THE BULLETIN

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Message from the President Dr. Russell Mayer

The Louisiana State Board of Dentistry has implemented quite a few changes during my year as president. With an eye toward streamlining our processes, we have made several enhancements to our website including an ability for our licensees to log in at any time to update their personal infor-

mation. Additionally, once your renewal has been processed, you may print your renewal certificate directly from our website rather than wait for it in the mail. Should you lose this certificate, you may log in at any time and reprint another copy. We have also changed the CE reporting process. I hope you find these improvements helpful.

Also earlier this year, the Board ceased issuing separate office permits for dentists wishing to use third party providers to administer anesthesia to their patients. A regular office permit will now allow any dentist holding a personal anesthesia permit of that level or any appropriately trained third party administer the stated level of anesthesia to a dental patient. The dentist must, of course, ensure the third party holds the proper credentials, but there is no longer a need to apply for separate office permits naming specific third party providers.

A huge development is the new process for reporting continuing education. The Board has teamed up with CE Broker to allow you to keep track of your CE compliance through CE Broker's website (www.CEBroker.com). All licensees' individual CE requirements have been reported to CE Broker, including both regular as well as anesthesia requirements, and you may log in to their site to review your re-

quirements as well as report your completed courses. You may upload your own certificates into your individual online account on an ongoing basis. CE providers may also directly report their attendees' information on their behalf to CE Broker. This will allow each of you to determine on an ongoing basis whether you have completed your requirements each renewal period. Licensees whose records in CE Broker indicate they have met their requirements are reported to the Board automatically and are exempt from any CE audit. For more information regarding this process, please call the Board office or visit CE Broker's website at www.CEBroker.com.

I would like to thank each of my fellow Board members for their tireless efforts throughout 2016. Serving as a member of the Board is an often thankless job that can occasionally put us at odds with others in our profession, but I truly believe Louisiana dental healthcare providers are some of the most conscientious in the country. We can all agree that the dental health of our Louisiana patients is important to each of us, and the Board's mission of protecting the public is really a shared mission among us all.

As always, please remember our website (www.lsbd.org) is an excellent source of information. Most forms and applications as well as the latest Dental Practice Act may be found there. If you have questions or need assistance on a topic not addressed on the website, please call the Board office.

RULES EFFECTIVE JANUARY 20, 2016

§304. Address of Dental Practice and Mailing Address

A. Each dentist shall inform the Louisiana State Board of Dentistry of his official mailing address and all office addresses at which the dentist practices dentistry within 30 days of changing his official mailing address or commencing practice at each location if the dentist practices for more than 30 days in a one year period at the new location.

B. - C. ...

§313. Portable and Mobile Dentistry

A. Definitions

Mobile Operator Permit—an authorization given to a Louisiana licensed dentist for the physical use of a mobile dental clinic or mobile dental unit in which to provide dental services. One mobile operator permit is required for each mobile clinic regardless of the number of dentists who practice in the clinic.

Portable Operator—a dentist licensed in Louisiana providing dental services at a location other than a Mobile Dental Clinic or Mobile Dental Unit and other than a fixed dental office either directly and/or through Louisiana licensed dentist associates. One portable operator permit is required for each set of portable dental equipment regardless of the number of dentists who work in the portable dental clinic.

B.1. - B.3. ...

- 4. Dentist licensed to practice in Louisiana who limit their mobile or portable practice to taking impressions and delivering mouthguards and removable dentures.
- C. Application and Criteria for Permit
 - 1. To operate mobile or portable operations a dentist must be licensed in Louisiana, in good standing with the dental board, and must have a *mobile operator permit*, a *portable operator permit*, or both.

C.2. - M.2.b. ...

