

MINUTES

INDIANA STATE BOARD OF DENTAL EXAMINERS

DECEMBER 3, 2010

I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Dr. Hollar called the meeting to order at 9:15 a.m. in the Professional Licensing Agency Conference Room W064, Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana, and declared a quorum in accordance with Indiana Code § 15-5-1.1-6(c).

Board Members Present:

Steven C. Hollar, D.D.S., President
Matthew I. Miller, D.D.S., Vice President
Jill M. Burns, D.D.S.
Charles N. Heape, D.D.S.
Philip L. Catey, D.D.S.
Richard T. Newton, III, D.D.S.
Laverne Robison Whitmore, L.D.H., B.S.
Clance LaTurner, Consumer Member

Board Members Not Present:

Gary M. Haller, D.D.S., Secretary
Theodore A. Rokita, D.D.S

State Officials Present:

Cindy Vaught, Board Director, Professional Licensing Agency
Heather Hollcraft, Assistant Board Director, Professional Licensing Agency
Keri Ann Reed, Case Manager, Professional Licensing Agency
Jim Schmidt, Deputy Attorney General, Office of the Attorney General

II. ADOPTION OF THE AGENDA

A motion was made and seconded to adopt the agenda as amended.

MILLER/WHITMORE

Motion carried 8-0-0

III. ADOPTION OF THE MINUTES

A motion was made and seconded to adopt the minutes as corrected from the October 1, 2010 meeting of the Board.

BURNS/CATEY

Motion carried 8-0-0

IV. APPEARANCES

A. PROBATIONARY

**1. Michael Edward Bajza, D.D.S., License No. 12009652A
Administrative Cause No. 2005 ISDB 0011**

Dr. Bajza appeared before the Board, as requested, regarding his ongoing probationary status. Dr. Bajza stated he may volunteer at the Salvation Army in December for his community service hours. The Board explained to Dr. Bajza that he must complete ten (10) hours of continuing education over and above the requirement for his license renewal in order to comply with his probationary order. Dr. Bajza stated he is not employed and does not have malpractice insurance. Dr. Burns met with Dr. Bajza to discuss issues regarding his mentor. Next probationary appearance is scheduled for February 4, 2011.

**2. Raymond Burriss, D.D.S., License No. 12006355A
Administrative Cause No. 2009 ISDB 0010**

Dr. Burriss appeared before the Board, as requested, regarding his ongoing probationary status. Dr. Burriss' office and home information remains the same. Dr. Burriss stated that he is in compliance with the Dental Well-Being program and is working approximately thirty (30) hours per week. The Board advised Dr. Burriss that completing his community service at Fairbanks is not acceptable. He will need to find another avenue in which to complete community service. Next probationary appearance is scheduled for February 4, 2011.

**3. Christopher S. Leonard, D.D.S., License No. 12009363A
Administrative Cause 2005 DB 0002**

Dr. Leonard appeared before the Board, as requested, regarding his ongoing probationary status. Dr. Leonard stated things are going well. He reported that he is still working for Aspen Dental but has been moved to the Columbus, Indiana location. Dr. Leonard has submitted a written request to change his work site monitor from Jerry Hickman, D.D.S. to Jeffrey Rhoades, D.D.S. The Board approved his request for change of his work site monitor. Next probationary appearance is scheduled for February 4, 2011.

**4. Edward Mamaril, D.D.S., License No. 12008594A
Administrative Cause 2008 ISDB 0001**

Dr. Mamaril appeared before the Board, as requested, regarding his ongoing probationary status. Dr. Mamaril reported to the Board that his practice is doing well. The Board is in receipt of his prescription log for September, October and November 2010 and per his report he is calling in and writing his own prescriptions. Next probationary appearance is scheduled for February 4, 2011.

