

STATE BOARD OF DENTISTRY

Minutes

February 7, 2025

I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Dr. Robert Findley called the meeting to order at 9:02 a.m. in room W064, Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana, and by Zoom and declared a quorum in accordance with Indiana Code § 25-14-1-12(a).

Board Members Present:

Robert D. Findley, D.D.S., President
Annette J. Williamson, D.D.S., Secretary/Designee (Remote by Zoom)
Richard R. Nowakowski, D.D.S.
R. Daron Sheline, D.D.S.
Edward Sammons, D.D.S.
Twyla Rader, L.D.H.
Matthew Kolkman, D.D.S.
Jeffrey L. Snoddy, D.D.S.
Crunchy Wells, D.M.D.
Tammera Glickman, Consumer Member

Board Members Not Present:

Kevin Ward, D.D.S.

State Officials Present:

Cindy Vaught, Board Director, Professional Licensing Agency
Dana Brooks, Assistant Board Director, Professional Licensing Agency
Bradley Repass, Litigation Specialist, Professional Licensing Agency
Leif Johnson, Deputy Attorney General, Office of the Attorney General

The video recording can be found on:

<https://www.youtube.com/@INProfessionalLicensingAgency>

II. ADOPTION OF AGENDA

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

Rader/Sammons

Motion carried 10-0-0

Dr. Findley Yea

Dr. Williamson Yea

Dr. Nowakowski Yea

Dr. Sheline Yea

Dr. Snoddy Yea

Dr. Sammons Yea

Dr. Kolkman	Yea
Dr. Wells	Yea
Ms. Rader	Yea
Ms. Glickman	Yea

III. ADOPTION OF THE MINUTES

A motion was made and seconded to approve the minutes of December 6, 2024 as amended.

Glickman/Kolkman	
Motion carried 10-0-0	
Dr. Findley	Yea
Dr. Williamson	Yea
Dr. Nowakowski	Yea
Dr. Sheline	Yea
Dr. Snoddy	Yea
Dr. Sammons	Yea
Dr. Kolkman	Yea
Dr. Wells	Yea
Ms. Rader	Yea
Ms. Glickman	Yea

IV. PUBLIC RULE HEARING

A. LSA #24-584

Parties Present:

Margie Addington, Court Reporter, Accurate Reporting

Participating Board Members:

Robert D. Findley, D.D.S., (Hearing Officer)

Annette J. Williamson, D.D.S. (remote)

Richard R. Nowakowski, D.D.S.

R. Daron Sheline, D.D.S.

Edward Sammons, D.D.S.

Twyla Rader, L.D.H.

Matthew Kolkman, D.D.S.

Jeffrey L. Snoddy, D.D.S.

Crunchy Wells, D.M.D

Tammera Glickman, Consumer Member

A public hearing was held by the Indiana State Board of Dentistry pursuant to Indiana Code 4-22-2. Notice of the hearing was published in the Indiana Register on January 1, 2025, as well as the full text of the proposed rule.

The purpose of this hearing was to hear public comment regarding LSA Document 24-584 concerning fees, fines, and civil penalties that may be imposed by Indiana State Board of Dentistry.

Upon adoption by the Board and approval by the Attorney General and Governor, said rules will become effective 30 days after filing with the Indiana Register.

As of the comment deadline of January 31, 2025, there were no written comments received by the Board in advance of this hearing.

The hearing was opened for comments from the public. There were no comments from the public.

Public Comments: none

Board Member Comments: none

Board Action: A motion was made and seconded to adopt LSA #24-584.

Sammons/Nowakowski

Motion carried 10-0-0

Dr. Findley Yea

Dr. Williamson Yea

Dr. Nowakowski Yea

Dr. Sheline Yea

Dr. Snoddy Yea

Dr. Sammons Yea

Dr. Kolkman Yea

Dr. Wells Yea

Ms. Rader Yea

Ms. Glickman Yea

The Board members discussed the history of how application fees were determined, and that they were last changed in 1994 due to the direction of the residing Governor.

V. ADMINISTRATIVE HEARINGS

A. Aatif Ansari, DDS, License No. 12012330A

Cause No. 202406-DEN-0006

Re: Administrative Complaint and Proposed Settlement Agreement

Parties Present:

Respondent not present

Counsel for Respondent not present.

