

**MINUTES OF THE SPECIAL 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 10:30 ON
FRIDAY, MARCH 15, 2013**

A special meeting of the Louisiana State Board of Dentistry was held on Friday, March 15, 2013, 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. The meeting was called to order at 10:30 a.m. by Dr. Dean Manning, President.

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

PRESENT WERE:

Dr. Dean Manning, President
Dr. Wilton Guillory, Vice-President
Dr. Conrad McVea, III, Secretary-Treasurer
Dr. Aubrey Baudean, Member
Dr. H.O. Blackwood, Member
Mrs. Patricia Cassidy, R.D.H., Member
Dr. Claudia Cavallino, Member
Dr. Romell Madison, Member
Dr. Rusty Mayer, Member
Dr. David L. Melancon, Member
Dr. James Moreau, Member
Dr. Lynn Philippe, Member
Dr. J. Jerome Smith, Member
Dr. Sam Trinca, Member

ALSO PRESENT BY BOARD INVITATION WERE:

Peyton B. Burkhalter, Executive Director
Brian Bégué, Board Counsel
Rachel Daniel, Board Staff
Joshua Besson, Board Staff

Camp Morrison, Board Investigator

Ward Blackwell, LDA

Carrie Mason, LSUSD

Dr. Bobbie Morris

Wayne Galjour

Mrs. Barbara Melton

Dr. Manning thanked everyone for attending the meeting and welcomed the new members, Drs. Cavallino and Smith. At this point, Dr. Manning asked all guests to introduce themselves. After the introductions, Dr. Manning then asked for public comment. Hearing none, he turned to Agenda item number 4 wherein Dr. Trinca then made the motion which was seconded by Dr. McVea that it be:

RESOLVED, that the minutes, as circulated, of the Annual Board meeting of December 8, 2012 in New Orleans, Louisiana, are hereby adopted, ratified and approved in their entirety.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Dr. Philippe advised the President that the matter involving Wendel Family Dentistry which was tabled at the December meeting and was to be discussed at this meeting was not on the agenda because they failed to provide the requested information to the board for further consideration.

Next, Dr. Blackwood made the motion which was seconded by Dr. Trinca that it be:

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 8, 2012, be and they are hereby approved, adopted, and ratified in full by the board.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Dr. Manning then returned the board to the agenda beginning with the Standing Committee Reports. Dr. Manning then referred to Agenda item number 6, **Licensing and Credentials Committee**, Dr. Wilton Guillory, Chairman. Dr. Guillory advised the board that the applications of Dr. Ronald Montano, Dr. Melissa Montano and Dr. Shuja Haq would be discussed in executive session. Dr. Guillory then turned the members' attention to the remaining list of applicants.

Next, Dr. Guillory made the following motion which was seconded by Dr.

Madison that it be:

RESOLVED, having considered the application for licensure by credentials in the State of Louisiana by Dr. Nicole Middleton, the Louisiana State Board of Dentistry hereby approves said application and awards Dr. Nicole Middleton, her requested license to practice dental hygiene in the State of Louisiana, granting her all the privileges, duties, and responsibilities associated therewith.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Next, Dr. Guillory made the following motion which was seconded by Dr.

Madison that it be:

RESOLVED, having considered the application for licensure by credentials in the State of Louisiana by Dr. Emile Moussaed, the Louisiana State Board of Dentistry hereby approves said application and awards Dr. Emile Moussaed, his requested license to practice dentistry in the State of Louisiana, granting him all the privileges, duties, and responsibilities associated therewith.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Next, Dr. Guillory made the following motion which was seconded by Dr.

Madison that it be:

RESOLVED, having considered the application for licensure by credentials in the State of Louisiana by Dr. Nazila Bagheri, the Louisiana State Board of Dentistry hereby approves said application and awards Dr. Nazila Bagheri, his requested license to practice dentistry in the State of Louisiana, granting him all the privileges, duties, and responsibilities associated therewith contingent upon successful completion of the examination in jurisprudence.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Next, Dr. Guillory made the following motion which was seconded by Dr.

Madison that it be:

RESOLVED, having considered the application for licensure by credentials in the State of Louisiana by Dr. Daniel Spagnoli, the Louisiana State Board of Dentistry hereby approves said application and awards Dr. Daniel Spagnoli, his requested license to practice dentistry in the State of Louisiana, granting him all the privileges, duties, and responsibilities associated therewith contingent upon the successful completion of the examination in jurisprudence.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Next, Dr. Guillory made the following motion which was seconded by Dr.

