

**MINUTES OF THE SPECIAL MEETING
OF THE
LOUISIANA STATE BOARD OF DENTISTRY
HELD AT THE
LOUISIANA STATE UNIVERSITY SCHOOL OF DENTISTRY
1100 FLORIDA AVENUE
NEW ORLEANS, LOUISIANA 70119
BEGINNING AT 10:00 A.M. ON
FRIDAY, AUGUST 14, 2009**

A special meeting of the Louisiana State Board of Dentistry was held on Friday, August 14, 2009, 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 10:45 a.m. by Dr. Lynn Philippe, President.

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

PRESENT WERE:

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

ALSO PRESENT BY BOARD INVITATION WERE:

C. Barry Ogden, Executive Director
Brian Begue, Board Counsel

Erin Conner, Board Staff
Diana Chenevert, Board Staff
John Roth, Board Staff
H. Mark Borel, D.D.S.
Carrie Mason, R.D.H., LSUSD
Mr. Ward Blackwell, LDA
Dr. Thomas Giacona, LDA/NODA
Dr. Gregory Folse
Dr. Charles Foy, LDA
Tom Kiggans, Attorney at Law
Dr. Ambrose Martin, LDA/NODA
Dr. Claudia Cavallino
Dr. John Gallo, LSUSD
Dr. Jeff Hooton, LDA
Dennis Blunt, Attorney at Law
Suzanne Farrar, R.D.H., LSUSD
Cary DesRoches, Attorney at Law
Renee Ford, Catahoula Parish Hospital District 2
Dr. Martin Turk
Rhonda Litt
Randal Johnson
Martin Furman
Dr. Don Donaldson
Malcolm Ehrhardt

Dr. Philippe opened the meeting by welcoming the guests and thanked the Rulemaking Committee for its meeting of the day before to finalize mobile dentistry rules. Noting that there were many present who wished to speak on the mobile dentistry topic, he informed everyone that there would be minimal input at this particular meeting as the committee had met the day before and had put together the proposed rule.

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

RESOLVED, that the minutes, as circulated, of the Special Board meeting of May 30, 2009 in New Orleans, Louisiana, are hereby adopted, ratified and approved in their entirety.

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

Next, Ms. Guillaume made the motion which was seconded by Dr. Moreau 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 30, 2009, be and they are hereby approved, adopted, and ratified in full by the board.

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

At this point, Dr. Trinca 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 11 (iv) due to the fact that there were many people who wished to speak on this topic.

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

Dr. Jeff Hooton wanted to ensure that screenings were exempt under the proposed rule.

He was also concerned that barriers would not be sufficient to protect other students in mobile clinics in a school setting.

Dr. Ambrose Martin stated that he felt parents should be required to be present at any minor's dental appointment in a mobile clinic.

Dr. Foy was concerned with the issue of informed parental consent.

Dr. Folsie stated that the 25 mile radius for emergency follow-up care was satisfactory to him. He also was concerned with having to get parental consent between visits because it would disrupt the child's school day more since it would require more visits.

Dr. Madison stated that there was really no other way for a parent or guardian to give consent.

Dr. Trinca stated that he felt a designated room in schools was necessary for dental procedures.

Dr. Philippe stated the board would address these issues as they came up in the proposed rule itself.

Dr. Madison, Chairman of the Rulemaking Committee, began by reading through the rule. He stated that everyone was in agreement with A "Definitions" regarding mobile and portable dentistry. He moved onto Section B "Exemptions." Dr. Guillory asked why the committee had left out the Louisiana National Guard and any hospital and outpatient surgery

center. Mr. Begue stated that federal, state, and local governmental agencies' operations covers everything appropriate. Since hospitals already have all equipment necessary for any dental procedure, there was no need to address them in mobile dentistry rules.

Dr. Madison stated that B (2) was to be taken from the Engrossed version of House Bill 687 to allow dentists who provide screenings, sealants, cleanings, radiographs, and fluoride treatments without remuneration to be exempt from the mobile dentistry rule.

