

Minutes of the Meeting  
April 9, 2004

On the 9<sup>th</sup> of April 2004, Dr. Joseph Deatherage, President, called the meeting of the Arkansas State Board of Dental Examiners to order. The following members were present:

Joseph Deatherage, D.M.D., M.D.  
W. Gene Jines, D.D.S.  
E. Wayne Looney, D.D.S.  
David E. Walker, D.D.S.  
John W. Ross, D.D.S.  
Thomas M. Isbell, D.D.S.  
Jan K. Blancett, R.D.H.  
Ruby Faulconer  
Barbara Fletcher

Donna Cobb, Interim Director, and William H. Trice, Board Attorney, were also present.

A Public Hearing on Article XI (Dental Hygienists Functions) was held. Several persons spoke in favor of the passage of the Article and some wanted to make a few changes. After a lengthy discussion and no substantive changes, a motion was made and seconded to approve the Article. The motion passed.

Dr. Deatherage requested a motion for approval of the Minutes from February 20, 2004. A motion was made and seconded to accept the draft of the minutes as presented. The motion passed.

Next on the agenda was a credentials interview for dental license submitted by Dr. Curtis Bowman. With all paperwork in, a motion was made and seconded to accept Dr. Bowman's application. The motion passed.

Tammy Black appeared before the Board for her credentials interview for dental hygiene licensure in the state of Arkansas. During discussion, it was discovered that Ms. Black has not practiced dental hygiene consecutively for five years immediately prior to applying. Therefore, Ms. Black requested that her application be tabled and she will take the SRTA examination.

Next was a conference with Dr. John Hargett. Dr. Hargett was issued an Emergency Order of Suspension of his Arkansas dental license in March 2004. Dr. Hargett, with his attorney Clayton Blackstock, appeared before the Board to give an update on his status. Dr. Hargett's Hearing will be conducted in the near future.

Per Board Order, Dr. William H. Garrison appeared before the Board to give an update on his progress. He also asked the Board for permission to administer nitrous oxide in his office. After some discussion, the Board granted their permission.

The dental license application of Dr. Djuana Beruk was the next item of discussion. After some discussion, the Board decided to grant Dr. Beruk a dental license as soon as she informs the Board where and with whom she will be practicing in Arkansas due to past disciplinary actions in Kentucky and Tennessee.

Next was the discussion of the provisional dental license applications (with requests to take the SRТА examination) of Drs. Carlos Sibaja and Gilberto Lopez. After some discussion, the Board agreed to issue a letter to SRТА granting Drs. Sibaja and Lopez permission to take the SRТА examination.

Dalton J. Dailey, III, D.D.S. appeared before the Board to discuss his training, given by Baylor College of Dentistry at Texas A&M, as a prerequisite for applying for a permit to administer conscious sedation (Level 3). Dr. Dailey also submitted an application for a Level 3 permit. After much discussion, a motion was made and seconded to issue Dr. Dailey a conscious sedation permit. The motion passed.

In his Attorney's Report, Mr. William Trice gave an update on the Hearings involving Kristi Burrow and Carol Martin. Mr. Trice informed the Board that they surrendered their RDA permits in lieu of a Hearing.

Mr. Trice also discussed the disciplinary actions posted on the website. After some discussion the Board agreed, if a licensee is not found in violation, no disciplinary actions should be listed.

James Rotton, D.D.S. appeared before the Board in response to an investigative report submitted by the Drug Enforcement Administration (DEA). Dr. Rotton also requested permission to re-apply for his DEA permit. After some discussion, a motion was made and seconded to issue a letter to the DEA authorizing Dr. Rotton to re-apply.

In her Board Office Update, Ms. Cobb briefly discussed the financial reports that were in the Board members' packets. Also within the Board members' packets were the written job descriptions for each of the Board office staff. She also informed the Board that the Board office has updated all computer operating systems with Windows XP.

