

**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 1:00 P.M. ON
FRIDAY, MAY 18, 2012**

A special meeting of the Louisiana State Board of Dentistry was held on Friday, May 18, 2012, 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 1:15 p.m. by Dr. David Melancon, President.

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

PRESENT WERE:

Dr. David Melancon, President
Dr. Dean Manning, Vice-President
Dr. Frank Martello, Secretary-Treasurer
Dr. Aubrey Baudean, Member
Dr. H.O. Blackwood, Member
Dr. Wilton Guillory, Member
Dr. Rusty Mayer, Member
Dr. Conrad McVea, Member
Dr. James Moreau, Member
Dr. John Taylor, Member
Dr. Sam Trinca, Member

ABSENT:

Dr. Lynn Philippe, Member
Mrs. Patricia Cassidy, R.D.H., Member
Dr. Romell Madison, Member

ALSO PRESENT BY BOARD INVITATION WERE:

Peyton B. Burkhalter, Executive Director
Brian Bégué, Board Counsel
Erin Conner, Director of Licensing

Rachel Daniel, Administrative Assistant
Camp Morrison, Board Investigator
Ward Blackwell, Executive Director, LDA
Dr. Chris Brown, LDA
Suzanne Farrar, R.D.H., LDHA, LSUSD
Dr. Jeff Hooton—LDA, President
Dr. Richard Atkins, LDA
Dr. Billy Booty
Mr. Chip Saunders
Dr. Shawna Battier, Kool Smiles
Mr. John Roth

At this point, Dr. Melancon asked all guests to introduce themselves. After the introductions, Dr. Melancon asked if there were any public comment. Hearing none, he turned to Agenda item number 4 wherein Dr. Blackwood made the motion which was seconded by Dr. Trinca that it be:

RESOLVED, that the minutes, as circulated, of the Special Board meeting of March 2, 2012 in New Orleans, Louisiana, are hereby adopted, ratified and approved in their entirety.

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

Next, Dr. Blackwood made the motion which was seconded by Dr. Trinca 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 March 2, 2012, be and they are hereby approved, adopted, and ratified in full by the board.

After voting unanimously in the affirmative, the motion was declared passed.

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

RESOLVED, the Louisiana State Board of Dentistry hereby amends its agenda to take up Agenda item 8, **Examination Committee**.

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

Dr. Trinca, Chairman of the Examination Committee, related that the recent CITA examinations held at LSU School of Dentistry had been a success. He went on to say that there had been no errors in all of the paperwork required in the examination. He continued to feel that the CITA examination remains the best evaluation of dentists' and hygienists' skills.

Dr. Trinca felt that perhaps whichever board members participate in the annual CITA meeting in San Francisco should not be required to participate in the AADB meeting at the same time. He felt it should be up to the individual member.

He mentioned that he and Dr. McVea had recently observed a CRDTS examination, and that a comparison of the CITA and CRDTS examinations is discussed in the report from Dr. John Cosby. Dr. McVea felt that the CRDTS examination has certain advantages over the CITA examination and that CRDTS can learn from CITA's use of the latest technological advances. Referring to Dr. John Cosby's CITA/CRDTS Examiner Exchange Report, Dr. McVea felt that a future hybrid CITA/CRDTS examination would mean that 45 states would accept the combined examination, rather than the smaller number that only accepts CITA or CRDTS. A wider acceptance of the examination would allow greater mobility to new dentists.

Dr. Trinca stated that as board members had previously had access to the anonymous letter regarding the Mississippi CITA examination, he would not review it at the meeting.

At this point, Drs. Manning, Taylor and Baudean entered the meeting.

Dr. Trinca then returned to the discussion of board members participation in the American Association of Dental Boards and Council of Interstate Testing Agencies. Dr. Blackwood then made the motion which was seconded by Dr. Trinca that it be:

RESOLVED, the Louisiana State Board of Dentistry hereby authorizes the following board members to actively participate in the proceedings of the Council of Interstate Testing Agencies: Drs. Mayer, Trinca, Manning, Martello, Melancon, Madison, and McVea.

