The Board meeting convened at 9:05 a.m.

**Board Members Present:** Drs. David Moyer; David Pier; Geraldine Schneider; and Lisa Howard; Ms. Michelle Gallant, RDH; Ms. Nancy Foster, RDH, EFDA; and Mr. Austin Carbone, LD

**Board Member Absent:** Ms. Rowan Morse, Public Member

**Also Present:** Catherine Jones, Tooth Protectors; Ann Marie Grenier, IPDH; John Bastey, Maine Dental Association; Tricia Spearin, RDH, EFDA; David Wicks, DDS; Howard Bates, DMD; Bonnie Vaughan, IPDH, Maine Dental Hygiene Association; Krista Manickas, DMD; Earl Holdsworth, DDS; Adam Bottrill, DMD; Jim Bowie, AAG; Teneale Johnson, Executive Secretary; and Penny Vaillancourt, Executive Director

**Minutes:** With one amendment to the October 2015 minutes, Dr. Howard made a motion to accept the minutes as amended for October 16, 2015, and as written for June 26, 2014, September 18, 2015, and November 13, 2015. Dr. Schneider seconded the motion and it passed unanimously.

**Secretary/Treasurer’s Report:** The information was accepted as an FYI.

**Correspondence:** The Board received a communication from Dental Connection, LLC requesting endorsement of their entity. Mr. Carbone made a motion to respond by stating that Maine law does not govern entities, and that dental professionals licensed here must adhere to the laws and rules of Maine. A letter will also be sent to Oklahoma thanking them for the information they had forwarded regarding this entity. Ms. Foster seconded the motion and it passed unanimously.

**President’s Desk:** The rulemaking timelines for Chapter 5 and Chapter 16 were accepted as FYI’s.

**Year in Review 2015:**
- 25 regular Board/sub-committee meetings, 5 adjudicatory hearings and 3 rulemaking hearings were held;
- 1509 licenses/permits were issued;
- 43 complaints were filed; 10 informal conferences were conducted; and 19 complaints were closed;
13 legislative initiatives were tracked w/testimony submitted to the Labor, Commerce, Research and Economic Committee;
153 Continuing Education audits were performed on licensees;
Implemented the dental hygiene therapy education requirements rule;
The Board’s authority to conduct adjudicatory hearings was restored;
Authority for Independent Practice Dental Hygienists to take dental radiographs was enacted and rules implemented to avoid any gaps in service/authority;
A repeal and replace of the Board’s governing statute is in process;
Efficiencies in preparing Board and Subcommittee meeting packets have been implemented;
Efficiencies within the licensing database have been made; including ability to generate complaint officer reports and automatic printing of licenses using the state’s central printing office;
Board has entered into contracts for services as required by law;
Improvements to the complaint process have been implemented;
Bi-weekly staff meetings are held;
Monthly executive committee calls are held;
Quarterly meetings with budget staff are held;
Employee performance evaluations are up to date;
The Board is actively participating in outside stakeholder meetings and is conducting outreach/education via presentations at the University of New England’s Dental School and the University of Maine at Augusta-Bangor dental hygiene program.

**Adjudicatory Hearing** – Melissa Douglass, Independent Practice Dental Hygienist

An adjudicatory hearing was convened at 9:45 a.m. to determine whether grounds existed for the Board to impose discipline on Ms. Douglass’ independent practice dental hygiene license. After reviewing exhibits, hearing testimony, and listening to closing statement the board conducted deliberations. The board voted on the following: finding of three violations and sanctioned Ms. Douglas by revoking her license and ordering her to pay the actual costs of the hearing not to exceed $1,000.00 and to pay the costs within 6 months of the order. The Board vote was unanimous.

**Adjudicatory Hearing** – Jennifer Watson, Dental Radiographer

An adjudicatory hearing was convened at 11:02 a.m. to determine whether grounds existed for the Board to impose discipline on Ms. Watson’s dental radiography license. After reviewing exhibits, hearing testimony, and listening to closing statement the board conducted deliberations. The board voted on
the following: finding of three violations and sanctioned Ms. Watson by revoking her license and ordering her to pay the costs of the hearing not to exceed $1,000.00 and to pay the costs within 6 months of the order. The Board vote was unanimous.

The Board also requested that notice of the revocation be provided to Ms. Watson’s supervising dentist once the Decision and Order becomes final.

**Executive Director’s Report:**

- **Legislative Update:** No new information regarding the Board’s proposed draft repeal and replace of its existing statute.
- **Rulemaking Update:** Chapter 5 has been submitted to the Secretary of State’s office for filing; Chapter 16 was accepted by the Secretary of State’s office with an effective date of December 5, 2015.
  - Rules Subcommittee meeting was cancelled in November and the next step is to schedule a meeting with the Anesthesia Committee to discuss Chapter 14; tentatively scheduled for January 15th.
- **Adjudicatory Hearing update** – two hearings to be scheduled for January.
- **Complaint Update:** The complaint committee is reviewing all of the cases to determine those that are ready for initial presentation and those that need additional investigative work.
- **Patient Incident Report** – the board is continuing its investigation and anticipates the information will be ready for the Board at the February/March meeting.
- **Board Membership (letters of recommendation)** – Submitting letters of recommendation to the Governor’s Office regarding board member appointments is not a responsibility of the Board; however, individual members who serve on the Board may elect to submit letters of recommendation on their own behalf to support candidates.
- **Federal Trade Commission publication** – the staff of the FTC has issued guidance regarding active supervision; more discussion with the board’s legal counsel needs to occur to fully understand impact of the law court decision.
- **Ms. Vaillancourt** is working to secure the services a facilitator as part of a workshop day that will be scheduled in February for staff and members of the Board/Subcommittee.
- **Communications from the Governor’s Office** regarding workforce development initiative and protocol for appearing before legislative committees.
- **2016 Holiday schedule** was provided to the Board as an FYI.

