



JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF COMMUNITY HEALTH  
LANSING

JANET OLSZEWSKI  
DIRECTOR

## MICHIGAN BOARD OF DENTISTRY JUNE 11, 2009 MEETING

### APPROVED MINUTES

In accordance with the Open Meetings Act, 1976 PA 267, as amended, the Michigan Board of Dentistry met in regular session on June 11, 2009 at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 3, Lansing, Michigan.

#### **CALL TO ORDER**

Rhonda Hennessy, DDS, Chairperson, called the meeting to order at 10:08 a.m.

#### **ROLL CALL**

**Members Present:**

Rhonda M. Hennessy, DDS, Chairperson  
Lawrence M. Haber, DDS, Vice Chairperson  
Lynn Beatty-Desonia, RDH  
JoAnn Buchheister, CDA, RDA, BS  
Randy M. Freij, DDS (arrived at 10:27 a.m.)  
JoAnne A. Hodder, RDH  
Deborah Manos, DDS  
Charles Marinelli, DDS  
Raymond Maturo, DDS  
Solomon K. Pesis, DDS  
Deborah E. Priestap, DDS  
Timothy R. Schmakel, DDS, MD  
Charlene Snow, Public Member  
Craig W. Spencer, DDS  
Martha Swiger, RDH  
Charlotte Wyche, RDH

**Members Absent:**

Julie Bera, RDA  
Faiz Khan, Public Member  
Rosetta Sanders, Public Member

**Staff Present:** Rae Ramsdell, Director, Health Licensing Division  
Kiran Parag, Analyst, Enforcement Section  
Michele Wagner-Gutkowski, Assistant Attorney General  
Tim Andrews, Manager, Program Operations (left at 10:19 a.m.)  
Sheila Vandebush, MDCH, Oral Health Program  
Leo Friedman, Division Chief, Licensing & Regulation Division,  
Office of Attorney General  
Merry Rosenberg, Assistant Attorney General  
Laurie VanBeelen, Board Secretary, Licensing Division  
Starla Walter, Board Secretary, Licensing Division

**Others Present:** Jo Ann Murphy, MDA  
Paula Weidz, MDHA  
Marge Buelrin, MDHA  
Bonnie Nothoff, MDHA  
Mark Johnston, DDS, MDA  
Patrick McCarty  
Michael "Reggie" Vander Veen, ADEX  
Kriss Meliff, MDA

## **APPROVAL OF MINUTES**

*MOTION* by Wyche, seconded by Hodder, to approve the April 4, 2009 meeting minutes with the following corrections:

- Under Committee Reports, Professional Behavior Committee, the acronym ADA should be changed to AADE.
- Under Committee Reports, Endorsement Committee, the first sentence should read, "Marinelli stated that Marie Allston, RDH, petitioned for licensure."
- Under Committee Reports, RDA Committee, the second sentence should read, "Discussions regarding PA161 are continuing and this matter shall be referred to the Parameters Committee for further discussion."
- Under New Business, ADEX Update, the second sentence should read, "Beginning June, 2009, CRDTS will no longer administer the ADEX."

*MOTION PREVAILED*

## **APPROVAL OF AGENDA**

*MOTION* by Wyche, seconded by Hodder, to approve the agenda with the following addition:

- Under New Business, remove Bleaching Statement

*MOTION PREVAILED*

## **COMMITTEE REPORTS**

### **Allegation Review Committee**

Pesis reported that for the month of March the Committee reviewed 36 files of which 28 were authorized for investigation and 8 were closed. He also stated that 28 files would be reviewed today.

### **Professional Behavior Committee**

Wyche reported that the Committee has reviewed language contained in the "American Association of Dental Examiners Guidelines on Unprofessional Conduct Involving Sexual Boundary Violations" document. Wyche stated that Board members will be provided with information to review and will be asked to consider endorsing the guidelines for use in disciplinary cases at the August meeting.

### **Anesthesia Committee**

Schmakel reported that the first draft has been submitted for review.

