

**MINUTES OF THE SPECIAL MEETING  
OF THE  
LOUISIANA STATE BOARD OF DENTISTRY  
HELD AT ITS BOARD OFFICE  
LOCATED AT  
ONE CANAL PLACE-SUITE 2680-365 CANAL STREET  
NEW ORLEANS, LOUISIANA 70130  
BEGINNING AT 10:00 A.M. ON  
FRIDAY, AUGUST 13, 2010**

A special meeting of the Louisiana State Board of Dentistry was held on Friday, August 13, 2010, at the offices of the Louisiana State Board of Dentistry located at One Canal Place, Suite 2680, 365 Canal Street, New Orleans, Louisiana, 70130. The meeting was held pursuant to public notice, each member received notice, and notice was properly posted. The meeting was called to order at 10:20 a.m. by Dr. Charles T. McCabe, Jr., President.

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

**PRESENT WERE:**

Dr. Charles McCabe, President  
Dr. Romell Madison, Vice-President  
Dr. David Melancon, Secretary-Treasurer  
Dr. Wilton Guillory, Member  
Dr. H.O. Blackwood, Member  
Christine Guillaume, R.D.H., Member  
Dr. Lynn Philippe, Member  
Dr. Dean Manning, Member  
Dr. Frank Martello, Member  
Dr. Russell Mayer, Member  
Dr. James Moreau, Member  
Dr. Sam Trinca, Member  
Dr. Conrad McVea, Member  
Dr. John Taylor, Member

**ALSO PRESENT BY BOARD INVITATION WERE:**

C. Barry Ogden, Executive Director  
Brian Begue, Board Counsel  
Erin Conner, Director of Licensing

Rachel Daniel, Board Staff

John Roth, Board Staff

Alison Schenk, Board Staff

John Gallo, D.D.S., LSUSD

Ward Blackwell, Executive Director, LDA

Suzanne Farrar, R.D.H., LSUSD, LDHA

Carrie Mason, R.D.H., LSU

Wanda Puckett, D.D.S.

John Saunders, Esq.

Mike O'Brien, D.D.S.

Louis Genard, D.D.S.

Greg Folse, D.D.S., Lafayette

F. Thomas Giacona, D.D.S., L.D.A.

Dr. Matt Berg, Oklahoma

Vin DiCianni, Affiliated Monitor's, Inc.

Randal Johnson, Baton Rouge

Bradley Mittendorf, Baton Rouge

Dr. McCabe opened the meeting by greeting all the guests. He welcomed the new board member, Dr. Russell "Rusty" Mayer and new board staff member, Ms. Rachel Daniel. Dr. McCabe stated that the notices of intent regarding mobile dentistry were scheduled to be published on August 20, 2010. As of the date of the meeting, the board had heard nothing of a Legislative Oversight Committee, but was under the impression that one would be convened at the request of the Louisiana Dental Association.

At this point, Dr. McCabe asked for any public comment. Ms. Suzanne Farrar, R.D.H. asked that agenda be amended to take up the issue of nitrous oxide administration by dental hygienists. Mr. Ogden also asked that the agenda be amended to hear Mr. Vin DiCianni of Affiliated Monitors, Inc., who will be needing to make a quick presentation in order to catch a plane back to Boston.

At this point, Dr. Martello then made the motion which was seconded by Ms. Guillaume that it be:

**RESOLVED**, the Louisiana State Board of Dentistry hereby amends its agenda to take up the issue of nitrous oxide and Mr. DiCianni's presentation as soon as he arrives.

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

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

**RESOLVED**, that the minutes, as circulated, of the Special Board meeting of May 7, 2010, in New Orleans, Louisiana, are hereby adopted, ratified and approved in their entirety.

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

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

**RESOLVED**, that the acts and decisions taken by the President, Vice-President, Secretary/Treasurer and Executive Director in the general conduct and transactions of Board business since May 7, 2010, be and they are hereby approved, adopted, and ratified in full by the board.

After voting unanimously in the affirmative, Dr. McCabe declared the motion passed.

