# THE BULLETIN

VOLUME 35 WINTER 2015 Louisiana State Board of Dentistry 365 Canal Street Suite 2680

NEW ORLEANS, LOUISIANA 70130

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# Message from the President Dr. Aubrey Baudean

I have overseen several changes over my past year as the president of the Louisiana State Board of Dentistry. We have revamped our process for handling complaints against licensees. We have revised the Centers for Disease Control and anesthesia inspection process.

The Board will now pre-approve advertising for a fee. And beginning early 2016, we will eliminate third party permits for those dentists wishing to employ CRNAs or others to administer anesthesia. Each of these changes was made to better serve the public as well as make the Board's policies and procedures clearer for its licensees.

As I am sure you are aware, the Board's mission is to protect the public by regulating the professions of dentistry and dental hygiene. As your Board president, I take this charge very seriously as does each of our other members. The vast majority of our licensees practice scrupulously and at the high standard I have come to expect of our profession. However, as Board members, it is our difficult (and often thankless) job to protect the public from the very small number of dental professionals who may not be practicing appropriately, which necessarily puts us at odds with these licensees. As a practicing dentist, it is important to me that our profession and its practitioners remain well-trained, safe, ethical, and honest. I think we can all agree that a high standard of dental care in Louisiana is our goal both as dentists and as Board members. Although the Board is charged with protection of the public, I am sure that all of our licensees wish to see dentistry's reputation remain untarnished in Louisiana and its citizens safe. This is a goal we can work toward together with each of us doing our part to ensure that we continue with the same professional excellence we have maintained for years.

This is my last year as a member of the Board, and my tenure has been an eventful one. I have seen many changes over the years, and I am proud of the Board, both its individual members as well as the organization as a whole. We have moved from our own individual clinical licensure examinations to regional ones, allowing more mobility

for our licensees. We now renew licenses online rather than with paper applications which speeds up the entire renewal process. We hope to soon have a company tracking our licensees' continuing education so that you will no longer have to submit certificates for CE audits. And we have begun the long, laborious process of clarifying the Board's rules. The progress made in both the profession as well as regulation has been very gratifying to witness.

I would like to thank each of the Board members for working tirelessly over the course of this year. I have worked with some wonderful, dedicated Board members who never ceased to amaze me with their commitment to public service. Our licensees are represented by excellent members from all over the state. Please feel free to contact your local Board representative if you ever have any questions. They are always willing to provide information to our licensees or answer questions. You will find contact information for them both within this issue of The Bulletin as well as on our website, www.lsbd.org.

Please remember that the Board's website is an excellent source of information about the Board and its policies. I encourage you to visit our site as we update it frequently. You will find information on upcoming meetings, past Board meetings, rule changes, inspections, continuing education, and various applications and forms. If you need information not found on our site, do not hesitate to call the Board office. Our staff is always available to assist you.

# From the Desk of the Executive Director Arthur Hickham, Jr.

My second year as the Board's executive director is drawing to a close, and it has certainly been an eventful one. The Board has recently updated its anesthesia regulations. The hope is that this will clarify the Board's rules as well as bring Louisiana in line with the ADA anesthesia and sedation guidelines on training requirements for anesthesia permits. The Board has also recently resumed Centers for Disease Control inspections of dental offices. Additionally, dentists may now request the Board's pre-approval of their advertisements. There have also been a few rule changes throughout 2015. You may find information on those rule changes on page 3.

The latest anesthesia regulations are expected to go into effect January 2016. The biggest change for current enteral sedation, parenteral sedation, and general anesthesia permit holders is the continuing education requirement. Currently, these permit holders are to complete an in-person "refresher" course pertinent to their level of permit once every six years. The new regulations retain this requirement and also require that permit holders complete six hours of CE pertaining to sedation every two years; however, the six hours required every two years may be completed online. The in-person refresher course can count towards the new biennial requirement. The new continuing education requirement will also count towards the 40 hours of continuing education required every two years. Thus, the continuing education requirement is not being increased; instead, 6 of the 40 hours must pertain to sedation if the dentist holds a sedation permit.

The CDC inspections resumed a couple of weeks ago, so some of you have already received the new notices. These notices contain a copy of the inspection sheet our inspector will use as well as a list of documents and records you should have available when the inspector arrives. This should clarify the process as well as ensure you are prepared ahead of time for the inspection. The inspection sheets may also be found on the Forms page of Board's website.

The most recent legislative session allowed the Board to pre-approve advertisements to ensure that dentists' advertisements are in compliance with the Board's requirements prior to their use. To have your advertisement reviewed, please send a written request along with a copy of the ad and a check or money order for \$150 to the Board office. I will review the submitted ad and let you know whether it is approved.

License renewals will begin October 1. You may renew your license online with a major credit card or you may renew your license with a check or money order by submitting a paper renewal application. The paper renewal application will be mailed to you upon request, so please contact the Board office should you need one. Additionally, all renewing licensees must complete and mail a CE form indicating the courses you completed over calendar years 2014 and 2015. Please find additional information regarding the renewal process on the License Renewals page of the Board's website.

In closing, I would like to thank the Board's staff for their continuing hard work and dedication throughout the year: director of licensing Erin Conner, administrative assistant Rachel Daniel, administrative coordinator Joshua Besson, and administrative coordinator Carolyn Perez. I would also like to welcome two new staff members: Haley Ashe is our new administrative coordinator in licensing and Brian Samuel is our new inspector. Brian had previously conducted office inspections a few years ago, so many of you may remember him. As always, the Board staff is here to answer any questions or concerns you may have. Please feel free to email us or give us a call at the office if we can be of assistance.

## **RULE CHANGES 2014-2015**

#### **RULES EFFECTIVE JULY 20, 2015**

#### §114. Reinstatement of Licenses Revoked for Non-Payment

- A. The board may reinstate a Louisiana dental or dental hygiene license which was revoked due to non-renewal provided that the former licensee
  - 1. has submitted the fully completed required application form with all supporting data and certification of competency of good character;
  - 2. has paid all required fees;
  - 3. has, if deemed necessary by the board, appeared for a personal interview before the board;
  - 4. possesses a current certificate in the American Heart Association cardiopulmonary resuscitation health care provider course, the American Red Cross professional rescue course, or their equivalent; and
  - 5. has complied with applicable provisions of §124.
- B. Regardless of the former licensee's compliance with the foregoing and the requirements listed in §124, the board may refuse to reinstate a license for any of the following:
  - 1. any material misrepresentation or omission in the application; or
  - 2. any disciplinary action or sanctions taken against an applicant's license in another jurisdiction; or
  - 3. any reason listed in R.S. 37:775, 37:776, or 37:777.

