



JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF COMMUNITY HEALTH  
LANSING

JANET OLSZEWSKI  
DIRECTOR

## MICHIGAN BOARD OF DENTISTRY AUGUST 13, 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 August 13, 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 10:03 a.m.

#### **ROLL CALL**

**Members Present:**

Rhonda M. Hennessy, DDS, Chairperson  
Lawrence M. Haber, DDS, Vice Chairperson  
Lynn Beatty-Desonia, RDH  
Julie Bera, RDA  
JoAnn Buchheister, CDA, RDA, BS  
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:**

Randy M. Freij, DDS  
Faiz Khan, Public Member  
Rosetta Sanders, Public Member

**Staff Present:** Rae Ramsdell, Director, Health Regulatory Division  
Kiran Parag, Analyst, Enforcement Section  
Michele Wagner-Gutkowski, Assistant Attorney General  
Tim Andrews, Manager, Program Operations (left at 10:27 a.m.)  
Sheila Vandebush, MDCH, Oral Health Program  
Susan Affholter, Pain Management & Palliative Care Coordinator,  
Professional Practice Section (left at 10:17 a.m.)  
Laurie VanBeelen, Board Secretary, Health Regulatory Division

**Others Present:** Lew Dodak, MAO and CMDS  
Mark Johnston, DDS, MDA  
Mike Maihofer, MDA  
Kris Meliff, MDA  
Karlene Ketola, MI Oral Health Coalition  
Lisa Boettger, MDA  
Bonnie Nothoff, MDHA  
Jennifer Ludurg, MAO  
Marge Buehner, MDHA

## **APPROVAL OF MINUTES**

*MOTION* by Hodder, seconded by Snow, to approve the June 11, 2009 meeting minutes with the following corrections:

- Under Staff Present, Leo Friedman, Division Chief, Licensing & Regulation Division, Office of Attorney General, and Merry Rosenberg, Assistant Attorney General shall be added.
- Under Others Present, Patricia McCarty shall become Patrick McCarty.
- The report of the Parameters of Practice of Dentistry Special Committee shall read as follows:  
  
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.
- Under Department Update, Assistant Attorney General Michele Wagner-Gutkowski's name shall be corrected to reflect "Wagner-Gutkowski."

*MOTION PREVAILED*

## **APPROVAL OF AGENDA**

*MOTION* by Haber, seconded by Wyche, to approve the agenda as presented.

*MOTION PREVAILED*

## **APPOINTMENT OF REPRESENTATIVE TO THE ADVISORY COMMITTEE ON PAIN & SYMPTOM MANAGEMENT**

Susan Affholter, Pain Management & Palliative Care Coordinator for the Department, introduced herself to the Board and provided the Board with a verbal synopsis of her duties. She directed the Board to the Memorandum and nominee information from Bureau Director Melanie Brim regarding the nominations for the Advisory Committee on Pain and Symptom Management.

*MOTION* by Marinelli, seconded by Wyche, to vote on the nominees for the Advisory Committee on Pain and Symptom Management for a term of July 1, 2009 through June 30, 2011.

Discussion of the Board followed.

A roll call vote was held.

For Dr. Ahmed ElGeneidy, DDS: Snow, Priestap, Wyche, Beatty-Desonia, Manos, Haber, Maturo, Spencer, Hodder, Bera, Schmakel, Marinelli, Hennessy

For Dr. Lawrence Ashman, DDS: Swiger

Abstain: Pesis, Buchheister

Dr. Ahmed ElGeneidy, DDS, was appointed as the Michigan Board of Dentistry's representative to the Advisory Committee on Pain and Symptom Management for a term of July 1, 2009 through June 30, 2011.

Affholter also reported to the Board that the publication *Responsible Opioid Prescribing, A Michigan Guide*, will be mailed to all licensed dentists this fall.

## **COMMITTEE REPORTS**

### **Allegation Review Committee**

Pesis reported that at the last meeting of the Committee, 28 files were reviewed, 15 of which were authorized for investigation; 3 were returned for additional information; and 10 were closed. He also stated that 19 files would be reviewed today.