**5. Clifford Salk, D.D.S., License No. 12006043A
Administrative Cause No. 2010 DB 0002**

Dr. Salk appeared before the Board, as requested, regarding his ongoing probationary status. Dr. Salk has completed the required continuing education and submitted certificates for the Boards review. Dr. Salk also submitted a copy of his Yellow Pages advertisement for review as required by his probationary order. The Board had some concerns with the advertisement and advised him that changes need to be made. Next probationary appearance is scheduled for April 1, 2011.

**6. Carrie Anne Striplin, L.D.H., License No. 13004600A
Administrative Cause No. 2010 ISDB 0008**

Ms. Striplin appeared before the Board, as requested, regarding her ongoing probation. Ms. Striplin has completed sixteen (16) hours of the required community service. She stated she has completed an application and applied at Trinity Church to perform community service. Ms. Striplin has not completed a live ethics course as required. Jay Dziwlik will contact her when one becomes available through the Indiana Dental Association. Ms. Hollcraft will email information to her for MJM Sales & Consulting and Harvey Weingarten, DDS regarding live ethics courses they offer. Next probationary appearance is scheduled for February 4, 2011.

**7. Trevor Treasure, D.D.S., License Number 12010719A
Administrative Cause No. 2007 ISDB 0002**

Dr. Treasure appeared before the Board, a requested, regarding his ongoing probation. Dr. Treasure stated things are going well and is continuing to teach at Indiana University School of Dentistry. The Board is in receipt of his report from Dr. Moe. The Board is pleased with Dr. Treasure's progress. Next probationary appearance is scheduled for April 1, 2011.

**8. Teresa M. Watkins, D.D.S., License No. 12010271A
Administrative Cause No. 2006 DB 0003**

Dr. Watkins appeared before the Board, as requested, regarding her ongoing probation. Dr. Watkins reported there have been no changes. She is currently working four and a half days per week and a new doctor will be joining the practice. The Board is in receipt of her reports. Dr. Watkins is scheduled to make a personal appearance at the April meeting of the Board.

B. RENEWAL/REINSTATEMENT

There were no renewals or reinstatements before the Board.

C. APPLICATION

1. Marc K. Schneider, D.M.D.

Dr. Schneider appeared before the Board, as requested, regarding his application for a dental license by endorsement. Dr. Schneider answered "yes" to questions 1, 3, 4A and 7 on the application that ask "Has disciplinary action ever been taken regarding any health license, certificate, registration or permit that you hold or have held?", "Are you now, or have you ever been treated for drug or alcohol abuse?", "Have you ever been convicted of, pled guilty or *nolo contendere* to a violation of any Federal, State, or local law relating to the use, manufacturing, distribution or dispensing of controlled substances?", and "Have you ever had a malpractice judgment against you or settled any malpractice action?" respectively. Dr. Schneider is a 1984 graduate of the University of Louisville Dental School and has taken and currently holds a license in the state of Kentucky. He has passed the National Boards and the Southern Regional Testing Agency. Dr. Schneider explained that he was involved in several automobile accidents in 1998 and 2001 in which he became addicted to pain medication. His license was disciplined by the Kentucky Dental Board for falsifying prescriptions. He was required to enter into a rehabilitation wellness program with the KY-PRN through the Wellness Committee for a period of five (5) years. As a result of his falsifying prescriptions, he was required to enter into a plea of five (5) counts of falsifying prescriptions and voluntarily surrendered his DEA license in 2002. In October 2003, a mediation agreement was entered regarding a malpractice complaint with a patient in regards to dental work he had completed and not being happy with the work. The settlement was for \$40,000.00 paid by his malpractice carrier, Medical Protective. Dr. Schneider's has satisfied the Kentucky probation and has been taken off probation. Dr. Schneider has regained his DEA license and has been reinstated into the Medicaid program. The Board asked Dr. Schneider to clarify the break in his employment history between August 2007 and February 2008. He stated that he was working in Shelbyville, Kentucky during that time but was not certain regarding the time frames.

Board action: A motion was made and seconded to deny Dr. Schneider's application for a dental license by endorsement based he was unable to provide proof of two (2) out of three (3) years of work experience.