### **Continuing Education Committee**

Hodder provided the Board with information regarding the issue of allowing CE credits to be earned for volunteer activities. She stated that there are currently 12 states that offer CE credit for volunteer activities. Discussion on this topic will continue at the August meeting.

Additionally, see Addendum #1 for approved CE programs.

### **Endorsement Committee**

Marinelli reported that the subcommittee reviewed the current roster of NERB members. He stated that all NERB members who are Michigan licensees are in good standing and that no disciplinary actions have been taken or were pending against the members' license.

### **RDA Committee**

No report.

### **RDH Committee**

Hodder reported to the Board that the RDH Committee discussed PA 161 and "Supervision" as stated in the Rules.

### **Rules Committee**

Swiger stated that draft 14 of the rules will be sent via email and regular mail to the Board members. She encouraged the Board to review the draft prior to the August Board meeting.

### **Parameters of the Practice of Dentistry Special Committee**

Marinelli stated that the statement reviewed by the Board at the April meeting was still under review by the Attorney General's office.

Marinelli also stated that the Committee spoke with Sheila Vandebush in relation to how PA 161 will affect the Administrative Rules.

### **Sanction Monitoring Committee**

Pesis reported that with regard to the DCS Master Resolution, discussions with the Attorney General's office are continuing. He explained the intent of the Master Resolution and stated that it should be ready to be voted on by the August meeting.

### **Chairperson's Report**

No report.

## ***OLD BUSINESS***

### **Guidelines for Radiography Approval**

Buchheister presented the final draft of the "Guidelines for Evaluating Radiograph Curriculum and Instruction for the 'Substantially Equivalent' Dental Assisting Radiology Program."

**MOTION** by Marinelli, seconded by Wyche, to accept the "Guidelines for Evaluating Radiograph Curriculum and Instruction for the 'Substantially Equivalent' Dental Assisting Radiology Program."

*MOTION PREVAILED*

The Board thanked Buccheister for her hard work on this issue.

### **Practice Statement re: Botox, Derma Fillers and Neurotoxins**

Ramsdell reported that the final draft of the Statement regarding the use of Botox, derma fillers and neurotoxins is being reviewed and edited, and should be available at the next Board meeting.

## **NEW BUSINESS**

### **Department Update**

Ramsdell was asked to address the Board regarding concerns arising due to recent circuit court decisions against actions of the Board. The Board asked for recommendations on how to prevent these situations of the past without compromising their directive to protect the public. Ramsdell and Wagner-Gutkowski spoke of the Board's responsibility in relation to that of the court. The Department and the Attorney General's Office will review this matter to see if there are any appropriate recommendations for the Board.

## **REGULATORY CONSIDERATIONS**

### **Pourcho, William S. D.D.S. – Circuit Court Order**

**MOTION** by Marinelli, seconded by Hodder, to issue an Amended Final Order Granting Reinstatement that conforms with the Orders issued by the Oakland County Circuit Court on February 11, 2009, and April 20, 2009 in the matter of William S. Pourcho, D.D.S.

Specifically, the Final Order Granting Reinstatement dated October 22, 2008 is amended to replace the language concerning the probationary and limitation requirements as follows:

Petitioner is granted a limited license to practice dentistry in the State of Michigan for a period of one (1) year. During the period of limitation, Petitioner's practice as a dentist shall be under the **direct supervision** of a licensed dentist for a period of one (1) week per month, pre-approved by the Chairperson of the Board or the Chairperson's designee. As defined by the April 20, 2009 Oakland County Circuit Court Order, one (1) week is five business days. For the remaining days of each month, Petitioner's practice as a dentist shall be under the **general supervision** of a licensed dentist, pre-approved by the Chairperson of the Board or the Chairperson's designee. Direct supervision and general supervision are defined by the April 20, 2009, Oakland County Circuit Court Order as follows, "For purposes of this Court's Order: **DIRECT SUPERVISION** means that a pre-approved licensed dentist shall be physically present in the treatment room at all times Petitioner is providing dental treatment or services. **GENERAL SUPERVISION** means review of patient records on a weekly basis, as well as the oversight or participation in his work, with continuous availability of direct communication between Petitioner and the supervisor in person or by radio, telephone, facsimile, electronic mail, or other communication device. The supervisor shall review Petitioner's practice on a regularly scheduled basis, shall provide consultation to Petitioner, shall review patient records generated by Petitioner on a regularly scheduled basis, and shall further educate Petitioner in the performance of his functions."

