

**DENTISTRY EXAMINING BOARD
MINUTES
NOVEMBER 6, 2013**

PRESENT: Debra Beres, RDH; Mark Braden, DDS; Eileen Donohoo, RDH; Leonardo Huck, DDS; Lyndsay Knoell, DDS; Sandra Linhart, RDH; Timothy McConville, DDS; Kirk Ritchie, DDS; Beth Welter, DDS

STAFF: Angela Hellenbrand, Executive Director; Karen Rude-Evans, Bureau Assistant

CALL TO ORDER

Lyndsay Knoell, Chair, called the meeting to order at 8:37 a.m. A quorum of nine (9) members was confirmed.

ADOPTION OF AGENDA

Amendments

- Item H1a – Insert additional information after page 38
- Item J2 – Insert additional information after page 64

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

APPROVAL OF MINUTES OF SEPTEMBER 4, 2013

MOTION: Mark Braden moved, seconded by Eileen Donohoo, to approve the minutes of September 4, 2013 as published. Motion carried unanimously.

CREDENTIALING MATTERS

Foreign Trained Dentists

MOTION: Leo Huck moved, seconded by Tim McConville, to request DSPS staff draft a scope statement relating to foreign trained dentists' licensure pathway and to draft an emergency and permanent rule scope statement. Motion carried unanimously.

MOTION: Leo Huck moved, seconded by Deb Beres, to approve the scope statement on foreign trained licensure pathway for submission and publication of the emergency rule, and to the Governor's Office and publication and to authorize the Chair to approve the scope for implementation no less than ten (10) days after publication. Motion carried unanimously.

MOTION: Eileen Donohoo moved, seconded by Leo Huck, to request DSPS staff draft a scope statement relating to licensure of foreign trained dentists who have graduated from a CODA accredited specialty program in an ADA approved specialty. Motion carried unanimously.

LEGISLATIVE/ADMINISTRATIVE RULE MATTERS

Public Hearings – Chs. DE 9, 11 and 12 Relating to Lab Work Authorization, Sedation Permits and Training Verification Forms (CR 13-060, 13-061 and 13-074)

Chair Lyndsay Knoell called the public hearing to order at 10:44 a.m.

The public hearing adjourned at 10:47 a.m.

Discuss and Consider Hearing Comments, Clearinghouse Comments and Legislative Report, Chs. DE 9, 11 and 12 (CR 13-060, 13-061 and 13-074)

DE 9

MOTION: Eileen Donohoo moved, seconded by Mark Braden, to authorize the Chair to approve the Legislative Report and draft with modifications for Clearinghouse Rule 13-060 revising DE 9 relating to lab work authorizations for submission to the Governor's Office and Legislature. Motion carried unanimously.

DE 11

MOTION: Eileen Donohoo moved, seconded by Deb Beres, to authorize the Chair to approve the Legislative Report with responses and draft with modifications for Clearinghouse Rule 13-061 revising DE 11 relating to sedation permits for submission to the Governor's Office and Legislature. Motion carried unanimously.

DE 12

MOTION: Eileen Donohoo moved, seconded by Deb Beres, to authorize the Chair to approve the Legislative Report, except for 5(e) and 5 (f) and draft with modifications for Clearinghouse Rule 13-074 revising DE 12 relating to training verification forms for submission to the Governor's Office and Legislature. Motion carried unanimously.

SB 311 – Hygienists Administering Nitrous Oxide Inhalation Analgesia

MOTION: Eileen Donohoo moved, seconded by Deb Beres, to request DSPS staff to follow legislation and draft a scope statement relating to SB 311, Hygienists Administering Nitrous Oxide, for presentation at the next meeting. Motion carried unanimously.

SPEAKING ENGAGEMENTS, TRAVEL OR PUBLIC RELATIONS

ADEX House of Representatives Meeting

MOTION: Eileen Donohoo moved, seconded by Beth Welter, to appoint Leo Huck as the Board's representative at the ADEX House of Representatives Meeting. Motion carried unanimously.

CLOSED SESSION

MOTION: Leo Huck moved, seconded by Lyndsay Knoell, to invite Dr. Wendy Pietz to sit in during closed session. Dr. Pietz is a non-voting member. Motion carried unanimously.

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.).

MOTION: Deb Beres moved seconded by Eileen Donohoo, 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 read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Debra Beres-yes; Mark Braden-yes; Eileen Donohoo-yes; Leo Huck-yes; Lyndsay Knoell-yes; Sandra Linhart – yes; Timothy McConville-yes; Kirk Ritchie-yes; and Beth Welter-yes. Motion carried unanimously.

The Board convened into closed session at 12:08 p.m.

RECONVENE TO OPEN SESSION

MOTION: Eileen Donohoo moved, seconded by Mark Braden, to reconvene into open session. Motion carried unanimously.

The Board reconvened into open session at 1:58 p.m.

VOTING ON ITEMS DELIBERATED IN CLOSED SESSION

PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

MOTION: Eileen Donohoo moved, seconded by Tim McConville, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against **Anelin Feilen, DDS (12 DEN 113)**. Motion carried. Leo Huck was excused during deliberation and abstained from voting.

MOTION: Deb Beres moved, seconded by Beth Welter, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against **Stephen Schwalbach, DDS (12 DEN 122)**. Motion carried unanimously.

ADMINISTRATIVE WARNING(S)

MOTION: Deb Beres moved, seconded by Mark Braden, to issue the Administrative Warning in case **12 DEN 026 (L.N.)**. Motion carried unanimously.

APPLICATION REVIEW(S)

MOTION: Mark Braden moved, seconded by Eileen Donohoo, to approve the application of **W.J.M.** subject to the applicant's successful completion of a clinical remediation course approved by the credentialing liaison and completion of 30 hours of CE related to the clinical practice of dental hygiene as defined in DE 13.04 and Wis. Stat. sec. 447.055. Motion carried unanimously.

REQUEST FOR WAIVER OF CPR REQUIREMENT

MOTION: Lyndsay Knoell moved, seconded by Eileen Donohoo, to deny the request from **S.F.D.** for a waiver of the CPR requirement. Licensee has not provided sufficient evidence for the Board to find that she is unable to complete CPR training. Motion carried unanimously.

MONITORING

MOTION: Eileen Donohoo moved, seconded by Leo Huck, to grant the request of **Steven Schnoll, DDS**, for a reduction in screens from thirty six (36) to twenty four (24) screens per year plus one hair test per year . Motion carried unanimously.

CASE CLOSING (S)

MOTION: Sandy Linhart moved, seconded by Deb Beres, to close case **12 DEN 026 (D.T.) for prosecutorial discretion**. Motion carried unanimously.

MOTION: Lyndsay Knoell moved, seconded by Deb Beres, to request DLSC staff to provide informal case closings with an agenda request cover letter in writing to be included in the agenda packet. Motion carried unanimously.

ADJOURNMENT

MOTION: Kirk Ritchie moved, seconded by Mark Braden, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 2:04 p.m.