MILLER/HEAPE
Motion carried 7-1-0
*Dr. Burns opposed

2. Patrick Murphy, President
Mid America Professional Group, P.C.

Mr. Murphy appeared before the Board, as requested, regarding his application for a mobile dental facility permit. Mr. Murphy is President of Mid America Professional Group, P.C. and appeared with Dr. Martin Zoledessy. Ms. Vaught questioned Mr. Murphy regarding whether they were a registered professional corporation with the Board. He assured the Board they are currently registered. Upon a search of the Indiana Professional Licensing Agency's licensing system, it was found that Mid America Professional Group, P.C. is not a registered professional corporation and cannot use P.C. in their name. Mr. Murphy explained that Mid America

Professional Group has been doing portable dentistry out of Greenwood, Indiana since 1996. They have served the Department of Corrections for Indiana, Ohio and Kentucky and would now like to provide services to children in local schools in Johnson County, predominately in Franklin, Indiana. Mid America Professional Group has been given approval for a NOMAD machine. Mr. Murphy stated they would refer patients to Dr. Mark Ellis for follow-up care/treatment in Greenwood, Indiana. Once the program moves beyond Johnson County, they will refer patients to local dentists. After hour emergencies will be referred to Dr. Hockman by cell phone. Dr. Zoledessy is the back-up for after hour's referral. The Board is concerned with Dr. Zoledessy being the back-up since he is located in Arizona. Mr. Murphy stated that x-rays are stored within the portable unit in the NOMAD machine and that patient records are digital and can be sent electronically to the referral dentists. Mr. Murphy explained they have used the NOMAD in other states in the past and has also received an exemption from the Indiana State Department of Health for the NOMAD. A dental assistant sets up the clinic van and Dr. Hockman travels from Floyds Knob, Indiana, to the site the van is visiting. Dr. Hockman is currently a Medicaid provider. The Board questioned whether Johnson County is an underserved area and in need of a mobile dental facility. Mr. Murphy told the Board he believes so and they would be offering cleanings, sealants, possibly restorations as well as crowns and extractions. The Board requests that Mr. Murphy submit an outline for his emergency protocol.

Board action: A motion was made and seconded to table approval until Dr. Hockman can appear before the Board and Mr. Murphy can submit an outline of Mid America Professional Group's emergency protocol and their professional corporation registration can be proven.

MILLER/LaTURNER
Motion carried 8-0-0

V. ADMINISTRATIVE HEARINGS

- A. **State of Indiana vs. Philip Ray Travis, D.M.D., License No. 12011406A**
Administrative Cause No. 2010 ISDB 0003
Re: Order to Show Cause

Parties and Counsel Present:

Respondent was present, without Counsel
Darren Covington, Deputy Attorney General for the State of Indiana
Sherry Rutledge, Court Reporter

Participating Board Members:

Dr. Hollar, D.D.S., President (Hearing Officer)
Dr. Miller, D.D.S.
Dr. Burns, D.D.S.
Dr. Heape, D.D.S.
Dr. Newton, D.D.S.
Dr. Catey, D.D.S.
Ms. Whitmore, L.D.H., B.S.

Ms. LaTurner, Consumer Member

Case Summary: The Board granted a probationary license to the Respondent based upon his application for licensure by endorsement on February 5, 2010 with terms and conditions. Respondent has not made any personal appearances as required by the probationary order nor has he complied with any other terms of the order. Respondent stated he had notified Ms. Vaught in writing that he would not be in attendance. He stated he made a phone call to IPLA on October 1, 2010 and said someone would call him back regarding changing his appearance but never did. Respondent said he was not aware or in understanding of the personal appearances outlined by his order. He stated he attempted to call Ms. Vaught regarding his personal appearances but his calls were never returned. Respondent received a letter in April for a personal appearance and stated he wrote a letter that he could not attend, but did not explain why. He then received a letter in May for a personal appearance and again wrote a letter that he could not attend without any explanation as to why. Respondent has not completed all components of continuing education as termed in his probationary order. Respondent stated he is currently living in New Mexico. He explained he wanted an Indiana license because of a job offer he had although he does not currently practice dentistry. Board advised Respondent to be mindful of his tone when addressing the Board and to give the Board the same respect as we are giving him. He stated he sent a packet for licensure to the State of Indiana because at the time he had a job offer in Indiana. The State closed with the fact that a license is a privilege and that Respondent was placed on probation due to the disciplinary action taken in Kentucky against his license there and asks the Board to revoke Respondents Indiana dental license. Respondent asked the Board to not revoke the license because of this being reported to the National Practitioner Databank, but to just let it lapse. Dr. Hollar closed the hearing.

