

**OREGON BOARD OF DENTISTRY
MINUTES
APRIL 16, 2021**

MEMBERS PRESENT: Yadira Martinez, R.D.H., President
Alicia Riedman, R.D.H., Vice-President
Reza Sharifi, D.M.D.
Amy B. Fine, D.M.D.
Jennifer Brixey
Gary Underhill, D.M.D
Jose Javier, D.D.S.
Chip Dunn
Aarati Kalluri, D.D.S.

STAFF PRESENT: Stephen Prisby, Executive Director
Winthrop "Bernie" Carter, D.D.S., Dental Investigator
Haley Robinson, Office Manager (portion of meeting)
Shane Rubio, Investigator (portion of meeting)
Samantha VandeBerg, Office Specialist (portion of meeting)
Ingrid Nye, Examination and Licensing Manager (portion of the meeting)

ALSO PRESENT: Lori Lindley, Sr. Assistant Attorney General

VISITORS PRESENT

VIA TELECONFERENCE*: Cassie Leone, Oregon Dental Association; Lisa Rowley, R.D.H., Oregon Dental Hygienists' Association; Ginny Jorgenson, Oregon Dental Assistants' Association;

*This list is not exhaustive, as it was not possible to verify all participants on the teleconference.

Call to Order: The meeting was called to order by the President at 8:06a.m. at the Board office; 1500 SW 1st Ave., Suite 770, Portland, Oregon.

President Yadira Martinez, RDH welcome everyone to the meeting and had the Board Members, Lori Lindley and Stephen Prisby introduce themselves.

NEW BUSINESS

Approval of Minutes

Dr. Sharifi moved and Dr. Underhill seconded that the Board approve the minutes from the February 19, 2021 Board Meeting as presented. The motion passed unanimously.

ASSOCIATION REPORTS

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Oregon Dental Association (ODA)

Cassie Leone reported that the first virtual Oregon Dental Conference was successful and that the courses would be available until May 15th 2021. She also gave a brief legislative update regarding the dental therapy bill and the bill for appointing a new dental director.

Oregon Dental Hygienists' Association (ODHA)

Nothing to report at this time.

Oregon Dental Assistants' Association (ODAA)

Ginny Jorgenson reported that the ODAA Winter edition of their news bulletin was available online. The ODAA recently put on continuing education courses and attended the ODC virtually.

COMMITTEE AND LIAISON REPORTS

WREB Liaison Report

Nothing to report at this time.

AADB Liaison Report

Ms. Martinez reported that the yearly AADB meeting recently took place, with more information to be provided during the Executive Director's Report.

ADEX Liaison Report

Ms. Martinez announced that the Board is currently in need of a Board member to fill the spot of ADEX Liaison.

CDCA Liaison Report

Nothing to report at this time.

EXECUTIVE DIRECTOR'S REPORT

Board Member & Staff Updates

Mr. Prisby reported that the Governor appointed and the Senate confirmed Dr. Aarati Kalluri as the OBD's newest Board Member on March 4, 2021. She joined the Board due to the opening created when Dr. Todd Beck resigned from the Board in August 2020.

Her first term began March 15, 2021 and ended March 31, 2021. This partial term was to fulfill the remaining term of Dr. Beck. Her first full term began April 1, 2021 and ends March 31, 2025. She is eligible to serve another full term.

Dr. Aarati Kalluri is a General Dentist and owner of Infinity Dental Care based in Hillsboro. She completed her Bachelors in Dentistry (BDS) and Masters in Prosthodontics and Dental Materials (MDS) in India and served as faculty in Graduate Prosthodontics in India, before moving to the United States. She completed her DDS from University of California at San Francisco in 2008 with honors and was inducted into the Omicron Kappa Upsilon (OKU) Society for Academic Excellence. She opened her practice Infinity Dental Care in 2013 and ever since has been serving communities in Hillsboro and surrounding areas.

OBD Staff welcomed her with new Board Member orientation on March 19, 2021 with our assigned attorney Lori Lindley participating as well.

Dr. Winthrop “Bernie” Carter is now the OBD’s Dental Director/Chief Investigator as of April 1st as Dr. Daniel Blickenstaff’s retirement was effective March 31, 2021.