Madison that it be:

RESOLVED, having considered the application for licensure by credentials in the State of Louisiana by Dr. Alfred Tennant, the Louisiana State Board of Dentistry hereby approves said application and awards Dr. Alfred Tennant, his requested license to practice dentistry in the State of Louisiana, granting him all the privileges, duties, and responsibilities associated therewith.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Next, Dr. Guillory made the following motion which was seconded by Dr.

Madison that it be:

RESOLVED, having considered the application for licensure by credentials in the State of Louisiana by Dr. Rick Moser, the Louisiana State Board of Dentistry hereby approves said application and awards Dr. Rick Moser, his requested license to practice dentistry in the State of Louisiana, granting him all the privileges, duties, and responsibilities associated therewith upon successful completion of the fingerprint background check.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Next, Dr. Guillory made the following motion which was seconded by Dr.

Madison that it be:

RESOLVED, having considered the application for licensure by credentials in the State of Louisiana by Dr. Woo Il Steven Park, the Louisiana State Board of Dentistry hereby approves said application and awards Dr. Woo Il Steven Park, his requested license to practice dentistry in the State of Louisiana, granting him all the privileges, duties, and responsibilities associated therewith.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Next, Dr. Guillory made the following motion which was seconded by Dr.

Madison that it be:

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 application and awards said named persons, their requested license to practice dental hygiene in the State of Louisiana, granting them all the privileges, duties, and responsibilities associated therewith.

- a. Keri Brandt, R.D.H.
- b. Lindsay Rivet, R.D.H.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Next, Dr. Guillory made the motion which was seconded by Dr. Melancon that it be:

RESOLVED, that the minutes, as circulated, of the Licensing and Credentials Committee meeting of December 7, 2012 in New Orleans, Louisiana, are hereby adopted, ratified and approved in their entirety.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Next, Dr. McVea made the motion which was seconded by Dr. Baudean that it be:

RESOLVED, that the board having considered the request for a waiver of the late fee charged for failure to renew their dental license by December hereby approves the request for a waiver to the following named persons.

- a. Dr. John Ory
- b. Dr. Elise M. Trahant
- c. Dr. Henry C. Manning
- d. Wanda Palomino, R.D.H.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Next, Dr. Baudean made the motion which was seconded by Dr. McVea that it be:

RESOLVED, that the Louisiana State Board of Dentistry accepts the listing prepared by its Secretary-Treasurer, covering the 37 dentists who failed to timely renew their dental licenses for the calendar years 2013-2014 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.

License No.	Name	Response
1401	Dr. Samuel Ogden	green card signed by Samuel Ogden
1866	Dr. Charles Vanderlick	green card signed by Charles Vanderlick
2510	Dr. Larry Prater	green card signed by Larry Prater
2548	Dr. Terrell Murphy	unclaimed
2748	Dr. Brian Poinboeuf	green card signed by B. Poinboeuf
2749	Dr. Allan Rappold	green card signed illegible
2757	Dr. Richard Schroeter	unknown
3993	Dr. Chauncy Nelson	notice returned
4038	Dr. Bruce Skaalrud	green card signed by Diane Skaalrud
4296	Dr. Patrick Nolan	notified board of non-renewal intentions
4737	Dr. Kenneth Sullivan	notified board of non-renewal intentions
4817	Dr. John Stover	green card signed by Natalie Canton
4826	Dr. Kirk Washington	notified board of non-renewal intentions
4841	Dr. Daniel Torres-Bayona	notified board of non-renewal intentions
5494	Dr. Haiduong Nguyen	notified board of non-renewal intentions
5530	Dr. Mark Stover	notified board of non-renewal intentions
5583	Dr. Kristopher Portacci	notified board of non-renewal intentions
5868	Dr. Wendy Mccurdy	green card signed by Yvonne McCurdy
5935	Dr. Manika Patel	notified board of non-renewal intentions
5948	Dr. Brian Webb	notified board of non-renewal intentions
5973	Dr. Precious Mcgregor-Wiltz	notified board of non-renewal intentions
5987	Dr. Cramin Wiltz, Ii	notified board of non-renewal intentions