Dr. Hollar re-opened the hearing so Respondent could enter exhibit A, continuing education certificates, for the Boards review. The State did not object, but is not sure if it is relevant for the required continuing education.

Board action: A motion was made and seconded to continue Dr. Travis' probation as is with a \$100.00 fine due to Indiana Professional Licensing Agency by December 31, 2010.

CATEY/WHITMORE

Board action: A motion was made and seconded to amend the fine to \$200.00 per instance for a total of \$800.00 due to Indiana Professional Licensing Agency by December 31, 2010.

BURNS/WHITMORE

Motion carried 7-1-0

*Ms. LaTurner opposed

Board action: The motion was amended and seconded to continue Dr. Travis' probation as is with a fine of \$800.00 due to Indiana Professional Licensing Agency by December 31, 2010.

BURNS/WHITMORE

Motion carried 5-3-0

*Ms. LaTurner, Dr. Heape and Dr. Hollar opposed

B. Robert Stefanski, D.D.S.

Administrative Cause No. 2010 ISDB 0015

Re: Petition for Review of the Board's Denial

Parties and Counsel Present:

Petitioner was present, without counsel

Sherry Rutledge, Court Reporter

Participating Board Members:

Dr. Hollar, D.D.S., President (Hearing Officer)

Dr. Miller, D.D.S.

Dr. Burns, D.D.S.

Dr. Heape, D.D.S.

Dr. Newton, D.D.S.

Dr. Catey, D.D.S.

Ms. Whitmore, L.D.H., B.S.

Ms. LaTurner, Consumer Member

Case Summary: The Board reviewed Petitioner's application for licensure by endorsement at the October 1, 2010 meeting of the Board. The Board voted to deny licensure based on Petitioner not disclosing all of his malpractice settlements. Petitioner explained that he misread the question and thought he only had to disclose malpractice actions for the past three (3) years. The application asks "Have you ever had a malpractice judgment against you or settled any malpractice action?" Petitioner is currently employed with Aspen Dental in Michigan but is looking for work in Indiana as well.

Board action: A motion was made and seconded to grant Dr. Stefanski's appeal and dental licensure by endorsement upon successful completion of the Indiana jurisprudence examination.

BURNS/CATEY

Motion carried 7-1-0

*Dr. Miller opposed

C. Samson T. Liu, D.D.S.

Administrative Cause No. 2010 DB 0017

Re: Petition for Review of the Board's Denial

Parties and Counsel Present:

Respondent was present with counsel, Mary Feldhake

Sherry Rutledge, Court Reporter

Participating Board Members:

Dr. Hollar, D.D.S., President (Hearing Officer)

Dr. Miller, D.D.S.

Dr. Burns, D.D.S.

Dr. Heape, D.D.S.

Dr. Newton, D.D.S.
Dr. Catey, D.D.S.
Ms. Whitmore, L.D.H., B.S.
Ms. LaTurner, Consumer Member

Case Summary: The Board reviewed Petitioner's application for licensure by endorsement at the October 1, 2010 meeting of the Board. The Board voted to deny Petitioner's application based upon not reporting all malpractice actions. Petitioner stated he has submitted more information regarding the malpractice claims. The Board noted some of the claims were quite large. Petitioner is licensed in Illinois, Texas and Missouri and has not been denied licensure in any other states, nor have any of his current licenses been disciplined. Petitioner currently works for Heartland Dental and plans to work in Indiana to train other Heartland Dental employees and would not be working full-time here. He stated he would like a license in case he needs to pick up an instrument during training. Petitioner stated he currently practices three (3) days per week in his office located in Missouri and also travels to other Heartland Dental facilities to train. Petitioner has attained the Academy of General Dentistry fellowship. He explained it was his oversight in completing the application and that all malpractice happened early in his career. Petitioner assured the Board that he does not have any pending malpractice at this time.