OBD Budget Status Report

Mr. Prisby presented the budget report for the 2019 - 2021 Biennium. This report, which was from July 1, 2019 through February 28, 2021, shows revenue of \$2,857,143.50 and expenditures of \$2,705,126.44.

Accounts Receivable Honor Roll FY 2020

The OBD was awarded honor roll status for commitment to excellence in the management and reporting of accounts receivable in FY 2020.

Customer Service Survey

Mr. Prisby presented the most recent customer service survey results for the current Fiscal Year, from July 1, 2020 through March 31, 2021. The results of the survey showed that the OBD continued to receive positive feedback from those that chose to submit a survey.

2021 Dental License Renewal

OBD Staff have completed the OBD's first dental license renewals through the new InLumon database and interface which began on February 20, 2021. It was very challenging not only for staff, but for Licensees.

As of April 2, 2021 Mr. Prisby presented the data on the March 2021 Dental License renewal period: Renewed 1,622; Expired 236; Retired 29; Revoked 0; Resigned 0 and Deceased 6.

Overall the Board saw a decrease of approximately 10% from one year ago when 1803 Dentists renewed their dental licenses in March 2020.

Board and Staff Speaking Engagements

Ingrid Nye gave a License Application virtual presentation to the graduating Dental Hygiene Students at OIT in Salem on Wednesday, February 10, 2021.

OBD Staff recorded virtual presentations for the Oregon Dental Conference on Tuesday, March 2, 2021. Dr. Bernie Carter, Shane Rubio, Haley Robinson, Ingrid Nye and Stephen Prisby recorded presentations covering an overview of the Board, expanded practice permits, FAQs, the HPSP, enforcement issues and record keeping. The presentations would be made available between April 8 – May 15 to ODC participants. Mr. Prisby thanked the Oregon Dental Association for inviting Board staff to present again at their well-respected conference.

Dr. Reza Sharifi gave a Board Updates virtual presentation to his colleagues at the Oregon Society of Oral and Maxillofacial Surgeons (OSOMS) on Saturday, March 6, 2021.

Alicia Riedman, RDH, and Stephen Prisby co-presented a Board Updates virtual presentation to the BDP Dental Hygiene Study Club & the Gum Gardeners Dental Hygiene Study Club on Monday, March 15, 2021.

Ingrid Nye gave a License Application virtual presentation to the graduating Dental Students at the OHSU School of Dentistry on Tuesday, April 6, 2021.

2021 Legislative Session

Mr. Prisby presented a report of legislation he is tracking on behalf of the OBD as the 2021 Legislative Session continued under challenging conditions.

AADA & AADB Mid-Year Meetings

The American Association of Dental Boards (AADB) 2021 Mid-Year Meeting was held February 26 - 28, 2021 as a virtual presentation. Lori Lindley participated and led the Board Attorneys' Roundtable and Yadira Martinez, RDH, attended portions of the meeting.

The American Association of Dental Administrators (AADA) 2021 Mid-Year Meeting was held on Tuesday, March 2, 2021. Mr. Prisby attended both the AADA and AADB Meetings and they were well run and informative.

Strategic Planning Memo

Mr. Prisby presented a memo seeking guidance from the Board regarding next steps and preparation for strategic planning. The Board agreed to utilize the OBD's Administrative Workgroup to discuss planning in further detail and bring recommendations to the Board at a future board Meeting.

2022 Proposed Board Meeting Dates

Mr. Prisby presented a draft of the proposed meeting dates for 2022.

Dr. Fine moved and Mr. Dunn seconded that the Board approve the 2022 meeting dates as presented. The motion passed unanimously.

Dental Scope of Practice Question – Kybella

The Board received correspondence from Levi Shull, D.M.D., regarding whether or not administering Kybella would be within a dentist's scope of practice.

Dr. Sharifi moved and Dr. Javier seconded that the Board affirm that, since it is not provided in CODA approved dental schools, it is not within the scope of practice of dentistry. The motion passed unanimously.

