

**DENTISTRY EXAMINING BOARD
MEETING MINUTES
March 4, 2015**

PRESENT: Mark Braden, DDS; Eileen Donohoo, RDH; Lyndsay Knoell, DDS; Timothy McConville, DDS; Wendy Pietz, DDS; Carrie Stempski, RDH; Beth Welter, DDS

EXCUSED: Debra Beres, RDH; Leonardo Huck, DDS

STAFF: Brittany Lewin, Executive Director; Gretchen Mrozinski, Legal Counsel; Kimberly Wood, Program Assistant Supervisor; and other Department staff

CALL TO ORDER

Lyndsay Knoell, Chair, called the meeting to order at 8:30 a.m. A quorum of seven (7) members was confirmed.

ADOPTION OF AGENDA

Amendments to the Agenda:

- After Item G. (Open Session) – ADD: “Informational Item – North Carolina State Board of Dental Examiners v. Federal Trade Commission”

MOTION: Eileen Donohoo moved, seconded by Beth Welter, to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES

Amendments to the Minutes:

- Page 4 of the Minutes: Correct the names of the board members that made and seconded the motion to convene to closed session from “Beres moved, seconded by Welter” to “Debra Beres moved, seconded by Beth Welter”

MOTION: Eileen Donohoo moved, seconded by Timothy McConville, to approve the minutes of January 7, 2015 as amended. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Review of Updated Monitoring Liaison/Delegation Authorities Document

MOTION: Mark Braden moved, seconded by Beth Welter, to adopt the updated “Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor” document as presented in the March 4, 2015 agenda packet. Motion carried unanimously.

**8:35 AM PUBLIC HEARING: CLEARINGHOUSE RULE 15-013,
RELATING TO FOREIGN TRAINED DENTISTS**

Review and Respond to Clearinghouse Report and Public Hearing Comments

MOTION: Eileen Donohoo moved, seconded by Beth Welter, to accept all Clearinghouse comments for CR 15-013, relating to foreign trained dentists, and to delegate Dr. Wendy Pietz to work with DSPS staff to respond to Clearinghouse comments. Motion carried unanimously.

Legislative Report & Draft

MOTION: Timothy McConville moved, seconded by Beth Welter, to authorize Dr. Wendy Pietz to approve the Legislative Report and Draft for Clearinghouse Rule 15-013, relating to foreign trained dentists, for submission to the Governor’s Office and Legislature. Motion carried unanimously.

CLOSED SESSION

MOTION: Eileen Donohoo moved, seconded by Beth Welter, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). Lyndsay Knoell, Chair, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Mark Braden-yes; Eileen Donohoo-yes; Lyndsay Knoell-yes; Timothy McConville-yes; Wendy Pietz-yes; Carrie Stempski-yes; and Beth Welter-yes. Motion carried unanimously.

The Board convened into Closed Session at 10:17 a.m.

RECONVENE TO OPEN SESSION

MOTION: Eileen Donohoo moved, seconded by Wendy Pietz, to reconvene to Open Session. Motion carried unanimously.

The Board reconvened into Open Session at 11:29 a.m.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION, IF VOTING IS APPROPRIATE

MOTION: Lyndsay Knoell moved, seconded by Timothy McConville, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

CREDENTIALING MATTERS

Application Reviews

J.L. RDH (Endorsement Application)

MOTION: Wendy Pietz moved, seconded by Eileen Donohoo, to **extend** the timeframe for submission of items pertaining to the Dental Hygiene application of **J.L., RDH**, until June 1, 2015. Motion carried unanimously.

DELIBERATION ON MONITORING MATTERS

Gretchen Evenson, D.D.S., Requesting Termination of Therapy

MOTION: Lyndsay Knoell moved, seconded by Beth Welter, to delegate the authority to Dr. Braden to determine and implement modifications to the Order dated May 3, 2006 for **Gretchen Evenson, D.D.S.** Motion carried. Recused: Carrie Stempski

(Carrie Stempski recused herself and left the room for deliberation, and voting in the matter concerning the request for termination of therapy requirements submitted by Gretchen Evenson, D.D.S.)

Edward McGrath, D.D.S., Requesting Modification

MOTION: Eileen Donohoo moved, seconded by Beth Welter, to **grant** the request of **Edward McGrath, D.D.S.**, for a reduction in the frequency of drug and alcohol screens to thirty-six (36) per year, plus one annual hair test. Motion carried unanimously.

PRESENTATION AND/OR DELIBERATION ON PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

14 DEN 097 – Chul-Ha Baik

MOTION: Timothy McConville moved, seconded by Eileen Donohoo, to **accept** the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against **Chul-Ha Baik**, DLSC case # **14 DEN 097**. Motion carried unanimously.

DELIBERATION ON ADMINISTRATIVE WARNINGS

13 DEN 077

MOTION: Eileen Donohoo moved, seconded by Timothy McConville, to issue an Administrative Warning in the matter of DLSC case # **13 DEN 077**. Motion carried unanimously.

14 DEN 034

MOTION: Beth Welter moved, seconded by Eileen Donohoo, to issue an Administrative Warning in the matter of DLSC case # **14 DEN 034**. Motion carried unanimously.

14 DEN 043

MOTION: Mark Braden moved, seconded by Timothy McConville, to issue an Administrative Warning in the matter of DLSC case # **14 DEN 043**. Motion carried unanimously.

14 DEN 050

MOTION: Timothy McConville moved, seconded by Carrie Stempski, to issue an Administrative Warning in the matter of DLSC case # **14 DEN 050**. Motion carried unanimously.

14 DEN 091

MOTION: Eileen Donohoo moved, seconded by Beth Welter, to issue an Administrative Warning in the matter of DLSC case # **14 DEN 091**. Motion carried unanimously.

DELIBERATION ON CASE CLOSINGS

13 DEN 032

MOTION: Beth Welter moved, seconded by Timothy McConville, to close DLSC case # **13 DEN 032** for **Prosecutorial Discretion (P1)**. Motion carried. Recused: Lyndsay Knoell

(Lyndsay Knoell recused himself and left the room for deliberation, and voting in the matter concerning the case closing for 13 DEN 032. Mark Braden assumed the role of Chair during deliberation of this item.)

14 DEN 030

MOTION: Eileen Donohoo moved, seconded by Carrie Stempski, to close DLSC case # **14 DEN 030** for **Prosecutorial Discretion (P2)**. Motion carried. Recused: Timothy McConville

(Timothy McConville recused himself and left the room for deliberation, and voting in the matter concerning the case closing for 14 DEN 030.)

14 DEN 084

MOTION: Eileen Donohoo moved, seconded by Beth Welter, to close DLSC case # **14 DEN 084** for **Insufficient Evidence**. Motion carried. Recused: Wendy Pietz

(Wendy Pietz recused himself and left the room for deliberation, and voting in the matter concerning the case closing for 14 DEN 084.)

14 DEN 093

MOTION: Timothy McConville moved, seconded by Eileen Donohoo, to close DLSC case # **14 DEN 093** for **No Violation**. Motion carried unanimously.

ADJOURNMENT

MOTION: Eileen Donohoo moved, seconded by Timothy McConville, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:30 a.m.