§710. Administration of Local Anesthesia for Dental Purposes

A. ...

B. Competence to administer local anesthesia must be demonstrated to the board by successful completion of a course of study of at least 32 hours of instruction in a formal program in administration of local anesthesia sponsored by an institutional program accredited by the Commission on Dental Accreditation of the American Dental Association and approved by the board. A certificate of course completion and a copy of the syllabus must be submitted to the board for approval. The course must include didactic studies and clinical experience in the administration of long buccal, maxillary and mandibular infiltration anesthesia, mental block anesthesia, lingual nerve block, inferior alveolar nerve block anesthesia, medical history and physical evaluation of the patient, and the prevention, diagnosis, and management of medical emergencies which can be encountered in the dental patient. A minimum of 20 satisfactory injections is required.

C.1 - H. ...

§712. Nitrous Oxide Inhalation Analgesia

A. – C. ...

1. completion of a board-approved course which conforms to American Dental Association guidelines as described in §1503 of these rules; and

C.2. – D. ...

§714. Minimal Educational Requirements for the Granting of Permits to Administer Nitrous Oxide Inhalation Analgesia

Repealed.

§801. Complaints and Investigation

- A. Complaints to the board about licensees or about individuals practicing without a license must be in writing to be considered by the board, although the board president has discretion to accept an oral complaint. Complaints can come from any source, including but not limited to the general public, board members and governmental agencies or their contractors.
- B. When a complaint is received by the board, the complaint is sent for investigation to a committee of one or more board members. This committee is called the disciplinary oversight committee (hereinafter referred to as the "DOC"). The DOC generally consists of three board members chosen by the executive director of the board, but may consist of as few as one member. The board member from the same district as the licensee being investigated is not eligible to serve on the DOC. The board president is also not eligible to serve on the DOC during his term.
- C. If for any reason, through recusal or otherwise, there are not enough board members to form a three person DOC, the board president may appoint any Louisiana licensed dentists and/or hygienists to serve on the DOC. The only restriction on the licensees to be appointed is that their home address in the board records not be within the same board electoral district as the home address of the licensee being investigated, if the subject of the investigation is a licensee.
- D. The board president has discretion regarding whether to request a response from the subject of the complaint prior to sending the complaint to the DOC. If a response is requested, the subject of the complaint shall be given a reasonable amount of time under the circumstances to respond, and if the subject of the complaint responds, the response, along with the complaint and/or a summary of the allegations, shall be sent to the DOC.
- E. The subject of the complaint will be provided with a copy of the complaint if a response is requested of the subject of the complaint except in circumstances where the board president in his discretion feels that the complaint should not be provided or that the identity of the person or entity making the complaint should remain confidential.
- F. The board president may choose to have some preliminary investigation done prior to sending the matter to the DOC. Generally, this would include, but is not limited to, obtaining patient records for the DOC to review.
- G. The complaint, a response from the licensee if one is requested and received, and any investigative materials gathered by the board, are sent to each member of the DOC. Each member then reviews the materials and conducts any research that he feels is appropriate, then makes a recommendation on how he believes the board should proceed in the matter. The recommendation is provided by the DOC member to the executive director of the board. Once all of the recommendations from the DOC member(s) are received by the executive director, the executive director informs the board president of the recommendations. Taking the recommendations into consideration, the board president chooses a course of action for the board.

§803. Recommendations by the Disciplinary Oversight Committee ("DOC")

- A. If the subject of the complaint is a licensee or a former licensee, the recommendations of the Disciplinary Oversight Committee ("DOC") can include, but are not limited to, any of the following:
 - 1. Send the licensee a letter of concern. This letter of concern is not considered a sanction; it is sent when there is concern that there may have been a violation, but it is not clear that there has been a violation. The letter of concern is not made public, but is kept in the board records for future reference.
 - 2. Additional investigation by the board. If additional investigation is determined by the board president to be appropriate, then the board conducts additional investigation, after which the matter, along with the additional investigation materials, is sent back to the DOC for a second recommendation, which is again provided for

determination to the board president.

