

**VIRGINIA BOARD OF DENTISTRY
AGENDAS**

December 6 and 7, 2012

Department of Health Professions

Perimeter Center - 9960 Mayland Drive, 2nd Floor Conference Center - Henrico, Virginia 23233

December 6, 2012

PAGE

9:00 a.m. **Formal Hearing**

10:00 a.m.* **Executive Committee – Dr. Boyd, Chair**

- Approval of Minutes – March 8, 2012
- Bylaws Amendment – Ms. Reen

**P1-P2
P3-P7**

10:00 a.m.* **Probable Cause Reviews of Disciplinary Cases**
NO BUSINESS WILL BE CONDUCTED

6:30 p.m. **Board Member Service Recognition Dinner**
O'Charley's – 9927 Mayland Drive, Richmond VA 23233
Phone: 804-747-9999
NO BUSINESS WILL BE CONDUCTED

* Or immediately following the conclusion of the formal hearing

December 7, 2012

Board Business

9:00 a.m. **Call to Order – Dr. Boyd, President**

Evacuation Announcement – Ms. Reen

Introduction of Board Staff

Public Comment

Approval of Minutes

- September 7, 2012 Board Business Meeting
- October 11, 2012 Telephone Conference Call
- November 16, 2012 Telephone Conference Call

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P10-P11**

DHP Director's Report – Dr. Reynolds-Cane

**Survey Results – Elizabeth Carter, Ph. D., Director
DHP Healthcare Workforce Data Center**

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• BHP – Dr. Levin	
• AADB (meeting in San Francisco) – Dr. Cutright	P12-P13
• ADEX (meeting in Chicago) – Dr. Cutright Dr. Watkins	P14-P15 P16
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• Regulatory-Legislative Committee – Dr. Levin	
• Executive Committee – Dr. Boyd	
Legislation and Regulation – Ms. Yeatts	
• Status Report on Regulatory Actions	P17
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• AADA meeting report	
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• Discipline Case # 142784	
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CONFIDENTIAL DOCUMENTS

Board of Dentistry
Executive Committee
Meeting Material
December 6, 2012

UNAPPROVED - DRAFT

**BOARD OF DENTISTRY
MINUTES OF EXECUTIVE COMMITTEE**

Thursday, March 8, 2012

Department of Health Professions
9960 Mayland Drive, 2nd Floor
Henrico, Virginia 23233
Board Room 4

-
- CALL TO ORDER:** The meeting was called to order at 2:37 p.m.
- PRESIDING:** Robert B. Hall, Jr., D.D.S., President
- MEMBERS PRESENT:** Herbert R. Boyd, III, D.D.S.
Jacqueline G. Pace, R.D.H
Augustus A. Petticolas, Jr., D.D.S.
- STAFF PRESENT:** Sandra K. Reen, Executive Director
Huong Q. Vu, Operations Manager
- QUORUM:** With all members of the Committee present, a quorum was established.
- APPROVAL OF MINUTES:** Dr. Hall requested a motion for approval of the minutes of the April 22, 2011 meeting of the Committee. Dr. Petticolas moved the approval of the minutes. The motion was seconded and passed.
- PRESENTATION ON BUDGET:** Mr. Giles, DHP Budget Manager, thanked the Committee for the opportunity to provide an overview of the budget development process. Mr. Giles then referred the Committee to the handout and went over the following:
- DHP Internal Budget Process 2012-2014
 - Board of Dentistry Direct Budget Expenditures FY13
 - Dentistry 2012-2014 Budget Request
 - Commonwealth of Virginia External Budget Process and Calendar
 - DHP Budget Expenditures by Major Categories FY13
 - DHP Cost Centers' Direct Budget Expenditures FY13
 - DHP Board Direct and Allocated Budget Expenditures FY13
 - Decision Package Narrative Justification (Form NJ)
 - Commonwealth of Virginia Proposed 2012-2014 Budget Published on December 19, 2011

Mr. Giles commented that DHP does look at each board's budget on a regular basis and the Director will inform the board if fee needs to be increased or decreased. He noted that technology cost is on the rise and boards will have to

increase fee to cover these costs.