Board action: A motion was made and seconded to deny Dr. Liu's appeal based upon clinical competency in regards to the past malpractice claims.

HEAPE/NEWTON
Motion carried 8-0-0

- D. State of Indiana vs. Charles J. Durham, D.D.S., License No. 12006254A**
Administrative Cause No. 2010 ISDB 0018
Re: Petition for Summary Suspension

Parties and Counsel Present:

Respondent was not present nor represented by counsel
Michael Minglin, Senior Deputy Attorney General for the State of Indiana
Sherry Rutledge, Court Reporter

Participating Board Members:

Dr. Hollar, D.D.S., President (Hearing Officer)
Dr. Miller, D.D.S.
Dr. Burns, D.D.S.
Dr. Heape, D.D.S.
Dr. Newton, D.D.S.
Dr. Catey, D.D.S.
Ms. Whitmore, L.D.H., B.S.
Ms. LaTurner, Consumer Member

Case Summary: The State is petitioning for a summary suspension. Respondent was called three (3) times in and about the premises but has failed to appear. Respondent abandoned his practice and cannot be located. Respondent has taken all patient records from the practice. States witness, Violet Engle, Case Analyst with the Attorney General's Office, testified regarding affidavits received from patients, the

office manager of the practice and the editor of The Tribune. These were entered as Exhibit A. Ms. Engle stated Respondent abandoned his practice in September 2010. By statute, the Board can suspend a license on an emergency basis for a period of ninety (90) days.

Board action: Based upon evidence presented, a motion was made and seconded to place Dr. Durham's dental license on summary suspension for a period of ninety (90) days.

MILLER/HEAPE
Motion carried 8-0-0

VI. DISCUSSION

A. St. Mary's Mobile Dental Care for Kids

Re: Portable Dental Units

St. Mary's Mobile Dental Care for Kids is seeking their advice regarding portable dental units. They have obtained four (4) portable units which they would like to place inside separate facilities. They are asking the Board whether or not they need to obtain permits or do anything special to place these portable units. The Board stated St. Mary's does not need to take any other action to put the portable units in place.

B. North East Regional Board of Dental Examiners

Re: Examiners

The North East Regional Board of Dental Examiners sent a list of current dentists and dental hygienists and asked the Board to verify whether the practitioners hold current licenses and whether there has been discipline against said practitioners. The Board asked Ms. Vaught to verify the licensing information for them and respond to NERB with their recommendations on their behalf.

C. North East Regional Board of Dental Examiners

Executive Committee

Re: Dr. Joseph Rossa and Related Matters

The Indiana State Board of Dentistry has received a letter from the NERB's Executive Committee regarding the situation surrounding claims and actions made by Dr. Joseph Rossa. The Committee felt it necessary to disclose information to the state dental boards regarding these claims and actions. They stated that Dr. Rossa falsely identified candidates as passing the NERB examination that was actually the Florida examination. He also sent a letter to candidates claiming Florida's examination "not only meets, but in some ways exceeds, the NERB examination". The Committee has assured all state boards that Dr. Rossa's employment with the NERB was terminated on June 30, 2010.

D. North East Regional Board of Dental Examiners

Re: Misidentification of Certain Test Scores

The Indiana State Board of Dentistry has received a letter from Dr. Perkins with the North East Regional Board of Dental Examiners in regards to the results of the examination given to Florida candidates in spring 2010. The scores have been misidentified as "NERB" results and posted on the NERB's website as NERB results. They feel this is misleading to states that accept the NERB but do not accept Florida's state examination and wanted to ensure the states of this mistake and the measures they are taking to rectify the situation.

