

**MINUTES OF THE SPECIAL MEETING OF THE  
LOUISIANA STATE BOARD OF DENTISTRY  
HELD AT 1201 NORTH THIRD STREET  
NORTH DAKOTA ROOM  
BATON ROUGE, LOUISIANA 70802  
BEGINNING AT NOON ON  
FRIDAY, JULY 10, 2020**

A special meeting of the Louisiana State Board of Dentistry was held on Friday, July 10, 2020, at the offices of the Louisiana State Board of Dentistry located at 1201 North Third Street, North Dakota Room, 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 noon by Dr. Richard Willis, President.

***1. ROLL CALL***

At the request of Dr. Willis, a roll call was taken. Dr. Willis stated that a quorum of the Board was present.

**PRESENT**

- Dr. Richard Willis, President
- Dr. Isaac House, Vice President
- Dr. Donald Bennett, Secretary-Treasurer
- Dr. Marija LaSalle, Member
- Dr. Jay Dumas, Member
- Patty Hanson, RDH, Member
- Dr. Kimberly Caldwell, Member
- Dr. Robert Foret, Member
- Dr. Jerry Smith Member
- Dr. Russell Mayer, Member
- Dr. Steven Ortego, Member
- Dr. Jeetendra Patel, Member

**ABSENT**

- Dr. Thomas Price, Member
- Dr. Glenn Appleton, Member
- Dr. Claudia Cavallino, Member

**ALSO PRESENT WERE**

- Arthur Hickham, Jr., Executive Director
- Erin Conner, Assistant Executive Director
- Kirk Groh, Board Counsel
- Rachel Daniel, Board Staff

Alexx Smith, Board Staff  
Annette Droddy, LDA  
Dr. Robert Laughlin, LSUSD  
Dr. Robert Barretta  
Dr. David Cross  
Dr. Kristi Soileau

*2. OPENING REMARKS BY PRESIDENT*

Dr. Willis thanked everyone for attending the meeting. He asked all guests to introduce themselves.

*3. PUBLIC COMMENT*

Dr. Willis asked for public comment but none was offered.

*4. APPROVAL OF MINUTES OF PREVIOUS BOARD MEETING*

The proposed minutes of the May 15, 2020 video board meeting were reviewed and it was determined that they should include a reference to when Mr. Bossier left the meeting.

Dr. Mayer moved

**Resolved**, that the minutes of the May 15, 2020, video board meeting, as circulated, with the addition of a reference to when Mr. Bossier left the meeting, are hereby adopted, ratified, and approved in their entirety.

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

Ms. Hanson moved

**Resolved**, that the minutes of the May 22, 2020, video board meeting, as circulated, 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. Mayer 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 May 22, 2020 board meeting, 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.

*6. LICENSING AND CREDENTIALS COMMITTEE, Ms. Patty Hanson, RDH, Chair*

Ms. Hanson indicated she had nothing to report.

*7. OFFICE MANAGEMENT COMMITTEE, Dr. Glenn Appleton, Chair*

Dr. Appleton was absent, so no Office Management Committee took place and there was no report.

*8. EXAMINATION COMMITTEE, Dr. Rusty Mayer, Chair*

Dr. Mayer gave his report.

*9. LEGISLATIVE COMMITTEE*, vacant chair

Dr. Hickham reviewed the recently passed legislation.

*10. CONTINUING EDUCATION COMMITTEE*, Dr. Ike House, Chair

Dr. House had no report.

*11. IMPAIRED DENTIST COMMITTEE*, Dr. Robert Foret, Chair

Dr. Foret had no report; Dr. Hammond from the HCPFL could not attend due to a COVID-19 related issue.

*12. ANESTHESIA COMMITTEE*, Dr. Rick Willis, Chair

Dr. Willis had no report

*13. RULEMAKING COMMITTEE*, Dr. Donald Bennett, Chair

Dr. Bennett reported that the Rulemaking Committee had met that morning and had discussed proposed teledentistry rules.