At this point, Dr. Trinca then made the motion which was seconded by Dr. Martello that it be:

**RESOLVED**, the Louisiana State Board of Dentistry hereby moves to Agenda item 11 (ii) **Anesthesia Committee**.

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

At this point, Dr. Michael O'Brien addressed the board concerning the outline of the course he had planned for continuing education for dental hygienists who had not had the opportunity to be trained in the administration of nitrous oxide analgesia while in dental hygiene school. He related that the course would take approximately eight hours and is similar to the course taught at LSU School of Dentistry for dentists and hygienists. After little discussion, Dr. Trinca then made the motion which was seconded by Dr. Blackwood that it be:

**RESOLVED**, the Louisiana State Board of Dentistry has reviewed the course outline for the administration of nitrous oxide analgesia by dental hygienists who have previously graduated and hereby approves said course for continuing education for dental hygienists who wish to administer nitrous oxide and inhalation analgesia.

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

Dr. McCabe then returned to Agenda item number 6, **Licensing and Credentials Committee**, Dr. Dean Manning, Chairman. Discussion regarding the timeframe for applicants to get their information to PBIS was tabled until the December 3, 2010.

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

**RESOLVED**, having considered the application for licensure by credentials in the State of Louisiana by the persons named below, the Louisiana State Board of Dentistry hereby approves said application and awards said named persons, their requested license to practice dentistry or dental hygiene in the State of Louisiana, granting them all the privileges, duties, and responsibilities associated therewith.

- a. Dr. Mathew Berg
- b. Dr. Sheila Brijade
- c. Dr. Soo Bin Kim
- d. Dr. Jaime Oro, Jr.
- e. Dr. Wanda F. Puckett
- f. Dr. Bristol Williams
- g. Linda Albright, R.D.H.
- h. Karen M. Boutte, R.D.H.
- i. Heather Fleming, R.D.H.
- j. Kristina Sutherland, R.D.H.

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

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

**RESOLVED**, having considered the application for licensure by credentials in the State of Louisiana by the persons named below, the Louisiana State Board of Dentistry hereby, approves said application and awards said named persons, their requested license to practice dentistry or dental hygiene in the State of Louisiana, granting them all the privileges, duties, and responsibilities associated therewith, contingent upon receiving verification of their references.

- a. Dr. Marysol Iniguez
- b. Kamala Burton, R.D.H.

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

Dr. Manning then made the motion which was seconded by Ms. Guillaume that it be:

**RESOLVED**, under the authority of R.S. 37:760 (A) (6) and LAC 46:XXXIII.120, the Louisiana State Board of Dentistry hereby approves the issuance of temporary dental hygiene license to the following persons:

Kamala Burton R.D.H.

and

**BE IT FURTHER RESOLVED**, that the members of the Louisiana State Board of Dentistry do hereby ratify the actions of its Licensing and Credentials Committee in connection therewith.

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

Next, Dr. Manning made the motion which was seconded by Dr. Taylor that it be:

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

ISSUE	NAME	SCHOOL
5/25/2010	Dr. Alejandro Llovera-Jimenez	LSU School of Dentistry
7/1/2010	Dr. Chelsea Accardo	LSU School of Dentistry
7/1/2010	Dr. David Altman	LSU Medical Center--Shreveport
7/1/2010	Dr. Paul Beyt	LSU School of Dentistry
7/1/2010	Dr. Steven Black	LSU School of Dentistry
7/1/2010	Dr. Aaron Brinster	LSU School of Dentistry
7/1/2010	Dr. Jeffrey Burroughs	LSU School of Dentistry
7/1/2010	Dr. Julia Cheuk	LSU School of Dentistry
7/1/2010	Dr. Vera Dooley	LSU School of Dentistry
7/1/2010	Dr. Sara Macway	LSU School of Dentistry
7/1/2010	Dr. John Nesiba	LSU School of Dentistry
7/1/2010	Dr. Son Nguyen	LSU School of Dentistry
7/1/2010	Dr. Sami Nizam	LSU School of Dentistry
7/1/2010	Dr. Oscar Pappa	LSU School of Dentistry
7/1/2010	Dr. Stavan Patel	LSU Medical Center--Shreveport
7/1/2010	Dr. Michael Von Gruben	LSU School of Dentistry
7/1/2010	Dr. Melvyn Yeoh	LSU Medical Center--Shreveport
7/1/2010	Dr. Shahrouz Zarrabi	LSU School of Dentistry
7/1/2010	Dr. Brennan O'Brien	LSU School of Dentistry
7/1/2010	Dr. Curtis Caskey	LSU School of Dentistry
7/1/2010	Dr. Jonathan Esquivel	LSU School of Dentistry
7/1/2010	Dr. Hisham Hatoum	LSU School of Dentistry
7/1/2010	Dr. Christen Massey	LSU School of Dentistry
7/1/2010	Dr. Jordan Prieto	LSU School of Dentistry
7/1/2010	Dr. Ellis Jardine	LSU School of Dentistry
7/1/2010	Dr. Laura Santarufio	LSU School of Dentistry
7/1/2010	Dr. Shahin Sultana	LSU School of Dentistry
7/1/2010	Dr. Christopher Jones	LSU School of Dentistry
7/1/2010	Dr. Krista Roquette	LSU School of Dentistry
7/1/2010	Dr. Tim Yen-Ting Lee	LSU School of Dentistry
7/1/2010	Dr. Marquita Wallace	LSU School of Dentistry
7/1/2010	Dr. John Andrews	LSU School of Dentistry
7/1/2010	Dr. Rodney Isolani	LSU School of Dentistry
7/1/2010	Dr. Kitrina Cordell	LSU School of Dentistry
7/1/2010	Dr. Alan Simmons	LSU School of Dentistry
7/1/2010	Dr. Osyria Webster-Taylor	LSU School of Dentistry

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

Dr. Trinca then made the motion which was seconded by Ms. Guillaume that it be:

**RESOLVED**, the Louisiana State Board of Dentistry hereby waives the licensing requirements and fees for those dentists and hygienists participating with the Remote Area Medical event August 26-29, 2010, in St. Bernard and Plaquemines Parishes, upon the following conditions:

Dentists and hygienists participating in the program shall provide to the Louisiana State Board of Dentistry:

- a. verification of good standing in their state of licensure
- b. their license number
- c. a copy of their drivers' license
- d. proof of insurance

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

After some discussion, Dr. Manning made the motion which was seconded by Dr. Melancon that it be:

**RESOLVED**, the Louisiana State Board of Dentistry has discussed the issue of the staff issuing restricted dental licenses and hereby authorizes and empowers the staff to approve restricted dental licenses with the oversight of a member of the Licensing and Credentials Committee.

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

No action was taken on Agenda Item 6 (viii) "Discussion of issuance of licenses by credentials by staff."

Discussion then ensued on the issue of providing specialty licenses. After some debate, the board referred this matter to the Rulemaking Committee for refinement in regards to foreign trained dentists.

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

Dr. Philippe stated that the board was presently undergoing its annual audit by the Legislative Auditor and that he foresaw no problems. He then asked Mr. Ogden to explain the draft of the complied financial statement as prepared by Sharp & Company for the board. Mr. Ogden then advised the board that the statement of net assets showed that the board had a loss of \$104,238. However, this deficit had much to do with the long term deferred revenue as well as the post-employment benefit obligations which were now in their third year of accounting and should level out soon. Mr. Ogden also advised the board that license renewal revenue accounted for 84% of the board's revenue. He also stated that the board revenue was 6.24% in regards to enforcement actions. However, attorney's fees and investigation fees accounted for 24.9%. He stated that this variance shows that the board spends a great deal of its funding on investigating complaints which do not result in disciplinary actions being taken. Mr. Ogden then answered any other questions that the board may have regarding the financial report and the budget.

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

**RESOLVED**, the Louisiana State Board of Dentistry hereby accepts, approves, and adopts the budget as prepared by the executive director for fiscal year 2010-2011.

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

Discussion then ensued on the issue of how many unclassified employees may be employed by the board. Mr. Ogden related that the director of Boards and Commissions had their attorney's review the matter and stated that the board is limited to two unclassified employees.

Discussion then ensued upon the Louisiana State Board of Dentistry emergency plan. All members took home a copy to keep with them in the event that an emergency be declared.

Dr. McCabe referred to Agenda item number 8, **Impaired Dentists Committee**, Dr. H.O. Blackwood, Chairman. Dr. Blackwood related that the book entitled, "Dentistry Faces Addiction" should be read by all board members.