### **Professional Behavior Committee**

Wyche directed the Board to the "American Association of Dental Examiners Guidelines on Unprofessional Conduct Involving Sexual Boundary Violations" document that was previously provided to the Board. She indicated that the Committee has determined that there are items in the guidelines which are in conflict with the Public Health Code. Wyche stated that the Committee will prepare necessary revisions to make the guidelines consistent with the Public Health Code. The Committee answered questions and heard various comments from the Board.

### **Anesthesia Committee**

No report.

### **Continuing Education Committee**

Hodder stated that the committee will be providing information to the Board at the October meeting regarding the topic of CE credits being earned for volunteer activities and what criteria must be met in order to obtain the credit, and a special volunteer license.

Additionally, see Addendum #1 for approved CE programs.

*MOTION* by Hodder, seconded by Wyche, to approve the CE programs as presented.

*MOTION PREVAILED*

### **Endorsement Committee**

Marinelli stated that the Committee is recommending for endorsement, without opinion, William F. Jerome, DDS, MS, and Martha Morgan, RDH, to be NERB consultants.

*MOTION* by Marinelli, seconded by Hodder, to endorse William F. Jerome, DDS, MS, and Martha Morgan, RDH, as NERB consultants.

*MOTION PREVAILED*

**RDA Committee**

No report.

**RDH Committee**

No report.

**Rules Committee**

Swiger stated that the Committee met this morning to review the final draft of the proposed Administrative Rules which was also provided previously to the Board for review. She thanked the Committee for their hard work and reviewed the rules with the Board. Various questions were answered and minimal changes were suggested. Arasim explained the process the rules will follow and stated that it would take up to one year for the rules to become final.

*MOTION* by Hodder, seconded by Snow, to approve the Administrative Rules with the minor changes discussed.

*MOTION PREVAILED*

**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.

With regard to PA 161, Marinelli advised that an advisory committee has been established to assist the Director of the Department of Community Health in designating grantee health agencies. He advised that the Parameters of the Practice of Dentistry Special Committee of the Board of Dentistry are reviewing PA 161 for the purpose of creating proposed rules specific to PA 161. Marinelli advised that the Committee is currently reviewing the topics of: (1) experience of a newly graduated registered dental hygienist; (2) CE requirements; (3) remote location definition; (4) geographical implications of the remote dentist; (5) ratio of PA 161 hygienists to remote dentists; and (6) licensing issues of remote dentists.

**Sanction Monitoring Committee**

No report.

**Chairperson's Report**

Hennessy reported that the FDA recently reclassified dental amalgam as a class 2 medication and the ADA is in support of this position.

*MOTION* by Wyche, seconded by Snow, to accept the Committee reports as presented.

*MOTION PREVAILED*

## **OLD BUSINESS**

None

## **NEW BUSINESS**

### **Re-appointment of Dr. Joan M. Lewis, DDS, to the Health Professional Recovery Committee**

Hennessy directed the Board to the 6/22/09 memorandum from Ray Garza, Contract Administrator for the Health Professional Recovery Committee.

*MOTION* by Wyche, seconded by Spencer to re-appoint Dr. Joan M. Lewis, DDS, to the Health Professional Recovery Committee.

*MOTION PREVAILED*

VanBeelen added that Dr. Lewis will be presenting information regarding the Health Professional Recovery Committee at the October meeting.

### **AADE Annual Meeting**

VanBeelen stated that the AADE contacted the Department inquiring if a member of the Board would be attending the upcoming annual meeting on September 30 and October 1, 2009. Hennessy indicated that she would contact the AADE directly to coordinate attendance.

### **Elections of Officers**

Hennessy opened the floor for nominations for chairperson. Haber nominated Hennessy for chairperson. Haber assumed the position of chairperson and asked for any additional nominations. Hearing none, Haber closed the nominations for chairperson.

*MOTION* by Haber, seconded by Marinelli, to elect Rhonda Hennessy, DDS, as Chairperson of the Michigan Board of Dentistry.

