



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF COMMUNITY HEALTH
LANSING

JANET OLSZEWSKI
DIRECTOR

MICHIGAN BOARD OF DENTISTRY DECEMBER 10, 2009 MEETING

APPROVED MINUTES

In accordance with the Open Meetings Act, 1976 PA 267, as amended, the Michigan Board of Dentistry met in regular session on December 10, 2009 at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 3, Lansing, Michigan.

CALL TO ORDER

Rhonda Hennessy, DDS, Chairperson, called the meeting to order at 10:13 a.m.

ROLL CALL

Members Present: Rhonda M. Hennessy, DDS, Chairperson
Craig W. Spencer, DDS
Lynn Beatty-Desonia, RDH
Randy M. Freij, DDS
Lawrence M. Haber, DDS
Deborah Manos, DDS
Raymond Maturo, DDS
John Molinari, PhD
Solomon K. Pesis, DDS
Deborah E. Priestap, DDS
Timothy R. Schmakel, DDS, MD
Charlene Snow, Public Member
Martha Swiger, RDH
William Wright, DDS

Members Absent: Julie Bera, RDA
Jo Ann Buchheister, CDA, RDA, BS
JoAnne A. Hodder, RDH
Rosetta Sanders, Public Member
Charlotte Wyche, RDH

Staff Present: Rae Ramsdell, Director, Health Regulatory Division
Amy Shell, Policy Administration Manager, Health Regulatory Division
Sheila Vandebush, Director, MDCH, Oral Health Program
Kiran Parag, Analyst, Enforcement Section, Health Regulatory Division
Michele Wagner-Gutkowski, Assistant Attorney General
Tim Andrews, Manager, Program Operations, Health Licensing Division
(left at 10:41 a.m.)
Laurie VanBeelen, Board Secretary, Health Regulatory Division

Others Present: Bonnie Nothoff, MDHA
Mark Johnston, DDS, MDA
Paula Weidz, MDHA
Drew Eisan, MDA
Patrick McCarty
Julie Dumas, MDAA
Lori Barnhart, MDAA
Lew Dodak, MCDS/MAO
Sandy Franklin, MDHA
Caroline Reddell, MDA
Lisa Boettger, MDA
Kris Nicholoff, MDA

WELCOMING OF NEW MEMBERS

Hennessy introduced new members Molinari and Wright. Both provided a brief background about themselves.

APPROVAL OF MINUTES

MOTION by Haber, seconded by Swiger, to approve the October 15, 2009 meeting minutes with the following corrections:

Under Staff Present, it will be noted that Sheila Vandebush is the Director for the MDCH Oral Health Program;

Under COMMITTEE REPORTS, Allegation Review Committee, the following paragraph will be added:

Pesis stated that in his opinion the Department should provide a copy of the chart for each complaint that is reviewed by the committee. He stated that in the majority of allegations reviewed, an informed decision to go

forward with an investigation cannot be made without a full review of the medical chart. At a minimum, Pesis requested that the board review sheets provide the option for the reviewer to request additional information. Ramsdell indicated she would discuss this issue with Ray Garza of the Health Investigation Division.

MOTION PREVAILED

APPROVAL OF AGENDA

MOTION by Swiger, seconded by Snow, to approve the agenda with the following correction:

Under NEW BUSINESS, A. CE Credit for Volunteer Hours will be removed.

MOTION PREVAILED

COMMITTEE REPORTS

Allegation Review Committee

Pesis reported that at the last meeting of the Committee, 39 files were reviewed, 20 of which were authorized for investigation; 4 were returned for additional information; and 15 were closed. He also stated that 20 additional files would need to be reviewed today following the full Board meeting. He stated that he feels it is important for members who are not on the disciplinary subcommittee to participate in the allegation review process.

Pesis also restated his position that each allegation that is reviewed by the committee should also include the medical chart. He stressed to the Board that if a reviewer has any question of whether to authorize an investigation, then the chart should be requested for review with the allegation file.

MOTION by Pesis, seconded by Snow, to approve the Allegation Review Committee report as presented.

MOTION PREVAILED

Discussion of the Board was held. Hennessy asked if the review sheet could be tailored to fit the needs of the dentistry profession and Ramsdell indicated that could be addressed. Ramsdell stated that the reason the process was changed was due to the fact that the majority of allegations received by the Department do not require additional information to be reviewed. She also indicated that when medical records are not requested, this allows for a quicker review of the allegation to occur. Pesis stated that the majority of the allegations he reviews require a review of the chart in order to make an informed decision of whether to authorize investigation.

Professional Behavior Committee

No report.

Anesthesia Committee

Schmakel reported that the committee met today and it is anticipated that a final draft of the committee's recommendation will be available for the Board's review at the next meeting.