#### §120. Temporary Licenses

- A. Temporary Licenses for Dentists. In order to protect the public and to avoid abuses of the exemption granted in R.S. 37:752(8), the board will not issue temporary dental licenses except to those applicants applying for a license by credentials under the provisions of R.S. 37:3651 upon their application and payment of applicable fees.
- B. Temporary Licenses for Dental Hygienists. The board may issue temporary dental hygiene licenses to the following applicants:
- B.1. . . .
  - 2. those dental hygiene license by credentials applicants who are applying under the provisions of R.S. 37:3651 upon their application and payment of applicable fees.
- C. Under the provisions of R.S. 37:3651, military trained dentists or hygienists applying for a license by credentials who do not meet the practice requirements specified in §306.A.4.a-d or §706.A.4.a-b may apply for a temporary license in order to fulfill the practice requirements. Applicants must first apply for a license by credentials by meeting all other requirements listed in §306 or §706 and show their eligibility by providing the following documentation:
- C.1.-C.5. . . .
- D. Under the provisions of R.S. 37:3651, the spouse of an active duty military member applying for a license by credentials who does not meet the practice requirements specified in §306.A.4.a-d or §706.A.4.a-b may apply for a temporary license in order to fulfill the practice requirements. Applicants must first apply for a license by credentials by meeting all other requirements listed in §306 or §706 and show their eligibility by providing the following documentation:

D.1.-J.3. . . .

#### §124. Guidelines for Returning to Active Practice

A.-Ł. ...

F. When a licensee has not practiced for one year or greater, an evaluation by a dentist and/or specialist ap-

### **RULE CHANGES 2014-2015**

pointed by the board shall be conducted. Varying degrees of remediation shall be determined by the board on a case-by-case basis. Areas of specific concern for general dentists are:

F.1.-I. . . .

J. When a license has been inactive or a licensee has not practiced for one year or greater, the licensee will be required to successfully pass an examination administered by the board testing the licensee's knowledge of the Louisiana Dental Practice Act and the jurisprudence affecting same. In addition, within 120 days of the reinstatement of a license or the licensee's return to active practice, the licensee will be required to complete one-half of the continuing education requirement for relicensure as described in §§1611 and 1613. The continuing education courses shall include a board-approved cardiopulmonary resuscitation course.

K.-L. . . .

#### §504. Confirmation of Expanded Duty Dental Assistant Certification

- A. Unless exempt in accordance with §501 C, no assistant may perform expanded duties unless the assistant has first registered with the board and received a certificate confirmation of the assistant's expanded duty dental assistant status from the board.
- B. In order to receive a certificate confirmation, the assistant must provide to the board all of the following:
  - 1. evidence of successful completion of a board approved EDDA course;
  - 2. evidence of current approved BLS certification;
  - 3. evidence of successful completion of a board approved radiology course;
  - 4. completed certificate confirmation application; and
  - 5. the appropriate fee listed in Chapter 4 of these rules.

# §508. Dental Assistants Graduating from Dental Assisting Schools Approved by the Commission on Dental Accreditation

A. Since the inception of R.S. 37:751.A.(7) defining an expanded duty dental assistant as a graduate from a dental assisting program accredited by the Commission on Dental Accreditation of the American Dental Association, many changes in technology and dental materials have taken place, and in the interest of the protection of the public those persons seeking expanded duty dental assistant status and who have graduated from CODA accredited schools, must comply with the following:

A.1.-A.2. ...

#### §1607. Exemptions

A.1.-A.2.

- 3. dentists in the first calendar year of their initial licensure;
- 4. dental hygienists in the first calendar year of their initial licensure.

В. ...

- C. Dentists renewing their licenses in the calendar year following their initial licensure must complete one-half of the continuing education required under §1611.
- D. Dental hygienists renewing their licenses in the calendar year following their initial licensure must complete one-half of the continuing education required under §1613.

### REVISED ANESTHESIA RULES TENTATIVELY EFFECTIVE JANUARY 20, 2016

#### §1502. Types of Permits

- A. The board issues two types of permits for sedation and/or general anesthesia:
  - 1. personal permits;
  - 2. office permits.
- B. In order for anyone to perform any type of sedation or general anesthesia beyond minimal sedation in conjunction with dental procedures in a dental office or in any facility in which dentistry is being performed, an office permit must have been issued by the board for that location, subject to the exceptions in RS. 37:793(H). The office permit must be for the level of sedation or general anesthesia equal to or higher than the level to be performed. No office or personal permit is required for minimal sedation by means other than nitrous oxide inhalation.
- C. In order to perform any type of sedation or general anesthesia beyond minimal sedation, or to perform nitrous oxide analgesia or sedation, a dentist must hold a personal permit equal to or higher than the level of sedation or general anesthesia to be performed. Additionally, in order to perform any type of moderate sedation or greater on children under the age of 13, the permit received by the dentist must have a pediatric certification as provided for in §1504.