**Secretary’s Desk:** The information was accepted as an FYI.
**Old Business:** The Members had a brief discussion regarding the Maine’s Medical Professional Health Program protocols as outlined in its current contract with the Maine Medical Association.

**Case Milestone Report:** The information was accepted as an FYI.

**Dental License Renewal Application 2015 – Ronald Sawyer, DMD:** Following review of the “yes” response and supporting documentation, Dr. Pier made a motion to renew Dr. Sawyer’s license. Dr. Howard seconded the motion and it passed unanimously.

**Dental License Renewal Application 2013 and 2015 – David Vieth, DDS:** Dr. Vieth’s license renewal has been tabled since the 2013 licensing cycle due to an outstanding open complaint in the State of Indiana. Dr. Pier made a motion to grant the renewal of Dr. Vieth’s license as inactive at his request. Dr. Vieth will also be sent a letter requesting that he follow up with this Board following the outcome of the Indiana investigation. Dr. Howard seconded the motion and it passed unanimously. A flag will be placed on Dr. Vieth’s record so that he cannot renew online.

**Dental License Renewal Application 2015 – Richard Jurevic, DDS:** Following review of the materials submitted Dr. Howard made a motion to grant the renewal of Dr. Jurevic’s license. Dr. Pier seconded the motion and it passed with Ms. Gallant recused.

**Dental License Renewal Application 2015 – Debbie Bernier, DMD:** The Board entered executive session at 1:30 p.m. to discuss the confidential medical information. The Board came out of executive session at 1:45 p.m. Ms. Gallant made a motion to renew Dr. Bernier’s Maine license. The motion was seconded and it passed unanimously. Board staff will send a letter to Dr. Bernier asking her to notify the Board within ten (10) days should her health condition change, and when she returns to active practice.

**Dental Radiography License Reinstatement – Lynsie Dube:** Ms. Dube practiced after license expired. Dr. Schneider accepted the recommendation of staff which was to preliminarily deny the reinstatement application with an offer of a consent agreement to resolve the matter. The terms of the consent agreement are: an admission of unlicensed practice and a $50.00 fine. The motion was seconded by Dr. Howard and Dr. Pier opposed, Ms. Gallant recused – the motion passed.

*Ms. Gallant left the meeting at 1:50 p.m.*
Interviews for Dental Licensure:

Krista Manickas, DMD – Dr. Pier made a motion to grant Dr. Manickas a Maine license upon completion of her application materials. Dr. Schneider seconded the motion and it passed unanimously.

Earl Holdsworth, DDS (Dental license reinstatement): Dr. Holdsworth appeared before the Board for an interview in order to reinstate his Maine license in an “inactive” status. Dr. Holdsworth has not completed any continuing education other than the reading of articles. Dr. Holdsworth currently mentors individuals re: treatment planning, etc. Dr. Schneider made a motion to grant Dr. Holdsworth an inactive license pending clarification of his Connecticut licensure status. Dr. Pier seconded the motion and it passed with Dr. Moyer recused.

Adam Bottrill, DMD – Dr. Howard made a motion to grant a Maine dental license to Dr. Adam Bottrill upon completion of his application materials. Dr. Schneider seconded the motion and it passed unanimously.

Board Recusal – Dr. Moyer is recusing from participating in the patient incident report as referenced in the Executive Director’s update to the Board.

Dental License Renewal Application 2015 – Kim Turner, DMD: Following review of Dr. Turner’s “yes” response and supporting documentation, Mr. Carbone made a motion to renew Dr. Turner’s license. Dr. Pier seconded the motion and it passed unanimously.

Dental License Renewal Application 2015 – Syed Fahd, DDS: Following review of Dr. Fahd’s license renewal application, Dr. Pier made a motion to renew the license. Dr. Howard seconded the motion and it passed unanimously.

Review of Draft Decision and Order – Dianna Nelson, Dental Radiographer: Dr. Schneider made a motion to accept the draft Decision and Order as written. Dr. Howard seconded the motion and it passed unanimously.

ADEX Meeting – Report from Dr. David Moyer: Dr. Moyer gave a brief update regarding information he learned at the recent ADEX meeting he attended. He explained to the members that ADEX creates the examination that licensing agencies use; the CDCA and CITA administers the examination; ADEX is not a testing agency. He shared the discussion of the
Buffalo model as it relates to working with schools in administering the examination on live patients.

**Letter from CODA Re: State Board Participation on Accreditation Site Visits:** CODA is requesting participation in an upcoming site visit at the University of New England. Ms. Foster and Dr. Schneider indicated their interest in having their name submitted which Board staff will submit their names to CODA for consideration.

**Letter from NYU Lutheran Re: Request for Dental Resident Program Approval in ME:** Following the Board’s review of the information submitted, they agreed to have Board staff request clarification of what their intentions are for residents in the State of Maine; and what part of the residency program will be conducted in the State of Maine.

**Response E-mail to Ned Neal Re: Teeth Whitening:** The information was accepted as an FYI.

The meeting adjourned at 3:20 p.m.

Respectfully Submitted,

Teneale E. Johnson
Executive Secretary