

**MINUTES OF THE ANNUAL MEETING OF THE
LOUISIANA STATE BOARD OF DENTISTRY
HELD AT ITS BOARD OFFICE LOCATED AT
ONE CANAL PLACE-SUITE 2680-365 CANAL STREET
NEW ORLEANS, LOUISIANA 70130
BEGINNING AT 9:00 AM ON
SATURDAY, DECEMBER 3, 2016**

The annual meeting of the Louisiana State Board of Dentistry was held on Saturday, December 3, 2016, at the offices of the Louisiana State Board of Dentistry located at One Canal Place, Suite 2680, 365 Canal Street, New Orleans, Louisiana 70130. 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 9:00 AM by Dr. Rusty Mayer, President.

1. ROLL CALL

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

PRESENT

Dr. Rusty Mayer, President
Dr. Claudia Cavallino, Vice President
Dr. Marija LaSalle, Secretary-Treasurer
Dr. Robert Foret, Member
Dr. Wilton Guillory, Member
Patty Hanson, RDH, Member
Dr. Ike House, Member
Dr. Dean Manning, Member
Dr. J. Jerome Smith, Member
Dr. Richard Willis, Member

ABSENT

Dr. Leonard Breda, Member
Dr. Ronald Marks, Member

ALSO PRESENT WERE

Arthur Hickham, Jr., Executive Director
Kirk Groh, Board Counsel
Erin Conner, Director of Licensing
Rachel Daniel, Board Staff
Dr. Chris Brown, LDA
Dr. David Hildebrandt, LDA
Dr. Janice Townsend

Dr. Brian Zganjar, HPFLA
Suzanne Farrar, RDH, LDHA and LSU
Jane Walsh, RDH, LSU Dental Hygiene

2. OPENING REMARKS BY PRESIDENT

Dr. Mayer thanked everyone for attending the meeting and asked all guests to introduce themselves.

3. PUBLIC COMMENT

Dr. Mayer asked for public comment but none were offered.

4. APPROVAL OF MINUTES OF PREVIOUS BOARD MEETING

Dr. Manning moved

Resolved, that the minutes, as circulated, of the special Board meeting of August 19, 2016, 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. Cavallino 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 August 19, 2016, 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, Dr. Dean Manning, Chairman

Dr. Manning stated that his committee recommended that the license applications indicated be approved. Dr. House 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 hygiene license to the following person:

Leah Sparks, RDH

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

Dr. Guillory moved

Resolved, having considered the application 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. Theresa Bender

Dr. Kalisha Hanley

Dr. Alan Newman
Dr. Ryan Romero
Leah D. Sparks, RDH

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

Dr. Cavallino moved

Resolved, that under the authority of R.S. 37:760 (A) (12), the Louisiana State Board of Dentistry hereby approves the issuance of a restricted dental license to the following persons:

Dr. Mathilde Peters	LSU School of Dentistry
Jane Walsh, RDH	LSU School of Dentistry

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

7. *OFFICE MANAGEMENT COMMITTEE*, Dr. Wilton Guillory, Chairman

Dr. Guillory had no report and asked Mr. Hickham to review the quarterly financial reports for the quarter ending September 30, 2016. There were no questions.

8. *IMPAIRED DENTISTS COMMITTEE*, Dr. Jerry Smith, Chairman

Dr. Smith had no report.

Dr. Brian Zganjar introduced himself as the interim director of the Healthcare Professionals' Foundation of Louisiana.

Dr. Manning moved

Resolved, that the minutes, as circulated, of the Impaired Dentists Committee meeting of August 19, 2016, in New Orleans, Louisiana, are hereby adopted, ratified and approved in their entirety.

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

9. *EXAMINATION COMMITTEE*, Dr. Marija LaSalle, Chairperson

Dr. LaSalle had no report.

10. *LEGISLATIVE COMMITTEE*, Dr. Claudia Cavallino, Chairperson

Dr. Cavallino had no report.

Mr. Hickham reviewed recent legislative information which may impact the board.

11. *ANESTHESIA COMMITTEE*, Dr. Richard Willis, Chairman

Dr. Willis stated that the Anesthesia Committee had met the day before and had proposed several rule changes to cease differentiating between enteral and parenteral moderate sedation permits. These changes were necessitated by the ADA's changes in their anesthesia guidelines.

Dr. Cavallino moved

Resolved, that the minutes, as circulated, of the Anesthesia Committee meeting of August 19, 2016, in New Orleans, Louisiana, are hereby adopted, ratified and approved in their entirety.

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

Dr. Smith moved

Resolved, the Louisiana State Board of Dentistry has reviewed the proposed revisions to LAC 46XXXIII.415, .1503, .1504, .1505, .1506, .1510, .1511, and .1611 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.