#### §1503. Personal Permits for Sedation/Anesthesia

- A. The board issues the following types of personal permits for sedation and/or general anesthesia, listed in order from lowest to highest level:
  - 1. nitrous oxide inhalation permit;
  - 2. moderate sedation with enteral drugs;
  - moderate sedation with parenteral drugs;
  - 4. general anesthesia/deep sedation.
- B. In order to receive a personal permit, the dentist must show proof of completion of a training program pertaining to the level of permit sought. The training program must have complied with the guidelines and policy statements published by the American Dental Association pertaining to training recommended for sedation and/or general anesthesia (Guidelines for Teaching the Comprehensive Control of Anxiety and Pain in Dentistry and Policy Statement: The Use of Sedation and General Anesthesia by Dentists) for the level of permit sought in effect at the time the training occurred. The training program must have been completed less than five years before the application for the permit is made. Below are the current requirements at the time of the promulgation of this Rule. These requirements will change when the above referenced guidelines change, and if the guidelines are abolished, the latest guidelines in place prior to the abolition shall set the requirements:
  - In order to receive personal permit to administer nitrous oxide analgesia, the dentist must show proof to
    the board of completion of a course on nitrous oxide analgesia/sedation that consists of a minimum of 16
    hours of didactic instruction, plus clinically-oriented experiences during which competency in nitrous oxide
    analgesia/sedation techniques is demonstrated.
  - 2. In order to receive a personal permit to administer moderate sedation with enteral drugs, the dentist must show proof to the board of completion of a course on moderate enteral sedation that consists of a minimum of 24 hours of instruction, plus the management of at least 10 adult cases by the enteral and/or enteral-nitrous oxide/oxygen route. These 10 cases must include at least three live clinical dental experiences managed by the participants in groups no larger than five. The remaining cases may include simulations and/or video presentations, but must include one experience in returning (rescuing) a patient from deep to moderate sedation. The course must provide the participants with supervised opportunities to demonstrate competency in airway management.

- 3. In order to receive a personal permit to administer moderate sedation with parenteral drugs, the dentist must show proof to the board of completion of a course on moderate parenteral sedation that consists of a minimum of 60 hours of instruction, plus the management of at least 20 patients by the intravenous route per participant. The course must provide the participants with supervised opportunities for clinical experience to demonstrate competence in management of the airway.
- 4. In order to receive a personal permit to administer general anesthesia/deep sedation, the dentist must show proof to the board of having completed an advanced education program accredited by the Commission on Dental Accreditation that provided training in deep sedation and general anesthesia.
- C. If the training program described in paragraph B of this section was completed five years or more before the application for the personal permit is made, the board may, in its discretion, through the chairman of its anesthesia committee, issue the requested permit if the licensee has been legally and safely providing sedation/ anesthesia at the level of the requested permit in another state since completing the program.
- D. In addition to the requirements of paragraph B, in order to receive or renew any personal sedation/general anesthesia permit or a nitrous oxide analgesia/sedation permit, the licensee must provide proof of current certification in cardiopulmonary resuscitation, Course "C", Basic Life Support for the Health Care Provider as defined by the American Heart Association, or its equivalent.
- E. In addition to the requirements of paragraphs B and D, in order to receive or renew a personal moderate enteral sedation permit, a personal moderate parenteral sedation permit, or a personal deep sedation/general anesthesia permit, the licensee must provide proof of current certification in advanced cardiac life support as defined by the American Heart Association or its equivalent. The board will only accept an ACLS course which includes a practical component which is personally attended. If a dentist's practice is restricted to treating only children, the certification in pediatric life support (PALS) described in §1504(D) will suffice as a substitute for ACLS.
- F. Licensees who have received permits to administer sedation or anesthesia prior to the effective date of this Rule and whose permits are still valid are exempt from the training program requirements in subparagraph B upon renewal of their permits.

#### §1504. Pediatric Certification for Personal Permits

In order to receive a pediatric certification for a personal permit:

- A. A dentist shall have completed a pediatric or oral and maxillofacial surgery advanced education program accredited by the Commission on Dental Accreditation that provided training in the level of sedation allowed by the permit requested; or
- B. In addition to completing the training requirements set forth in §1503, the dentist shall have completed an additional training course consisting of 8 hours of didactic pediatric sedation training specific to the level of the permit being sought and 10 cases of pediatric sedation involving the highest level of sedation allowed by the permit sought; or
- C. The training program meeting the requirements set forth in §1503 was pediatric specific.
- D. In addition to the above requirements, in order to receive or renew a personal permit with a pediatric certification, the licensee must provide proof of current certification in pediatric life support (PALS), or its equivalent. The board will only accept a PALS course which includes a practical component which is personally attended. If a dentist's practice is restricted to treating only children, the PALS certification will suffice as a substitute for the ACLS required in §1503(E). If a dentist's practice is not restricted to treating only children, in order to receive a permit with a pediatric certification, both PALS and ACLS certifications are required.

#### §1505. Personal Permit Renewals

In order to renew any sedation/anesthesia permit that the licensee has had for at least two years other than a nitrous oxide inhalation permit, the licensee must have obtained six (6) hours of continuing education on the administration of sedation specific to the highest level of sedation/anesthesia allowed by the permit being renewed or

on medical emergencies associated with the administration of sedation/anesthesia specific to the highest level of sedation/anesthesia allowed by the permit being renewed during the two year period of the permit. If the permit has a pediatric certification, in addition to the above stated requirements, the continuing education must be pediatric specific. The CPR, ACLS, and PALS courses required in sections 1503 and 1504 do not count toward the requirements set forth in this section. This requirement can be counted toward the usual continuing education licensure requirements and can count toward the continuing education requirement in §1611(J) if it is personally attended.

#### §1506. Intranasal Midazolam

Although the intranasal route of administration of sedative agents is statutorily considered to be a parenteral technique of drug administration, licensees holding a personal permit for moderate sedation with enteral drugs may administer intranasal midazolam to accomplish moderate sedation without holding a personal permit for moderate sedation with parenteral drugs.

#### §1508. Oral Administration of Drugs for Sedation

Oral Administration of drugs used to induce sedation beyond minimal sedation shall be performed on the dental premises only. Oral Administration of drugs for sedation for children under the age of 13, regardless of the level of sedation targeted, shall be performed on the dental premises only.

#### §1509. Third-party Sedation/Anesthesia

- A. Sedation and/or general anesthesia may be performed in a dental office in conjunction with dental work when the dentist utilizes the services of a third-party Louisiana licensed physician who specializes in anesthesiology, a third-party Louisiana licensed certified registered nurse anesthetist, or an oral and maxillofacial surgeon who is permitted by the board to administer moderate sedation, deep sedation, and general anesthesia provided that the third-party anesthetist must remain on the premises of the dental facility until any patient given sedation is recovered.
- B. In order to utilize a third-party to administer sedation and/or anesthesia as described in paragraph A, a dentist must obtain an office permit for each office location at which a third-party anesthetist will be administering sedation or anesthesia, subject to the exceptions in RS. 37:793(H). This permit will only be issued after an office inspection by the board to assure that the office meets the minimum requirements for facilities, personnel and equipment for sedation/anesthesia procedures. Additionally, the dentist who is performing the dental work but not performing the sedation/general anesthesia must have current certification in advanced cardiac life support as defined by the American Heart Association or its equivalent. The board will only accept an ACLS course which includes a practical component which is personally attended.