- 3. Informal resolution via correspondence. The licensee may, via correspondence, be offered an informal settlement of the matter.
- 4. Informal dentist to dentist conference. The licensee may be offered the opportunity to meet with members of the DOC on an informal basis to discuss the allegations in the complaint.
- 5. Formal adjudication. If formal adjudication is chosen, a new committee is formed to hear the charges against the licensee and formal charges are filed.
- 6. Take no action against the licensee.
- 7. Refer the complainant to the Louisiana Dental Association's voluntary peer review program and take no action against the licensee.
- 8. Ask a court for injunctive relief. If a former licensee is practicing without a license, this option to ask a court to enjoin the licensee from practicing, along with all of the above options, is available.
- 9. Refer to the authorities for criminal charges.
- B. If the complaint is against a non-licensee who has never held a Louisiana license, the recommendations of the DOC can include, but are not limited to any of the following:
 - 1. Take no action against the subject of the complaint.
 - 2. Asking a court for injunctive relief.
 - 3. Refer to the authorities for criminal charges.

§805. Informal Dentist to Dentist Meeting

- A. If during the investigative phase of matter the option of an informal dentist to dentist meeting is chosen by the board, the licensee shall be invited via a correspondence to the informal meeting to meet on an informal basis with the members of the DOC to discuss issues raised by the complaint.
- B. The licensee has the option to make an electronic recording of the informal meeting. If the licensee chooses this option, the board is allowed to make its own recording. If the licensee does not choose this option, no recording is to be made. Only electronic recordings are allowed. Due to the informal nature of the meeting, a court reporter or transcriptionist is not allowed in the meeting.
- C. The discussions that take place during the informal meeting shall not be used against the licensee if the matter later goes to a formal hearing, unless the licensee chooses the option of electronically recording the meeting, in which case the board will make its own copy of the meeting and will use anything said during the meeting at any subsequent formal proceeding.
- D. The meeting is voluntary. The licensee is not required to attend.
- E. The meeting is strictly dentist to dentist, only the licensee and the DOC members are eligible to be present in the room during the informal meeting.
- F. Although only dentists are allowed in the room during the meeting, if the licensee wishes, at any time during the meeting, he may pause the meeting so he can consult his attorney, who is allowed to be present at the board during the meeting, or to call an attorney.
- G. The DOC does not have the power to sanction the licensee. It only makes recommendations to the board about how to proceed. If the matter goes to a formal hearing, a second committee will be appointed. Only the second committee has the power to sanction. However, the DOC may attempt to negotiate a settlement with the licensee, which, if agreed to, becomes final and valid only after ratification by the full board. If the full board declines to ratify the settlement, the matter goes back to the DOC for further recommendations.
- H. If the licensee and the DOC members negotiate a settlement, the licensee may, but will not be required to, sign the settlement on the same day as the informal meeting. The licensee will be allowed, if he chooses, to take a draft of the settlement home to think about it or to consult an attorney rather than to sign on the day of the informal meeting. If the licensee chooses the option of taking the draft home, he shall be granted at least 3 business days to

consider the settlement offer.

- If a negotiated settlement occurs during the informal meeting and the licensee is offered a consent decree to settle
 the matter, prior to the licensee signing the consent decree, the board shall turn over whatever evidence in its possession at the time that it would intend to put into evidence at a formal hearing, if there were to be a formal hearing.
- J. If the matter is resolved, subject to board approval, through a consent decree negotiated at the informal meeting or as the result of the informal meeting, the consent decree is treated as a final action by the board, as set forth in R.S. 780(B), if ratified by the entire board.
- K. If the matter is not resolved to the satisfaction of all parties at the informal meeting, or in the time period after the informal meeting that the licensee has been given to consider a proposed settlement, then, after the board member(s) assigned to conduct the informal meeting have reported to the president of the board, the latter may then determine whatever further action, if any, he deems necessary, including but not limited to formal adjudication.

§903. Initiation of Proceedings

A.- B. ...

- C. When determined by the president that a formal adjudication is warranted, the board president shall appoint a committee of three or more board members to hear and rule on the charges. This committee is referred to as the Disciplinary Committee, and no board member who served on the Disciplinary Oversight Committee during the investigatory phase of the matter being brought to formal adjudication shall be eligible to serve on the Disciplinary Committee. The board president and any member of the board residing in the same board electoral district as the individual charged shall be ineligible to sit as a member of the Disciplinary Committee. The president shall appoint one member of the Disciplinary Committee to serve as its chairman.
- D. If for any reason, through recusal or otherwise, there are not enough board members to form a three person Disciplinary Committee, the board president may appoint any Louisiana licensed dentists and/or hygienists to serve on the Disciplinary Committee. The only restriction on the licensees to be appointed is that their home address in the board records not be within the same board electoral district as the home address of the licensee being investigated, if the subject of the investigation is a licensee.