Ian Mathew, Deputy Attorney General, Office of the Attorney General

Margie Addington, Court Reporter, Accurate Reporting

Participating Board Members:

Robert D. Findley, D.D.S., (Hearing Officer)
Annette J. Williamson, D.D.S. (remote)
Richard R. Nowakowski, D.D.S.
R. Daron Sheline, D.D.S.
Edward Sammons, D.D.S.
Twyla Rader, L.D.H.
Matthew Kolkman, D.D.S.
Jeffrey L. Snoddy, D.D.S.
Crunchy Wells, D.M.D
Tammera Glickman, Consumer Member

Case Summary: On or about June 27, 2024 an Administrative Complaint was filed against Dr. Ansari with allegations of improper delegation, and failure to keep abreast of current practices. On or about December 12, 2024 a Proposed Settlement Agreement was reached with the following terms:

- Letter of Reprimand
- Eight (8) hours of continuing education on dental law and regulations are to be completed within six (6) months of the Final Agreement.
- Pay a civil penalty of \$1,000 to the Indiana Professional Licensing Agency within six (6) months of the Final Agreement.
- Pay a fee of \$5.00 to be deposited into the Health Records and Personal Identifying Information Protection Trust Fund.

The State requested that the Board accept the proposed settlement agreement.

Board Action: A motion was made and seconded to accept the Proposed Settlement Agreement in the matter of Dr. Ansari.

Glickman/Sheline
Motion carried 10-0-0

Dr. Findley	Yea
Dr. Williamson	Yea
Dr. Nowakowski	Yea
Dr. Sheline	Yea
Dr. Snoddy	Yea
Dr. Sammons	Yea
Dr. Kolkman	Yea
Dr. Wells	Yea
Ms. Rader	Yea
Ms. Glickman	Yea

Dr. Ansari appeared with counsel, Matthew Conner at 10:00 a.m. as that is what their hearing notice listed. Dr. Ansari addressed the Board and stated he has already completed the required continuing education and submitted the certificates to the Board. The Board stated that the have voted to accept the Proposed Settlement Agreement.

VI. NOTICE OF PROPOSED DEFAULT/DISMISSAL

A. Emanuela E. Negrescu

Cause No. 202411-DEN-0019

Re: Appeal of Denial of Licensure/Notice of Proposed Dismissal

Parties Present:

Respondent not present

Margie Addington, Court Reporter, Accurate Reporting

Participating Board Members:

Robert D. Findley, D.D.S., (Hearing Officer)

Annette J. Williamson, D.D.S. (remote)

Richard R. Nowakowski, D.D.S.

R. Daron Sheline, D.D.S.

Edward Sammons, D.D.S.

Twyla Rader, L.D.H.

Matthew Kolkman, D.D.S.

Jeffrey L. Snoddy, D.D.S.

Crunchy Wells, D.M.D

Tammera Glickman, Consumer Member

Case Summary: On or about October 16, 2024, the Board denied Dr. Negrescu's request for licensure as he did not meet the statutory requirements in IC 25-14-1-3. On or about November 7, 2024, the Board received an appeal of the decision from Dr. Negrescu. On or about December 7, 2024, a Hearing was set for Dr. Negrescu to present his case for his appeal, where he did not appear. It was determined by the Board that adequate notice was provided, and a Notice of Proposed Dismissal was issued. On or about January 23, 2025, the Board received an email where Dr. Negrescu stated that he no longer wished to pursue the appeal. The Board is required to act on the Notice of Proposed Dismissal and the email from Dr. Negrescu does not indicate that he objects to the action.

Board Action: A motion was made and seconded to issue a Dismissal Order in the matter of Dr. Negrescu.

Sammons/Rader

Motion carried 10-0-0

Dr. Findley Yea

Dr. Williamson Yea

Dr. Nowakowski Yea

Dr. Sheline Yea

Dr. Snoddy Yea

Dr. Sammons Yea

Dr. Kolkman Yea

Dr. Wells	Yea
Ms. Rader	Yea
Ms. Glickman	Yea

B. Mark Pefley, DDS, License No. 12009056A

Cause No. 202408-DEN-0014

Re: Administrative Complaint/Notice of Proposed Default

Parties Present:

Respondent not present

Ian Mathew, Deputy Attorney General, Office of the Attorney General

Margie Addington, Court Reporter, Accurate Reporting

Participating Board Members:

Robert D. Findley, D.D.S., (Hearing Officer)

Annette J. Williamson, D.D.S. (remote)

Richard R. Nowakowski, D.D.S.

R. Daron Sheline, D.D.S.

Edward Sammons, D.D.S.