REVIEW OF BYLAWS:

Ms. Reen apologized for not having the Bylaws reviewed last year. She added that the Bylaws need to be kept current and that she had not identified any changes to be considered. Dr. Hall deferred the review until the June board meeting and asked the Committee members to submit any suggestions as needed.

Dr. Boyd asked if the Committee would look into the Sturgis' Rules of Order versus Robert's Rules of Order. Ms. Reen stated that she will research information about this matter and bring it to the next meeting.

ADJOURNMENT:

With all business concluded, the Committee adjourned at 4:00 p.m.

Robert B. Hall, Jr., D.D.S., President

Sandra K. Reen, Executive Director

Date

Date

DRAFT
VIRGINIA BOARD OF DENTISTRY

BYLAWS

Article I. Officers
Election, Terms of Office, Vacancies

1. Officers

The officers of the Virginia Board of Dentistry (Board) shall be a President, a Vice-President, and a Secretary-Treasurer.

2. Election.

~~The Board shall annually elect its slate of officers at its regularly scheduled Fall meeting. Prior to the Fall meeting, the President shall appoint a Nominating Committee. The committee shall present the names of candidates for office to the Board for election at its Fall meeting.~~

3. Terms of Office.

The term of office of the President, Vice-President and Secretary-Treasurer shall be for twelve months or until their successors shall be elected. The term of each office shall begin at the conclusion of the Fall meeting and end at the conclusion of the subsequent Fall meeting. No officer shall be eligible to serve for more than two consecutive terms in the same office unless serving an unexpired term.

4. Vacancies.

~~A vacancy occurring in any office shall be filled by a special election at the next meeting of the Board. In the event of a vacancy in the office of president, the vice president shall assume the office of president for the remainder of the term. In the event of a vacancy in the office of vice president, the secretary/treasurer shall assume the office of vice president for the remainder of the term. In the event of a vacancy of the office of secretary/treasurer, the president shall appoint a board member to fill the vacancy for the remainder of the term. In the event that the offices are vacated and succession is not possible, the Board shall be convened to appoint the Nominating Committee which will develop a slate of candidates for the Board's consideration at its next meeting.~~

Article II. Duties of Officers

1. President.

The *President* shall preside at all meetings and conduct all business according to the Administrative Process Act and Robert's Rules. The President shall appoint all committees except where specifically provided by law. The President shall sign certificates and documents authorized to be signed by the President and may serve as an ex-officio member of all committees. He might serve as a substitute for an absent committee member and, in this role, he might participate in voting.

2. Vice-President.

The *Vice-President* shall perform all duties of the President in the absence of the President.

3. Secretary-Treasurer.

The *Secretary-Treasurer* shall authorize posting on the Internet the draft unapproved minutes of meetings of the Board and shall be knowledgeable about the budget of the Board.

Article III. Duties of Members

1. Qualifications.

After appointment by the Governor, each member of the Board shall forthwith take the oath of office to qualify for service as provided by law.

2. Attendance at meetings.

Members of the Board shall attend all regular and special meetings of the full Board, meetings of committees to which they are assigned and all hearings conducted by the Board at which their attendance is requested by the President or Board Executive Director, unless prevented by illness or other unavoidable cause. In the case of unavoidable absence of any member from any meeting, the President shall reassign the duties of such absent member when necessary to achieve a quorum for the conduct of business.

3. Examinations.

Each member of the Board who is currently licensed as a dentist or as a dental hygienist may participate in conducting clinical examinations.

4. Code of Conduct.

Members of the Board shall abide by the adopted Code of Conduct (Guidance Document 60-9, adopted June 12, 2009).

Article IV. Meeting

1. Number.

The Board shall hold at least three regular meetings in each year. The President shall call meetings at any time to conduct the business of the Board and shall convene conference calls when needed to act on summary suspensions and settlement offers. Additional meetings shall be called by the President at the written request of any two members of the Board.