§1101. Implementation of the Dental Practice Act to the Extent that it Affects Administrative Procedures of the State Board of Dentistry Pertaining to Informal Disposition of Complaints

Repealed.

§1103. Initial Review of Complaints

Repealed.

§1105. Procedures

Repealed.

§1107. Consent Decree

Repealed.

§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 conjunc-

tion 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;
 - 3. 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.
- C. If the training program described in subsection 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 subsection 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 subsections 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 (A)(4) 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 subsection B upon renewal of their permits.

§1504. Pediatric Certification for Personal Permits

- A. In order to receive a pediatric certification for a personal permit:
 - 1. 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
 - 2. 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
- 3. The training program meeting the requirements set forth in §1503 was pediatric specific.
- 4. 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

A. 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

A. 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

A. 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.

RULES EFFECTIVE MAY 20, 2016

§301. Advertising and Soliciting by Dentists

A. - E.5. ...

6. advertises any procedure mandated or prohibited by law, such as advertising that a dentist has "state of the art sterilization," when state of the art sterilization is required of all dentists;

E.7. – J. ...

§801. Complaints and Investigation

A. Complaints to the board about licensees or about individuals practicing without a license must be in writing to be considered by the board. Complaints, other than complaints involving advertising violations, must also be signed by the person filing the complaint. However, the board president has the discretion to accept an anonymous complaint or oral complaint when the complaint, in the board president's judgement with the agreement of one other

board member, appears to indicate a significant potential for harm to the public. The board shall keep a record of the number of complaints per year, other than advertising complaints, that were accepted despite being anonymous and/or oral. This record of the number of anonymous and/or oral complaints accepted shall be kept in accordance with the board's record retention schedule, and shall be considered a public record, although details about the complaints are not public records and shall remain privileged and confidential pursuant to applicable statutes. Complaints can come from any source, including but not limited to the general public, board members and governmental agencies or their contractors.

B.- D. ...

- E. The subject of the complaint will be provided with a copy of the complaint no later than the date on which the complaint is provided to the DOC unless the board president, in his discretion, determines that:
 - 1. Providing the complaint to the subject would jeopardize a board investigation, in which case a copy of the complaint will be provided once the board president determines that providing the complaint would no longer jeopardize any investigation, but in any event, no later than the date of any informal hearing on the matter; or
 - 2. The board president, in his discretion feels that there is good cause to keep the identity of the complainant confidential, in which case a detailed summary of the facts of the complaint shall be provided, withholding any information that might reveal the identity of the complainant.

F.- G. ...

RULES TENTATIVELY EFFECTIVE OCTOBER 20, 2016

§1709. Examination of Dentists

- A. An applicant shall be entitled to take the examinations required in this Section to practice dentistry in this state if such applicant:
- A.1. A.4. . . .
- B. To be licensed as a dentist in this state, an applicant for initial licensure must successfully complete the following:
- B.1. B.4. . . .
- C. Examination scores are valid for initial licensure for three years following the candidate's successful completion of an accepted licensing examination. The examinations accepted by the Louisiana State Board of Dentistry for initial licensure by examination are as follows:
- C.1. C.4. . . .
- D. The board is expressly authorized to utilize the services of other licensed dentists to facilitate the examination.
- E. No clinical licensing examination may be conducted in the state of Louisiana without the written permission from the Louisiana State Board of Dentistry. For permission to be granted, the agency conducting the examination must have at least four current members of the Louisiana State Board of Dentistry participating in the clinical licensing examination.
- F. Notwithstanding any other law to the contrary or any examination manual of any of the testing agencies listed in Subsection C of this Section, no candidate for licensure in the state of Louisiana will be granted same if said candidate has failed any clinical licensing examination for a total of three times. This number includes the accumulation of all examinations taken regardless of the testing agency. This number excludes failures of clinical examinations taken prior to an applicant's final year of dental school. A make-up examination counts as an examination.