Dr. Madison then moved onto Section C and reviewed the changes the committee had made the day before. Referring to 7 (G), Dr. Taylor questioned why portable dental clinics were not required to have a properly functioning sterilization system while mobile clinics were. He also suggested that both mobile and portable clinics be required to have properly functioning radiographic equipment capable of producing diagnostic quality x-rays. The board agreed with his suggestions and amended the rule.

Dr. Madison then moved on to Section C (8) and (9), The board felt that copies of all licenses and permits should be acceptable for mobile and portable dental clinics to display and the appropriate change was made.

Dr. Madison then moved onto Section D "Record Keeping." He explained the changes the committee had made the day before. Ms. Ford stated that some areas will only deliver mail to a post office box. The board felt that this was acceptable since certified mail can be received at a post office box. The board then made a change to D allowing for an address of record to be a post office box if operated in an area where mail is only deliverable to a post office box.

Dr. Madison then moved on to Section E "Practice Standards." Mr. Begue suggested the wording "the standard of dental care" to replace "all appropriate dental standards of care and be in compliance with the Dental Practice Act." The board concurred and made the change.

The board questioned the necessity of "or sedation administration" in E (2) since local anesthesia was the only type allowed. The board decided to strike the phrase from the rule.

Dr. Madison moved on to Section E (3) and Dr. McVea stated that emergency 911 access was important and that he was concerned that an operation in a library or gymnasium may not have communications facilities nearby enough to easily call for emergency services. The board agreed to add that communication facilities be "immediately available" to E (3).

Regarding Section E (4), Dr. Philippe stated that the language should reflect the change of "the standard of dental care" in E (1). The board concurred.

Dr. Madison then reviewed the prior day's changes regarding E (5), (6), and (7). There were no questions or comments and the board was satisfied with the changes. Dr. Madison moved on to E (5) and much discussion ensued regarding the mileage radius from the treatment site for which emergency follow-up services would be provided by a local dentist.

Mr. Ogden explained that the committee had decided during its meeting the day before to put off its discussion of the mileage radius until the full board met. Mr. Begue went over some of the suggestions from the day before, notably 8 miles as suggested by Dr. Donaldson, and that 25 miles seemed to be the standard in other states. Dr. Folsie stated he would lose too many schools if the mileage were reduced to 8. Ms. Ford stated that over 30 miles would be better for her particular operation.

Dr. Taylor asked if mobile clinics' contracts for follow-up emergency services could be handled on a case by case basis. Dr. Moreau stated that Arkansas's limit was 50 miles and questioned if the board could use figures from the Department of Health and Hospitals. Mr. Begue stated that would be problematic because according to DHH, 60 of Louisiana's 64 parishes are underserved, but that is clearly not correct since large towns in those underserved parishes have plenty of dental health care providers.

Dr. Manning suggested that under extenuating circumstances, the board could extend the mileage limit. The board explained that the last sentence in E (8) allowed the board to grant waivers. Mr. Begue suggested adding "the operator has demonstrated" that no emergency facility is available within the area. He also suggested replacing "vulnerable" with "underserved" to describe populations without adequate dental care providers. Dr. Taylor suggested removing "for vulnerable populations" entirely from this section. The board agreed with this decision and these changes were made.

Dr. McVea then made the suggestion that "area" be replaced by "treatment site" as "area" was ambiguous. The board concurred.

Dr. Blackwood felt that there should be a delineation between urban and rural areas for the mileage requirement. Dr. LaSalle asked if the mileage listed could depend on the number of Medicaid providers in a designated area. Mr. Begue pointed out that whatever final version of the rule gets promulgated, more changes will be needed and that the board can always make those small adjustments later. He suggested leaving the 25 miles as written. At this point, Dr. Taylor made the motion which was seconded by Dr. Melancon that it be:

RESOLVED, the Louisiana State Board of Dentistry hereby agrees to leave the phrase “25 miles of” in E (8).