*MOTION PREVAILED*

Haber thanked Hennessy for her dedication and hard work as chairperson over the past year. Hennessy thanked the Board for their support. Hennessy resumed the role of chairperson and asked for nominations for vice chairperson. Marinelli nominated Spencer as vice chairperson. Hennessy asked for any additional nominations and after hearing none, closed nominations for vice chairperson.

*MOTION* by Marinelli, seconded by Hodder, to elect Craig Spencer, DDS, as Vice Chairperson of the Michigan Board of Dentistry.

*MOTION PREVAILED*

**Department Update**

None

***REGULATORY CONSIDERATIONS***

None

***PUBLIC COMMENT***

Mike Maihofer thanked the Parameters Committee for their work regarding the Botox statement. He advised that the Michigan Dental Association (MDA) receives many questions and complaints regarding Botox procedures and laser hair removal procedures. Maihofer indicated that the MDA is willing to work with the Board and the Department to make the appropriate changes in the law clarifying the scope of practice in these areas.

Marge Buehner of the Michigan Dental Hygienists Association stated that it is her hope that something can be done about the "Bright Smiles" kiosk. She also reminded the Board that the verbal information regarding PA 161 provided at today's meeting is informational only and additional information will be provided.


***ANNOUNCEMENTS***

The next regularly scheduled meeting will be held October 15, 2009 at 10:00 a.m. at the Ottawa Building, 611 West Ottawa Street, Upper Level Conference Center, Conference Room 3, Lansing, Michigan.

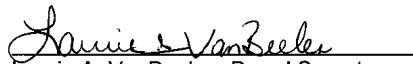
## ***ADJOURNMENT***

*MOTION* by Hodder, seconded by Wyche, to adjourn at 11:29 a.m.

*MOTION PREVAILED*

  
Rhonda Hennessy, D.D.S., Chairperson

October 15, 2009  
Date Minutes Approved

  
Laurie A. VanBeelen, Board Secretary

August 24, 2009  
Date Minutes Prepared

**DENTISTRY CONTINUING EDUCATION REVIEW**  
**August 13, 2009**

**NEW SPONSOR APPLICATIONS**

**ERICH A. DITTMER, DDS, MDS, HIGH DEFINITION ENDODONTICS** to be held  
October 19, 2009 & November 9, 2009 for 2 hours.

APPROVE SPONSOR AUGUST 2009 THROUGH AUGUST 2010 (1 YEAR)

**GERIATRIC EDUCATION CENTER of MICHIGAN (GECM), ORAL HEALTH FOR THE  
ELDERLY/DEMENTIA** to be held October, 2009, for 3 hours

**ORAL HEALTH FOR THE ELDERLY – ONLINE TRAINING**

APPROVE SPONSOR AUGUST 2009 THROUGH AUGUST 2010 (1 YEAR)

**MICHIGAN ORAL HEALTH COALITION**

APPROVE SPONSOR AUGUST 2009 THROUGH AUGUST 2010 (1 YEAR)

**SMILES ON WHEELS**

APPROVE SPONSOR AUGUST 2009 THROUGH AUGUST 2010 (1 YEAR)

**SPONSOR APPLICATIONS PREVIOUSLY APPROVED**

**BERKMAN & SHAPIRO ORTHODONTICS** (previous # 299080017, exp date 04/30/09)

APPROVE SPONSOR AUGUST 2009 THROUGH AUGUST 2013 (4 YEARS)

**GREGG D. BOBIER, DMD, PC** (previous # 299050020, exp date 05/31/09)

APPROVE SPONSOR AUGUST 2009 THROUGH AUGUST 2012 (2 YEARS)

**PROSTHODENT DENTAL STUDIO, INC** (previous # 299080026)

APPROVE SPONSOR AUGUST 2009 THROUGH AUGUST 2013 (4 YEARS)

**SPONSOR APPLICATIONS – DENIED**

**CLINICAL HYPNOSIS INSTITUTE**

outdated certification and no verifiability

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Denied – requesting more information