§1711. Examination of Dental Hygienists

- A. An applicant shall be entitled to take the examinations required in this Section to practice dental hygiene in this state if such applicant:
- A.1. A.4. . . .
- B. To be licensed as a dental hygienist in this state, an applicant must successfully complete the following:

B.1. – B.2. . . .

- C. Examination scores are valid for initial licensure for three years following the candidate's successful completion of an accepted licensing examination. The examinations accepted by the Louisiana State Board of Dentistry for initial licensure by examination are as follows:
 - 1. examinations conducted by Council of Interstate Testing Agencies (CITA);
 - 2. the American Board of Dental Examiners (ADEX) Dental Hygiene Examination.
- D. The board is expressly authorized to utilize the services of other licensed dentists to facilitate the examination.

E. - F. . . .

ONLINE CE REPORTING AND TRACKING THROUGH CE BROKER

Beginning immediately all licensees may report their continuing education through CE Broker to help you keep track of all your courses as well as whether your requirements have been met. Every licensee is entitled to a basic account at **no charge**. Entities may report their course attendance directly to CE Broker on your behalf, and you may upload your own certificates received.

Although use of CE Broker's services is not mandatory, if you use it and your requirements are reported to have been met, you will **NOT** be subject to the CE audit during the next year.

For more information or to create an account, please visit cebroker.com/la/account options.

2017-2018 RENEWAL FEES

LICENSE RENEWAL FEES

All renewal fees include the mandatory well-being program fee	
2017-2018 biennial dental license	\$590
2017-2018 biennial dental license	
(for licensees whose initial dental license was issued during calendar year 2016)	\$295
2017-2018 biennial dental hygiene license	\$230
2017-2018 biennial dental hygiene license	
(for licensees whose initial dental hygiene license was issued during calendar year 2016)	\$115

Delinquent fees will be assessed to all license renewals not completed by December 31, 2016 (if renewing online) or postmarked by December 31, 2016 (if using a paper renewal form).

PERSONAL ANESTHESIA PERMIT RENEWAL FEES

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

LOUISIANA STATE BOARD OF DENTISTRY MEMBERS

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2017 Board Meeting Dates

March 10, 2017 May 12, 2017 August 18, 2017 December 2, 2017

LOUISIANA STATE BOARD OF DENTISTRY STAFF

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Brian Samuel Carolyn Perez
Inspector Receptionist/Administrative Coordinator 2
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FREQUENTLY ASKED QUESTIONS

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. 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.

My original license was destroyed in the recent flooding. How can I replace it?

Please mail a written request to the Board office stating that your original license was destroyed in the recent flooding. We will replace your original license at no charge.

When do I have to renew my license?

Licensees whose last names (when they were originally licensed) begin with the letters M through Z renew in even years and must renew their licenses by December 31, 2016.

Licensees whose last names (when they were originally licensed) begin with the letters A through L renew in odd years and will not renew their licenses until December 31, 2017.

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

December 31, 2016. If you renew online, your transaction must be completed by 11:59 PM (Central Time), December 31, 2016. If you renew with the paper form, it must be postmarked no later than December 31, 2016. 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, 2016. 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 March 2017 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.

FREQUENTLY ASKED QUESTIONS

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?

As of January 2016 there is longer 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. You may print these directly from the website once your license renewal has been processed.

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.

FREQUENTLY ASKED QUESTIONS

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. You may now report and keep track of your continuing education completed through CE Broker. Reporting your CE through CE Broker will allow you to keep track of your requirements and whether or not you have met them. Additionally, some CE providers automatically report course attendance to CE Broker on your behalf as long as you include your Louisiana license number when attending your courses. All licensees are entitled to a free basic account with CE Broker, but there are additional paid options you may wish to consider. Also, if you report through CE Broker and your requirements have been listed as "complete," you will **NOT** be subject to the audit for CE compliance next year. Please visit CEBroker.com for additional information and to set up an account.