E. Continuing Education Audit

Re: Dentists and Dental Hygienists - 2010

The required continuing education audit for dentists and dental hygienists has been completed. Of the thirty-seven (37) dentists randomly audited, five (5) were not in compliance. Of the forty (40) dental hygienists randomly audited, eight (8) were not in compliance.

Board action: A motion was made and seconded to table Dr. Richard Horstmeyer's continuing education audit until he can provide more information to determine whether his medical continuing education counts as dental continuing education.

BURNS/NEWTON
Motion carried 8-0-0

Board action: A motion was made and seconded to issue a notice of non-compliance and conditional license to Dr. Joseph Cochran, Dr. Robert Loudermilk, Dr. Ammar Louly and Dr. Daniel Walker with a \$100.00 civil penalty and ordered to make up lacking continuing education.

BURNS/MILLER
Motion carried 8-0-0

Board action: A motion was made and seconded to accept the continuing education submitted from Chandra Nolot that was given by Southern Indiana Dental Association due to the Boards error in granting unconditional approval previously.

BURNS/LaTURNER
Motion carried 7-0-1

*Dr. Hollar was not present for the vote

Board action: A motion was made and seconded to table Judith Davison's continuing education audit until the February meeting of the Board.

BURNS/WHITMORE
Motion carried 8-0-0

Board action: A motion was made and seconded to issue a notice of noncompliance and conditional license to Ms. Lisa Traver, Ms. Kimberly Herr and Ms. Marcia Bozic with a civil penalty of \$100.00 and ordered to make up lacking continuing education.

BURNS/LaTURNER
Motion carried 8-0-0

Board action: A motion was made and seconded to issue a notice of noncompliance and conditional license to Ms. Joy Miller and Ms. Christy Grabarek with a civil penalty of \$375.00 and ordered to make up lacking continuing education.

BURNS/NEWTON
Motion carried 8-0-0

Board action: A motion was made and seconded to issue a notice of noncompliance and conditional license to Ms. Brinker with a civil penalty of \$50.00 and ordered to make up lacking continuing education.

BURNS/MILLER
Motion carried 7-0-1
*Ms. LaTurner was not present for the vote

VII. APPLICATION REVIEW

A. Examination

1. Jill Reitmeyer, D.D.S.

The Board reviewed Dr. Jill Reitmeyer's application for dental licensure by examination. Dr. Reitmeyer is a 1995 graduate from Baylor College of Dentistry and held a license in the state of Texas from July 24, 1995 to September 1, 2004 which has been cancelled. She has taken and passed National Boards in 1992 and 1994 and the Western Regional Examining Board Examination in 1995. Dr. Reitmeyer has not practiced dentistry since 2004. Based upon her situation, Dr. Reitmeyer would be required to apply for licensure by examination. She would also be required to retake and pass one of the acceptable clinical examinations. Currently at this time she has not completed this step. Per correspondence, Ms. Reitmeyer requested the Board to review her application with the current information. Information was received that Dr. Reitmeyer may have had legal issues in the state of Texas.

Board action: A motion was made and seconded to deny Dr. Reitmeyer's application for licensure by examination based upon not taking and passing a current NERB examination or another examination as approved by the Board and her past addiction to, abuse to, or severe dependency upon alcohol or other drugs that endanger the public by impairing a practitioner's ability to practice safely.

MILLER/NEWTON
Motion carried 8-0-0

B. Endorsement

1. Anne-Marie Elrod, L.D.H.

The Board reviewed Ms. Elrod's application for dental hygiene licensure by endorsement for Ms. Elrod. Ms. Elrod is a 2005 graduate from the Canadian Institute of Dental Hygiene and has taken and passed the National Dental Hygiene Certification Board in Canada in 2005. She has also taken and passed the Central Regional Dental Testing Service Examination on July 23, 2010. Ms. Elrod holds an inactive license to practice in Canada. Ms. Elrod does not qualify for licensure by endorsement due to her work history. She does not hold a current state license. Although Ms. Elrod has taken and passed all parts of the CRDTS examination in July 2010, she does not qualify to apply by examination due to the lack of graduating from an ADA accredited dental hygiene program.