Dr. McCabe then referred to Agenda item number 9, **Examination Committee**, Dr. Samuel Trinca, Chairman. Dr. Trinca reported that the CITA examinations had gone well during the past year. He stated that more and more states are accepting CITA all of the time and now is accepted in at least half of the states. He feels that the CITA exam is by far the best and the most reliable of all of the testing agencies. Dr. Trinca brought to the boards attention to the responses to the survey which the board had sent to all Regional Testing Agencies regarding the boards representation on any particular Board of Directors and Examination Construction Committees for each of the agencies. It was the general consensus that for the board to have such representation it must become a member of said Regional Testing Agency.

Discussion then ensued on the creation of a Committee for an Integrated Examination by the Joint Committee on National Dental Examinations. No action was taken.

Discussion then ensued upon number of times an applicant may take an exam before being excluded from licensure. The board reviewed the notices of intent prepared by Mr. Ogden relating to Rule 1709 and 1711. The Rulemaking Committee was charged to refine this rule for consideration at the December 3, 2010.

Dr. McCabe then referred to Agenda item number 10, **Legislative Committee**, Dr. Conrad McVea, Chairman. Dr. McVea related that Act No. 917 had passed in its original form even though the board was able to delete the termination clause in the senate. He predicted that a Legislative Oversight Committee hearing would be convened at the request of the Louisiana Dental Association.

Dr. McVea then brought the board's attention to Act No. 111 which will allow large group practices to advertise their practices in a way different from any one else.

Act No. 612 will now allow dentists to be employed by Federally Qualified Health Care Centers.

Act No. 66 authorizes dental hygienists to administer nitrous oxide inhalation analgesia after completion of approved training.

Dr. McVea then stated that due to the possible oversight hearing, the rules which were scheduled to be published in the August 20, 2010 edition of the Louisiana Register were on hold.

At this point, Dr. Trinca addressed the Louisiana Dental Association expressing his deep sorrow for the actions they had taken during Legislative Session in respect to Act No. 917. He felt that had the Louisiana Dental Association come to the aid of the Louisiana State Board of Dentistry, the board would not be faced with possible termination of all members if the mobile dentistry rules were not adopted by the end of the year. He expressed his disappointment and asked Mr. Blackwell to bring his message to the Louisiana Dental Association's board of directors.

Dr. McCabe then referred to Agenda item 11, **Anesthesia Committee**, Dr. Lynn Philippe, Chairman. Dr. Philippe stated that the staff should be allowed to approve local anesthesia permits for dental hygienists graduating from dental school.

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

**RESOLVED**, the Louisiana State Board of Dentistry hereby instructs its staff to issue local anesthesia permits for those dental hygiene students who have completed local anesthesia course requirements at LSU School of Dentistry, Southern University at Shreveport, or the University of Louisiana at Monroe provided that all requirements are met and all is under review and approval of the Chairman of the Anesthesia Committee.

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

At this point, Dr. Melancon then made the motion which was seconded by Dr. Martello that it be:

**RESOLVED**, the Louisiana State Board of Dentistry hereby amends its Agenda to take up Agenda item 14 (viii).

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

A presentation was then given by Mr. Vin DiCianni with Affiliated Monitors, Inc. He stated their services involve independent monitoring, which takes orders from consent decrees and provides oversight monitoring services. He explained that their company creates a monitoring program based on the board's directives. Monitors then oversee the program, create reports and offer recommendations at no cost to the board. Costs are only assessed against the persons being monitored. They also provide record keeping and logging systems.

Mr. Ogden stated that he sees the board moving away from its own monitoring system, which would save time and money. He then stated that no action needs to be taken and simply asked for the board's approval to being using Affiliated Monitors, Inc., in the future. The board concurred then authorized Mr. Ogden to use Affiliated Monitors, Inc., as he saw fit.

At this point, Mr. Ward Blackwell of the Louisiana Dental Association stated that Dr. Les Tarver had died night before. At this point, the board took a minute of silence to honor Dr. Tarver who had been such a prominent figure in organized dentistry all his life.