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

Dr. Hooton suggested clarifying this rule so as to make sure that the waiver referred to the distance and not to the provision of emergency care itself. The board agreed and the word “distance” was added.

Dr. Madison then referred to E (9) and (10) and went over the changes from the prior day’s meeting. Dr. Madison then stated that barriers 10 feet high and 15 feet long had been suggested regarding E (10). Dr. Trinca stated that he felt a designated room for dental care, and other uses when the mobile or portable clinic was not operating at that school, would be best so as to avoid dentistry’s being practiced in a school library or gymnasium. Mr. Ogden stated that attorneys working with schools have stated that it is impossible to have a dedicated room solely for dental care.

Dr. Folsie said that he uses a room most of the time when he practices dentistry in schools but that he cannot depend on having a room once he gets to a school. He also stated that rooms given him are not necessarily 10 feet high with 15 feet long walls and that he was concerned with ventilation and heat issues in small enclosed spaces. He suggested erecting a barrier only if other students might be around. Dr. Philippe said the rule needed a clear definition on the required height of any barriers. He suggested they specify the square footage of any area where dentistry was to be practiced.

Dr. Taylor felt that high volume evacuation was more important in the school based clinics than the space required. Dr. Hooton stated that he was concerned with aerosols in the area and that 8 feet should be the minimum distance from the operator. He felt a separate room would be best to avoid cross-contamination.

After much discussion, Dr. Trinca made the motion which was seconded by Dr. Taylor that it be:

RESOLVED, the Louisiana State Board of Dentistry hereby amends its proposed rule E (10) to the following:

There shall be a designated room with a minimum of 100 square feet where portable dentistry will occur and other children will not be present either during or immediately after dental procedures.

All board members except Drs. McCabe, Martello, and Blackwood voted in the affirmative, and the motion was declared passed.

The board agreed to keep the last sentence of E (10) as written.

Dr. Madison moved on to Section F (1), (2), and(3). Hearing no questions or comments, he moved on to Section G (1), (2), (3), and (4). Dr. Trinca stated that he would like for parents or guardians to be required to speak directly to the dentist who would be providing dental care to their children. Dr. Madison stated that it would be impossible to require parents to attend a child's dental visits because some parents still would not go. Dr. Philippe felt that truly informed consent was important. Dr. McVea suggested requiring at least one telephone call to a parent or guardian to obtain a full medical history and review any possible procedures.

Dr. Cavallino stated that an accurate medical history was important and that a dentist could only be sure of getting it from the parent or guardian. She felt a form that they fill out would not suffice.

Dr. Melancon suggested a requirement that the form would notify parents that the dentist would be contacting them to obtain a medical history.

After much discussion, Dr. McVea made the motion which was seconded by Dr. Taylor that it be:

RESOLVED, the Louisiana State Board of Dentistry hereby amends G (6) as follows:

Before treatment begins, there must be a documented personal or telephone contact by the dentist or dental hygienist to review the patient's medical history and provide a description of all proposed treatments and the potential negative consequences of each procedure.

All board members except Drs. Martello, Moreau, McCabe, and Blackwood and Ms. Guillaume voted in the affirmative, and the motion was declared passed.

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

RESOLVED, the Louisiana State Board of Dentistry hereby amends G (6) to allow a trained dental assistant to contact the parent or guardian.

All board members except Dr. Taylor voted in the affirmative and the motion was declared passed.

Next, Dr. Madison moved on to Section G (7) and (8). After much discussion, Dr. LaSalle made the motion which was seconded by Dr. Trinca that it be:

RESOLVED, the Louisiana State Board of Dentistry hereby deletes G (8) from its proposed mobile dentistry rule.

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

Dr. Madison then moved through Section H. Hearing no questions or comments, he moved on to Section I. Mr. Begue suggested a change of phrasing to make I (1) more similar to phrasing throughout the rule and the board agreed.

Dr. Madison then moved on to Section J (1). After much discussion, the board agreed to delete the phrase “acting in said capacity in accordance with the provisions of section 793(H) of the Dental Practice Act by rules 320 and 1204.