Board action: A motion was made and seconded to deny Ms. Elrod's application for licensure by endorsement based upon she has not completed the National Board Dental Hygiene Examination provided by the Joint Commission of Dental Examinations; engaged in the active practice of dental hygiene for not less than two (2) years out of the five (5) years immediately preceding the submission of the application and graduated from a dental hygiene program accredited by the Commission on Dental Accreditation of the American Dental Association.

WHITMORE/CATEY
Motion carried 8-0-0

2. **Carla Sue McClain, L.D.H.**

The Board reviewed Ms. McClain's application for dental hygiene licensure by endorsement. Ms. McClain is 2007 graduate from the University of Louisville and is currently licensed in the state of Kentucky. She has taken and passed the National Board in 2007 and the Southern Regional Testing Agency Examination in 2007. She answered "yes" to question #1 on the application that asks "Has disciplinary action ever been taken regarding any health license, certificate, registration or permit that you hold or have ever held?" She explained in a notarized affidavit that in March of 2009 the Kentucky Board of Dentistry audited her continuing education and she was one (1) credit hour deficient. A settlement agreement was reached. She was required to pay restitution in full and make up the one (1) hour of continuing education. This has been completed.

Board action: A motion was made and seconded to grant Ms. McClain a dental hygiene license by endorsement upon successful completion of the Indiana jurisprudence examination.

MILLER/BURNS
Motion carried 8-0-0

3. **Gene Allen Reisinger, D.D.S.**

The Board reviewed Dr. Reisinger's application for dental licensure by endorsement. Dr. Reisinger is a 1975 graduation from the University of Illinois and is currently licensed in the state of Illinois. He has taken and passed the National Boards in 1973 and 1974 and an Illinois state constructed clinical

competency examination. He answered "yes" to question 1 on the application that asks "Has disciplinary action ever been taken regarding any health license, certificate, registration or permit that you hold or have ever held?" He explained in a notarized affidavit that he entered into a Consent Agreement with the State of Illinois Department of Professional Regulation for over-diagnosing a patient's dental condition and billing the patient's insurance for services not rendered. Dr. Reisinger failed to return the money to the insurance company for a period of fifteen (15) months. As a condition of the agreement, his license was placed on six (6) months of probation and he was required to complete twenty-four (24) hours of continuing education over and above the thirty-two (32) hours required by statute for license renewal. This has been completed and probation was released in 1998.

Board action: A motion was made and seconded to grant Dr. Reisinger a dental license by endorsement upon successful completion of the Indiana jurisprudence examination.

CATEY/MILLER
Motion carried 8-0-0

4. James William Henning, D.D.S.

The Board reviewed Dr. Henning's application for dental licensure by endorsement. Dr. Henning is a 1974 graduate of the University of Illinois and is currently licensed in the state of Illinois. He has taken and passed the National Boards in 1972 and 1974 and an Illinois state constructed clinical competency examination. Illinois will not release state examination scores. Dr. Henning has never had any disciplinary action taken against his license.

Board action: A motion was made and seconded to grant Dr. Henning a dental license by endorsement upon successful completion of the Indiana jurisprudence examination.

HEAPE/LaTURNER
Motion carried 8-0-0

C. Anesthesia and Sedation Permits

There were no anesthesia permits to review.

D. Dental Intern Permit

There were no dental intern permits to review.

E. Mobile Dental Facility

There were not mobile dental facility permits to review.

F. Instructors License

There were no instructor's license applications to review.

G. Professional Corporations

There were no professional corporation applications to review.

VIII. PROBATIONARY REPORTS

A. Penelope Dunlap, D.D.S.

Dr. Miller reviewed Dr. Dunlap's probationary file. Her reports from Joseph W. Hake, D.D.S., Monitor, for October and November 2010; annual community service report and annual continuing education report were reviewed and accepted.