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

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

RESOLVED, the Louisiana State Board of Dentistry hereby authorizes the following board members to actively participate in the proceedings of the American Association of Dental Boards: Drs. Mayer, McVea, and Blackwood, and Mr. Burkhalter.

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

Dr. Melancon then returned to Agenda item number 6, **Licensing and Credentials Committee**, Dr. Dean Manning, Chairman. Dr. Manning reported that the applications of two dentists applying for licensure by credentials would be discussed in executive session. In addition, several applicants for licensure by credentials had met all of the requirements for the

granting of their license, at which point, Dr. Martello 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 applications and awards said named persons, their requested licenses to practice dentistry or dental hygiene in the State of Louisiana, granting them all the privileges, duties, and responsibilities associated therewith.

- A. Dr. Rodney Isolani
- B. Dr. Mark Josephs
- C. Dr. Jeanette Linskey
- D. Dr. Keith Long
- E. Dr. Ramon Napier

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

Next, Dr. Martello 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 Callie Skinner, R.D.H., the Louisiana State Board of Dentistry hereby approves said application and awards Callie Skinner, R.D.H., her requested license to practice dental hygiene in the State of Louisiana, granting her all the privileges, duties, and responsibilities associated therewith contingent upon her successful completion of the examination in jurisprudence and confirmation of the successful completion of an accepted CPR course.

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

Next, Dr. McVea made the motion which was seconded by Dr. Trinca 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 a restricted dental license to the following persons:

DR. AMRIT P. BALA	LSU SCHOOL OF DENTISTRY
DR. KIMBERLY SMITH BIBBINS	LSU SCHOOL OF DENTISTRY
DR. MARIAM NADER HAROUN	LSU SCHOOL OF DENTISTRY
DR. DON LEOPOLDO JAYANETTI	LSU SCHOOL OF DENTISTRY
DR. MICHAEL ALLAN JOHNSON	LSU SCHOOL OF DENTISTRY
DR. THEODORA KOMPOTIATI	LSU SCHOOL OF DENTISTRY
DR. TRENT T. LALLY	LSU SCHOOL OF DENTISTRY
DR. DIANA MARIE LONG	LSU SCHOOL OF DENTISTRY
DR. ZAID S. MAHMOOD	LSU SCHOOL OF DENTISTRY
DR. JOHN EDWIN MURPHY	LSU SCHOOL OF DENTISTRY
DR. BIJAL VINODRAI NAIK	LSU SCHOOL OF DENTISTRY
DR. DEREK THOMAS PEEK	LSU SCHOOL OF DENTISTRY
DR. CHARLES DAVID RATCLIFF	LSU SCHOOL OF DENTISTRY
DR. DANIEL W. SCHLIEDER	LSU SCHOOL OF DENTISTRY
DR. BRIAN H. SYBO	LSU SCHOOL OF DENTISTRY
DR. AHMED MOHAMED TAMIM	LSU HOSPITAL
DR. JAMES KIM TAN	LSU SCHOOL OF DENTISTRY
DR. GARRETT WELCH	LSU HOSPITAL
DR. ROSS ALAN YOST	LSU SCHOOL OF DENTISTRY
DR. AHMED MORSY ELSAYED ZAHER	LSU SCHOOL OF DENTISTRY

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

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

RESOLVED, that the Louisiana State Board of Dentistry accepts the listing prepared by its Secretary-Treasurer, naming Dr. James R. Bush, Jr. License No. 2693, who failed to timely renew his dental license for the calendar years 2012-2013 as provided in R.S. 37:770, and in connection therewith, his license to practice dentistry be revoked and that said licensees be so notified in writing.