Twyla Rader, L.D.H.

Matthew Kolkman, D.D.S.

Jeffrey L. Snoddy, D.D.S.

Crunchy Wells, D.M.D

Tammera Glickman, Consumer Member

State Witness: Brittany Ulrey, Case Investigator, Office of the Attorney General

Case Summary: On or about August 22, 2024 an Administrative Complaint was filed against Dr. Pefley with allegations of failure to keep abreast of current practices, violation of the standards of practice, and failure to keep adequate records. On or about October 17, 2024, the Board issued a Notice of Proposed Default as Dr. Pefley has not appeared or responded to the Board.

Board Action: A motion was made and seconded to find Dr. Pefley in Default.

Sammons/Kolkman

Motion carried 10-0-0

Dr. Findley	Yea
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Dr. Williamson	Yea
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Dr. Nowakowski	Yea
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Dr. Sheline	Yea
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Dr. Snoddy	Yea
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Dr. Sammons	Yea
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Dr. Kolkman	Yea
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Dr. Wells	Yea
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Ms. Rader	Yea
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Ms. Glickman Yea

Mr. Mathews stated that a complaint was filed in the matter of Dr. Pefley regarding an improper crown placement. He outlined the facts of the procedure as outlined in the complaint. He called Brittany Ulrey as a witness for the state. Mr. Mathews submitted Exhibits 1-4 for the Board to review. The Board accepted the Exhibits of the consumer complaint, Dr. Pefley's response to the complaint, treatment records for patient M.W., and re-treatment records of M.W. Ms. Ulrey reviewed the records that were obtained, and the timeline of events for the Board. The Board inquired about whether Dr. Pefley communicated that he was retiring from practice. Ms. Ulrey stated that she did not receive any notice from Dr. Pefley that he retired. She stated that the patient communicated to her that Dr. Pefley informed them of his retirement after the patient had tried to follow up about fixing the crown.

The State concluded that they recommend suspension of the license, and if Dr. Pefley requests reinstatement of his license, then the Board can determine any terms and conditions at that time.

Board Action: A motion was made and seconded to find Dr. Pefley in violation of all three counts as charged within the Administrative Complaint that is before the Board.

Kolkman/Sheline

Motion carried 10-0-0

Dr. Findley	Yea
Dr. Williamson	Yea
Dr. Nowakowski	Yea
Dr. Sheline	Yea
Dr. Snoddy	Yea
Dr. Sammons	Yea
Dr. Kolkman	Yea
Dr. Wells	Yea
Ms. Rader	Yea
Ms. Glickman	Yea

Board Action: A motion was made and seconded to suspend Dr. Pefley's dental license with consideration of additional sanctions to be imposed if he requests reinstatement.

Kolkman/Wells

Motion carried 7-3-0

Dr. Findley	Yea
Dr. Williamson	Nea
Dr. Nowakowski	Yea
Dr. Sheline	Yea
Dr. Snoddy	Yea
Dr. Sammons	Nea
Dr. Kolkman	Yea
Dr. Wells	Yea

Ms. Rader	Nea
Ms. Glickman	Yea

VII. PERSONAL APPEARANCES

A. PROBATION

- 1. Benjamin Adams, DDS, License No. 12010430A**
Cause No. 202408-DEN-0009

Dr. Adams appeared before the Board and discussed his current status and progress. He stated that he is working full-time. The Compliance Officer's submitted a report regarding their visit to his office on January 2, 2025. The report was positive and Dr. Mara Catey-Williams, Compliance Officer, stated that the visit went very well.

B. APPLICATION

- 1. Krista Flesher (DDS)**

Dr. Flesher appeared as requested via zoom to discuss her application by reciprocity and yes response regarding a malpractice action. She provided a statement and supporting documentation for the Board to review. Dr. Flesher is currently licensed in the state of Michigan and indicated that she needs an Indiana license to help process Delta Dental claims. She stated that she no longer practices clinically.

Board Action: A motion was made and seconded to approve Dr. Flesher's application for dental licensure.

Sheline/Sammons	
Motion carried 10-0-0	
Dr. Findley	Yea
Dr. Williamson	Yea
Dr. Nowakowski	Yea
Dr. Sheline	Yea
Dr. Snoddy	Yea
Dr. Sammons	Yea
Dr. Kolkman	Yea
Dr. Wells	Yea
Ms. Rader	Yea
Ms. Glickman	Yea

C. REINSTATEMENT

- 1. Katie Leach, LDH, License No. 13005213A**

Ms. Leach appeared as requested to discuss the reinstatement of her license that was placed in inactive status in 2016. She indicated that she left the profession to raise her family and wished to return to the profession. The Board stated that she has completed the required continuing education requirements for reinstatement.