Election of Officers

Dr. Fine moved and Mr. Dunn seconded that the Board elect Ms. Alicia Riedman, RDH, as Board President, and Dr. Jose Javier as Board Vice-President. The motion passed unanimously.

CORRESPONDENCE

Dental Scope of Practice Question – American Academy of Sleep Medicine (AASM)

The Board received correspondence from the AASM expressing concerns regarding a recently published position statement issued by the American Academy of Dental Sleep Medicine on the use of home sleep apnea tests (HSATs) by dentists. The AASM is asking for the Board to clarify the scope of practice for dentists in Oregon using HSATs. No motion was made at this time.

OTHER ISSUES

Proposal from Pacific University Dental Hygiene Students – Dental Assistant Local Anesthesia Certification

Dr. Underhill moved and Dr. Sharifi seconded that the Board move the proposal from the dental hygiene students at Pacific University to the Licensing, Standards and Competency Committee for further review. The motion passed unanimously.

Stephen Prisby recognized and thanked Yadira Martinez, RDH for her service as OBD President over the past 12 months and presented her with a certificate.

ARTICLES AND NEWS (Informational Only)

- FDA Dental Amalgam Recommendations
- HPSP February 2021 Newsletter
- HPSP March 2021 Newsletter
- SRTA Expands to New States with Live & Manikin-Based Testing

EXECUTIVE SESSION: The Board entered into Executive Session pursuant to ORS 192.606 (1)(2)(f), (h) and (L); ORS 676.165; ORS 676.175 (1), and ORS 679.320 to review records exempt from public disclosure, to review confidential investigatory materials and investigatory information, and to consult with counsel

OPEN SESSION: The Board returned to Open Session at 12:46p.m.

CONSENT AGENDA

2021-0111, 2021-0104, 2021-0115, 2021-0107, 2021-0119, 2021-0117, 2021-0106

Ms. Riedman moved and Dr. Javier seconded that the Board close the matter with a finding of No Violation or No Further Action. The motion passed unanimously.

COMPLETED CASES

2021-0001, 2020-0081, 2020-0165

Ms. Riedman moved and Dr. Sharifi seconded that the Board close the matter with a finding of No Violation or No Further Action. The motion passed unanimously.

2021-0126

Dr. Javier moved and Ms. Martinez seconded that the Board close the Matter with a Letter of Concern reminding Licensee to assure that a valid Healthcare Provider BLS/CPR certification is maintained while licensed. The motion passed with Ms. Martinez, Ms. Riedman, Dr. Javier, Dr. Sharifi, Dr. Fine, Ms. Brixey, Mr. Dunn and Dr. Underhill voting aye. Dr. Kalluri recused.

KATO, JEREMY S., D.D.S.; 2021-0038

Dr. Sharifi moved and Dr. Javier seconded that the Board issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order incorporating a reprimand, a \$6,000.00

civil penalty to be paid within six months, unconditionally pass the Probe: Ethics and Boundaries Course within six months, complete three hours of Board approved continuing education in record keeping within 60 days, complete a three hour Board approved continuing education course on opioid prescribing with an emphasis on the dental profession within 60 days and Licensee agrees to not reapply for a DEA license for five years. The motion passed unanimously.

2021-0073

Dr. Kalluri moved and Dr. Sharifi seconded that the Board close the matter with a Letter of Concern reminding Licensee to assure that his documentation of periodontal findings and diagnoses are thorough and accurate; and treatment provided is consistent with current contemporary periodontal therapeutic guidelines. The motion passed unanimously.

KRAUSE, CANDACE, D.M.D.; 2021-0037

Dr. Fine moved and Dr. Underhill seconded that the Board issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order incorporating a reprimand, a \$10,000.00 civil penalty to be paid within six months, unconditionally pass the Probe, Ethics and Boundaries course within nine months, complete a three hour Board approved continuing education course on record keeping within 60 days, complete a three hour Board approved continuing education course on opioid prescribing with an emphasis on the dental profession within 60 days and Licensee agrees to not reapply for a DEA license for five years. The motion passed unanimously.