Ms. Cobb had some questions for the Board and asked for guidance. Per several calls to the Board office, she asked the Board how many hours of practice management courses are acceptable for continuing education; the Board answered "50 hours". Next, on behalf of Drs. James C. Wilkins and James D. Koonce, Ms. Cobb asked the Board if the dentists are required to have a permit to administer conscious sedation (Level 3) while working at the Arkansas Children's Hospital. The Board responded that as soon as they are assured of the hospital staff's accommodations, a letter can be sent to the dentists informing them that a permit is not

necessary. Ms. Cobb then asked the Board if out-of-state dental hygienists must have an Arkansas dental hygiene license in order to take a local anesthesia course at UAMS Dental Hygiene School. The Board responded that an Arkansas license was not necessary when the course is taken at the School of Dental Hygiene. Next, Ms. Cobb asked for permission to allow Meredith Rogers to attend the second part of the CLEAR investigative training course in Kansas City and was granted permission by the Board.

Dr. E. Wayne Looney gave the Complaint Committee Report. The Committee met the previous evening and reviewed twenty complaints. Eleven of those complaints were found to have no apparent violation or were closed. Two complaints will receive letters. Six complaints were tabled for further investigation and one complaint will be tabled until the next Board meeting. The next meeting of the Complaint Committee is scheduled for Thursday, June 24, 2004. A motion was made and seconded to issue an Emergency Order of Suspension and Notice of Hearing to Hannah Mills, R.D.A., for violating the Dental Practice Act by practicing dentistry without a dental license. The motion passed. Also, the Committee informed the Board that Dr. Ronald Padgett surrendered his Arkansas dental license.

Dr. Thomas Isbell gave a report on the Rules and Regulations Committee, in which he and Dr. John Ross attended. He reported that the revision of the regulation on infection control is temporarily on hold.

Dr. Looney gave each Board member a copy of his SRTA report as well as a report from Dr. Wendell Garrett, Jr., representing the SRTA Board of Directors. In the report, Dr. Looney reported on the mid-year meeting of the American Association of Dental Examiners that was held March 27-30, 2004 in Chicago, IL. Also within the report was a listing of the SRTA examination dates from April to June.

Dr. Isbell gave a report on the Statewide Oral Health Coalition meeting. He reminded the Board that the Governor's Oral Health Summit will be held June 12, 2004.

Dr. Deatherage announced that he was in the process of setting up the on-site anesthesia evaluations.

The Board approved the following fictitious names:

***"Cabot Dental Group"*** by Dr. Brian Holt

***"Ford Dental Care"*** by Dr. Derek Ford

***"Owen Orthodontics"*** by Dr. Clayton Owen

***"Ozark Oral and Maxillofacial Surgery"*** by Drs. Robert Lewis and Joseph Deatherage

***"Morrilton Family Dental"*** by Dr. William Eggart

Next, Dr. Looney discussed the invitation for a Board member to attend a D.O.C.S. course free of charge. He asked Dr. Isbell to attend and Dr. Isbell accepted the invitation.

Dr. Kenneth Perkins appeared before the Board for his credentials interview for a dental license. The Board office has received all of Dr. Perkins' paperwork except for his National Board exam card. A motion was made and seconded to issue Dr. Perkins a dental license contingent upon the Board office receiving his National Board card. The motion passed.

The Board members then went into Executive Session. As a result of the Executive Session, Donna Cobb was offered the position of Executive Director and Meredith Rogers was offered the position of Investigator; each with a salary increase of 15% over their present salary. Courtney Cobb was offered the position of Administrative Assistant II with the maximum salary allocated for that position. Each offer was accepted.

The next meeting of the Board will be held June 25, 2004, at 8:30 am.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "E. Wayne Looney". The signature is written in a cursive, flowing style with a long horizontal stroke extending to the right.

E. Wayne Looney, D.D.S.  
Secretary/Treasurer