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

12. RULEMAKING COMMITTEE, Dr. Ronald Marks, Chairman

As Dr. Marks was absent, Dr. Guillory reported that the Rulemaking Committee had met the day before and recommended several rule changes to the board.

Dr. Manning moved

Resolved, that the minutes, as circulated, of the Rulemaking Committee meeting of August 19, 2016, in New Orleans, Louisiana, are hereby adopted, ratified and approved in their entirety.

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

Proposed revisions to Rules 122 and 301 were deferred to the LSB/D/LDA Task Force.

Ms. Conner explained that having expanded duty dental assistants renew their certificates would allow the board to better manage current and active EDDAs and save file space. Dr.

Foret moved

Resolved, the Louisiana State Board of Dentistry has reviewed the proposed revisions to LAC 46XXXIII.420 and .505 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.

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

A discussion of proposed changes to dental hygienist supervision rules in nursing homes was referred to the LSB/D/LDA Task Force.

AD HOC COMMITTEES

13. NOMINATING COMMITTEE, Dr. Rusty Mayer, chairman

Dr. Mayer reported that the Nominating Committee had met that morning and had officer recommendations to make to the board for its 2016 officers.

Dr. Manning moved

Resolved, the Louisiana State Board of Dentistry hereby appoints the following individuals to the positions of President, Vice President, and Secretary-Treasurer.

President: Dr. Claudia Cavallino

Vice President: Dr. Marija LaSalle

Secretary-Treasurer: Dr. Jerry Smith

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

The new officers were inducted.

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

Dr. Cavallino moved

Resolved, the Louisiana State Board of Dentistry hereby amends its agenda to take up the request by Dr. Janice Townsend regarding dentists administering HPV vaccinations.

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

Dr. Janice Townsend then spoke to the board about the possibility of a program at LSU School of Dentistry to provide HPV vaccinations to patients since HPV is a cause of oral cancer. Dr.

Manning moved

Resolved, the Louisiana State Board of Dentistry hereby confirms that vaccine administration is within the scope of dentistry.

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

Dr. Manning moved

Resolved, the Louisiana State Board of Dentistry does hereby authorize, confirm, and ratify the signature of any of the officers elected this day and listed herein on all accounts of the Louisiana State Board of Dentistry.

President: Dr. Claudia Cavallino

Vice President: Dr. Marija LaSalle

Secretary-Treasurer: Dr. Jerry Smith

Executive Director: Arthur Hickham, Jr.

Director of Licensing: Erin K. Conner

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

Dr. Guillory moved

Resolved, the Louisiana State Board of Dentistry hereby grants authority to the President and Executive Director to release bank security on Board bank accounts.

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

Dr. Manning moved

Resolved, the Louisiana State Board of Dentistry hereby approves and ratifies the contract entered into by the board president with Tom Arceneaux of Blanchard, Walker, O'Quinn, and Roberts.

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

Dr. Cavallino reported that the January 20-22, 2017, Southern Conference of Dental Deans and Examiners was being presented jointly by LSUSD and the board, and she encouraged all present to attend.

Dr. Mayer then reminded all present of their annual ethics and sexual harassment training, and Tier 2.1 disclosure reporting. It was noted that the every three years' driver safety course is only required if the member travels on board business.

It was reported that the LSB-D LDA Task Force seemed to be functioning very well and allowing both organizations to meet their goals.

The board then discussed the results of the recently completed Legislative Auditor's procedural audit. Brian Samuel gave an overview of current inspection procedures.

The board then reviewed the request by National Provider Compliance Corporation to amend the board's CE rules to allow the board to individually review CE courses for approval. Dr. Manning moved

Resolved, the Louisiana State Board of Dentistry hereby denies the request by National Provider Compliance Corporation to amend its CE rules to allow the board to review and approve individual continuing education courses.

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

The board then discussed the upcoming mid-year AADB meeting scheduled for April 23-24, 2017, in Chicago.

The board discussed Dental Warranty; no action was taken.

The board discussed the possibility of allowing dentists over age 70 to complete all of their CE online. No action was taken.

Dr. LaSalle then indicated that the board staff was providing new original licenses at no charge to licensees who had lost their records in the recent Baton Rouge area flooding. It was noted that licensees who had lost their completed CE records may request an exemption for providing their attendance records. She asked the LDA to instruct its members in the area that they should call Ms. Conner at the board office for further information.

The board discussed mail order orthodontics. No action was taken.

Mr. Hickham then reported on the Resolution 65 Task Force which is made up of DHH boards to ensure compliance with the *North Carolina Board of Dental Examiners v. FTC* ruling. He stated that the board's rules and membership are currently in compliance. Nevertheless, as he is the board's representative on this task force, he will continue to report on future developments and recommendations.