Should you choose NOT to report your CE attendance through CE Broker, you must mail a completed CE course reporting form (available at www.lsbd.org/forms.htm) to the Board office no later than January 31, 2017. You will **NOT** include certificates at this time. You will only send certificates if you are audited for CE compliance sometime during 2017. Anyone who does **NOT** report through CE Broker is subject to the CE audit during 2017.

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 2016, 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. Your CE requirements including anesthesia requirements have been reported to CE Broker, so you may report your anesthesia CE compliance in CE Broker rather than submit CE certificates to the Board.

FREQUENTLY ASKED QUESTIONS

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.

As of January 2016, all dentists holding an enteral moderate sedation or higher permit are 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 toward the 40 hours of CE required every 2 years.

CHANGES OF ADDRESS OR NAME

How can I update my change of address or name with the Board?

Licensees now have the option of logging in to the Board's website on the "Licensee Login" of the Board's website at www.lsbd.org to make changes to their home and mailing addresses as well as which hygienists or dentists they are affiliated with. Dentists with office address changes are not currently able to modify their office address information online, so those changes must still be reported in writing by printing and signing the change form found on the Board's website. You are not required to use the licensee login to update your information; all licensees may still use the change forms on the "Forms" page for all information changes. Changes by telephone are **not** accepted.

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 ED-DA. 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 2015-2016 DENTAL LICENSEES

Dr. Marcie Adams Dr. Jenny Herman Dr. Swati Patel Dr. Nejay Ananaba Dr. Joanne Hoppe Dr. Troy Patterson, Jr Dr. Casey Bates Dr. Reuben House Dr. Meredith Patton Dr. Amanda Begue Dr. Steve Hu Dr. Erika Peters Dr. William Bell Dr. Benjamin Johnson Dr. Lauren Pitluck Dr. Bogopane Bokang Dr. Vandana Kewalramani Dr. Timothy Quirt Dr. Amy Bordelon Dr. Elise King Dr. Gabrielle Richard Dr. Diana Bozner Dr. Kristen Knecht Dr. Paul Riley, Jr Dr. Alyssa Brailsford Dr. Mindi Roberson Dr. Lindsey Landry Dr. Elizabeth Clay Dr. Leilah Langston Dr. Jacob Robichaux Dr. Brandon Clyburn Dr. Scott Law Dr. Lindsay Robichaux Dr. Katelynn Colburn Dr. Andrew Le Dr. Randy Roth Dr. Heath Coleman Dr. Nhu Le Dr. Amanda Sandifer Dr. Mary Crow Dr. Steven Le Dr. Arielle Schulman Dr. Megan Currier Dr. Joshua Leblanc Dr. Zachary Scogin Dr. Jack Daigrepont Dr. Emily Levy Dr. Katherine Sevier Dr. Anh-Tuyet Dang Dr. Whitney Linville Dr. Stephen Sherman, Jr Dr. Noelle Carter Davis Dr. David Long Dr. Caitlin Slade Dr. Vincent Dicarlo, II Dr. Celeste Love Dr. Skye Smith Dr. Brian Sybo Dr. Jessie Dixon Dr. Lauren Maenza Dr. Benjamin Duplantis Dr. Angelica Maheia Dr. Timothy Tate Dr. Jennifer Elzinga-Swedlow Dr. Elizabeth Martin Dr. Jenni Triola Dr. Dana Fender Dr. Faye Mascarenhas Dr. Chedly Vincent Dr. Jade Fontenot Dr. Mollie McCabe Dr. Stephanie Vu Dr. Arealle Franklin Dr. Susann McMahen Dr. Christine Walters Dr. Christopher Galea Dr. Anne Miller Dr. Casey Weber Dr. Thomas Garrity Dr. Collin Miller Dr. Adriane White Dr. Seth Gibree Dr. Timothy Mooney Dr. Adriana Wilson Dr. Shira Glazer Dr. Candace Murphy Dr. Terrahney Wilson Dr. Benjamin Grooters Dr. Kortlan Nelson Dr. Anna Windham Shirley Dr. Madeleine Groth Dr. Rachel Neumeyer Dr. David Wischoff Dr. Marlon Hanley Dr. Hang Nguyen Dr. Deborah Yim Dr. Thomas Harmon Dr. Quyen Nguyen Dr. Rachel Zachary Dr. Marquis Heath Dr. Vy Nguyen Dr. Michelle Zoccolillo

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 CDCA (formerly NERB).