#### §1510. Moderate Sedation

- A. In order to administer enteral or parenteral moderate sedation, the dentist shall:
  - 1. comply with all requirements of this Chapter;
  - 2. utilize a working pulse oximeter on patients;
  - 3. maintain a proper record keeping mechanism in addition to a controlled substance log; and
  - 4. utilize an accurate scale on pediatric patients (anyone under the age of 13).
- B. Drugs for enteral moderate sedation must be administered in a dental office and the patient must be observed by a qualified office staff member with training and credentials to perform the specific tasks concomitant with the procedure being administered. For both enteral and parenteral moderate sedation, continuous monitoring with pulse oximetry must be initiated with early signs of moderate sedation and continued until the patient is alert. A precordial, pretracheal stethoscope must be available to assist intraoperatively in the monitoring of heart and respiratory rates. A sphygmomanometer shall be immediately available and utilized as needed throughout the procedure. Drugs for anxiolysis/minimal sedation in adults may be administered off

premises prior to the dental procedure.

#### §1511. Required Facilities, Personnel and Equipment for Sedation Procedures

- A. The following are minimum requirements for facilities and equipment that must be available for use with sedation procedures, other than minimal sedation by means other than nitrous oxide inhalation.
  - 1. The dental operatory where sedation procedures are performed must be large enough to accommodate the patient adequately on a dental chair and to permit an operating team consisting of three individuals to move about the patient.
  - 2. The dental chair must permit the patient to be positioned so that the operating team can maintain the airway, quickly alter the patient position in an emergency, and provide a firm platform for performing cardiopulmonary resuscitation should it become necessary.
  - 3. There must be a lighting system which is adequate to permit evaluation of the patient's skin and mucosal color.
  - 4. There must be suction equipment which permits aspiration of the oral and pharyngeal cavities. A back-up suction device which can operate at the time of a general power failure must be available for moderate and deep sedation procedures and for general anesthesia.
  - 5. There must be an oxygen delivery system with adequate full-face masks and appropriate connectors capable of delivering a positive pressure oxygen supply to the patient.
  - 6. Nitrous oxide equipment should:
    - a. conform to all requirements as established by the Council on Dental Materials and Devices of the American Dental Association;
    - b. provide a maximum of 100 percent and never less than 20 percent oxygen concentration at appropriate flow rates;
    - c. have a functional fail-safe system;
    - d. utilize a scavenger system in working condition;
    - e. be free of any obvious leaks, such as those indicated by hissing sounds or poor connections or tears of the delivery tubing or reservoir bag.
  - 7. Ancillary equipment must be available in the operatory where the moderate sedation, deep sedation or general anesthesia procedure is being performed, must be maintained in good operating condition, and must include the following:
    - a. oral airways;
    - b. tonsillary or pharyngeal-type suction device adaptable to all office outlets;
    - c. sphygmomanometer of appropriate size for the patient and stethoscope;
    - d. adequate equipment for the establishment of an intravenous infusion when parenteral sedation procedures are performed;
    - e. pulse oximeter;
    - f. equipment to monitor partial pressure of carbon dioxide when parenteral moderate sedation, deep sedation, or general anesthesia is administered;
    - g. Working electrocardiograph and defibrillator when general anesthesia, deep sedation or moderate is utilized.
  - 8. There must be emergency equipment and drugs available in an emergency kit or crash cart which is immediately available to the dental operatory where the sedation procedure, other than minimal sedation or sedation by nitrous oxide inhalation, is being performed. These kits must include the necessary drugs and equipment to resuscitate a non-breathing unconscious patient and sustain life while the patient is being transported. There should be a list in each kit of the contents and a record of when the contents were checked. The following drugs should be available in the kit:
    - a. Epinephrine;
    - b. Vasopressor;

- c. Corticosteroid;
- d. Bronchodilator;
- e. Appropriate drug antagonists;
- f. Antihistaminic;
- g. Anticholinergic;
- h. Coronary artery vasodilator;
- i. Anticonvulsant;
- j. Oxygen; and
- k. 50 percent dextrose or other antihypoglycemic.

#### B. Personnel

- 1. The authorized dentist must ensure that every patient receiving nitrous oxide inhalation analgesia, moderate sedation with parenteral drugs, deep sedation or general anesthesia is constantly attended.
- 2. Direct supervision by the authorized dentist is required when nitrous oxide inhalation analgesia, moderate sedation with parenteral drugs, deep sedation or general anesthesia is being administered.
- 3. When nitrous oxide inhalation analgesia is being administered, one dentist or auxiliary who is currently certified in basic life support must be available to assist the dentist or dental hygienist in an emergency.
- 4. When moderate sedation with parenteral or enteral drugs is being administered one auxiliary who is currently certified in basic life support must be available to assist the dentist in an emergency.
- 5. When deep sedation or general anesthesia is being administered two auxiliaries who are currently certified in basic life support must be available to assist the dentist in an emergency.

#### §1513. Exceptions

Repealed.

### **DISCIPLINARY ACTIONS 2014-2015**

The following represents summaries of disciplinary actions taken in 2014-2015 by the Louisiana State Board of Dentistry or judgments rendered by the court in connection with civil and/or criminal proceedings and/or appellate proceedings involving registrants of this board. In the event further judicial appeals are taken in any of these matters, they will be reviewed in the next issue of The Bulletin.

#### **BILLY BOOTY, D.D.S.**

#### BATON ROUGE, LOUISIANA

#### No violation

Dr. Booty entered into an amendment to his previous consent decree wherein his probation period was reduced to 2 years and 8 months.