5993	Dr. Ryan Staehling	green card signed by Paula Cardoso
6087	Dr. Alyssa Sprowl	notice returned
6097	Dr. Broden Miller	notice returned
6138	Dr. Gopikiran Thota	notified board of non-renewal intentions
6174	Dr. Colleen O'Brien	green card signed by illegible
6177	Dr. Shawna Battier	notified board of non-renewal intentions
6181	Dr. Zachary Paukert	green card signed by illegible
6197	Dr. Indra Ramasubbu	notice returned
6205	Dr. Thanh-Xuan Nguyen	notified board of non-renewal intentions
6208	Dr. Rustin Reidhead	green card signed by J. Reidhead
6216	Dr. Stephanie Calvillo	notified board of non-renewal intentions
6217	Dr. Wilberto Penalba	notified board of non-renewal intentions
6229	Dr. Mark Ruark	notified board of non-renewal intentions
6235	Dr. Krista Mckenzie	green card signed by Ronny Angeles
6236	Dr. Victor Robinson	green card signed by Ronny Angeles

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Next, Dr. Guillory made the motion which was seconded by Dr. Baudean that it be:

RESOLVED, that the Louisiana State Board of Dentistry accepts the listing prepared by its Secretary-Treasurer, covering the 33 dental hygienists who failed to timely renew their dental hygiene licenses for the calendar years 2013-2014 as provided in R.S. 37:770, and in connection therewith, their licenses to practice dental hygiene be revoked and that said licensees be so notified in writing.

License No.	Name	Response
466	Elizabeth Manning, R.D.H.	green card signed by E. Manning
1837	Kimberly Newman, R.D.H.	green card signed T? Forkin
2762	Teri Maier, R.D.H.	green card signed by Terri Maier
2929	Tessa Hill, R.D.H.	notified board of non-renewal intentions
3021	Claire Marzula, R.D.H.	notice returned
3295	Christine Villarrubia, R.D.H.	notified board of non-renewal intentions
3369	Honghanh Pham, R.D.H.	notice returned
3480	Tamara Mcdaniel, R.D.H.	notified board of non-renewal intentions
3583	Michelle Sparks, R.D.H.	notice returned
3584	Amie Gordon, R.D.H.	green card signed by Amie Gordon
3590	Ashley Hood, R.D.H.	notified board of non-renewal intentions
3592	Laura Richoux, R.D.H.	notice left
3657	Heather Stevens, R.D.H.	notice returned
3747	Samantha Mellard, R.D.H.	notice returned
3872	Kim Starkes, R.D.H.	notified board of non-renewal intentions
3881	Ebonny Williams, R.D.H.	notice returned
3980	Linda Tran, R.D.H.	notified board of non-renewal intentions
4003	Kylie Nguyen, R.D.H.	green card signed by Tony Nguyen
4060	Heather Raska, R.D.H.	notice returned
4066	Mariamne Richardson, R.D.H.	notice returned
4069	Katherine Spencer, R.D.H.	notified board of non-renewal intentions
4096	Kenya Mcdaniel, R.D.H.	notice returned
4097	Katie Meaux, R.D.H.	notice returned
4117	Kathryn Starn, R.D.H.	green card signed by Craig Starn
4164	Marion Weeks Abide, R.D.H.	notified board of non-renewal intentions

4197	Jason Alderman, R.D.H.	notified board of non-renewal intentions
4212	Yvonne Ugbeye, R.D.H.	green card signed by illegible
4227	Allison Witt, R.D.H.	green card signed by A. Witt
4268	Chelsey Neal, R.D.H.	green card signed by Lynda Wheeler
4300	Katherine Mendoza, R.D.H.	notice returned
4344	Amanda Martin, R.D.H.	green card signed by Amanda Martin
4362	Brenda Whitehurst, R.D.H.	unknown
4435	Tiffany Tompkins, R.D.H.	green card signed by illegible

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Next, Dr. Guillory made the motion which was seconded by Dr. Trinca that it be:

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. Joseph Ryan	LSU School of Dentistry
Dr. Christopher Hinahon	LSU School of Dentistry
Dr. Robert Boh	LSU School of Dentistry

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Next, Dr. Melancon made the motion which was seconded by Dr. Baudean that it be:

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 persons:

- a. Keri Brandt, R.D.H.
- b. Lindsay Rivet, R.D.H.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Next, Dr. Manning referred to Agenda item number 7, **Office Management Committee**, Dr. Lynn Philippe, Chairman.

