MINUTES OF THE SPECIAL MEETING OF THE
LOUISIANA STATE BOARD OF DENTISTRY
HELD AT THE NORTH DAKOTA ROOM OF THE CLAIBORNE BUILDING LOCATED AT
1201 NORTH 3RD STREET, BATON ROUGE, LOUISIANA 70802
BEGINNING AT 1:00 PM ON
FRIDAY, MARCH 15, 2019

The annual meeting of the Louisiana State Board of Dentistry was held on Friday, March 15, 2019, at the offices of the Louisiana State Board of Dentistry located at 1201 North Third Street, Baton Rouge, Louisiana 70802. The meeting was held pursuant to public notice, each member received notice, and notice was properly posted.

CALL TO ORDER
The meeting was called to order at 1:00 PM by Dr. Jerry Smith, President.

1. ROLL CALL
At the request of Dr. Smith, a roll call was taken. Dr. Smith stated that a quorum of the Board was present.

PRESENT
Dr. Jerry Smith, President
Dr. Isaac House, Secretary-Treasurer
Dr. Glenn Appleton, Member
Dr. Donald Bennett, Member
Mr. Albert Bossier, Member
Dr. Kimberly Caldwell, Member
Dr. Claudia Cavallino, Member
Dr. Jay Dumas, Member
Dr. Robert Foret, Member
Patty Hanson, RDH, Member
Dr. Marija LaSalle, Member
Dr. Russell Mayer, Member
Dr. Steven Ortego, Member
Dr. Jeetendra Patel, Member
Dr. Thomas Price, Member

ALSO PRESENT WERE
Arthur Hickham, Jr., Executive Director
Erin Conner, Assistant Executive Director
Kirk Groh, Board Counsel
Rachel Daniel, Board Staff
Dr. Bill Hadlock, LDA
Dr. Marty Garrett, LDA
Ward Blackwell, LDA
2. OPENING REMARKS BY PRESIDENT
Dr. Smith thanked everyone for attending the meeting. He asked all guests to introduce themselves.

3. PUBLIC COMMENT
Dr. Smith asked for public comment. Dr. Haight addressed the Board.

4. APPROVAL OF MINUTES OF PREVIOUS BOARD MEETING
Dr. Cavallino moved
Resolved, that the minutes, as circulated, of the annual Board meeting of December 1, 2018, in New Orleans, Louisiana, are hereby adopted, ratified, and approved in their entirety.
The motion was adopted after a unanimous vote in the affirmative.

5. CONFIRMATION OF ACTS SINCE PREVIOUS BOARD MEETING
Dr. LaSalle moved
Resolved, that the acts and decisions taken by the President, Vice-President, Secretary/Treasurer and Executive Director in the general conduct and transactions of Board business since December 1, 2018, be and they are hereby approved, adopted, and ratified in full by the Board.
The motion was adopted after a unanimous vote in the affirmative.

STANDING COMMITTEES
6. LICENSING AND CREDENTIALS COMMITTEE, Ms. Patty Hanson, RDH, Chair
Ms. Hanson recommended that the Board approve the license by credentials applications as presented.

Dr. Cavallino moved
Resolved, under the authority of R.S. 37:760 (A)(6) and LAC 46:XXXIII.120, the Louisiana State Board of Dentistry hereby approves the issuance of temporary dental or dental hygiene licenses to the following:
Brittany Downs, RDH
The motion was adopted after a unanimous vote in the affirmative.

Dr. LaSalle moved
Resolved, having considered the applications for licensure by credentials in the State of Louisiana by the persons named below, the Louisiana State Board of Dentistry hereby approves said applications and awards them their requested
license to practice dentistry or dental hygiene in the State of Louisiana, granting
them all the privileges, duties, and responsibilities associated therewith.

Dr. Gary Carter
Brittany Downs, RDH
Kacie Dupre, RDH
Billy Nguyen, RDH

The motion was adopted after a unanimous vote in the affirmative.

Dr. Cavallino moved

Resolved, that the Louisiana State Board of Dentistry accepts the listing prepared
by its Secretary-Treasurer, covering the 55 dentists who failed to timely renew
their dental licenses for the calendar years 2018-2019 as provided in R.S. 37:770,
and in connection therewith, their licenses to practice dentistry be revoked and
that said licensees be so notified in writing.