Ms. Hanson moved

**Resolved**, with the addition to the proposed rules of radiographs as a service that hygienists can perform under the supervision of a dentist via teledentistry, the Board approves of the language presented for the rule changes regarding teledentistry, including the changes to Rule 701 to allow a hygienist to work under the supervision of a dentist via teledentistry in certain circumstances, and hereby directs, empowers, and authorizes its Rulemaking Committee, President, Executive Director, and Counsel to proceed with the completion of the amendments; and

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

All members voted in the affirmative except Dr. Foret and Dr. House who voted in the negative. The motion was adopted.

Dr. Bennett reported that the Rulemaking Committee also discussed the questions presented by the American Academy of Dental Sleep Medicine in its January 10, 2020, letter to the Board. The four questions presented were

1. Is it within a dentist's scope of practice to dispense portable monitors when ordered by physicians for patients at risk for sleep apnea? The test results are provided to a physician for interpretation and diagnosis.
2. Is it within a dentist's scope of practice to order portable monitors for patients identified by the dentist as being at risk for sleep apnea? The test results are provided to a physician for interpretation and diagnosis.

3. Is it within a dentist's scope of practice to use a portable monitor to help determine the optimal effective position of a patient's oral appliance?
4. If a dentist does not use a portable monitor to determine the optimal effective position, is it within a dentist's scope of practice to order a portable monitor to verify the effectiveness of an oral appliance? The test results are provided to physicians for interpretation and therapeutic effectiveness is determined by physicians.

Dr. House moved

**Resolved**, the Board answers all four questions in the affirmative.

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

Dr. Bennett indicated that the Rulemaking Committee recommended that the Board affirm that a dentist with a retired dentist license may take part in proctoring licensing exams in Louisiana and receive the per diem provided by the regional testing agency that is sponsoring the exam.

Dr. Mayer moved

**Resolved**, that the Board interprets the statutes and rules to allow a dentist with a retired license to act as an examiner for licensing exam and to receive per diems and reimbursements for doing so notwithstanding the statute which prohibits a dentist with a retired license from receiving compensation for practicing dentistry; acting as an examiner for a licensing exam does not constitute the practice of dentistry as contemplated in the retired dentist statute.

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

No action was taken on a review of possible future applicants' criminal history prior to their beginning dental school.

No action was taken regarding appended initials.

#### *14. NEW BUSINESS AND ANY OTHER BUSINESS WHICH MAY PROPERLY COME BEFORE THE BOARD*

The Board deferred selection of 2021 meeting dates to its next meeting.

A discussion of whether risk management CE courses and/or Ethics CE courses should count towards the clinical CE requirement or should be required in some form and whether opioid courses should be required every renewal was held. Dr. Kristi Soileau, immediate past president of the Louisiana Dental Association spoke about how important ethics CE and opioid CE are to the practice of dentistry. The matter was referred to the CE Committee.

A discussion was held regarding specialty licensing, and the matter was referred to the Licensing and Credentials Committee.

The Board discussed the current round of office inspections.

Dr. Ortego moved

**Resolved**, the Louisiana State Board of Dentistry amends its agenda to take up ratification of the contract between the Board and the firm of **Pettiette, Armand, Dunkelman, Woodley, Byrd & Cromwell, L.L.P.**

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

Ms. Hanson moved

**Resolved**, the Louisiana State Board of Dentistry hereby approves and ratifies the contract entered into by the Board president with the firm of **Pettiette, Armand, Dunkelman, Woodley, Byrd & Cromwell, L.L.P.**

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

Ms. Hanson moved

**Resolved**, the Louisiana State Board of Dentistry hereby approves and ratifies the contract entered into by the Board president with the firm of **Law Office of Peyton B. Burkhalter.**

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

Ms. Hanson moved

**Resolved**, the Louisiana State Board of Dentistry hereby approves and ratifies the contract entered into by the Board president with the firm of **Groh Law Firm.**

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

The Board reviewed their annual training and Tier 2.1 financial disclosure requirements.

#### *15. ADJOURNMENT*

Dr. Mayer moved

**Resolved**, that the Louisiana State Board of Dentistry hereby adjourns its meeting of July 10, 2020.

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

Dr. Willis adjourned the meeting at 1:30 PM.

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**Don Bennett, D.D.S.**  
**Secretary/Treasurer**  
**Louisiana State Board of Dentistry**