15. REPORTS ON INVESTIGATIONS, ADJUDICATIONS, AND LITIGATION

Dr. Cavallino 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.

Upon returning from Executive Session, Dr. Guillory moved

Resolved, the Louisiana State Board of Dentistry under the authority of its Rewards and Recognition policy regarding classified employees hereby awards:

5% of Haley Ashe's annual salary for her exemplary service to the Louisiana State Board of Dentistry, its members, and the public;

5% of Rachel Daniel's annual salary for her exemplary service to the Louisiana State Board of Dentistry, its members, and the public;

5% of Carolyn Perez's annual salary for her exemplary service to the Louisiana State Board of Dentistry, its members, and the public; and

5% of Brian Samuel's annual salary for his exemplary service to the Louisiana State Board of Dentistry, its members, and the public.

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

Dr. Cavallino moved

Resolved, that after considering the Petition for Reconsideration of Adverse Sanctions filed by G.A.M. and the recommendation of the disciplinary oversight committee, the Louisiana State Board of Dentistry after discussing the matter, hereby denies the petition.

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

Dr. LaSalle moved

Resolved, that after considering the Petition for Reconsideration of Adverse Sanctions filed by A.M.M. and the recommendation of the disciplinary oversight committee, the Louisiana State Board of Dentistry after discussing the matter, hereby denies the petition.

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

Dr. Manning moved

Resolved, having considered the application for licensure by examination in the State of Louisiana by Dr. Binh Pham, the Louisiana State Board of Dentistry hereby approves said application and awards Dr. Pham her requested license to practice dentistry in the State of Louisiana, granting her all the privileges, duties, and responsibilities associated therewith.

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

Dr. Cavallino moved

Resolved, that the action of the President in entering into a resolution in the matter involving Jessica A. Patin, RDH, via Consent Decree by and between the

Louisiana State Board of Dentistry and Jessica A. Patin, RDH, (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.

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

Dr. Manning moved

Resolved, that the action of the President in entering into a resolution in the matter involving Dr. Ambrose M. Martin, via Consent Decree by and between the Louisiana State Board of Dentistry and Dr. Ambrose M. Martin (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.

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

Dr. Cavallino moved

Resolved, that the action of the President in entering into a resolution in the matter involving Dr. Ryan Walker, via Consent Decree by and between the Louisiana State Board of Dentistry and Dr. Ryan Walker (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.

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

16. *PER DIEM*

Dr. Guillory moved

Resolved, that the Louisiana State Board of Dentistry hereby authorizes and directs its Secretary-Treasurer to pay all per diem and authorized expenses to those Board members in connection with the August 19, 2016, Board meeting and hearings held in New Orleans, Louisiana; and

Be it further resolved, that the Secretary-Treasurer is authorized and directed to pay up to two additional travel days in per diem to Board members requiring same in connection with their attendance at said meeting.

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

Dr. Guillory moved

Resolved, that the Louisiana State Board of Dentistry hereby authorizes and directs its Secretary-Treasurer to pay all per diem and authorized expenses to those Board members in connection with the August 26, 2016, formal hearing held in New Orleans, Louisiana; and

Be it further resolved, that the Secretary-Treasurer is authorized and directed to pay up to two additional travel days in per diem to Board members requiring same in connection with their attendance at said meeting.

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

Dr. Guillory moved

Resolved, that the Louisiana State Board of Dentistry hereby authorizes and directs its Secretary-Treasurer to pay all per diem and authorized expenses to those Board members in connection with the September 23, 2016, conference with the Legislative Auditor's office in New Orleans, Louisiana.

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

Dr. Guillory moved

Resolved, that the Louisiana State Board of Dentistry hereby authorizes and directs its Secretary-Treasurer to pay all per diem and authorized expenses to those Board members in connection with the October 14, 2016, LSB-D-LDA Task Force meeting held in Baton Rouge, Louisiana.

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

Dr. Guillory moved

Resolved, that the Louisiana State Board of Dentistry hereby authorizes and directs its Secretary-Treasurer to pay all per diem and authorized expenses to those Board members in connection with the October 18-19, 2016, AADB meeting held in Denver, Colorado; and

Be it further resolved, that the Secretary-Treasurer is authorized and directed to pay up to two additional travel days in per diem to Board members requiring same in connection with their attendance at said meeting.

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

Dr. Cavallino moved

Resolved, that the Louisiana State Board of Dentistry hereby adjourns its meeting of December 3, 2016.

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

Dr. Mayer adjourned the meeting at 1:55 PM.

Marija LaSalle, D.D.S.
Secretary/Treasurer
Louisiana State Board of Dentistry