Dr. Philippe began his committee report by discussing the Office Management Committee meeting that was conducted on December 7, 2012. Dr. Philippe reviewed the minutes of the meeting and the specific resolutions and recommendations of the committee because many of the items discussed at the committee meeting are included on the board agenda for this meeting. Next Dr. Philippe confirmed that the board had purchased an AED and that all staff members had been trained in Basic Life Support. Finally, Dr. Philippe discussed the flex schedule that had been implemented on January 1, 2013. He advised the members that he had received positive feedback from members of

the staff and he confirmed with the executive director that the program was working. After some limited discussion the board was satisfied with the program. After hearing the report from Dr. Philippe, Dr. Blackwood made a motion that was seconded by Dr. Guillory that it be:

RESOLVED, that the minutes, as circulated, of the Office Management Committee meeting of December 7, 2012 in New Orleans, Louisiana, are hereby adopted, ratified and approved in their entirety.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Next, Dr. Philippe asked Mr. Burkhalter to review the financial statements for the six months ending December 31, 2012. Mr. Burkhalter referred the members to the Sharp and Company documents and related the bank balance as of December 31, 2012. Next, the members' attention was directed to the income and expenses of the board. The figures reported were within the budgeted figures. In addition, board staff is now performing all bank reconciliations have been in balance for each of the first 8 months that they have been performed. Staff members that handle monetary transactions should be commended for their effort. Upon review of the expenses involving investigations, Dr. Blackwood questioned the amount being spent CDC inspections. Further, the benefit received from expending that amount. After additional discussion regarding the issue Dr. Blackwood asked that the matter be added to the agenda in May for discussion by the Office Management Committee. Dr. Philippe thanked Mr. Burkhalter for the report.

Dr. Philippe next addressed agenda item 7 (iv) regarding the creation and maintenance of an online jurisprudence test. The members discussed options for the testing including contracting with testing companies including Sylvan. Dr. Mayer advised the board that his daughter took her nursing exam at Sylvan. The main issue centered on testing utilizing an open book method versus the current system. Dr. Manning advised the board that he felt the purpose of the test was to ensure the licensees have read the Dental Practice Act. Dr. Trinca made a motion that was seconded by Dr. Blackwood that it be:

RESOLVED, that the board hereby directs, empowers and instructs the president and executive director to proceed with the development and creation of an online jurisprudence test.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Dr. Manning identified Mrs. Barbara Melton of the Faircloth Law Group who entered the meeting at this point.

Next, Dr. Philippe moved to agenda item 7 (v) regarding the increase in the budget for investigative expense. Mr. Burkhalter reviewed the current budget for the members and discussed the need for the increase. The investigative expense has increased due to the continued statewide CDC and anesthesia inspections and the increase in and complexity of several board disciplinary matters presently being handled by Mr. Morrison. Further, this budget category consists of multiple expenses including anesthesia inspections and drug testing costs.

Dr. Baudean made the motion which was seconded by Dr. Madison that it be:

RESOLVED, that the Louisiana State Board of Dentistry having reviewed its budget for fiscal year 2012-2013 hereby increases allocations for investigative expenses in the amount of \$30,000.00.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Dr. Baudean made the motion that was seconded by Dr. Cassidy that it be:

RESOLVED, Budget section of the Louisiana State Board of Dentistry's Policies and Procedures Manual sections on banking, budget, fingerprint, property, records retention, meetings, reporting and employees.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Next, Mr. Burkhalter reviewed the online renewals for the 2013-14 licenses. Only 97 dental and 25 dental hygiene license renewals were processed by paper. The other 989 dentists and 905 hygienists completed their renewals online.

At this point, Dr. Manning referred to Agenda item number 8, **Rulemaking Committee**, Dr. David Melancon, Chairman. Dr. Melancon began his committee report by reviewing the minutes of the Rulemaking Committee meeting conducted in December 2012.

Dr. Blackwood made the motion which was seconded by Dr. Guillory that it be:

RESOLVED, that the minutes, as circulated, of the Rulemaking Committee meeting of December 7, 2012 in New Orleans, Louisiana, are hereby adopted, ratified and approved in their entirety.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Dr. Melancon then asked Mr. Burkhalter to address the remainder of the agenda. The first item addressed was a review of the notice of intent for revisions to LAC 46:XXXIII.305 “Reuse of Toothbrush in Dental Office Prohibited” and LAC 46:XXXIII.1611 “Continuing Education Requirements for Relicensure of Dentists”, which were published in the *Register* on February 20, 2013.