Board Action: A motion was made and seconded to grant Ms. Leach's application to reinstate her dental hygiene license.

Rader/Snoddy
Motion carried 10-0-0
Dr. Findley Yea
Dr. Williamson Yea
Dr. Nowakowski Yea
Dr. Sheline Yea
Dr. Snoddy Yea
Dr. Sammons Yea
Dr. Kolkman Yea
Dr. Wells Yea
Ms. Rader Yea
Ms. Glickman Yea

VIII. COMPLIANCE OFFICER REPORTS: Mara Catey-Williams, DMD & Paul Nahmias, DDS

A. Brent Swinney, DDS, License No. 12010095A Cause No. 2023 ISBD 0003

Dr. Catey-Williams appeared remotely and provided a report with her list of concerns regarding his office and probationary reports. The Board discussed as to whether to issue an Order to Show Cause or request Dr. Swinney to appear for a probationary appearance.

Board Action: A motion was made and seconded to request Dr. Swinney to appear at the April 4, 2025 meeting for a probationary appearance.

Kolkman/Sheline
Motion carried 10-0-0
Dr. Findley Yea
Dr. Williamson Yea
Dr. Nowakowski Yea
Dr. Sheline Yea
Dr. Snoddy Yea
Dr. Sammons Yea
Dr. Kolkman Yea
Dr. Wells Yea
Ms. Rader Yea
Ms. Glickman Yea

A motion was made and seconded to have the Compliance Officer complete another visit to Dr. Swinney's office and to also speak with his practice monitor prior to his April 4, 2025 appearance.

Kolkman/Glickman
Motion carried 10-0-0
Dr. Findley Yea
Dr. Williamson Yea
Dr. Nowakowski Yea
Dr. Sheline Yea
Dr. Snoddy Yea
Dr. Sammons Yea
Dr. Kolkman Yea
Dr. Wells Yea
Ms. Rader Yea
Ms. Glickman Yea

B. Benjamin Adams, DDS, License No. 12010430A
Cause No. 202408-DEN-0009

Dr. Catey-Williams appeared by Zoom and indicated that the visit went well.

IX. APPLICATIONS FOR REVIEW

A. Applications

1. Ian Sun (DDS)

Dr. Sun's dental application for reciprocity was reviewed. The only license he holds to practice dentistry is from Alberta, Canada. Currently the license is not active, and the Board discussed if they qualify for reciprocity. To qualify for reciprocity, they have to have an active license in a US State or territory. The Board discussed whether he would qualify for licensure by examination.

The Board directed staff to email Dr. Sun to advise him that he does not qualify for licensure by reciprocity, and to see if would want to pursue dental licensure by examination.

Dr. Sun's application was tabled.

2. Noelle Maier, LDH - LA Application

Ms. Maier submitted an application for an LA permit and requested that the Board review her submitted documentation. The Board noted that the letter from her program does not look professional. They stated that the course content is acceptable, however, they were

unable to determine whether there were any didactic or clinical hours. The Board also noted that she has not completed the required local anesthetic examination.

Board Action: A motion was made and seconded to deny Ms. Maier's LA application based upon that she has not completed a local anesthesia examination approved by the Board.

Sammons/Nowakowski
Motion carried 10-0-0
Dr. Findley Yea
Dr. Williamson Yea
Dr. Nowakowski Yea
Dr. Sheline Yea
Dr. Snoddy Yea
Dr. Sammons Yea
Dr. Kolkman Yea
Dr. Wells Yea
Ms. Rader Yea
Ms. Glickman Yea

B. Continuing Education

1. Gregory Phillips, DDS, MSD Study Club

The Board noted that the application looked good and was very thorough.

Board Action: A motion was made and seconded to approve Gregory Phillips, DDS, MSD Study Club application.

Rader/Nowakowski
Motion carried 10-0-0
Dr. Findley Yea
Dr. Williamson Yea
Dr. Nowakowski Yea
Dr. Sheline Yea
Dr. Snoddy Yea
Dr. Sammons Yea
Dr. Kolkman Yea
Dr. Wells Yea
Ms. Rader Yea
Ms. Glickman Yea

X. DISCUSSION

A. Compliance Fund Update

The Board reviewed the compliance fund and noted that the only fees deducted were for the compliance officer visits and the investments look good. Ms. Glickman provided thanks to the Office of Treasury for investing wisely.