#### DONALD BOUDREAUX. D.D.S.

#### **NEW IBERIA, LOUISIANA**

**Violation** - Dr. Boudreaux was charged with failure to obtain an office permit for performing general anesthesia in violation of R.S. 37:793 (C)(3).

**Final Disposition** - Dr. Boudreaux entered into a consent decree with the Board wherein he agreed to pay a fine in the amount of \$500.

#### **VINCENT DILEO, D.D.S.**

#### **METAIRIE, LOUISIANA**

#### No violation

Dr. DiLeo entered into an amendment to his previous consent decree wherein his fine and costs due to the board were reduced to \$90,000. His probation period was reduced to 2 years and 9 months.

### **DISCIPLINARY ACTIONS 2014-2015**

# VINTAGE DELAHOUSSAYE, D.D.S. BREAUX BRIDGE, LOUISIANA

# No violation

Dr. Delahoussaye entered into a second amendment to her previous consent decree wherein her probation period was reduced to 3 years and 2 months.

#### RONALD J. GUSTAFSON, D.D.S.

#### SLIDELL, LOUISIANA

#### No violation

Dr. Gustafson entered into an amendment to his previous consent decree wherein his probation period was reduced to 18 months.

#### MEGAN N. HARRELL, R.D.H.

#### **DENHAM SPRINGS, LOUISIANA**

**Violation** - Ms. Harrell was charged with habitual indulgence in the use of drugs, narcotics, or intoxicating liquors in violation of R.S. 37:777 (A)(5).

**Final Disposition** - Ms. Harrell entered into a consent decree with the Board wherein her license to practice dental hygiene in Louisiana was revoked.

#### CECILIA C. OUBRE, D.D.S.

#### LAKE CHARLES, LOUISIANA

**Violation** - Dr. Oubre was charged with treatment of a patient that was below the prevailing acceptable standard of care in Louisiana in violation of R.S. 37:776 (A)(8).

**Final Disposition** - Dr. Oubre entered into a consent decree with the Board wherein her license to practice dentistry in Louisiana was revoked.

#### MITCHELL M. SONNIER, D.D.S.

#### JENNINGS, LOUISIANA

**Violation** - Dr. Sonnier was charged with prescribing, dispensing, or administering habit forming or other legally controlled substances in other than a legal and legitimate manner in violation of R.S. 37:776 (A)(6) and LAC 46:XXXIII.320.

**Final Disposition** - Dr. Sonnier entered into a consent decree with the Board wherein he agreed to pay a fine in the amount of \$5,000 and reimburse the Board's costs. He must complete and satisfactorily pass continuing education courses in Opiate Management and Ethics. Dr. Sonnier must surrender all state and federal controlled substances prescribing privileges, and provide proof of surrender to the Board no later than May 8, 2015. He must also successfully complete the dental jurisprudence test administered by the Board.

#### JOHN STOVER, D.D.S.

#### HILO, HAWAII

Violation – Disciplinary action taken by another state licensing authority in violation of R.S. 37:776 (A)(18).

**Final disposition** – Dr. Stover entered into a consent decree wherein he surrendered his license to practice dentistry in Louisiana and agreed that he would not apply for a new license for 5 years.

#### ANDREW J. VOELKEL, D.D.S.

#### **COVINGTON, LOUISIANA**

**Violation** - Dr. Voelkel was charged with allegations of fraud and providing unnecessary treatment during his treatment of several patients in violation of R.S. 37:776 (A)(16) and (21); and failure to comply with a Board investigation in violation of R.S. 37:776 (A)(27).

**Final Disposition** - Dr. Voelkel entered into a consent decree with the Board wherein he was ordered to pay a fine in the amount of \$5,000 and reimburse the Board's costs. He must also undergo an evaluation and remediation of no less than 20 hours of his periodontal treatment and diagnosis skills.

### **ADVERTISING DISCIPLINARY ACTIONS 2014-2015**

#### JOHN E. TRAHAN, II, D.D.S. LAKE CHARLES, LOUISIANA

**Violation** - Dr. Trahan was charged with an advertising violation of R.S. 37:775 (A)(1)(c), (A)(2), (A)(9)(a), and LAC 46:XXXIII.301 (B), .301 (I)(1)(2) and (3), thereby forming a violation of R.S. 37:776 (A)(24).

**Final Disposition** - Dr. Trahan entered into a consent decree with the Board wherein he was ordered to pay a fine in the amount of \$500 and provide documentation to the Board proving that he has satisfactorily corrected the advertisement.

### **2016-2017 RENEWAL FEES**

#### LICENSE RENEWAL FEES

2016-2017 biennial dental license	\$540
2016-2017 biennial dental license	
(for licensees whose initial dental license was issued during calendar year 2015)	\$270
2016-2017 biennial dental hygiene license	\$200
2016-2017 biennial dental hygiene license	
(for licensees whose initial dental hygiene license was issued during calendar year 2015)	\$100

Delinquent fees will be assessed to all license renewals not completed by December 31, 2015 (if renewing online) or postmarked by December 31, 2015 (if using a paper renewal form).

#### **DENTAL HEALTH PROFESSIONAL MONITORING PROGRAM FEES**

Dentist fee to support well-being program	\$50
Dentist fee to support well-being program	
(for licensees whose initial dental license was issued during calendar year 2015)	\$25
Hygienist fee to support well-being program	\$30
Hygienist fee to support well-being program	
(for licensees whose initial dental license was issued during calendar year 2015)	\$15

#### PERSONAL ANESTHESIA PERMIT RENEWAL FEES

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Renewal of personal nitrous oxide permit	\$50
Renewal of personal adult enteral moderate sedation permit	\$50
Renewal of personal pediatric enteral moderate sedation permit	\$50
Renewal of personal parenteral moderate sedation permit	\$200
Renewal of personal parenteral deep sedation permit	\$200
Renewal of personal general anesthesia permit	\$200
You will only pay a renewal fee for the highest level of anesthesia permit	t you hold.