Dr. McCabe then referred to Agenda item number 12, **Rulemaking Committee**, Dr. Romell Madison, Chairman.

Discussion then ensued on the issue of reporting one's HIV/HBV/HCV status when applying for licensure. Dr. Madison stated that the medical schools do not even ask this question anymore and that Dr. John Richie of LSU School of Dentistry, Dean of Admissions, had asked for some clarity on this issue. Everyone was of the opinion that as long as universal precautions are followed there is little chance of this disease being transferred to or from a patient. No further action was taken.

Discussion then ensued on the granting on nitrous oxide permits to dental hygienists in order to administer nitrous oxide inhalation analgesia. After some discussion, Dr. Martello made the motion which was seconded by Dr. McVea that it be:

**RESOLVED**, the Louisiana State Board of Dentistry hereby authorizes and instructs its Rulemaking Committee, President, Executive Director, and Counsel to commence and complete rulemaking on LAC 46:XXXIII.1509 as written below:

**§1509. Minimal Educational Requirements for the Granting of Permits to Administer Nitrous Oxide Inhalation Analgesia, Conscious Sedation with Parenteral or Enteral Drugs and General Anesthesia/Deep Sedation**

A. Nitrous Oxide Inhalation Analgesia

1.-2. . . .

**3. A dentist who has been trained to administer nitrous oxide inhalation analgesia in a dental school approved by the American Dental Association or a course accepted by the Louisiana State Board of Dentistry and has been administering nitrous oxide inhalation analgesia in another state without any disciplinary or malpractice action being taken against him regarding the administration of anesthesia may be permitted to administer same in the state of Louisiana by providing documentation of experience in the previous two years, and by gaining approval of the board through the interview process.**

B.-D. . . .

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

Next, discussion ensued on Rule 701 “Authorized Duties” of dental hygienists. After some discussion, Dr. McVea made the motion which was seconded by Dr. Madison that it be:

**RESOLVED**, the Louisiana State Board of Dentistry hereby directs, empowers, and authorizes its Rulemaking Committee, President, Executive Director, and Counsel to go forward with amendments to LAC 46:XXXIII.701 as written as follows:

**§701. Authorized Duties**

A.-E. . . .

F. Under general supervision, a dental hygienist may provide to patients of record, for not more than five consecutive business days, all dental hygiene services (except local anesthesia and root planning which must be under direct supervision) if all of the following conditions are satisfied:

1. The dental hygienist has at least ~~three years, or an equivalent amount of experience, in the~~ **one year of full time** practice of dental hygiene;

2.-7. . . .

**8. Dental hygienists may perform light enhanced teeth whitening procedures such as Zoom® under general supervision.**

G.-...

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

Next, discussion then ensued on LAC 46:XXXIII.415 and .419. After some discussion, the board decided not to go forward with a change to Rule 415, but rather to prepare a rule which would require the applicant to pay PBIS instead of paying the board and then the board paying PBIS. However, the board did decide to leave in a fee for the examination and permitting of dental hygiene applicants. That rule would read:

**§419. Licenses, Permits and Examinations (Dental Hygienists)**

A. . . .

1.-11. . . .

- |  |                       |
|--|-----------------------|
| <b><u>12. Examination and permitting of dental hygiene applicants for administration of nitrous oxide inhalation analgesia</u></b> | <b><u>\$50.00</u></b> |
| <b><u>13. Renewal fee for dental hygienists administration of nitrous oxide inhalation analgesia</u></b>                           | <b><u>\$50.00</u></b> |

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

Discussion then ensued on preparation of guidelines for the utilization of Botox and dermal fillers. Mr. Ogden related that he would be meeting with the Executive Director of the Louisiana State Board of Medical Examiners sometime in early September and it may be advisable for both groups to advance similar rulemaking. Dr. Philippe instructed Dr. Ogden to get the new guidelines for the state of Iowa. The board asked Dr. Madison and Mr. Ogden to meet with Dr. Marier also.

The board concurred that no action needed to be taken today for Rule 313 “Portable and Mobile Dentistry” because these rules has already been printed as a notice of intent and the board was waiting to hear whether a Legislative Oversight Committee would amend this rule.