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

Dr. Manning next addressed the Concorde College of Dental Hygiene by turning the matter over to Dr. Blackwood for initial discussion. Dr. Blackwood advised the board that he felt that the proposed program would only diminish the practice of dental hygiene in the state of Colorado and that this board should be proactive in addressing this issue. Dr. Martello then advised the board that he was made aware of this issue by a colleague in Colorado where the school is located. The program is seventeen months long which encompasses both the prerequisite class work as well as the hygiene clinical work. Suzanne Farrar then answered multiple questions from the board on the acceptance of this program and its differences to that which is accepted in Louisiana. She advised the board that LSU's requirements include prerequisites that must be obtained prior to obtaining a hygiene degree. Dr. Taylor asked that the board send a letter to the Council on Dental Accreditation to set forth the board's opinion that the program does not supply sufficient training to applicants. Dr. Chris Brown suggested that the board consult with the Dental Hygiene Association and obtain their input before a letter is written to Council on Dental Accreditation. Dr. Trinca made the motion which was seconded by Dr. Baudean that it be:

RESOLVED, Patty Cassidy, R.D.H. will research the Concorde Program and report to the board at its next meeting.

After voting unanimously in the affirmative, the motion was declared passed.

Dr. Melancon then referred to Agenda item number 7, **Office Management Committee**, Dr. Lynn Philippe, Chairman. Because Dr. Philippe was absent from the meeting, Dr. Wilton Guillory provided the report. Dr. Guillory began the report by discussing the topics covered at the Office Management Committee meeting conducted on May 18, 2012. The initial topic covered was the potential of purchasing an office building. Next, Dr. Guillory discussed salary

expense and the impact of the increase from LASERS on the board's benefit obligations. The board's percentage is increasing on July 1, 2012 to 29.1%.

Dr. Guillory then asked that Mr. Burkhalter discuss the compiled financial statements for the period ending March 31, 2012. Mr. Burkhalter brought the board's attention to the statement of revenues and expenses for the nine month period ending March 31, 2012. Mr. Burkhalter related that bank balance as of the end of the period. Further he reviewed the continued deficit and that it was primarily due to the deferred revenue that is included on the statements. Next, Mr. Burkhalter directed the board's attention to the breakdown of receipts from disciplinary actions. Through the end of the third quarter, the fines made up 3.1% of the total budget and the reimbursement of costs was 5% of the budget. However during that same period the board had spent 31.8% of its budget on attorneys' fees and investigative costs. Finally, Mr. Burkhalter reviewed the operating expenses and advised the board that they were in line with expenses from a similar period in years past.

Dr. Guillory thanked Mr. Burkhalter and then asked that the president address the next agenda item. The president asked that John O. Roth, Jr. come forward. Dr. Melancon presented him with an award in recognition of his years of service to the board and licensees. Mr. Roth thanked the board and members of the audience.

Dr. Guillory then returned to the agenda addressing the Office Policies and Procedures manual. Dr. Guillory thanked the staff for their work on this project. He advised the board members that the manual addressed the board's essential business functions and that it would be good for any new member of the board to read the manual. Dr. Martello suggested that the manual be made gender neutral. Dr. Chris Brown requested a copy of the manual and the financial statements discussed earlier in the meeting. He advised the board that he would like to see the board policy on disciplinary actions especially in light of the figures discussed in the earlier report from the board regarding disciplinary costs and fines recovered by the board. A short discussion ensued regarding whether the financial statements and policy manual were public records to which Mr. Burkhalter advised the board that research would have to be conducted on the policy manual before disclosure was made but given that it included personnel information it may not be subject to production.

Dr. Trinca then made a motion which was seconded by Dr. Moreau that it be:

RESOLVED, the Louisiana State Board of Dentistry has reviewed the Office Policies and Procedures Manual and hereby approves same subject to final revision including making the manual to gender neutral.

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

Dr. Melancon then referred to Agenda item number 10, **Legislative Committee**, Dr. Wilton Guillory, Chairman. Dr. Guillory stated that the board had sponsored two bills namely HB172 and HB 349. Both bills were offered by Representative Herbert Dixon. Dr. Guillory expressed the board's appreciation to Representative Dixon for his effort. Dr. Guillory then advised the board that HB 172, the revision to the sedation rule at R.S. 37:793, passed the House unanimously and the Senate Health and Welfare Committee unanimously reported the bill favorably. It now goes to the full senate for consideration.