Dr. Mayer made the motion that was seconded by Dr. McVea that it be:

RESOLVED, the Louisiana State Board of Dentistry hereby directs, empowers, and authorizes its Rulemaking Committee, President, Executive Director, and Counsel to proceed with the amendments to LAC 46:XXXIII.305 “Reuse of Toothbrush in Dental Office Prohibited” and LAC 46:XXXIII.1611 “Continuing Education Requirements for Relicensure of Dentists”; and

BE IT THEREFORE RESOLVED, those parties are instructed to complete the revisions of these rules as soon as possible.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Next, the board reviewed the final rule revisions to LAC 46:XXXIII.1613 “Continuing Education Requirements for Relicensure of Dental Hygienists”, LAC 46:XXXIII.306 “Requirements of Applicants for Licensure by Credentials” and .706 “Requirements of Applicants for Licensure by Credentials (Hygienists)”; LAC 46:XXXIII.307 “Criteria to be Utilized to Determine Professional Competence ... for Licensure by Credentials” and .707 “Criteria to be Utilized to Determine Professional Competence ... for Licensure by Credentials”; LAC 46:XXXIII.415 “Licenses, Permits, and Examinations (Dentists); LAC 46:XXXIII.1709 “Examination of Dentists”; LAC 46:XXXIII.1809 “Procedural Requirements”; LAC 46:XXXIII.1505 “Conscious Sedation with Parenteral Drugs,” .1506 “Conscious Sedation with Enteral Drugs,” .1509 “Minimal Educational Requirements for the Granting of Permits to Administer Nitrous Oxide Inhalation Analgesia, Conscious Sedation with Parenteral Drugs and General Anesthesia/Deep Sedation,” .1511 “Required Facilities, Personnel and Equipment for Sedation Procedures,” and .1513 “Exceptions”; published as final rules in the *Register* on January 20, 2013.

Discussion then ensued on the proposed revisions to LAC 46:XXXIII.318 “Patients’ Records.” After which, Dr. Moreau made the motion which was seconded by Dr. Smith that it be:

RESOLVED, the Louisiana State Board of Dentistry hereby directs, empowers, and authorizes its Rulemaking Committee, President, Executive Director, and Counsel to proceed with the repeal of LAC 46:XXXIII.318; and

BE IT THEREFORE RESOLVED, those parties are instructed to commence repeal of this rule as soon as possible.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Dr. Melancon then addressed the suggested amendments to LAC 46:XXXIII.120. It was noted during the discussion that the changes to these rules were necessitated by LSA-R.S. 37:3650. After further discussion, Dr. Guillory made the motion which was seconded by Dr. Baudean that it be:

RESOLVED, the Louisiana State Board of Dentistry hereby directs, empowers, and authorizes its Rulemaking Committee, President, Executive Director, and Counsel to proceed with the amendments of LAC 46:XXXIII.120; and

BE IT THEREFORE RESOLVED, those parties are instructed to commence promulgation of these rules as soon as possible.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Dr. Trinca made the motion which was seconded by Dr. Moreau that it be:

RESOLVED, the Louisiana State Board of Dentistry hereby directs, empowers, and authorizes its Rulemaking Committee, President, Executive Director, and Counsel to proceed with the amendments including the revisions discussed of LAC 46:XXXIII.116, .911 and .1403; and

BE IT THEREFORE RESOLVED, those parties are instructed to commence promulgation of these rules as soon as possible.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Next, Dr. Trinca made the motion which was seconded by Dr. Moreau that it be:

RESOLVED, the Louisiana State Board of Dentistry hereby directs, empowers, and authorizes its Rulemaking Committee, President, Executive Director, and Counsel to proceed with the amendments of LAC 46:XXXIII.903 and .907 with the suggested revisions to the rules to add certified mail return receipt requested; and

BE IT THEREFORE RESOLVED, those parties are instructed to commence promulgation of these rules as soon as possible.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Dr. Baudean made the motion which was seconded by Dr. Melancon that it be:

RESOLVED, the Louisiana State Board of Dentistry hereby directs, empowers, and authorizes its Rulemaking Committee, President, Executive Director, and Counsel to proceed with the repeal of LAC 46:XXXIII.1619 and the revision of .1605 with the suggested changes including removing subparagraphs B. 3.-5. and changing the word “shall” to “may” in B. 2. ; and

BE IT THEREFORE RESOLVED, those parties are instructed to commence promulgation of these rules as soon as possible.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Next, Dr. Melancon directed the members to the suggested revisions of LAC 46:XXXIII.415 and .419. Dr. Melancon made the motion which was seconded by Dr. Trinca that it be:

RESOLVED, the Louisiana State Board of Dentistry hereby directs, empowers, and authorizes its Rulemaking Committee, President, Executive Director, and Counsel to proceed with the amendments of LAC 46:XXXIII.415 and .419; and

BE IT THEREFORE RESOLVED, those parties are instructed to commence promulgation of these rules as soon as possible.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Dr. Melancon then made the motion that was seconded by Dr. Trinca that it be:

RESOLVED, that the Louisiana State Board of Dentistry go into Executive Session for the purpose of discussing investigations, adjudications, litigation, and professional competency of individuals and staff.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

After returning from executive session the board returned to agenda item 6 (ii), consideration of applicants for licensure by credentials. At this point Dr. McVea made the motion that was seconded by Dr. Trinca that it be:

RESOLVED, having considered the application for licensure by credentials in the State of Louisiana by Drs. Ronald Montano and Melissa Montano, the Louisiana State Board of Dentistry hereby defers action on the applications until the May 17, 2013 board meeting.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Next, Dr. Blackwood made the following motion which was seconded by Dr. Baudean that it be:

RESOLVED, having considered the application for licensure by credentials in the State of Louisiana by Dr. Shuja Haq, the Louisiana State Board of Dentistry hereby denies said application.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Dr. Manning then referred to Agenda item number 9, **Legislative Committee**, Dr. Wilton Guillory, Chairman. Dr. Guillory stated that LSBOD legislative package including the proposed revisions to the fee structure R.S. 37:795 and R.S. 37:780 for the addition of interest to disciplinary committee orders have been changed to reflect the requests/suggestions made by the LDA Council on Governmental Affairs. Dr. Guillory reviewed the results of the Central Louisiana LDA caucus which he attended recently. In addition, he outlined for the members the vote of the House of Delegates and LDA board regarding the proposed legislation. Dr. Guillory suggested to the members that based upon the current position of the LDA that the board remove from consideration the proposed legislation. The board heard from board counsel, Mr. Begue regarding the anti-lobbying law and its application to the board members. Dr. Blackwood made a motion that was seconded by Dr. Trinca to amend the agenda to discuss seeking an opinion from the Louisiana Attorney General regarding the anti-lobbying statute's application to board members. Dr. Manning called for a vote which was denied because Drs. Cavallino, Baudean and McVea were opposed. Mr. Blackwell suggested to Dr. Blackwood that the proper entity from whom to seek an opinion would be the Board of Ethics. Dr. Blackwood asked that the matter is added to the May agenda for discussion. The board asked to hear from Mr. Ward Blackwell of the LDA regarding the proposed legislation. The members discussed the matter with Mr. Blackwell. Several members suggested that the board move forward with the legislation without the support of the LDA. After further discussion Dr. Guillory made the motion that was seconded by Dr. Blackwood that it be:

RESOLVED, the Louisiana State Board of Dentistry hereby removes from consideration the 2013 proposed legislation.

Drs. Baudean, Cavallino, Blackwood, McVea, Guillory, Smith and Madison voted in support and Drs. Philippe, Moreau, Melancon, Trinca & Mayer and Mrs. Cassidy voted to oppose, Dr. Manning declared the motion passed.

Dr. Manning then referred to Agenda item number 10, **Examination Committee**, Dr. Sam Trinca, Chairman.

Dr. Trinca turned to the agenda and discussed with the members the number of tests administered by CITA this year. He focused his comments on the LSU examination which took place March 7-9, 2013. He complimented the LSU hygiene staff for their excellent work and preparation of the students. He added that multiple individuals from other testing agencies that attended the test complimented the calibration. Further, the comments received by CITA thus far were very positive. He commented that discussions with CRDTS representatives were ongoing in an effort to give a blended examination. If successful, offering a blended examination would allow for acceptance in 43 to 44 states. The discussions will continue at the AADB meeting in Chicago in April. Next, Dr. McVea advised the board that changes are being made to the periodontal portion of the examination allowing for a reduction in paperwork and electronic scoring of the periodontal portion of the hygiene exam.

Next, Dr. Trinca addressed members' attendance at the CITA and AADB meetings in April. Dr. Melancon made the motion that was seconded by Dr. Baudean that it be:

RESOLVED, the Louisiana State Board of Dentistry hereby authorizes Drs. Manning, Madison, McVea, Trinca and Mrs. Cassidy to participate in the CITA meeting and Drs. McVea & Madison and Mrs. Cassidy to participate in the AADB conference.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

The last matter discussed by Dr. Trinca was the board member nominee to attend the 2013 National Dental Examiners' Advisory Forum. Dr. Trinca made the motion that was seconded by Dr. Baudean that it be:

RESOLVED, the Louisiana State Board of Dentistry hereby names Dr. McVea as its representative for participation in the 2013 National Dental Examiners' Advisory Forum.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Dr. Manning then referred to Agenda item number 11, **Anesthesia Committee**, Dr. Lynn Philippe, Chairman. Dr. Philippe began his report with a discussion of the proposed action by AAOMS regarding the monitoring of partial pressure of carbon

dioxide while administered certain levels of sedation and anesthesia. After continued discussion, Dr. McVea made a motion that was seconded by Dr. Guillory that it be:

RESOLVED, the Louisiana State Board of Dentistry hereby directs staff to present rules revisions to require monitoring of the partial pressure of carbon dioxide while administering parenteral moderate and deep sedation as well as general anesthesia.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Dr. Philippe next addressed the proposed adoption of a board rule prohibiting dentists from issuing prescriptions for controlled substances to their family members. After limited discussion, the board decided to take no action.

