

VIRGINIA BOARD OF DENTISTRY
Executive Committee Meeting
AGENDA
March 8, 2018

Department of Health Professions
Perimeter Center - 9960 Mayland Drive, 2nd Floor Conference Center
Henrico, Virginia 23233

TIME

The Executive Committee Meeting will be immediately following the Regulatory-Legislative Committee Meeting

Call to Order – John M. Alexander, DDS, Chair

Evacuation Announcement – Ms. Reen

Public Comment

Approval of Minutes

- **October 16, 2015**

Review of Bylaws

Review of Code Of Conduct for Members

UNAPPROVED

BOARD OF DENTISTRY
MINUTES OF EXECUTIVE COMMITTEE

Friday, October 16, 2015

Department of Health Professions
9960 Mayland Drive, 2nd Floor
Henrico, Virginia 23233
Board Room 3

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- CALL TO ORDER:** The meeting was called to order at 1:11 p.m.
- PRESIDING:** Charles E. Gaskins, III, D.D.S., President
- MEMBERS PRESENT:** Al Rizkalla, D.D.S.
Tammy K. Swecker, R.D.H.
Melanie C. Swain, R.D.H.
- OTHER MEMBER PRESENT:** John M. Alexander, 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.
- PUBLIC COMMENT:** None.
- APPROVAL OF MINUTES:** Dr. Gaskin asked if there are corrections to the January 10, 2014 minutes. No corrections were offered and the minutes were adopted as presented.
- REVIEW OF THE BYLAWS:** Ms. Reen asked the Committee to work with the edited copy of the Bylaws with changes proposed by Dr. Gaskins shown in red.
- After review and discussion, the Committee made additional changes:
- Article II. Duties of Officers** - the words "*President*," "*Vice-President*," "*Secretary-Treasurer*" will not be italic.
- Article IV. Meeting** – replaced "*act on*" with "**act upon**" in item number 1.
- Article V. Committees** – Examination Committee is now the new number 3 and Special Conference Committees are now the new number 4.
- Dr. Rizkalla motioned to adopt the Bylaws as amended and to present it to the Board at the December meeting for consideration. The motion was seconded and passed.

**Virginia Board of Dentistry
Executive Committee Meeting
October 16, 2015**

ADJOURNMENT:

With all business concluded, the Committee meeting was adjourned at 1:25 p.m.

Jeffrey Levin, D.D.S., President

Sandra K. Reen, Executive Director

Date

Date

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 President, Vice-President, and Secretary-Treasurer.

2. Election.

Prior to the Fall meeting, the President shall appoint a Nominating Committee. The Committee shall submit candidates for each office to the Board for election at its Fall meeting. Prior to each election, additional nominations from the floor may be entered.

3. Terms of Office.

The terms of office of the President, Vice-President, and Secretary-Treasurer shall be for twelve months, until succeeded, or their successor(s) are 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.

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 in 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 all of the offices are vacated and succession is not possible, the Board shall be convened to appoint a Nominating Committee which will develop a slate of candidates for the Board's consideration at its next meeting. Pending the election of new officers, the member of the Board with the longest length of continuous service shall serve as acting president.

Article II. Duties of Officers

1. President.

The *President* shall preside at all meetings and conduct all business according to the Virginia Administrative Process Act and the American Institute of Parliamentarians Standard Code of Parliamentary Procedure. The President shall appoint all committees and designate committee chairs and all representatives, 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 (at which times possessing all the rights, responsibilities, and duties as any other member of the committee; including the right to vote). The President also may serve as a substitute for an absent committee member and, in this role, he shall participate in voting.

2. Vice-President.

The *Vice-President* shall perform all duties of the President in either the absence of, or the inability of the President to serve.

3. Secretary-Treasurer.

The *Secretary-Treasurer* shall authorize issuance of 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 for testing agencies in which the Board holds membership.

4. Code of Conduct.

Via incorporation by reference, members of the Board shall abide by the adopted Virginia Board of Dentistry Code of Conduct for Members (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 consider summary suspensions and settlements. 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

Standing committees of the Board shall be the following:

- Executive Committee
- Regulatory-Legislative 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 along with any 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. Examination Committee.

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

4. 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;
- c) Direct the disposition of disciplinary cases at the probable cause review and informal fact-finding stages. The committee chairs shall provide guidance to Board staff on implementation of their committee's decisions;
- a) Review and decide any action to be taken regarding applications for licensure when the application includes information about criminal activity, practice history, medical conditions, or other content issues;
- b) Consider applicant or licensee requests for approval of credit for programs when the content or the sponsorship of courses are in question; and
- c) Hold informal fact-finding conferences at the request of the applicant or licensee to determine if Board requirements have been met.