DR. JAMES ROBERT JR.
DR. JOSEPH YERGER
DR. DAVID ROY
DR. RUSSELL STRAIT
DR. TIMOTHY ST. ROMAIN
DR. DENNIS RUSSO
DR. JAMES MCGEE
DR. WALTER PLATT
DR. DONALD PRICE
DR. RAYMOND YUKNA
DR. GREGG MCKENZIE
DR. GAYLE TERWILLIGER
DR. EDWARD NEUPERT III
DR. ROBERT ROSENHEIMER
DR. ALLEN RODGERS, JR.
DR. MICHAEL ROSINIA
DR. IRA PITFIELD, JR.
DR. PARKER THOMPSON
DR. SHAWN NALLY
DR. BRIAN PITFIELD
DR. NIMA PAHLAVAN
DR. M. THOMPSON-MARVEL
DR. RYAN WARD
DR. ALI POURIAN
DR. SHAREL SLY
DR. TNONEALYER POWERS
DR. OMAR YOUSUF
DR. RAMON NAPIER
DR. Verna Schuetter
The motion was adopted after a unanimous vote in the affirmative.

Dr. Cavallino moved

Resolved, that the Louisiana State Board of Dentistry accepts the listing prepared by its Secretary-Treasurer, covering the 27 dental hygienists who failed to timely renew their dental licenses for the calendar years 2018-2019 as provided in R.S. 37:770, and in connection therewith, their licenses to practice dentistry be revoked and that said licensees be so notified in writing.

HAZEL SCHMITT, RDH
JACQUELINE STEPHENS, RDH
ELIZABETH PICCOLO, RDH
WANDA PALOMINO, RDH
ESTHER NEUJAHR, RDH
JANET WATERS, RDH
CYNTHIA MILLER, RDH
JEAN STAFFORD, RDH
The motion was adopted after a unanimous vote in the affirmative.

Dr. Cavlinio moved

Resolved, that the minutes, as circulated, of the Licensing & Credentials committee meeting held on November 30, 2018, in New Orleans, Louisiana, are hereby adopted, ratified, and approved in their entirety.

The motion was adopted after a unanimous vote in the affirmative.

7. OFFICE MANAGEMENT COMMITTEE, Dr. Glenn Appleton, Chair
Dr. Appleton reviewed the financial statements for the quarter ended December 31, 2018.

The Board then reviewed the online license results.

8. RULEMAKING COMMITTEE, Dr. Donald Bennett, Chair
Dr. Bennett stated that he had no report.

9. LEGISLATIVE COMMITTEE, Mr. Albert Bossier, Chair
Mr. Bossier asked executive director Arthur Hickham to review upcoming legislation. House Bill 69 would require that one of the Board member positions would be filled by an oral surgeon or other dentist who was qualified to review anesthesia permit applications.

10. EXAMINATION COMMITTEE, Dr. Rusty Mayer, Chair
Dr. Mayer related that the Southern Conference of Dental Dean and Examiners meeting and a CITA meeting had recently been held.
The Board discussed the upcoming March AADB meeting.

The Board reviewed the dates of the upcoming CITA examinations at LSU.

11. **ANESTHESIA COMMITTEE**, Dr. Claudia Cavallino, Chair
Dr. Cavallino reported that her committee had held a joint meeting with the Continuing Education Committee earlier in the day. The proposed changes from that meeting would be discussed during the Continuing Education Committee portion of the full meeting.

Dr. LaSalle moved

**Resolved,** that the minutes, as circulated, of the Anesthesia Committee meeting of November 30, 2018, in New Orleans, Louisiana, are hereby adopted, ratified, and approved in their entirety.

The motion was adopted after a unanimous vote in the affirmative.

12. **IMPAIRED DENTIST COMMITTEE**, Dr. Robert Foret, Chair
Dr. Foret had no report.

13. **CONTINUING EDUCATION COMMITTEE**, Dr. Ike House, Chair
Dr. House stated his committee had met with the Anesthesia Committee earlier in the day and had recommendations to make regarding CE attendance and nitrous oxide training.

Dr. Price moved

**Resolved,** the Louisiana State Board of Dentistry has reviewed the proposed revision to LAC 46XXXIII.1503 to require 14 hours of didactic training and 6 clinical cases for nitrous oxide permits, and hereby directs, empowers, and authorizes its Rulemaking Committee, President, Executive Director, and Counsel to proceed with the completion of the amendment; and

**Be it therefore resolved,** those parties are instructed to complete promulgation of the rule as soon as possible.

The motion was adopted after a unanimous vote in the affirmative.

Dr. Appleton moved

**Resolved,** the Louisiana State Board of Dentistry will accept real time participation in online video conference continuing education as personally attended if the course sponsor takes attendance and if there is a test or assessment at the completion of the course.

The motion was adopted after a unanimous vote in the affirmative.