Dr. Manning then referred to Agenda item number 12, **Impaired Dentist Committee**, Dr. H.O. Blackwood, III, Chairman. At this time, Dr. Blackwood advised the board that there was one case that was being handled by the committee. The specifics could not be discussed in the meeting. Next, he addressed the agenda item regarding the approval of treatment facilities for the Dental Health Professional Monitoring Program. After limited discussion, Dr. Blackwood made a motion that was seconded by Dr. Melancon that it be:

RESOLVED, the Louisiana State Board of Dentistry hereby accepts the lists of facilities recommended by the Physician Health Foundation of Louisiana for Primary Evaluation/Treatment, Psychiatric Evaluation/Treatment and Boundary Evaluation/Treatment Centers as presented.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Next, the board discussed the current status of the contract between the board and Physician's Health Foundation. Mr. Burkhalter advised the board that all of the contract documents were sent to DHH and the Office of Contractual Review for consideration. Further, Dr. Madison inquired about payment and collection of the funds to pay for the services. The board was advised that payment for the services in the contract are contingent upon collection of the fees outlined in the rule revisions presented earlier in the meeting.

Dr. Manning then referred to Agenda item number 13, **Continuing Education Committee**, Dr. Rusty Mayer, Chairman. Dr. Mayer advised the members that he had three matters to discuss. He outlined the action he has taken with respect to requests for

extensions to complete the required continuing education requirements. Next, he advised the board he had multiple requests from clinics to be added to the list of facilities that may provide pro bono services. He outlined the programs and facilities that had been approved by the board. After limited discussion on these points, Dr. Mayer referred the members to the agenda item for a discussion of amending the current continuing education requirements for retired dentists holding active licenses. After discussing the topic the board elected to take no action.

Dr. Manning then referred to Agenda item number 14, **New Business and any other business which may properly come before the board.**

At this point, Dr. Blackwood made the motion which was seconded by Dr. Guillory that it be:

RESOLVED, that the action of the President in entering into a resolution in the matter involving Lisa C. Bailey, D.D.S., via Consent Decree by and between the Louisiana State Board of Dentistry and Lisa C. Bailey, D.D.S., (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.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Dr. Blackwood made the motion which was seconded by Dr. Guillory that it be:

RESOLVED, that the action of the President in entering into a resolution in the matter involving Gordon E. Fletcher, D.D.S., via Consent Decree by and between the Louisiana State Board of Dentistry and Gordon E. Fletcher, D.D.S., (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.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Dr. Blackwood made the motion which was seconded by Dr. Guillory that it be:

RESOLVED, that the action of the President in entering into a resolution in the matter involving Gregory W. Greenwood, D.D.S., via Consent Decree by and between the Louisiana State Board of Dentistry and Gregory W. Greenwood, D.D.S., (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.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Dr. Blackwood made the motion which was seconded by Dr. Guillory that it be:

RESOLVED, that the action of the President in entering into a resolution in the matter involving Andrew P. Jackson, D.D.S., via Consent Decree by and between the Louisiana State Board of Dentistry and Andrew P. Jackson, D.D.S., (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.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Dr. Blackwood made the motion which was seconded by Dr. Guillory that it be:

RESOLVED, that the action of the President in entering into a resolution in the matter involving John P. Benjamin, Jr., D.D.S., via Consent Decree by and between the Louisiana State Board of Dentistry and John P. Benjamin, Jr., D.D.S., (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.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Dr. Blackwood made the motion which was seconded by Dr. Guillory that it be:

RESOLVED, that the action of the President in entering into a resolution in the matter involving Jerry Lamar Johnston, D.D.S., via Consent Decree by and between the Louisiana State Board of Dentistry and Jerry Lamar Johnston, D.D.S., (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.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Dr. Blackwood made the motion which was seconded by Dr. Guillory that it be:

RESOLVED, that the action of the President in entering into a resolution in the matter involving Ronald A. Mancuso, D.D.S., via Consent Decree by and between the Louisiana State Board of Dentistry and Ronald A. Mancuso, D.D.S., (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.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Dr. Blackwood made the motion which was seconded by Dr. Guillory that it be:

RESOLVED, that the action of the President in entering into a resolution in the matter involving Lance L. Babin, D.D.S., via Consent Decree by and between the Louisiana State Board of Dentistry and Lance L. Babin, D.D.S., (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.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Dr. Blackwood made the motion which was seconded by Dr. Guillory that it be:

RESOLVED, that the action of the President in entering into a resolution in the matter involving Melvin P. Jones, D.D.S., via Consent Decree by and between the Louisiana State Board of Dentistry and Melvin P. Jones, D.D.S., (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.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Dr. Blackwood made the motion which was seconded by Dr. Guillory that it be:

RESOLVED, that the action of the President in entering into a resolution in the matter involving Vincent Leggio, D.D.S., via Consent Decree by and between the Louisiana State Board of Dentistry and Vincent Leggio, D.D.S., (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.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Next, Dr. Trinca made the motion to amend the agenda to consider additional consent decrees that were received after the preparation of the agenda which was seconded by Dr. Guillory. After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Dr. Blackwood made the motion which was seconded by Dr. Guillory that it be:

RESOLVED, that the action of the President in entering into a resolution in the matter involving Harry K. Castle, D.D.S., via Consent Decree by and between the Louisiana State Board of Dentistry and Harry K. Castle, D.D.S., (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.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Dr. Blackwood made the motion which was seconded by Dr. Guillory that it be:

RESOLVED, that the action of the President in entering into a resolution in the matter involving Edgardo L. Rabel, D.D.S., via Consent Decree by and between the Louisiana State Board of Dentistry and Edgardo L. Rabel, D.D.S., (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.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Dr. Blackwood made the motion which was seconded by Dr. Guillory that it be:

RESOLVED, that the action of the President in entering into a resolution in the matter involving Robert B. Rabel, D.D.S., via Consent Decree by and between the Louisiana State Board of Dentistry and Robert B. Rabel, D.D.S., (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.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Dr. Blackwood made the motion which was seconded by Dr. Guillory that it be:

RESOLVED, that the action of the President in entering into a resolution in the matter involving David L. Ruegsegger, D.D.S., via Consent Decree by and between the Louisiana State Board of Dentistry and David L. Ruegsegger, D.D.S., (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.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Dr. Manning next addressed agenda item number 14(ii). At this point, Dr. Guillory made the motion which was seconded by Dr. Trinca that it be:

RESOLVED, the Louisiana State Board of Dentistry hereby approves and ratifies the contract entered into by the board president with Patrick Douglas T. Talley, Jr., D.D.S.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Dr. Guillory made the motion which was seconded by Dr. Trinca that it be:

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

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

The board next addressed the request for a resolution on the meaning of the term “Universal Precautions” in board rules .1202 and .1203. Dr. Trinca made the motion which was seconded by Dr. Melancon that it be:

RESOLVED, that the Louisiana State Board of Dentistry hereby finds that the term “Universal Precautions” in Board Rules 1202 and 1203 includes all of the current Federal Centers for Disease Control guidelines for infection control in dental healthcare settings.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Next, Mr. Camp Morrison reviewed for the members an inspection protocol for anesthesia and general CDC inspections. The board referred the matter to the Licensing and Credentials and Anesthesia Committees for further review and suggestions for action to the full board.

Next, Mr. Burkhalter reviewed for the members the LDA Peer Review Report for January and February 2013.

Next, Dr. Melancon made the motion which was seconded by Dr. Baudean that it be:

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 December 7-8, 2012 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.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Dr. Melancon made the motion which was seconded by Dr. Baudean that it be:

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 January 25-27, 2013 Southern Conference of Dental Deans and Examiner’s meeting and hearings held in Raleigh North Carolina; 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.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Dr. Melancon made the motion which was seconded by Dr. Baudean that it be:

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 February 1, 2013 meeting with the senior class held at Louisiana State University School of Dentistry; 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.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

At this point, Mrs. Cassidy made the motion which was seconded by Dr. Smith that it be:

RESOLVED, that the Louisiana State Board of Dentistry hereby adjourns its meeting of March 15, 2013.

After the board voted unanimously in the affirmative, Dr. Manning declared the motion passed.

Dr. Manning then adjourned the meeting at 2:45 P.M.

Conrad McVea, III, D.D.S.
Secretary/Treasurer
Louisiana State Board of Dentistry