B. Compliance Officer Visits

Nicholas Hart, Director of Administration, Indiana Professional Licensing Agency, appeared to respond to questions regarding the compliance officer visits. The Board asked if the visits need to be announced or unannounced. Mr. Hart suggested that the Board announce visits. If compliance visits are required to make it explicit in the probation order. He also indicated that if the Board requests a compliance officer visit, it will need to be reflected in the minutes.

A motion was made and seconded to have the compliance officers complete the following visits:

1. Aria Dental Care, Mobile Dental Facility
Three (3) visits prior to the April meeting and three (3) more after that time.
2. Brent Swinney, DDS
One (1) visit prior to the April meeting.
3. Benjamin Adams, DDS
Next visit prior to the June meeting. This will be Dr. Adams' next probation appearance date.

Kolkman/Sammons

Motion carried 10-0-0

Dr. Findley	Yea
Dr. Williamson	Yea
Dr. Nowakowski	Yea
Dr. Sheline	Yea
Dr. Snoddy	Yea
Dr. Sammons	Yea
Dr. Kolkman	Yea
Dr. Wells	Yea
Ms. Rader	Yea
Ms. Glickman	Yea

C. Christie Oyler, DDS, License No. 12011725A, Cause No. 2021 ISBD 0012

Re: Respondent's Unopposed Request to Surrender License

Dr. Oyler has requested to surrender her Indiana license in Indiana as she is currently licensed in Arizona and has no intention of returning to the State. The Board noted that there are still outstanding items not completed on her current probationary order with the State of Indiana. They discussed the implications of accepting the surrender and if Dr. Oyler should return, she would need to reapply for licensure and address the past

action against her Indiana license at that time.

Board Action: A motion was made and seconded to grant Dr. Oyler's Unopposed Request to Surrender License.

Kolkman/Sheline

Motion carried 9-1-0

Dr. Findley Nea

Dr. Williamson Yea

Dr. Nowakowski Yea

Dr. Sheline Yea

Dr. Snoddy Yea

Dr. Sammons Yea

Dr. Kolkman Yea

Dr. Wells Yea

Ms. Rader Yea

Ms. Glickman Yea

D. Rule Making and Proposed Rule Changes – Nicholas Hart, Director of Board Administration

Nicholas Hart, Director of Administration, Indiana Professional Licensing Agency, presented the updated rule making process. He discussed that the new policy was to streamline the rule making process. In order to start the process a subcommittee is created which consists of two board members and other entities that are associated with the profession. They would review and propose rules to the Board for consideration.

Since the Board has completed the rule, it will be reviewed at the April 4, 2025 meeting.

XI. REPORTS

A. Office of the Attorney General

Amy Osborne provided the report to the Board. She discussed the process of restitution if a consumer complaint is filed, and those matters get referred out. She stated that the consumer protection division, and the licensure division does not handle restitution. She also stated that the Board only sees complaints and violations before them if the AG's office can provide evidence. If the AG's office cannot definitively prove the violation, then they do not bring it before the Board due to lack of evidence.

XII. OLD/NEW BUSINESS

Ed Rosebaum, Indiana Dental Association, discussed the House Bill 1031 Dental Matters. He stated that it has passed in the House and is now in the Senate. He indicated that there are still thirteen (13) states that have pending legislation regarding the approval

of the Compact. Once more states have joined the Commission, they can start the process of setting official standards. The Board members expressed concerns on who would be selected as the commissioners for the compact. Mr. Rosenbaum indicated that it will be up to each state to select their commissioner, and that can be either a board member who is licensed, or an administrator. The Board expressed reassurance that the commission was not going to be all administrators.

Ms. Rader, Dental Hygienist Section Chair, stated that she was asked to inquire on behalf of a colleague if there is a pathway for dental licensure. She discussed his credentials and noted that he does not have the required examinations. Ms. Glickman stated that his circumstances are similar to a case previously before the Board, which was voted down. The Board discussed how their statute and rules can negatively impact qualified individuals. Board counsel stated that licensing some individuals and denying others, when on the surface their training appears to be identical, could open the Board up to litigation.

XIII. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the State Board of Dentistry adjourned at 12:07 p.m. by consensus.