Continuing Education Committee

Manos reported that the committee met today and referred the Board to the CE information provided before today's meeting. There was discussion about receiving additional information in order to make the decision whether or not to approve CE.

See Addendum #1 attached hereto.

Endorsement Committee

No report.

RDA Committee

No report.

RDH Committee

No report.

Rules Committee

No report.

Parameters of the Practice of Dentistry Special Committee

Spencer indicated that the committee is focusing on PA 161 with regard to increasing access while maintaining quality.

Sanction Monitoring Committee

Pesis indicated that the Disciplinary Subcommittee will be voting on the proposed DSC Master Resolution at today's meeting. For this reason, the work of the Committee has been completed.

MOTION by Pesis, seconded by Haber, to decommission the Sanction Monitoring Committee.

MOTION PREVAILED

Chairperson's Report

Hennessy discussed the topic of offering an "inactive license status" to licensees for a limited period of time without the necessity of surrendering their license. Discussion of the Board was held.

MOTION by Spencer, seconded by Manos, to request that the Department investigate the possibility of offering an "inactive license status" to licensees.

MOTION PREVAILED

Ramsdell stated that she would research the possibility of this type of license and report back to the Board.

MOTION by Schmakel, seconded by Haber, to accept the Committee reports as presented.

MOTION PREVAILED

OLD BUSINESS

Botox Statement

Hennessy directed the Board to the proposed statement provided with the agenda packets.

MOTION by Pesis, seconded by Haber, to accept the Botox statement as presented.

Discussion was held. Pesis indicated that he is aware of an individual who is currently teaching this practice who would be willing to present information to the Board. Schmakel and Molinari stated their concern that the areas where Botox is being injected are areas that many dentists are not involved with in their practice of dentistry. Molinari stated that Botox is a very powerful neurotoxin and serious thought needs to be given to this issue before allowing dentists to perform this procedure. Pesis indicated that three other states have taken the position that dentists can perform this procedure. Additionally, Pesis stated that he feels more information should be provided to the Board for review before a position statement can be issued. Ramsdell indicated that

Department Update

None

REGULATORY CONSIDERATIONS

Thomas Andrae Endicott, D.D.S. – Proposal for Decision

MOTION by Haber, seconded by Snow, to accept the Proposal for Decision and deny reinstatement in the matter of Thomas Andrae Endicott, D.D.S.

A roll call vote followed: Yeas: Priestap, Freij, Haber, Wright, Beatty-Desonia, Molinari, Maturo, Pesis, Schmakel, Spencer, Snow, Swiger, Manos, Hennessy

MOTION PREVAILED

PUBLIC COMMENT

Drew Eisan of the Michigan Dental Association (MDA) stated that the MDA routinely calls licensees to remind them to renew their licenses before the license falls into a lapsed status. He stated that the MDA would be willing to work with the Department on this topic. Eisan stated that Kris Nicholoff is now the Executive Director for the Michigan Osteopathic Association.

Kris Nicholoff thanked the Board for their work and stated he has enjoyed the many meetings he has attended over the years.

Mark Johnston congratulated Dr. Wright and Dr. Molinari on their appointments to the Board. With regard to an individual with a lapsed license, he stated that the MDA will offer the individual the opportunity to obtain health insurance, but not liability insurance.

ANNOUNCEMENTS

Hennessy advised that Chuck Marinelli has been elected to be one of four representatives for the Commission on Dental Accreditation for the American Association of Dental Boards.

Hennessy reported that there were 3 new PA 161 providers recently approved.

The next regularly scheduled meeting will be held February 11, 2010 at 10:00 a.m. at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 3, Lansing, Michigan.

ADJOURNMENT

MOTION by Wright, seconded by Spencer, to adjourn at 11:27 a.m.

MOTION PREVAILED

For *Rhonda Hennessy*
Rhonda Hennessy, D.D.S., Chairperson

Feb 11, 2010
Date Minutes Approved

Laurie A. VanBeelen
Laurie A. VanBeelen, Board Secretary

December 21, 2009
Date Minutes Prepared

DENTISTRY CONTINUING EDUCATION REVIEW
December 10, 2009

SPONSORS APPROVED

ANN ARBOR CREDIT BUREAU, INC.

Approved for one (1) year – December 2009 through December 2010

COLIN A. MAYERS

Approved for two (2) years – December 2009 through December 2011

DOOLIN & HADDAD, PLC

Approved for one (1) year – December 2009 through December 2010

PERFORMANCE PLUS

Approved for two (2) years – December 2009 through December 2011

MICHIGAN EFFECTIVE MANAGEMENT

Approved for three (3) years – December 2009 through December 2012

WASHTENAW DISTRICT DENTAL ASSISTANTS SOCIETY

Approved for four (4) years – December 2009 through December 2013

SPONSOR DENIED

EVERYONE SUCCEEDS, LLC (reviewers requesting more information)