Dr. Madison then moved through J (2) and (3). Hearing no questions or comments, he moved on to Section K. After some discussion, the board decided to change “these rule” to “the Board’s rules.”

Dr. Madison then moved on to Section L regarding management and administration of mobile dental clinics. He explained that there was a problem with unlicensed persons owning dental practices since it was a violation of the Dental Practice Act, and this section was to clarify that no unlicensed person may own a mobile or portable dental practice and dentists may not split fees with unlicensed persons.

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

RESOLVED, the Louisiana State Board of Dentistry hereby amends L (1) as follows:

...services shall not entered into a relationship which causes the dentist or his business entity to be in violation of R.S. 37:776 (A)(9) or (10).

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

Dr. Madison then moved on to L (3). After much discussion, the board decided to delete L (3).

Dr. Madison then moved on to M (1) and (2). Hearing no questions or comments, he stated that was the end of the proposed rule.

Dr. Philippe then referred to Agenda item number 6, **Licensing and Credentials Committee**, Dr. Blackwood, Chairman. Dr. Blackwood made the motion which was seconded by Dr. Martello that it be:

RESOLVED, having considered the application for licensure by credentials in the State of Louisiana by the person named below, the Louisiana State Board of

Dentistry hereby approves said application and awards said named person, his requested license to practice dentistry in the State of Louisiana, granting him all the privileges, duties, and responsibilities associated therewith, pending satisfactory fingerprint results.

Dr. Paul Walker

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

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

RESOLVED, having considered the application for licensure by credentials in the State of Louisiana by the person named below, the Louisiana State Board of Dentistry hereby approves said application and awards said named person, her requested license to practice dentistry in the State of Louisiana, granting her all the privileges, duties, and responsibilities associated therewith, pending satisfactory fingerprint results.

Janeen Moore, D.D.S.

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

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

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

Debra Holmes, R.D.H.

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

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

RESOLVED, having considered the application for licensure by credentials in the State of Louisiana by the person named below, the Louisiana State Board of Dentistry hereby denies said application and does not award said named person, his requested license to practice dentistry in the State of Louisiana.

Martin Turk, D.D.S.

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

Dr. Blackwood 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 person:

Tonya Hinote, 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, the motion was declared passed.

Next, Dr. Manning made the motion which was seconded by Dr. Melancon 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:

NAME	DEPARTMEN T	CAPACITY	SCHOOL	ISSUE DATE
Dr. Andrew Abide, Jr.	ENDO	Post-Graduate Fellow	LSU School of Dentistry	July 1, 2009
Dr. Arnau Altuna	PROSTHO	Post-Graduate Fellow	LSU School of Dentistry	July 1, 2009
Dr. Christopher Atkins	OMFS	Resident	LSUMC – Shreveport	July 1, 2009
Dr. Arezoo Barani	ENDO	Post-Graduate Fellow	LSU School of Dentistry	July 1, 2009
Dr. Joaquin Berron-Osorno	-----	House Officer I	LSU School of Dentistry	July 1, 2009
Dr. Richard Bertetti	OMS	Intern	LSU School of Dentistry	July 1, 2009
Dr. Joseph Braud	ENDO	Post-Graduate Fellow	LSU School of Dentistry	July 1, 2009
Dr. Vernon Burke	OMFS	Resident	LSU School of Dentistry	July 1, 2009
Dr. Rhett Casper	ENDO	Post-Graduate Fellow	LSU School of Dentistry	July 1, 2009
Dr. Daniel Choi	OMS	Intern	LSU School of Dentistry	July 1, 2009
Dr. Callie Christie	OMS	Intern	LSU School of Dentistry	July 1, 2009
Dr. Shane Connor	OMFS	Resident	LSUMC – Shreveport	July 1, 2009
Dr. Brandi Deyoung	Resident	GPR	LSU School of Dentistry	July 1, 2009
Dr. Lydia Harhad	GPR	Resident	LSU School of Dentistry	July 1, 2009
Dr. Andrew Heaton	PEDO	Post-Graduate	LSU School of Dentistry	July 1, 2009
Dr. Gabriel Hernandez	GPR	Resident	LSU School of Dentistry	July 1, 2009
Dr. Tuan Hoang	OMS	Resident	LSU School of Dentistry	July 1, 2009
Dr. Khurram Khan	OMS	Intern	LSU School of Dentistry	July 1, 2009
Dr. Michael King	ORTHO	Post-Graduate Fellow	LSU School of Dentistry	July 1, 2009
Dr. Jacob Koch	ORTHO	Post-Graduate Fellow	LSU School of Dentistry	July 1, 2009
Dr. Samuel Lester	PERIO	Post-Graduate Fellow	LSU School of Dentistry	July 1, 2009
Dr. Andrew Meram	OMFS	Resident	LSUMC – Shreveport	July 1, 2009
Dr. Quinn Mitchell	AEGD	Resident	LSU School of Dentistry	July 1, 2009
Dr. James Moore	OMFS	Resident	LSUMC – Shreveport	July 1, 2009
Dr. Kara Morgan	GPR	Resident	LSU School of Dentistry	July 1, 2009
Dr. Daniel Petrisor	OMFS	Fellow	LSUMC – Shreveport	July 1, 2009
Dr. Nadia Proctor	GPR	Resident	LSU School of Dentistry	July 1, 2009
Dr. Nicole Quisenberry	PEDO	Post-Graduate Fellow	LSU School of Dentistry	July 1, 2009
Dr. Bradley Shessel	OMS	Intern	LSU School of Dentistry	July 1, 2009
Dr. Adam Schuessler	OMS	Intern	LSU School of Dentistry	July 1, 2009
Dr. Garrett Seeber	OMS	Resident	LSU School of Dentistry	July 1, 2009
Dr. Todd Slogocki	PROSTHO	Post-Graduate Fellow	LSU School of Dentistry	July 1, 2009
Dr. Kirk Stetson	OMFS	Resident	LSUMC - Shreveport	July 1, 2009
Dr. Caesar Sweidan	PERIO	Post-Graduate Fellow	LSU School of Dentistry	July 1, 2009
Dr. Elizabeth Thorson	PEDO	Post-Graduate Fellow	LSU School of Dentistry	July 1, 2009
Dr. Elizabeth Toso	ORTHO	Post-Graduate Fellow	LSU School of Dentistry	July 1, 2009
Dr. Ioannis Tsourouanakis	PERIO	Post-Graduate Fellow	LSU School of Dentistry	July 1, 2009
Dr. Son Vu	OMFS	Resident	LSUMC – Shreveport	July 1, 2009
Dr. Sung-Wen Wang	GPR	Resident	LSU School of Dentistry	July 1, 2009
Dr. Mohni Malik	ORTHO	Post-Graduate Fellow	LSU School of Dentistry	July 1, 2009
Dr. Fernando Antonini	PERIO	Post-Graduate Fellow	LSU School of Dentistry	July 1, 2009
Dr. William Wayman	ENDO	Clinical Asst. Professor	LSU School of Dentistry	July 1, 2009
Dr. Veronica Trotter	GPR	Resident	LSU School of Dentistry	July 1, 2009

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

Next, Ms. Chenevert gave the board a report on all the duties of the licensing department.

Discussion then ensued on fingerprint of applicants for licensure. Dr. Manning made the motion which was seconded by Dr. Trinca that it be:

RESOLVED, the Louisiana State Board of Dentistry has discussed the issue of fingerprinting of applicants for licensure and hereby determines that applicants may have their fingerprints taken and submitted to the state police nine months prior to their graduation date.

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

Discussion then ensued on the request for a license by credentials by Dr. Joseph Greer. The board concurred that he may apply and directed Mr. Ogden to so advise Dr. Greer.