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 both the conduct of the staff, and the assignment of cases to agency subordinates;
- b) Execute 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 approved draft 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 applicable 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; and
 - h) Present the Board's biennial budget, along with any revisions, to be reviewed by the Executive Committee prior to submission to the Board for approval.
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DEFINITIONS OF TYPES OF COMMITTEE MEMBERS

1. Advisory Member - Specialized, non-voting member of a committee. Cannot make or second motions, but may participate fully in debate and discussions.
2. Ex-Officio Member - A member of a committee who serves by virtue of holding a specific office. Has all the rights, responsibilities and duties as any other member of the committee, including the right to vote.

VIRGINIA BOARD OF DENTISTRY CODE OF CONDUCT FOR MEMBERS

The Code of Conduct represents the proper ethic and conduct for board members when interacting with colleagues, patients, and the public. It includes the observance of and compliance with the Board of Dentistry's policies, and procedures as well as the rules and regulations of the Commonwealth of Virginia.

A Board of Dentistry Member

- **Refrains from harm to the public, profession, or staff**
- **Makes the public health and safety the first and most important consideration in all actions and discussions as a member of the Board of Dentistry**
- **Strives to do that which is right and good by**
 - Not interfering with reporting, investigations, or adjudication of alleged violations of the statutes or regulations governing practice
 - Refraining from any contact with respondents, witnesses and their legal counsel before or after a notice or order has been issued
 - Respecting the public right to self determination and confidentiality
 - Respecting the legal, personal rights, dignity and privacy of all members of the Profession, Board, and individuals who are subject to investigation
 - Maintaining confidentiality and safeguarding all Board of Dentistry materials that are confidential in nature
 - Obtaining and maintaining knowledge of governmental laws, rules and regulations that govern the practice of Dentistry in the Commonwealth of Virginia
 - Complying with the Dental Practice Act and related rules and regulations of the Commonwealth that promote public health and safety of all citizens
 - Reporting violations of the Commonwealth of Virginia's Dental Practice Act, Environmental Protection Act, pharmacology and radiological safety health rules and regulations
 - Reporting illegal or unethical acts of others whether inside or outside the dental professions that would endanger the public

- **Maintains proper attire, decorum, and behavior during any meeting concerning matters of the Board of Dentistry by**
 - Treating all people fairly regardless of race, color, gender and ethnic origin
 - Making statements that are true and founded on fact
 - Recusing oneself if there is a conflict or perceived conflict
 - Always behaving ethically, without a conflict of interest. Refraining from becoming involved in investigations and cases where there is a cause for ethical dilemmas
 - Preparing for each meeting by reading all required materials and informing the President if not able to prepare
 - Being on time for each meeting
 - Silencing personal devices
 - Informing the Executive Director if going to be tardy or miss a meeting
 - Ensuring that demeanor and body language remains appropriate
 - Being fair, equitable, impartial and consistent
 - Allowing for an orderly conduct of all meetings, hearings, and conferences
 - Protecting the rights to due process and protecting the integrity of the individuals who appear before the Board
 - Accepting the decisions made by the Board regardless of personal opinion

- **Conducts oneself in a manner which will maintain or elevate the integrity of the Board and the esteem of the dental professions by**
 - Keeping knowledge and skills current in relation to the professions of Dentistry
 - Avoiding communication and relationships that could impair your professional judgment or the risk of exploiting confidences

- Consulting the Executive Director of the Board of Dentistry if any ethical or controversial dilemmas should arise affecting your duties as a member of the Board of Dentistry
- Seeking consultation when necessary from the Executive Director, staff, Board Counsel, or experts when appropriate through correct channels
- Seeking appropriate advice and guidance when faced with unresolved ethical dilemmas
- Not claiming to represent, speak, or write opinions of the Board of Dentistry without prior permission from the Executive Director in concert with the President of the Board of Dentistry
- Not discussing matters of confidentiality or conducting business outside the Board of Dentistry regular meetings which include matters pertaining to the Board of Dentistry with other members of the Board of Dentistry without a proper quorum or authority to conduct such matters
- Only undertaking assignments that one is qualified to perform completely and without a conflict of interest
- Representing the Board of Dentistry without impairment from substance abuse, cognitive deficiency or mental illness
- Increasing professional competency through continuous learning always incorporating knowledge into your actions and decision-making; being accurate and consistent
- Reporting violations of the Code of Conduct to Executive Director of the Board of Dentistry who reports the violations to the President of the Board and the Director of the Department of Health Professions
- Refraining from actions that expose the Board of Dentistry to legal, ethical, or financial risks
- Maintaining professional boundaries in relationships with other members of the Board of Dentistry
- Always acting in the best interests of the Board of Dentistry by conducting oneself with honesty and integrity at all times