Dr. Cavallino moved

**Resolved,** the Louisiana State Board of Dentistry has reviewed the proposed revision to LAC 46XXXIII.1615 to accept courses sponsored by the American Academy of Dental Hygiene for continuing education credit, and hereby directs,
empowers, and authorizes its Rulemaking Committee, President, Executive Director, and Counsel to proceed with the completion of the amendment; and **Be it therefore resolved**, those parties are instructed to complete promulgation of the rule as soon as possible.

The motion was adopted after a unanimous vote in the affirmative.

Dr. Cavallino moved  
**Resolved**, that the minutes, as circulated, of the Continuing Education Committee meeting of November 30, 2018, in New Orleans, Louisiana, are hereby adopted, ratified, and approved in their entirety.

The motion was adopted after a unanimous vote in the affirmative.

**AD HOC COMMITTEES**  
14. **NOMINATING COMMITTEE**, Dr. Jerry Smith, Chair  
Dr. Smith reported that they had met earlier in the day.

Dr. LaSalle moved  
**Resolved**, the Louisiana State Board of Dentistry hereby appoints the following individual to the position of Vice President.  
  Patty Hanson, RDH

The motion was adopted after a unanimous vote in the affirmative.

Dr. Cavallino moved  
**Resolved**, the Louisiana State Board of Dentistry hereby amends its agenda to ratify the signature of its officers.

The motion was adopted after a unanimous vote in the affirmative.

Dr. Cavallino moved  
**Resolved**, the Louisiana State Board of Dentistry does hereby authorize, confirm, and ratify the signature of any of the officers and listed herein on all accounts of the Louisiana State Board of Dentistry.  
  President: Dr. Jerry Smith  
  Vice President: Patty Hanson, RDH  
  Secretary-Treasurer: Dr. Ike House  
  Executive Director: Arthur Hickham, Jr.  
  Assistant Executive Director: Erin K. Conner

The motion was adopted after a unanimous vote in the affirmative.

Dr. Cavallino moved  
**Resolved**, that the minutes, as circulated, of the Nominating Committee meeting of November 30, 2018, in New Orleans, Louisiana, are hereby adopted, ratified, and approved in their entirety.

The motion was adopted after a unanimous vote in the affirmative.
15. **NEW BUSINESS AND ANY OTHER BUSINESS WHICH MAY PROPERLY COME BEFORE THE BOARD**

Dr. Smith referred the discussion of issuing restricted licenses to participants in NYU’s AEGD program to the Rulemaking Committee.

No action was taken regarding dental sealants.

Board staff was directed to include multiple choice rule update/anesthesia questions to the renewal applications.

Dr. House moved

**Resolved**, the Louisiana State Board of Dentistry hereby amends its agenda to discuss complaints against dentists who leave large practices.

The motion was adopted after a unanimous vote in the affirmative.

This matter was referred to the Rulemaking Committee.

Mr. Hickham then reviewed the open meetings law requirements as they apply to Board member communications.

Ms. Conner then reviewed the Board members’ Tier 2.1 required reporting which is due to the Board of Ethics by May 15, 2019.

Ms. Conner then reviewed the Board members’ annual training requirements.

Dr. LaSalle moved

**Resolved**, the Louisiana State Board of Dentistry hereby approves and ratifies the contract entered into by the board president with Sharp and Company, CPAs.

The motion was adopted after a unanimous vote in the affirmative.

Dr. LaSalle moved

**WHEREAS**, the Board is in need of legal representation and that because of the possible conflicts of interest in complaint cases where the Board would need a prosecuting attorney and an attorney to represent the Board’s interest, more than one attorney is essential;

**WHEREAS**, the Board is in need of legal services necessary to facilitate the Board in its prosecuting violations of the Louisiana Dental Practice Act whether in judicial or administrative proceedings, which will be directed by officers or employees of the Board acting in their official capacities; counsel and/or assistance in legislative or other general activities, as directed by the Board;

**WHEREAS**, the Board’s contract for legal services with the firm of **BLANCHARD, WALKER, O’QUINN & ROBERTS** be executed July 1, 2019 and ending on June 30, 2022 and not to exceed a maximum of $200,000.00 for that period. The Board shall pay $225.00 per hour for attorneys having experience of ten (10) years or more in the practice of law; $175.00 per hour for attorneys having experience of
five (5) to ten (10) years in the practice of law; $150.00 per hour for attorneys
having experience of three (3) to five (5) years in the practice of law; $125.00 per
hour for attorneys having experience of zero (0) to three (3) years in the practice
of law; $60.00 per hour for paralegal services; and $40.00 per hour for law clerks;
and
WHEREAS, this resolution shall take effect immediately.
THEREFORE BE IT RESOLVED that the Louisiana State Board of Dentistry, pursuant
to La. R.S. 42:262, does hereby retain and employ BLANCHARD, WALKER,
O’QUINN & ROBERTS as special counsel; and
BE IT FURTHER RESOLVED, that this Resolution and proposed contract described
herein be submitted to the Attorney General for the State of Louisiana for
approval.