As to HB349, which is the board bill that changes multiple parts of the Dental Practice Act, the House passed it unanimously. However after the passage by the House, the Louisiana Dental Association House of Delegates sought an amendment to the bill. Specifically, the Louisiana Dental Association wanted to amend R.S. 37:780 to address potential recovery of costs after a disciplinary hearing when a charge or charges are not sustained. The board and LDA agreed upon an amendment which was presented to the Senate Health and Welfare Committee for consideration. The Louisiana Dental Association and the Board did not agree with the amendment as drafted so a proposed floor amendment was drafted. The board then heard from board counsel, Brian Bégué, on the issue of the amendment. Mr. Bégué advised the board that he would pull the bill because he believes that the amendment is attempting to fix a problem which has never occurred. In addition, the language delays the imposition of sanctions and imposition of costs by adding another level of inquiry regarding the assessment of costs. After further discussion, Dr. Guillory made the motion that was seconded by Dr. Taylor that it be:

RESOLVED, that the Louisiana State Board of Dentistry instructs its Executive Director to withdraw HB 349 from consideration unless the proposed floor amendment is passed by the Senate.

All members voted in favor of the motion with the exception of Dr. McVea. Dr. Melancon declared the motion passed.

Dr. Melancon then referred to Agenda item number 10, **Rulemaking Committee**, Dr. Romell Madison, Chairman. Because Dr. Madison was not present, Dr. Melancon asked that Mr. Burkhalter provide the report of the committee. Mr. Burkhalter directed the members' attention to proposed Board Rule .130, "Automated External Defibrillator." Dr. Blackwood started the discussion by outlining the board's agreement with the Louisiana Dental Association

regarding this issue. Ward Blackwell, Executive Director of the Louisiana Dental Association, advised the board that the House of Delegates, who has the final say in all legislative matters, recognized the importance of the AED as a lifesaving device but voted to oppose the board mandate. Dr. Martello then reviewed information for the board on the devices especially the need for timely intervention to avoid the loss of heart muscle. Further, Dr. Martello advised the board that Florida's statute states that as part of the minimum standard of care, every dental office location shall be required to have an automatic external defibrillator. Dr. Guillory added that AED's are being mandated across the country in medical and dental offices, high schools and health clubs. Dr. Manning provided a synopsis of an article provided by a constituent. The article highlighted the potential for malfunctions with the machines. Drs. Moreau and Mayer confirmed that the American Heart Association now mandate AED's as the first step in basic life support measures.

Dr. Richard Atkins, advised the board that the House of Delegates vote was not an arbitrary one but based upon multiple factors. First, that an AED should not be used in the first 4 minutes of life support, more than enough time for EMS to respond to your office. Second, the board has not considered the type of practice in its rule mandating the placement in every dental office. Finally, the American Medical Association June 25, 2001 article concluded that with such a low incidence of heart attacks in dental setting that they would not recommend AED's.

Dr. McVea made the motion that was seconded by Dr. Taylor 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 promulgation of LAC 46:XXXIII.130 "Automated External Defibrillator"; 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, Dr. Melancon declared the motion passed.

Mr. Burkhalter next brought the board's attention to the Notices of Intent which will be published in the *Louisiana Register* on May 20, 2012 which will become rules as of August 20, 2012 relating to LAC 46:XXXIII.318, .1709, .1711, .1505, .1507, .1509, and .1611

Discussion then ensued on revision to LAC 46:XXXIII.911 and .1403, namely to allow for the electronic filing of documents with the board. Dr. Trinca made the motion that was seconded by Dr. Guillory that it be:

RESOLVED, the Louisiana State Board of Dentistry hereby directs, empowers, and authorizes its Executive Director and staff to prepare suggested revision to the rules for consideration of the Rulemaking Committee at the next meeting.