Dr. Philippe then moved on to Agenda item number 7, **Office Management Committee**, Dr. Samuel Trinca, Chairman. Dr. Trinca reported that Mr. Ogden had entered into another ten year lease for the current office space in One Canal Place. Dr. Trinca then made the motion which was seconded by Dr. Manning that it be:

RESOLVED, the Louisiana State Board of Dentistry hereby approves and ratifies the lease agreement entered into by the executive director for Suite 2680, 365 Canal Street, New Orleans, Louisiana 70130.

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

Discussion then ensued on the budget for Fiscal Year 2009-2010. Dr. Manning then made the motion which was seconded by Dr. McVea 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 2009-2010.

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

Next, Mr. Ogden brought the board's attention to its Annual Financial Report. The board reviewed it and was satisfied.

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

RESOLVED, the Louisiana State Board of Dentistry has reviewed the Louisiana Compliance Questionnaire for the Audit Engagements of Government Entities and hereby approves same.

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

Next, Ms. Chenevert advised the board on the state of the office's computer changeover process. She explained that the office now had its new server and all workstations would soon be networked to that server. She explained that the board would not be able to process license renewals online this year since the contract with MiraComp did not allow all the work to be completed within one year as the board had originally intended.

Next, Mr. Ogden advised that board that it had recently replaced its copier and asked what the office should do with the old one. The board elected to return the copier to the state.

Then the board reviewed the state of Louisiana travel regulations.

Dr. Philippe then moved on to Agenda item 8, **Examination Committee**, Dr. Samuel Trinca, Chairman. Dr. Trinca advised the board of the recognition of the Council of Interstate

Testing Agencies' licensing examination by the American Dental Association as an acceptable examination.

The board then discussed Minnesota's acceptance of Canada's licensing examination which does not include procedures on a live patient. It was noted that since the Louisiana State Board of Dentistry only accepts applicants for licensure who have taken an examination that includes procedures on a live patient, any future Minnesota applicants having taken the Canadian examination would not be eligible for licensure in Louisiana.

The board then reviewed the revised CITA examination schedule for 2010.

The board then discussed the American Association of Dental Examiners survey regarding a single national clinical licensing examination. After much discussion, the board decided it was not in favor of one national clinical licensing examination because of its inherent lack of control and the dilution of any input.

The board then discussed the possibility of CITA's administering a pre-graduation dental hygiene clinical licensing examination. No action was taken on that matter.

Dr. Philippe then referred to Agenda item 9, **Legislative Committee**, Dr. Conrad McVea, III, Chairman. The board discussed changing the renewal date for dental and dental hygiene licenses. No action was taken on that matter.

Discussion then ensued on revisions to the definition of "dentistry." The board instructed the Legislative Committee to draft legislation for the 2010 Legislative Session and report back to the board at the December meeting.

Discussion then ensued on Senate Concurrent Resolution 62 regarding studying strategies to prevent prescribers from prescribing an alternative brand of medication because of financial incentives. No action was taken on that matter.

Dr. Philippe then referred to Agenda item 10, **Anesthesia Committee**, Dr. Charles McCabe, Jr., Chairman. Dr. McCabe reported that certain drugs had been rescheduled according to Act 165. He explained that carisoprodol (Soma) had been put on Louisiana's Schedule IV list but not on the federal list.

Next, Dr. Philippe moved on to Agenda item 11, **Rulemaking Committee**, Dr. Romell Madison, Chairman. As Dr. Madison had already gone through the proposed mobile dentistry

rule earlier in the meeting, he reviewed the changes to LAC 46:XXXIII.1611, .1613, and .1615 which were printed as rules in the July 20, 2009 edition of the *Louisiana Register*.

Dr. Madison next went over the revisions to LAC 46:XXXIII.116, .701, and .1713 which are to be published as Notices of Intent in the September 20, 2009 edition of the *Louisiana Register*.

At this point, Dr. Trinca made the motion which was seconded by Dr. Manning 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 the amendments of LAC 46:XXXIII.312, .313, and .314, and

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

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

Next, Dr. Philippe moved on to Agenda item 12, **Continuing Education Committee**, Dr. Charles McCabe.