The motion was adopted after a unanimous vote in the affirmative.

Dr. LaSalle moved
WHEREAS, the Board is in need of legal representation and that because of the
possible conflicts of interest in complaint cases where the Board would need a
prosecuting attorney and an attorney to represent the Board’s interest, more than
one attorney is essential;
WHEREAS, the Board is in need of legal services necessary to facilitate the Board
in its prosecuting violations of the Louisiana Dental Practice Act whether in judicial
or administrative proceedings, which will be directed by officers or employees of
the Board acting in their official capacities; counsel and/or assistance in legislative
or other general activities, as directed by the Board;
WHEREAS, the Board’s contract for legal services with the firm of CELIA R.
CANGELOSI, ESQ. be executed July 1, 2019 and ending on June 30, 2022 and not
to exceed a maximum of $200,000.00 for that period. The Board shall pay $225.00
per hour for attorneys having experience of ten (10) years or more in the practice
of law; $175.00 per hour for attorneys having experience of five (5) to ten (10)
years in the practice of law; $150.00 per hour for attorneys having experience of
three (3) to five (5) years in the practice of law; $125.00 per hour for attorneys
having experience of zero (0) to three (3) years in the practice of law; $60.00 per
hour for paralegal services; and $40.00 per hour for law clerks; and
WHEREAS, this resolution shall take effect immediately.
THEREFORE BE IT RESOLVED that the Louisiana State Board of Dentistry, pursuant
to La. R.S. 42:262, does hereby retain and employ CELIA R. CANGELOSI, ESQ. as
special counsel; and
BE IT FURTHER RESOLVED, that this Resolution and proposed contract described
herein be submitted to the Attorney General for the State of Louisiana for
approval.

The motion was adopted after a unanimous vote in the affirmative.
The executive director was directed to request the Inspector General’s office to review Dr. Kenneth Starling’s request for reconsideration of adverse sanctions.

16. REPORTS ON INVESTIGATIONS, ADJUDICATIONS, AND LITIGATION

Dr. LaSalle moved

_Resolved_, that the Louisiana State Board of Dentistry go into Executive Session for the purpose of discussing investigations, adjudications, litigations, and professional competency of individuals and staff; and

_Be it further resolved_, that the Louisiana State Board of Dentistry may discuss litigation in Executive Session when an open meeting would have a detrimental effect on the bargaining and litigating position of the Louisiana State Board of Dentistry.

The motion was adopted after a unanimous vote in the affirmative.

Dr. Ortego moved

_Resolved_, that the action of the President in entering into a resolution in the matter involving Dr. William C. Cook via consent decree by and between the Louisiana State Board of Dentistry and Dr. William C. Cook (as per copy of Agreement Containing Consent Decree which is attached hereto and made a part hereof), be adopted, confirmed, and ratified by this board; and further that all acts of the president, board members, and executive director in the furtherance of this purpose are hereby ratified.

All members voted in the affirmative except Dr. House who abstained. The motion was adopted.

Dr. Appleton moved

_Resolved_, that the action of the President in entering into a resolution in the matter involving Dr. Randall M. Wilk via consent decree by and between the Louisiana State Board of Dentistry and Dr. Randall M. Wilk (as per copy of Agreement Containing Consent Decree which is attached hereto and made a part hereof), be adopted, confirmed, and ratified by this board; and further that all acts of the president, board members, and executive director in the furtherance of this purpose are hereby ratified.

All members voted in the affirmative except Dr. LaSalle who voted in the negative. The motion was adopted.

Dr. Bennett moved

_Resolved_, that after considering the Petition for Reconsideration of Adverse Sanctions filed by J.D.S. and the recommendation of the disciplinary oversight committee, the Louisiana State Board of Dentistry after hereby approves the petition to reinstate his license pending Board ratification of all terms and language at the May 17, 2019 meeting.

The motion was adopted after a unanimous vote in the affirmative.
17. ADJOURNMENT

Dr. Foret moved

Resolved, that the Louisiana State Board of Dentistry hereby adjourns its meeting of March 15, 2019.

The motion was adopted after a unanimous vote in the affirmative.

Dr. Smith adjourned the meeting at 4:45PM.

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Isaac House, DDS
Secretary/Treasurer
Louisiana State Board of Dentistry