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

Discussion then ensued on revision LAC 46:XXXIII.124 “Guidelines for Returning to Active Practice” wherein Dr. Trinca made the motion which was seconded Dr. McVea 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.124; 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, Dr. Melancon declared the motion passed.

Discussion then ensued on LAC 46:XXXIII.103 “Evidence of Graduation.” After limited discussion Dr. Trinca made the motion which was seconded by Dr. Baudean 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.103; 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, Dr. Melancon declared the motion passed.

Discussion then ensued on LAC 46:XXXIII.306 “Requirements of Applicants for Licensure by Credentials” and .706 “Requirements of Applicants for Licensure by Credentials (Hygienists).” Dr. McVea asked that the board consider the impact of a failure of the licensing examination in the junior year. Dr. McVea asked that the rule reflect that the three failure limit provided for in A. (6) of the proposed rule be amended to reflect that the failure limit excludes failures in the junior year. After which, Dr. Trinca made the motion which was seconded by Dr. Taylor 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.306 “Requirements of Applicants for Licensure by Credentials” and .706 “Requirements of Applicants for Licensure by Credentials (Hygienists)” subject to the revision of paragraph A. 6 to reflect that the total failure limit does not include exams taken in the junior year; 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, Dr. Melancon declared the motion passed.

Discussion then ensued on LAC 46:XXXIII.105 LAC 46:XXXIII.105 “Restricted Licensees” and .120 “Temporary Licenses.” After which, Dr. Blackwood made the motion which was seconded by Dr. McVea 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.105 “Restricted Licensees” and .120 “Temporary Licenses”; 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, Dr. Melancon declared the motion passed.

Dr. Melancon then referred to Agenda item number 11, **Yellow Pages Review Committee**, Dr. John Taylor, Chairman. Dr. Taylor advised the board that the committee was meeting on Saturday May 19, 2012 at 9:00 a.m.

Dr. Trinca exited the meeting at this point. Dr. Melancon then referred to Agenda item number 12, **New Business and any other business which may properly come before the board**.

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

RESOLVED, that the action of the President in entering into a resolution in the matter involving Billy F. Booty, Jr., D.D.S., via First Amendment to Agreement Containing Consent Decree by and between the Louisiana State Board of Dentistry and Billy F. Booty, Jr., D.D.S., (as per copy of First Amendment to 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. Melancon declared the motion passed. Dr. Manning was not present for the vote.

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

RESOLVED, that the action of the President in entering into a resolution in the matter involving Velma J. Jackson, D.D.S., via Agreement Containing Consent Decree by and between the Louisiana State Board of Dentistry and Velma J. Jackson, 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. Melancon declared the motion passed.

Dr. Guillory made the motion which was seconded by Dr. McVea that it be:

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

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

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

Dr. Guillory made the motion which was seconded by Dr. McVea that it be:

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

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

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

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

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

The board took no action on the petition for reconsideration of adverse sanctions at agenda item 12. (ii) because the committee assigned did not feel that the application had substantial merit.

Discussion then ensued on the dates for calendar year 2013. The board decided:

February 22, 2013—board meeting

March 7-9, 2013—CITA examination at LSUSD

May 17, 2013—board meeting

May 30-31, 2013—CITA examination at LSUSD

August 16, 2013—board meeting

December 6-7, 2013—annual board meeting

Discussion then ensued on the issue of incorporating the D-Prep program into disciplinary orders. After limited discussion the board elected to take no action on this topic.

Dr. Melancon next addressed amendments to the normal disciplinary oversight committee procedures. Specifically, the board addressed the topic of whether the board transmittal letter to complainants should advise that the committee felt the matter was a private civil matter. The board concluded that the letter should only contain information on whether the dental provider violated the provisions of the Dental Practice Act.

The board then reviewed the Louisiana Dental Association Peer Review report and their Well-Being report. The board was satisfied.