Discussion then ensued on providing a dental hygiene oath for all dental hygienists. After some discussion, Dr. Melancon then made the motion which was seconded by Dr. McVea that it be:

**RESOLVED**, the Louisiana State Board of Dentistry has discussed the oath for dental hygienists and hereby approves said oath and instructs its staff to send oaths with all new licenses to dental hygienists.

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

At this point, Dr. Trinca made the motion which was seconded by Dr. Moreau to amend the Agenda to take up item 14 (vii) “Report on the Louisiana Dental Association and Louisiana State Board of Dentistry task force.” Dr. Blackwood noted that he and Drs. McCabe and Martello met with Dr. Giacona Roberts to discuss items of mutual interest between the Louisiana Dental Association and the Louisiana State Board of Dentistry. After some discussion, the issue was tabled until the board hears back from the Louisiana Dental Association Board of Directors after their review of this report.

Dr. McCabe then referred to Agenda item number 13, **Continuing Education Committee**, Dr. John Taylor, Chairman. Dr. Taylor reported that he had no report. The board profusely thanked him.

Next, Dr. McCabe referred to agenda item number 14, **New Business and any other business which may properly come before the board.**

At this point, Dr. Taylor then made the motion which was seconded by Dr. Melancon that it be:

**RESOLVED**, that the action of the President in entering into a resolution in the matter involving Michael Dubose, D.D.S., via Consent Decree by and between

the Louisiana State Board of Dentistry and Michael Dubose, D.D.S., (as per copy of Agreement Containing Consent Decree which is attached hereto and made a part hereof), be adopted, confirmed, and ratified by this Board; and further that all acts of the President, Board members, and Executive Director in the furtherance of this purpose are hereby ratified.

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

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

**RESOLVED**, that the action of the President in entering into a resolution in the matter involving Trang Burke, D.D.S., via Consent Decree by and between the Louisiana State Board of Dentistry and Trang Burke, D.D.S., (as per copy of Agreement Containing Consent Decree which is attached hereto and made a part hereof), be adopted, confirmed, and ratified by this Board; and further that all acts of the President, Board members, and Executive Director in the furtherance of this purpose are hereby ratified.

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

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

**RESOLVED**, that the action of the President in entering into a resolution in the matter involving Dimetry Cossich, D.D.S., via Consent Decree by and between the Louisiana State Board of Dentistry and Dimetry Cossich, D.D.S., (as per copy of Agreement Containing Consent Decree which is attached hereto and made a part hereof), be adopted, confirmed, and ratified by this Board; and further that all acts of the President, Board members, and Executive Director in the furtherance of this purpose are hereby ratified.

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

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

**RESOLVED**, that the action of the President in entering into a resolution in the matter involving Joseph Ascersion, D.D.S., via Consent Decree by and between the Louisiana State Board of Dentistry and Joseph Ascersion, D.D.S., (as per copy of Agreement Containing Consent Decree which is attached hereto and made a part hereof), be adopted, confirmed, and ratified by this Board; and further that all acts of the President, Board members, and Executive Director in the furtherance of this purpose are hereby ratified.

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

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

**RESOLVED**, the Louisiana State Board of Dentistry hereby approves and ratifies the contract entered into by the board president with Continuum Technology Services, LLC.

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

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

**RESOLVED**, the Louisiana State Board of Dentistry hereby approves and ratifies the amendment to the contract entered into by the board president with Kaylan F. Worley, D.D.S.

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

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

**RESOLVED**, the Louisiana State Board of Dentistry hereby approves and ratifies the amendment to the contract entered into by the board president with Glen Appleton, D.D.S.

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

Discussion then ensued on the treatment of live patients by out of state dentists during continuing education courses conducted in the state of Louisiana. After some discussion, the board interpreted R.S. 37:752 where it states “Clinicians” under exemptions from licensure to include both professors and students at said continuing education courses and that all professors and students must be licensed and in good standing in other states in order to perform dentistry on live patients during these continuing education courses conducted in the state of Louisiana.

Discussion then ensued regarding the lawsuit filed by the Federal Trade Commission against the North Carolina Board of Dental Examiners regarding anti-competitive measures in regards to tooth whitening services. Mr. Ogden thanked Mr. Begue for the course of action he had taken in regard to this matter so as to keep Louisiana out of a similar lawsuit. No action was taken.