Discussion then ensued on the request for reconsideration by Dr. John Ragusa. After which, Dr. Guillory made the motion which was seconded by Dr. Blackwood that it be:

RESOLVED, having heard the request for reconsideration of adverse sanctions by Dr. John Ragusa, the Louisiana State Board of Dentistry hereby instructs the Executive Director to prepare an amendment to the agreement entered into by and between the board and Dr. Ragusa, in order to nullify the first agreement; and

BE IT FURTHER RESOLVED, the Louisiana State Board of Dentistry hereby rescinds its consent decree entered into by and between John Ragusa, D.D.S. and the Louisiana State Board of Dentistry.

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

Dr. Philippe then moved on to Agenda item 13, **New business and any other business which may properly come before the board**.

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

RESOLVED, that the action of the President in entering into a resolution in the matter involving Gregg May, D.D.S. via Consent Decree by and between the Louisiana State Board of Dentistry and Gregg May, 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, the motion was declared passed.

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

RESOLVED, that the action of the President in entering into a resolution in the matter involving Darrell Bourg, D.D.S., D.D.S. via Consent Decree by and between the Louisiana State Board of Dentistry and Darrell Bourg, 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, the motion was declared passed.

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

RESOLVED, that the action of the President in entering into a resolution in the matter involving Jeremy Moore, D.D.S., D.D.S. via Consent Decree by and between the Louisiana State Board of Dentistry and Jeremy Moore, 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, the motion was declared passed.

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

RESOLVED, the Louisiana State Board of Dentistry hereby amends its Agenda to discuss periodic meetings between the parties of interest within the dental community.

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

At this point, Dr. LaSalle stated that it may be preferable for the board to meet on a regular basis with the dean of the dental school and the Louisiana Dental Association in order to discuss matters of interest. After some discussion, no action was taken. However, Dr. Melancon advised the board that he would be attending the pin ceremony for the freshmen students at LSU soon and that he would discuss the activities of the Louisiana State Board of Dentistry so as to better inform the young students as to the importance of the board and its activities.

The board took no action on the utilization of lasers by dental hygienists for periodontal maintenance and therapy.

Next, 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 regarding voluntary licensure.

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

After much discussion, the board elected to refer the issue of legislation for retired voluntary licenses to the Legislative Committee and ask it to report back to the board at its next meeting in December.

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

RESOLVED, the Louisiana State Board of Dentistry hereby approves and ratifies the contract entered into by the board president with Brian Begue, pending receipt.

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

Next, Dr. Manning 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, the motion was declared passed.

Upon returning from Executive Session, Dr. Trinca made the motion which was seconded by Dr. Blackwood that the meeting agenda be amended to take up the discussion of the Rewards and Recognition policy of the Louisiana State Board of Dentistry.

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

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

RESOLVED, the Louisiana State Board of Dentistry hereby instructs its Executive Director to amend the Rewards and Recognition policy of the Louisiana State Board of Dentistry according to the rules of the Civil Service and to increase the percentage of awards from 4% to 10%.

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

Then, the entire board commended the board staff for performing their extra workload in the absence of the licensing director Linda Foto for the past month.

Next, Dr. Trinca made the motion which was seconded by Dr. Manning 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 30, 2009 board meeting and hearings held in New Orleans, Louisiana

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, the motion was declared passed.

Next, Dr. Trinca made the motion which was seconded by Dr. Manning 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 June 6, 2009 deposition review held in New Orleans, Louisiana.

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

Next, Dr. Trinca made the motion which was seconded by Dr. Manning 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 July 10, 2009 Rulemaking Committee meeting held in New Orleans, Louisiana.

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, the motion was declared passed.

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

RESOLVED, that the Louisiana State Board of Dentistry hereby adjourns its meeting of August 14, 2009.

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

At this point, Dr. Philippe adjourned the meeting at 5:15 PM

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