### LOUISIANA STATE BOARD OF DENTISTRY MEMBERS

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Rachel Daniel Administrative Assistant 4 rachel@lsbd.org

Carolyn Perez
Receptionist/Administrative Coordinator 2
carolyn@lsbd.org

Erin Conner
Director of Licensing
erin@lsbd.org

Haley Ashe
Administrative Coordinator 4 (licensing)
haley@lsbd.org

Joshua Besson Administrative Coordinator 3 joshua@lsbd.org

#### **LICENSES**

#### What do I need to post in my office?

All Louisiana licensees holding either a dental or a dental hygiene license must display their licenses in full and open view for all patients to observe. You must post both your original license **and** all current renewal certificates of your license and any anesthesia permits.

#### I opened up a second office. Can I get another original license to display in my new office?

NO. The Louisiana State Board of Dentistry issues only **one** original license (and **one** renewal certificate). You may display copies of any and all licenses and current renewal certificates in the additional offices.

Should your original license be lost or stolen, you must fill out an affidavit of lost license and pay a fee for a new original license to be created. Please contact the board office for an affidavit. If you simply want an additional original to display in a new office, we will **not** issue it.

#### When do I have to renew my license?

Licensees whose last names (when they were originally licensed) begin with the letters A through L renew in odd years and must renew their licenses by December 31, 2015.

Licensees whose last names (when they were originally licensed) begin with the letters M through Z renew in even years and will not renew their licenses until December 31, 2016.

#### I have to renew my license this year. What is the due date?

December 31, 2015. If you renew online, your transaction must be completed by 11:59 PM (Central Time), December 31, 2015. If you renew with the paper form, it must be postmarked no later than December 31, 2015. Any license renewal applications completed after that date will be assessed a delinquent fee.

#### What happens if I allow my license to lapse or I do not renew it?

If your Louisiana dental or dental hygiene license lapses due to non-renewal, you may not practice dentistry or dental hygiene in Louisiana. Persons who practice with a lapsed license are subject to disciplinary action.

If you are practicing in another state and wish to give up your Louisiana license, please be aware that should you wish to reactivate your license in the future, you will have to apply to reinstate your license.

#### What happens to my license after the expiration date?

Licenses expire December 31, 2015. After that date, you will receive a certified mail notice notifying you of your possible oversight. If we receive no response from you or if you notify the board of your non-renewal intentions, your license will be revoked at the February 2016 board meeting.

### **ANESTHESIA (DENTISTS)**

#### What is the difference between a personal permit and an office permit?

The personal permit states that the dentist is qualified to administer the indicated level of anesthesia. The office permit states that the premises and equipment where that level of anesthesia is being administered are in compliance with board requirements. You may not administer anesthesia unless you have a personal permit, **and** the location where you are administering the anesthesia has an office permit for that level of anesthesia.

Every dentist in a group practice who intends to administer anesthesia must have his/her own personal anesthesia permit. Only one office permit is required for the office. Dentists may administer any level of anesthesia for which they have a permit in any office where there is a current office permit for that same level.

#### I'm moving to a new office. Can I use my same office permit at the new location?

NO. Office permits are specifically for the office listed on the permit certificate and **are not transferable**. You must apply for a new office permit at the new location. You may find applications for anesthesia permits on our website.

Nitrous oxide office permits are issued by the board upon approval of your submitted application. Office inspections are not required prior to issuance of the permit. These offices are inspected routinely in the normal course of board business.

Enteral moderate sedation, parenteral moderate sedation, and general anesthesia office permits **require an office inspection prior to approval and issuance of the permit.** You must allow adequate time for the processing of these applications.

# I want to hire a CRNA or other third-party anesthesia provider to administer anesthesia to my dental patients. Do I need to notify the board or will my permit allow the provider to administer anesthesia in my office?

Beginning January 2016, it is anticipated that a rule change will go into effect which will provide that there will no longer be a separate third party anesthesia provider office permit required. ALL sedations, whether performed by a properly permitted dentist or a CRNA or other qualified third party, may only be performed in offices where there currently exists an office permit. As long as there exists an office permit for the level of sedation being performed, any CRNA or other applicable third party provider may administer anesthesia. The dentist is responsible for ensuring the third party provider is qualified to administer anesthesia safely to the dentist's patients.

#### Do I have to renew my anesthesia permit(s)?

YES. Personal anesthesia permits expire with the dentist's license and must be renewed.

A personal anesthesia permit is renewed with the dentist's license for an additional fee. If you renew your license online, the total fee listed includes the applicable personal anesthesia permit renewal fee. Your personal anesthesia permit will be listed on the lower left of your dental license renewal certificate.

Office permits currently renew automatically with the dentist's license. There is no renewal fee for office permits. These will be mailed to the permit holder along with his/her dental license renewal certificate.

# I don't want to pay the personal anesthesia permit renewal fee. How can I give up my permit so that I don't have to pay the renewal fee?

You must notify the board office in writing (postal mail or fax only) that you intend to give up your anesthesia permit. If you administer anesthesia without a personal permit, you are in violation of the board's rules.

If you intend to renew your dental license online, you must inform the board office in writing that you are giving up your personal anesthesia permit **prior** to renewing your license online. Once we have received that information and removed your permit information from our database, you may then log in online to renew your dental license.

If you intend to renew your dental license with a paper form, you may indicate on the form that you would like to give up your anesthesia permit(s).

# **ANESTHESIA (HYGIENISTS)**

#### I have a local anesthesia permit. Do I need an office permit, too?

NO. The board does not issue office permits for the administration of local anesthesia. You may administer local anesthesia in any dental office in Louisiana if you have a permit.

#### I plan on getting my nitrous oxide permit. Does that mean I may administer local anesthesia, too?

NO. There is no anesthesia hierarchy for hygienists. Nitrous oxide permits and local anesthesia permits are separate permits with different qualifications and applications. You must apply for them separately.

I plan on getting my nitrous oxide permit, but my employing dentist does not use nitrous oxide in his/her dental practice. May I still use nitrous oxide?

NO. You will **not** be allowed to administer nitrous oxide unless you are in an office where the dentist holds a personal nitrous oxide permit **AND** the office has an office nitrous oxide permit.

I'm working under general supervision. May I administer local anesthesia or nitrous oxide while the dentist is out?

NO. Hygienists may only administer local anesthesia or nitrous oxide under direct supervision.

#### CONTINUING EDUCATION

My license is up for renewal this year. Do I have to report the CE courses I took over the past two years? Do I have to send my certificates?

