Present John Langfeldt, Chair, John Lavoie, Raymond McCandless, Katherine Silloway, Rena Chernick, Linda Retchin, Gertrude Hodge, Edward Pantzar and Richard Dickinson. Office of Professional Regulation Personnel: Larry Novins and Diane Lafaille; Others: Peter Taylor, Ellen Grimes, Joyce Hottenstein, Paul Kenworthy, Mary Lew , Rebecca MacDonald, and Cherry Gochey.

1. The meeting was called to order at 9:00 a.m.
2. The minutes of the August 12, 2009 meeting were approved as written.
3. Old Business
 - A. The Dental Hygiene Jurisprudence examination update – tabled until the Board’s October meeting.
 - B. Template to use when setting up conditions in a Stipulation and Consent Order – tabled until the Board’s October meeting.
4. Closing Reports/Complaint Discussion/Hearings
 - A. 2008-381 – Samantha Conlon – A Stipulation and Consent Order was presented to the board. Dr. Dickinson moved, seconded by Ms. Chernick, to approve the Stipulation and Consent Order. Approved.
 - B. DE03-0808 – Dr. Pantzar presented this case for closure. Dr. Dickinson moved, seconded by Ms. Chernick, to close this case. Approved. Mr. McCandless was opposed.
5. New Business
 - A. Dr. Carmen Alcalá submitted continuing education courses that she has completed asking the Board for approval. The two courses that were not taken within the renewal period, October 1, 2007 through September 30, 2009, were not accepted. All courses must be taken within the renewal period. The course she submitted through the Diocese of Burlington on reporting child abuse was not approved because the Board was not presented with any documentation to review to see if this course would meet the criteria for continuing education credit. All other courses were approved.
 - B. Chele Heid of Ergo Dentix submitted a request for continuing education approval. The Board recommends that she go through ADA or AGD for approval of this course. If approved by ADA and/or AGD, it would be accepted by this Board.
 - C. Dr. Stephan Barclays submitted a request for continuing education approval. The Board accepted all the Yankee Dental Congress lecture courses. The General Attendance Credits were not approved by the Board.

- D. AAOMR submitted a letter regarding CBCT. Dr. Pantzar will gather additional information and this will be discussed further at the Board's October meeting.
- E. Judi Wilson submitted a letter regarding IV star ts by surgical assistants. Dr. Pantzar will gather additional information and this will be discussed further at the Board's October meeting.
6. Other
- A. Elections
- Dr. Dickinson moved, seconded by Ms. Retchintonominate Dr. Lavoie as Chair of the Board. Approved.
- Dr. Lavoie moved, seconded by Dr. Dickinson, tonominate Dr. Pantzar as Vice-Chair. Approved.
- Ms. Retchin moved, seconded by Dr. Lavoie, tonominate Dr. Silloway as Secretary. Approved.
- B. The Board held a Proposed Rule Hearing at 10:00 a.m.
- C. Dr. Dickinson stated that he has been asked if it is fraudulent for a dentist to bill for an examination they didn't do. The Board has determined that this is fraudulent.
- D. Mr. McCandless moved, seconded by Ms. Hodge, to authorize the Chair of the Board or legal counsel, to grant continuances of hearings. Approved.
- Mr. McCandless moved, seconded by Ms. Hodge, to authorize the Chair to grant orders if a stay pending appears. Approved.
- Mr. McCandless moved, seconded by Ms. Hodge, to authorize legal counsel to conduct prehearing conferences. Approved.
7. Miscellaneous
- A. The Board reviewed two letters from Drs. Dennis Nelson and Richard Herbert which expressed their dissatisfaction with the Board's recent decision to license an individual as a dentist in Vermont who had not earned a DDS or DMD degree. Both letters requested that the Board reconsider its ruling and reverse its decision in the granting of this license.
- Whether the Board could reverse their decision was discussed further. Board counsel, Larry Novins, stated that the Board made a decision that was made on the evidence and the reading of the law that was brought before it and that the Board issued a well-considered position. He stated that the Board's decision was supported by the law and later this revealed a loop hole, but it was legal.
- It was asked if one didn't have a DDS or DMD degree if they could call themselves a doctor. It was noted that an individual may have a different degree.

which allow them to call themselves a doctor, however, Section 823 would not allow one to use the terms DDS or DMD unless this is

agreed upon by the Board, Section 823 would not allow one to use the terms DDS or DMD unless this is agreed upon by the Board.

8. Next Board meeting items:

A. Having a group find courses for negligent dentists – Dr. Dickinson to discuss.

B. Composition of Board – A meeting will be held between the Board, the Office of Professional Regulation and the individuals who have submitted Legislation regarding this at 1:00 p.m. following the Board's regular meeting.

9. The Board adjourned at 12:00 p.m.

Respectfully submitted by: Diane Lafaille