2. Quorum.

A majority of the members of the Board shall constitute a quorum at any meeting.

3. Voting.

All matters shall be determined by a majority vote of the members present.

Article V. Committees

As part of their responsibility to the Board, members appointed to a committee shall faithfully perform the duties assigned to the committee. The standing committees of the Board shall be the following:

- Executive Committee
- Regulatory-Legislative Committee
- Credentials Committee
- Examination Committee
- Special Conference Committees

Committee Duties.

1. Executive Committee.

The Executive Committee shall consist of the current officers of the Board and the Past President of the Board with the President serving as Chair. The Executive Committee shall:

- a) order a biennial review of these Bylaws
- b) review the proposed budget presented by the Executive Director, and submit it and recommendations relating to the proposed budget to the Board for approval
- c) periodically review financial reports and may make recommendations to the Board regarding financial matters
- d) select former board members and knowledgeable professionals to be invited to serve as agency subordinates
- e) conduct all other matters delegated to it by the Board.

2. Regulatory-Legislative Committee.

The Regulatory-Legislative Committee shall consist of two or more members, appointed by the President. This Committee shall consider matters bearing upon state and federal regulations and legislation and make recommendations to the Board regarding policy matters. The Board may direct the Committee to review the law for possible changes. Proposed changes in State laws, or in the Rules and Regulations of the Board, shall be distributed to all Board members prior to scheduled meetings of the Board.

3. Credentials Committee.

The Credentials Committee shall review and provide guidance to staff on the action to be taken regarding:

- a) applications for licensure when the application includes information about criminal activity, practice history, medical conditions or other content issues.
- b) applicant or licensee requests for approval of credit for programs when the content or the sponsorship of the course is in question.
- c) hold informal fact-finding conferences at the request of the applicant or licensee to determine if the requirements established by the Board have been met.

4. Examination Committee.

The Examination Committee shall develop and oversee the administration of all Board examinations. This shall include, but not be limited to radiology, jurisprudence and licensure examinations.

5. Special Conference Committees.

Special Conference Committees shall:

- a) review investigation reports to determine if there is probable cause to conclude that a violation of law or regulation has occurred,
- b) hold informal fact-finding conferences, and
- c) direct the disposition of disciplinary cases at the probable cause review and informal fact-finding stages. The committee chair shall provide guidance to staff on implementation of the committee's decisions.

Each year, on a rotating basis, one of the Special Conference Committees shall be designated to receive all investigation reports alleging violations of the existing Board of Dentistry Rules and Regulations pertaining to advertising.

Article VI. Executive Director

1. Designation.

The Administrative Officer of the Board shall be designated the Executive Director of the Board.

2. Duties.

The Executive Director shall:

- a) Supervise the operation of the Board office and be responsible for the conduct of the staff and the assignment of cases to agency subordinates.
- b) Carry out the policies and services established by the Board.
- c) Provide and disburse all forms as required by law to include, but not be limited to, new and renewal application forms.
- d) Keep accurate record of all applications for licensure, maintain a file of all applications and notify each applicant regarding the actions of the Board in response to their application. Prepare and deliver licenses to all successful applicants. Keep and maintain a current record of all dental and dental hygiene licenses issued by the Board.
- e) Notify all members of the Board of regular and special meetings of the Board. Notify all Committee members of regular and special meetings of Committees. Keep true and accurate minutes of all meetings and distribute such minutes to the Board members within ten days following such meetings.
- f) Issue all notices and orders, render all reports, keep all records and notify all individuals as required by these Bylaws or law. Affix and attach the seal of the Board to such documents, papers, records, certificates and other instruments as may be directed by law.

- g) Keep accurate records of all disciplinary proceedings. Receive and certify all exhibits presented. Certify a complete record of all documents whenever and wherever required by law.
- h) Present the biennial budget with any revisions to be reviewed by the Executive Committee prior to submission to the Board for approval.