Petitioner's license to practice dentistry shall be automatically reclassified to a full and unlimited status as long as Petitioner complies with the terms of limitation.

Petitioner shall be placed on probation for a period of one (1) year and shall be required to complete a total of thirty-six (36) hours of pre-approved continuing education subject to the terms and conditions set forth in the October 22, 2008 Final Order Granting Reinstatement.

Petitioner shall be required to comply fully with all remaining terms and conditions of the Final Order Granting Reinstatement dated October 22, 2008.

Discussion was held.

A roll call vote followed:      Yeas: Pesis, Schmakel, Swiger, Manos, Wyche, Freij,  
Buchheister, Maturo, Spencer, Beatty-Besonja,  
Preistap, Hodder, Snow, Hennessy

Nays: Marinelli

Abstain: Haber

*MOTION PREVAILED*

## **PUBLIC COMMENT**

Chris Nickoloff of the MDA shared that the MDA is currently monitoring a bill regarding sexual misconduct and will advise the Board as the bill progresses.

Michael Vander Veen of ADEX introduced himself to the board. He indicated that even though CRDTS is no longer administering the ADEX exam, that NERB is still very involved in the exam process. Vander Veen stated that he will provide a written report for the August board meeting. He also asked the Board to consider granting continuing education credits to retired dentists for dentistry-related volunteer activities.


## **ANNOUNCEMENTS**

The next regularly scheduled meeting will be held August 13, 2009 at 10:00 a.m. at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 3, Lansing, Michigan.

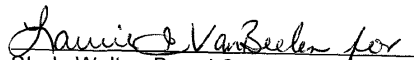
## **ADJOURNMENT**

MOTION by Hodder, seconded by Marinelli, to adjourn at 11:23 a.m.

MOTION PREVAILED

  
Rhonda Hennessy, D.D.S., Chairperson

8/13/09  
Date Minutes Approved

  
Starla Walter, Board Secretary

July 17, 2009  
Date Minutes Prepared

**ADDENDUM #1**

***DENTISTRY CONTINUING EDUCATION REVIEW***  
**June 11, 2009**

**NEW SPONSOR APPLICATIONS**

**DR. MICHAEL L LANZETTA, INNOVATIONS IN ORTHODONTICS** – Held July, September, December, 2009  
APPROVED SPONSOR JUNE 2009 THROUGH JUNE 2010; (1 YEAR)

**SPONSOR APPLICATION-PREVIOUSLY APPROVED**

**KTR DENTAL LAB**  
APPROVED SPONSOR JUNE 2009 THROUGH 2010; (1 YEAR)

**KAPLIN, MITCHELL, DDS, PhD**  
APPROVED SPONSOR JUNE 2009 THROUGH JUNE 2013; (4 YEARS)

**RHEMANN**  
APPROVED SPONSOR JUNE 2009 THROUGH JUNE 2011; (2 YEARS)

**SEVEN LAKES PERIODONTICS**  
APPROVED SPONSOR JUNE 2009 THROUGH JUNE 2013; (4 YEARS)

**TOLEDO DENTAL HYGIENISTS ASSOCIATION**  
APPROVED SPONSOR JUNE 2009 THROUGH JUNE 2011; (2 YEARS)

**SPONSOR APPLICATIONS – DENIED**

**CLINICAL HYPNOSIS INSTITUTE**  
DENIED – Requesting more information on how this program relates to Dentistry

**SMILES ON WHEELS**  
DENIED SPONSOR – Information about offered courses is not sufficient. Responses to sections IV & VIII on CE program approval application need further explanation.