B. Marci Huth, L.D.H.

Dr. Miller reviewed Ms. Huth's probationary file. Ms. Huth is currently not employed as a dental hygienist. She reported that her address had not changed, and the medication she is currently taking. Her report was reviewed and accepted.

C. William Paul Cornils, D.D.S.

Dr. Miller reviewed Dr. Cornils' probationary file. Prescriptions which have been written for Dr. Cornils were reviewed. The Board was concerned regarding the number of prescriptions he has received since October 15, 2010 and request that staff check with the Dental Wellness Program regarding this issue.

Board action: A motion was made and seconded to table this until a report is received by Ms. Candace Backer with the Indiana Wellness Program.

MILLER/CATEY
Motion carried 8-0-0

IX. CONTINUING EDUCATION

A. Elizabeth Akins

B. Indianapolis Endodontics, P.C.

C. Tri-State Dental Medical

D. Southern Indiana Dental Association

E. Michael E. Keller, DDS, MSD

Dr. Newton has reviewed and approved the applications for continuing education sponsors with pending approval given to Southern Indiana Dental Association until a copy of their by-laws are submitted.

Board action: A motion was made and seconded to approve of the applications for continuing education sponsor for Elizabeth Akins, Indianapolis Endodontics, P.C., Tri-State Dental Medical and Michael Keller, DDS and to give pending approval to Southern Indiana Dental Association.

NEWTON/MILLER

Motion carried 8-0-0

X. REPORTS

There were no reports before the Board.

XI. OLD/NEW BUSINESS

- The Board discussed proposed changes to the statute and rules. Dr. Hollar appointed a sub-committee to draft the changes. He has asked for the support and input of the Indiana Dental Association, Indiana Dental Hygienists' Association and the Indiana Dental Assistants' Association on this proposal.
- Dr. Burns travelled to Orlando, Florida to attend the AADB meeting. She stated they are currently working on making the National Board a pass/fail examination in 2012. ADEX is still working on a non-live patient examination. Attendees were able to work on simulation models through 3-D imaging. Dental ethics at the dental school level was discussed with the ASDA group writing a paper on this issue. She stated there is a new anesthesia course given by the ADA. California is now accepting the WREB examination, but applicants must still have a portfolio to present to the California Dental Board for their approval for licensure. She personally is not in support of this as she feels the faculty has a commitment to the school and there should always be a third party testing. A person with a portfolio has not taken a regional examination. However, Resolution 42 was amended to where a third party is assessing the portfolio versus the faculty giving their approval.
- Title 828 IAC 1-3-2 Practice of Dentistry: Dr. Burns has written a draft changing the rule regarding dental students enrolled in residency programs not qualifying for licensure by endorsement.
- Indiana Professional Licensing Agency has developed an extranet site for Board members. This is where the meeting agendas will be posted as well as a calendar and items for discussion.
- Ms. Vaught spoke with the Board regarding the dental hygiene and dental assistant rule. As of today, it is in the Governor's office awaiting signature. We are anticipating the rule to become effective January 2, 2011.

XII. ASSOCIATION REPORTS

A. Indiana Dental Association

There was no report before the Board.

B. Indiana Dental Hygienists' Association

There was no report before the Board.

C. Indiana Dental Assistants Association

There was no report before the Board.

XIII. ADJOURNMENT

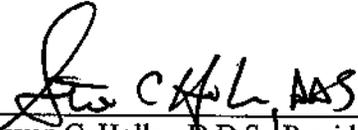
There being no further business, and having completed its duties, the meeting of the Indiana State Board of Dentistry adjourned at 4:30 p.m.

Board action: A motion was made and seconded to adjourn the meeting of the Indiana State Board of Dentistry at 4:30 p.m.

WHITMORE/CATEY

Motion carried 7-0-0

*Dr. Miller was not present for the vote



Steven C. Hollar, D.D.S., President

4-1-11
Date



Gary M. Haller, D.D.S., Secretary

4-01-2011
Date