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

**RESOLVED**, the Louisiana State Board of Dentistry does hereby authorize, confirm, and ratify the signature of its Director of Licensing, Erin Conner, on all accounts of the Louisiana State Board of Dentistry.

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

The board then added the following dates for calendar year 2011:

February 18, 2011—board meeting

March 24-25, 2011—CITA clinical examination at LSUSD

April 3-4, 2011—AADB meeting

April 25, 2011—Legislation

May 20, 2011—board meeting

June 2-3, 2011—CITA clinical licensing examination at LSUSD

June 23, 2011—Legislation ends

August 5, 2011—board meeting

August 12-13, 2011—CITA clinical licensing examination at LSUSD

October 5-6, 2011—CITA meeting

October 7-8, 2011—AABD meeting

December 2-3, 2011—board meeting

At this point, Dr. McVea stated that he wanted to add three new items to the agenda. Dr. McVea made the motion which was seconded by Dr. Melancon that it be:

**RESOLVED**, the Louisiana State Board of Dentistry hereby amends its Agenda to take up discussion of three items under **New Business and any other business which may properly come before the board**.

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

Dr. McVea discussed the first item of his concern which are complaints that have no merit and are showing up on the history of past complaints on dentists which do not need to be taken into consideration. He asked that a change to the Disciplinary Oversight Committee voting form to have a box to check off “Frivolous.” The board agreed and the staff was instructed to make this change to the voting form.

Dr. McVea then discussed his second item was the standard of care and the fact that AED’s should be required in all dental offices. He suggested that each office be required within one year of inspection to obtain the AED machinery. The board then instructed its Rulemaking Committee to draft rules regarding the equipment that should be in a dentist’s office. This should be accomplished by the year 2012.

The third item discussed by Dr. McVea was to have our intelligence technician at Continuum Technologies look into the issue of providing I-Pads for the board. Discussion then ensued upon the cost of the I-Pads and the cost of a projection screen ordered for the board room. The staff was then instructed to get a break down on what it would cost to provide I-Pads for all members and a motorized screen mounted in the conference room.

At this point, Dr. McCabe referred to Agenda item number 15, **Reports on Investigations, Adjudications and Litigation**.

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

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

**BE IT FURTHER RESOLVED**, that the Louisiana State Board of Dentistry may discuss litigation in Executive Session when an open meeting would have a detrimental effect on the bargaining and litigating position of the Louisiana State Board of Dentistry.

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

Upon returning from Executive Session, Dr. Trinca made the motion which was seconded by Dr. Madison that it be:

**RESOLVED**, that the Louisiana State Board of Dentistry hereby authorizes and directs its Secretary-Treasurer to pay all per diem and authorized expenses to those Board members in connection with the May 6, 2010 Office Management Committee meeting held in New Orleans, Louisiana; and

**BE IT FURTHER RESOLVED**, that the Secretary-Treasurer is authorized and directed to pay up to two additional travel days in per diem to board members requiring same in connection with their attendance at said meeting.

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

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

**RESOLVED**, that the Louisiana State Board of Dentistry hereby authorizes and directs its Secretary-Treasurer to pay all per diem and authorized expenses to those Board members in connection with the May 7, 2010 board meeting and hearings held in New Orleans, Louisiana; and

**BE IT FURTHER RESOLVED**, that the Secretary-Treasurer is authorized and directed to pay up to two additional travel days in per diem to Board members requiring same in connection with their attendance at said meeting.

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

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

**RESOLVED**, that the Louisiana State Board of Dentistry hereby authorizes and directs its Secretary-Treasurer to pay all per diem and authorized expenses to those Board members in connection with the Bertucci hearing on May 25, 2010 held in New Orleans, Louisiana.

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

At this point, Dr. Trinca then made the motion which was seconded by Ms. Guillaume that it be:

**RESOLVED**, that the Louisiana State Board of Dentistry hereby adjourns its meeting of August 13, 2010.

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

Dr. McCabe then adjourned the meeting at 4:45 P.M.

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**David Melancon, D.D.S.**  
**Secretary/Treasurer**  
**Louisiana State Board of Dentistry**