You must report all CE courses you completed during the past two years on the CE reporting form available on the "Forms" page of the board's website. This form must be completed and returned to the board office no later than January 31, 2016. You do not need to send any CE certificates at this time. CE audits will be conducted sometime during 2016 for licensees renewing in December 2015. If you are selected for the CE audit, you will be asked to provide CE certificates at that time.

#### I just got my license. Do I still have to meet CE requirements?

Dentists and hygienists are exempt from CE requirements for the year in which they received their initial license. They must still complete CE for the second year of their license term, and all requirements are reduced by one-half. If you received your initial license during calendar year 2015, you are exempt from CE requirements.

#### How many continuing education hours do I need to complete? What are the specific requirements?

DENTISTS must have completed 40 hours by the time they renew their licenses. There is a requirement that one-half of the hours be clinical in nature. "Clinical" hours pertain to the actual delivery of dental services directly to the patient. A more specific breakdown is below.

40 total hours

Of those 40 total hours, 20 must be clinical in nature.

Of those 20 clinical hours, 10 must be personally attended.

The remaining 10 clinical hours may be personally attended OR online/correspondence courses (still clinical in nature) that require a written test at the completion of the course.

The remaining 20 hours may be EITHER clinical OR non-clinical.

HYGIENISTS must have completed 24 hours by the time they renew their licenses. There is a requirement that one-half of the hours be clinical in nature. "Clinical" hours pertain to the actual delivery of dental or dental hygiene services directly to the patient. A more specific breakdown is below.

24 total hours

Of those 24 total hours. 12 must be clinical in nature.

Of those 12 clinical hours, 6 must be personally attended.

The remaining 6 clinical hours may be personally attended OR online/correspondence courses (still clinical in nature) that require a written test at the completion of the course.

The remaining 12 hours may be EITHER clinical OR non-clinical.

For more information regarding CE requirements, please refer to Chapter 16 of the Dental Practice Act.

#### Must I send my anesthesia CE certificates to the board?

NO. As with regular CE audits, you will only send anesthesia CE course certificates if you are audited for anesthesia CE. If you are chosen for the audit, you will receive a notice from the board sometime in the year following your license renewal.

#### Do I have to complete any CE to maintain my dental anesthesia permit?

Dentists who hold an enteral moderate sedation or higher level of anesthesia permit must complete a personally attended refresher anesthesia course at least once every six years. This course must be pertinent to the level of anesthesia you administer.

The anesthesia rules are currently being revised. It is anticipated that beginning January 2016, all dentists holding an enteral moderate sedation or higher permit will be required to complete 6 hours of CE (either online or personally attended) pertinent to their level of permit every 2 years. The currently required personally attended refresher course every 6 years will count towards this requirement, and both of these will count towards the 40 hours of CE required every 2 years.

#### CHANGES OF ADDRESS OR NAME

#### Can I call the board office and give my change of address or name over the phone? Can I email it?

NO. Changes by telephone or email are **not** accepted. All changes of address or name must be signed by the licensee and in writing. Practice location, employer, and home or mailing address change forms are available on the board website on the "Forms" page. You must fax or mail these changes to the board office.

# DENTAL ASSISTANTS AND EXPANDED DUTY DENTAL ASSISTANTS

#### Does the Louisiana State Board of Dentistry regulate or certify dental assistants?

NO. The board does not regulate dental assistants.

The board provides a certificate confirmation for expanded duty dental assistants only after they have submitted proof of completion of a board approved EDDA course, board approved radiology course, a copy of the acceptable current CPR card, the EDDA certificate confirmation application, and the \$100 application fee. EDDAs may not perform expanded duties in the dental office until they receive their certificate confirmation from the board office.

The EDDA application may be found on the "Forms" page of the board's website at www.lsbd.org.

# I have hired a registered/certified dental assistant. Isn't that the same thing as an EDDA? So can I just allow my new employee to perform the expanded duties?

NO. The Louisiana State Board of Dentistry does not recognize the registered or certified dental assistant as equivalent to the EDDA. Dental assistants may not perform expanded duties in the dental office until they receive a certificate confirmation from the board office after meeting the board requirements.

#### PRESCRIPTION MONITORING PROGRAM

#### Are there any reporting requirements for dentists to the PMP?

Reporting to the PMP is required only for dentists dispensing controlled substances.

"Administering" means the direct application of a drug to the body of a patient by injection, inhalation, ingestion, or any other means.

"Dispensing" means the actual preparation and delivery of a controlled substance to the patient. Most dentists write prescriptions and the pharmacy then actually dispenses the controlled substance. Therefore, writing a prescription is **NOT** dispensing. Only those dentists who dispense more than a forty-eight hour supply of controlled substances to patients prior or subsequent to performing an actual procedure on a patient must report to the PMP.

This does **NOT** affect your ability to prescribe controlled substances. The PMP is for the reporting of **dispensed** controlled substances only. If you are registered as a **dispenser**, you **MUST** report to the PMP no later than the next business day following the date of dispensing.