Dr. Jake O'Brien

CONGRATULATIONS 2015-2016 DENTAL HYGIENE LICENSEES

Azeb Abera, RDH Heather Allred, RDH Melanie Anderson, RDH Amanda Bennett, RDH Alexis Breaux, RDH Kacie Brignac, RDH Margeaux Buller, RDH Holly Callahan, RDH Stephanie Camp, RDH Chelsea Cantrell, RDH Caroline Cappello, RDH Adrienne Champagne, RDH Randi Clark, RDH Jennifer Clesi, RDH Kellie Cook, RDH Erica David, RDH Kelly Dejean, RDH Kayla Derise, RDH Jennifer Ducharme, RDH Nicole Farrell, RDH Megan Fontenot, RDH Elizabeth Ford, RDH Jermani Ford, RDH Anna Galjour, RDH Jessica George, RDH Natalie Giancontieri, RDH Lindsey Glenn, RDH Jaysie Hebert, RDH Phong Ho, RDH

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As of October 20, 2016, the Louisiana State Board of Dentistry will accept the ADEX clinical examination for dental hygiene licensure by examination. The ADEX examination is currently administered by CITA and CDCA (formerly NERB).

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2015-2016 DENTAL LICENSES VOLUNTARILY SURRENDERED DUE TO RETIREMENT

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DENTAL LICENSES REVOKED DUE TO NON-RENEWAL ACTION TAKEN FEBRUARY 19, 2016

Dr. David Cowling Dr. Juliana Henderson Dr. Nusibah Altayib Dr. Tuan Hoang Dr. Patrick Crawford Dr. Larry Anthony, Jr. Dr. Alfredo Arribas Dr. August Hochenedel Jr. Dr. Robin Daniel Dr. Nazila Bagheri Dr. Raphael Deboisblanc, Jr. Dr. William Holden Dr. Raymond Doty Dr. Troy Hoover Dr. Martin Baker Jr. Dr. Manmeet Bala Moody Dr. Thomas Drake Dr. Milton Hughes Dr. Rishard Banks Dr. Nicole Elger Dr. Lee Huynh Dr. Mark Jensen Dr. Ala Barakat Dr. Don Ellzev Dr. Leah Beavers Dr. Salvador Flores Dr. Jeffrey Jeter Dr. Mark Beavers Dr. Henri Ford Dr. Gary Key Dr. Mathew Berg Dr. Todd Gathright Dr. Reena Khullar Dr. Michael Bird Dr. Gerald Golden Jr. Dr. Emily Kostelecky Dr. James Langley Dr. Eugene Gomes III Dr. Darrell Blalock Dr. Sheila Brijade Dr. Albert Graham Dr. Michael Leingang, III Dr. Bryan Broussard Dr. Joel Green Dr. Charley Lester Jr. Dr. Paul Clark Jr. Dr. John Green III Dr. Jeanette Linskey Dr. Shadonna Coleman Dr. Ina Griffin Dr. Cecil Lloyd Dr. Jeana Conner Dr. Travis Hampton Dr. Diana Long Dr. Kathryn Connor Dr. Mariam Hanna Dr. Michael Lowder Dr. Randall Cooper Dr. Raymond Nope

DENTAL HYGIENE LICENSES REVOKED DUE TO NON-RENEWAL ACTION TAKEN FEBRUARY 19, 2016

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Alyssa Becnel, RDH
Janis Susan Bennett, RDH
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Marcy David, RDH

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HEALTHCARE PROFESSIONALS' FOUNDATION OF LOUISIANA

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

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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.

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