2021-0081

Ms. Brixey moved and Dr. Javier seconded that the Board close the matter with a Letter of Concern reminding Licensee to assure that he completes biological monitoring testing of his sterilization devices on a weekly basis, and documents that he PARQs his patients, what anesthetic, concentration, and amount of anesthetic is administered, and that he documents that he informs the patient whenever an adverse event occurs when the patient has been treated. Licensee is also reminded to inform his patients regarding sudden movements while treatment is occurring which could interfere with his treatment being provided. The motion passed unanimously.

2021-0008

Mr. Dunn moved and Dr. Sharifi seconded that the Board close the matter with a Letter of Concern reminding Licensee to assure that he provides documentation of a driver, and documents the name of the driver on the sedation form after completing parenteral moderate sedation procedures. The motion passed unanimously.

YONAN, PETER M., D.M.D.; 2021-0087

Dr. Underhill moved and Mr. Dunn seconded that the Board issue a Notice of Proposed Disciplinary Action and offer Licensee a Consent Order to include a reprimand, a \$6,000.00 civil penalty to be paid within 90 days of the effective date of the order, complete a four-hour Board approved continuing education course on infection control within 30 days of the effective date of the Order and submit monthly spore testing results for one year from the effective date of the Order. The motion passed unanimously.

PREVIOUS CASES REQUIRING BOARD ACTION

2021-0005

Dr. Javier moved and Dr. Sharifi seconded that the Board issue a Notice of Dismissal, dismissing the Notice of Proposed Disciplinary Action dated December 21, 2020, and close the matter with a STRONGLY worded Letter of Concern reminding Licensee to assure that he 1) DOCUMENT in the patient record pre-treatment and post-treatment vital signs, minimally including blood pressure, pulse, and pulse oximeter oxygen saturation percentages; 2) DOCUMENT the condition of the patient upon discharge assuring all Dental Practice Act discharge criteria have been completed prior to the patient being discharged; 3) when performing surgical extraction of teeth that he DOCUMENT any removal of bone and/or sectioning of tooth, any elevation of mucoperiosteal flap, any related cutting of gingiva and bone, any removal of tooth structure, and/or any minor smoothing of socket bone and closure; and 4) consider review of the DPA where nitrous oxide sedation rules and discharge criteria are cited. The motion passed unanimously.

2021-0016

Dr. Sharifi moved and Dr. Javier seconded that the Board reaffirm the Boards February 19, 2021 decision. The motion passed unanimously.

FELLER, JONATHAN M., D.D.S.; 2021-0071

Dr. Kalluri moved and Dr. Javier seconded that the Board issue an Amended Notice of Proposed Disciplinary Action and offer Licensee a Consent Order incorporating a reprimand, a \$3,000.00 civil penalty to be paid within 60 days, complete six hours of Board approved continuing education in infection control within 60 days, complete three hours of Board approved continuing education in record keeping within 30 days, pass the Oregon Board of Dentistry Jurisprudence Exam within 30 days, and for a period of one year from the effective date of the Order, submit results of weekly testing of his heat sterilizing devices with a biologic monitoring system on a weekly basis. The motion passed unanimously.

HODGERT, ROBERT H., D.M.D.; 2018-0178

Dr. Fine moved and Mr. Dunn seconded that the Board accept Licensees request and remove the restriction prohibiting the prescribing or administering of any controlled substance. The motion passed unanimously.

SHIELDS, NICHOLE M., R.D.H.; 2015-0073

Ms. Brixey moved and Dr. Javier seconded that the Board issue a Notice of Proposed License Revocation. The motion passed unanimously.

LICENSE & EXAMINATION ISSUES**Approval of Non-Resident Permit – Sara J. Park, D.D.S.**

Mr. Dunn moved and Dr. Javier seconded that the Board approve the temporary non-resident permit for Dr. Sara J. Park. The motion passed unanimously.

Request for reinstatement of a retired license - Hal J. Oien, D.M.D.

Dr. Underhill moved and Dr. Fine seconded that the Board approve the reinstatement of dental license for Dr. Hal Oien. The motion passed unanimously.

Request for Reinstatement of an Expired License - Angelia C. Spiegel, R.D.H.