Next, the board discussed the topic of mid-level providers. Dr. Blackwood initiated the discussion. Dr. Blackwood is concerned that the acceptance of this type of practitioner will not improve access to care. Rather, allowing mid-level providers will only diminish the quality of dental care. Dr. McVea discussed the information provided by the AADB at the mid-year conference, specifically, that the Kellogg and PEW Foundations have been successful in adding the mid-level provider issue to legislative agendas in 8 states. However, they were defeated in all 8 states. Dr. Chris Brown advised the board of the Louisiana Dental Association's initiatives on this issue at the component level. In addition, he advised the board that the number of dentists in Louisiana that accept Medicaid has quadrupled over the last 4 years so Louisiana does

not have an access to care problem. Further, he advised the board that the mid-level provider issue is the Louisiana Dental Association's top legislative priority. Drs. Manning and Baudean suggested that there was plenty of access to dental treatment and that the failure or inability to secure treatment is a social problem that originates with the parents. They added that dental treatment should be mandated in the same fashion as vaccinations.

Dr. Melancon then moved to item 12. (ix) ratification of contract with Dr. Gary D. Klasser. Dr. Manning made the motion which was seconded by Dr. McVea that it be:

RESOLVED, the Louisiana State Board of Dentistry hereby approves and ratifies the contract entered into by the board president with Gary D. Klasser, D.D.S.

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

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

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

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

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

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

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

The next topic addressed was whether the board should consider securing an opinion from the Louisiana Attorney general regarding the production of expunged advertising consent decrees. After limited discussion, Dr. McVea made the motion that was seconded by Dr. Baudean that it be:

RESOLVED, that the Louisiana State Board of Dentistry shall request an opinion from the Louisiana Attorney General regarding the propriety of refusing to produce expunged advertising consent decrees.

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

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

RESOLVED, that the Louisiana State Board of Dentistry go into Executive Session for the purpose of discussing investigations, adjudications, litigation, 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 voting unanimously in the affirmative, the motion was declared passed.

Upon returning from Executive Session, Dr. Melancon returned to agenda item 6 (ii). Dr.

Manning then made a motion that was seconded by Dr. Taylor that it be:

RESOLVED, having considered the application for licensure by credentials in the State of Louisiana by Dr. Kimberlyn Fowler, the Louisiana State Board of Dentistry hereby denies said application.

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

Dr. Manning then made a motion that was seconded by Dr. Taylor that it be:

RESOLVED, having considered the application for licensure by credentials in the State of Louisiana by Dr. Robert Lane, the Louisiana State Board of Dentistry hereby denies said application.

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

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

RESOLVED, the Louisiana State Board of Dentistry hereby grants its director of licensing, Erin Conner, a raise in the amount of \$5,000 effective July 1, 2012.

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

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

RESOLVED, the Louisiana State Board of Dentistry hereby grants its executive director, Peyton B. Burkhalter, a raise in the amount of \$5,000 effective November 1, 2012. In addition, the Louisiana State Board of Dentistry hereby grants its executive director, Peyton B. Burkhalter, the benefit of participation in the deferred compensation program with a board match of \$250 per month.

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

Next, Dr. McVea made the motion which was seconded by Dr. Baudean 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 March 2, 2012 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. Melancon declared the motion passed.

Next, Dr. McVea made the motion which was seconded by Dr. Baudean 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 April 20-21, 2012 Council of Interstate Testing Agencies meeting held in Chicago, Illinois; 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. Melancon declared the motion passed.

Next, Dr. McVea made the motion which was seconded by Dr. Baudean 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 April 23-24, 2012 and American Association of Dental Boards meeting held in Chicago, Illinois; 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. Melancon declared the motion passed.

At this point, Dr. Blackwood made a motion to amend the agenda to discuss the issue of mobile dentistry that was seconded by Dr. Martello. After voting unanimously in the affirmative, the motion was declared passed. After limited discussion on the topic, the board agreed to add the topic to the August meeting agenda.

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

RESOLVED, that the Louisiana State Board of Dentistry hereby adjourns its meeting of May 18, 2012.

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

Dr. Melancon then adjourned the meeting at 5:50 PM.

Francis G. Martello, D.D.S.
Secretary/Treasurer
Louisiana State Board of Dentistry