#### **CONGRATULATIONS 2014-2015 DENTAL LICENSEES**

Dr. Kathleen Adley Darnall Dr. Morgan Habetz Dr. Jariel Norton, Sr. Dr. Jeremy Alexander Dr. Grace Ortiz Dr. Anna Hastings Dr. Keon Anderson Dr. Rebecca Payne Dr. Lauren Hayden Dr. Eugene Antenucci Dr. Stephen Hayes Dr. Chelesa Phillips Dr. Kevin Astugue Dr. Lara Henderson Dr. Jennesia Primas Dr. Ashley Azevedo Dr. Ryan Hinkle Dr. Mary Rachal Dr. Ala Barakat Dr. Erin Hymel Dr. Erin Rayburn Dr. Chakradhar Beerpur Dr. Christy Jen Dr. Adrienne Reviere Dr. Marcela Jolivette Dr. Nicholas Richards Dr. Benjamin Bell Dr. Yolanda Bell Dr. Zachary Karam Dr. Douglas Rodrigue, Jr Dr. Brent Benoit Dr. Sakthi Kesavan Dr. Katherine Rothermel Dr. Geoffrey Bird Dr. Brett King Dr. Thomas Sammons Dr. Maurice Bostick Dr. Sergei Kuznetsov Dr. Christopher Savoy Dr. Emeric Boudreaux Dr. Letitia Lacour Dr. John Schier, Jr. Dr. Ariel Brown Dr. Stacey Lagraize Dr. Jeffrey Schott Dr. Charlene Brown Dr. Andy Le Dr. Andrea Scollard Dr. Emily Buller Dr. Matthew Leftwich Dr. Lya Sharpley-Hixon Dr. John Lewis, Iii Dr. Caroline Sikes Dr. Ryan Buller Dr. Brittaney Burke Dr. Carla Lisson Smith Dr. Callie Smithson Dr. David Carter Dr. Christy Marcello Dr. Amy Spinks Dr. Elizabeth Crapanzano Dr. Julio Marin, Jr. Dr. Christy Stasney Dr. Ahmed Tamim Dr. Jacob Diebold Dr. Timothy Mcmurphy Dr. Megan Tanner Dr. Kim Thuy Dinh Dr. Andrew Megison Dr. Mai Tran Dr. Jason Duke Dr. Lindsay Moore Dr. Justin Elfert Dr. Suzanne Motwaly Dr. Rekha Wadhwa Dr. Jacob Fleig Dr. Jennifer Munson Dr. Jessica Whiteside Dr. Mark Foster, Jr. Dr. Eric Murnan Dr. David Wilson Dr. Robert Freeman Dr. Linh Ngo Dr. Danielle Wilt Dr. Sarah George Dr. Bar Nguyen Dr. Christopher Wright Dr. Alana Goldstein Dr. Michele Nguyen Dr. Kathlene Zuniga

The Louisiana State Board of Dentistry now accepts the ADEX clinical examination for dental licensure by examination. The ADEX examination is currently administered by CITA and NERB.

#### **CONGRATULATIONS 2014-2015 DENTAL HYGIENE LICENSEES**

Veronica Acosta, RDH Shelby Angelle, RDH Nicole Arabie, RDH Rachael Bailey, RDH Liana Blanchard, RDH Kimberly Bohlmann, RDH Sierra Bonds, RDH Karly Bosley, RDH Tara Bourassa, RDH Kayla Bourgeois, RDH Joanna Boutwell, RDH Jennifer Bradford, RDH Ashley Brady, RDH Lauren Breaux, RDH Lauryn Brooks, RDH Huong Tram Bui, RDH Anna Cambon, RDH Gabrielle Campo, RDH Lisa Cao, RDH Amber Cardinale, RDH Whitney Charleville, RDH Ami Delaune, RDH Tiffany Derouen, RDH Taylor Detillier, RDH Lauren Dressel, RDH Carly Eubank, RDH Mallory Fontenot, RDH Breana Frazier, RDH Ashley Frey, RDH Sandra Fuglaar, RDH Jo Monica Gaines, RDH Amy Girouard, RDH Molly Glennon, RDH Jessica Guidry, RDH

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Danielle Woessner, RDH

Rachel Wright, RDH

The Louisiana State Board of Dentistry only accepts the CITA clinical examination for dental hygiene licensure by examination.

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#### 2014-2015 DENTAL LICENSES VOLUNTARILY SURRENDERED DUE TO RETIREMENT

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Dr. Louis Nogues III Dr. Marion Stigall Dr. Thomas Witherspoon

Dr. Michael NolanDr. Steven StringfellowDr. George WrightDr. Hugh RaetzschDr. Kathryn SturmDr. Linda WrightDr. Raphael Rhymes Jr.Dr. Albert Zuniga

#### 2014-2015 DENTAL HYGIENE LICENSES VOLUNTARILY SURRENDERED DUE TO RETIREMENT

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# DENTAL LICENSES REVOKED DUE TO NON-RENEWAL ACTION TAKEN FEBRUARY 27, 2015

Dr. Michael Mackenzie Dr. Melisa Polhamus Dr. Austin Teitelbaum Dr. Dania Mahmoud Dr. Alfred Tennant Dr. Reo Pugao Dr. Ashla Martin Dr. Likith Reddy Dr. Stephen Trahan Dr. Nicole Middleton Dr. Kelly Richardson Dr. Sang Tran Dr. Noah Miller Dr. Donald Rosen Dr. James Vacca Dr. Sara Monrad Dr. Yvondia Scott Dr. Charles Vanmeter Dr. Tamara Silva Gonzalez Dr. Kara Morgan Dr. Henry Vu Dr. Joseph Morneau Dr. Oliver Simpson Dr. Brittany Walker Dr. Rick Moser Dr. Amelia Slav Dr. Richard Walker Jr. Dr. Donny Nguyen Dr. John Sledge Dr. Dustin White Dr. Brian Slighly Dr. Ryan Wicker Dr. Tram Nguyen Dr. Uchenna Nweze Dr. Howard Snider Jr. Dr. Lesa Williams Dr. Randall O'Brien Dr. John Stafford Jr. Dr. Alice Williby Dr. Robert Wood Dr. Adrienne Penley Dr. Nicole Staman Dr. Huey Stevens

# DENTAL HYGIENE LICENSES REVOKED DUE TO NON-RENEWAL ACTION TAKEN FEBRUARY 27, 2015

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Dr. James Harrison Dr. Thomas Kiebach Dr. Joseph Kirn

Dr. Edgardo Rabel
Dr. Robert Scheuermann

#### PHYSICIANS' HEALTH FOUNDATION OF LOUISIANA

If you or a fellow dental professional is impaired, please contact the Physicians' Health
Foundation of Louisiana.

4303 Bluebonnet Blvd.
Baton Rouge, Louisiana 70809

225-291-5000 www.phfl.org

# 2016 Board Meeting Dates

February 19, 2016 May 6, 2016 August 19, 2016 December 3, 2016

# Be sure to check out our website at www.lsbd.org for the latest news. We update our site frequently.

You may download the latest copy of the Louisiana Dental Practice Act from our website.

Louisiana State Board of Dentistry 365 Canal Street Suite 2680 New Orleans, Louisiana 70130

> Telephone: 504-568-8574 Fax: 504-568-8598

Toll free: 877-467-4488

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