



DENTAL BOARD OF CALIFORNIA

1432 HOWE AVENUE, SUITE 85, SACRAMENTO, CA 95825-3241
TELEPHONE: (916) 263-2300
FAX: (916) 263-2140
www.dbc.ca.gov



Embassy Suites Hotel
250 Gateway Blvd
South San Francisco, CA 94080

**August 8-9, 2002
Board Meeting
Minutes**

Mr. Michael Pinkerton, Board Vice President, called the meeting to order at 9:05 am. Roll was called and a quorum established.

Members Present

David Baron, Public Member
Newton Gordon, DDS
Lawrence Hundley, DDS
LaDonna Drury-Klein, RDA
Patricia Osuna, RDH
Coordinator
Michael Pinkerton, Public Member
George SooHoo, DDS
Ariane Terlet, DDS
Chester Yokoyama, DDS

Staff Present

Richard DeCuir, Assistant Executive Officer
Alan Mangels, Attorney General Liaison
Norine Marks, Legal Counsel
Anita Scuri, Legal Counsel
Peggy Bagdasarian, Enforcement

Errol Chisom, Legislative Coordinator
La Rita Abdul-Rahman, Secretary
Lynn Thornton, Chief of Enforcement

Absent

Alan Kaye, DDS

AGENDA ITEM 3 Approval of Minutes

The minutes of the May 16-17, 2002 meeting were approved (Yokoyama/Baron) with the following corrections:

- 1) Chanda Wallis, RDH is misspelled. It should be Shanda Wallace.
- 2) The spelling of Dr. Jamie Lazada should be Lozada.

The minutes of the July 10, 2002 meeting were (SooHoo/Baron) approved as presented.

AGENDA ITEM 4 President's Report

In the absence of board president, Dr. Alan Kaye, vice president, Mr. Michael Pinkerton conducted the meeting. Mr. Pinkerton noted that today's agenda was

extremely long, therefore he would be limiting public comment to three minutes other than the Enforcement Monitor and Chief of Enforcement's reports. Mr. Pinkerton asked Mr. Richard DeCuir to provide the board with information regarding a report due to the Sunset Review Committee. Mr. Richard DeCuir received clarification from Mr. Jay Defuria of the Business and Professions Committee on whether or not the board had a report due to the legislature on September 1, 2002 on Sunset Review. Although a report is not due, Mr. Defuria did say a hearing will be held in October or November regarding the board's enforcement monitor report and board activities. Ms. Robin Hartley, consultant for the Sunset Review Committee, was able to explain that because the board just went through the Sunset Review process last Fall, they were not required to submit anything for September 1st. Ms. Hartley confirmed that hearings will be held mid November and that the board will need to respond at that point.

AGENDA ITEM 5 Report on Appointment of Executive Officer

Mr. Pinkerton announced that the board interviewed two candidates at its July 10th meeting and after deliberating in closed session; the board selected Mr. Richard DeCuir as the new Executive Officer. This decision has been presented in writing to Ms. Kathleen Hamilton, Director of the Department of Consumer Affairs, for approval.

AGENDA ITEM 6 Assistant Executive Officer's Report

Mr. Richard DeCuir updated the board on the current budget situation. The Department of Finance has directed state agencies to make reductions to their budgets. The Conference Committee recommended the elimination of 6,000 state positions. The dental board was required to identify vacant positions and put them in priority order of which positions could be sacrificed. Six positions were identified. Five of the six positions are Investigator vacancies.

In addition, another memo from the Department of Finance stated that if any agency wants to augment its budget, for instance, the board had a BCP to add two positions to the Exam Unit, they would have to identify other positions that would be eliminated. As a result, the BCP was returned because the only positions that could be eliminated within the board would be enforcement positions and that is a higher priority.

AGENDA ITEM 7 Policy on Delegation of Auxiliary Items to Committee

Mr. Richard DeCuir requested guidance from the board on how they would like to deal with auxiliary issues that come before the board. Past practices have been inconsistent as to which COMDA issues should go through the Exam Committee and which issues should go directly to the full board. Legal Counsel, Ms. Norine Marks, stated that there are no statutes in place with regard to placing certain items on a committee agenda. Dr. SooHoo suggested that the protocol be established through the Strategic Planning Committee. Ms. Drury-Klein spoke to the issue of the Board's responsibility to all licentiates.

It was m/s/c (Osuna/Yokoyama with Dr. Gordon and Hundley abstaining) that the assignment of agenda items to the board or committee be based on the function of the

committee and not on the basis of the license held.

AGENDA ITEM 8 Approval of Strategic Plan Development Process

A copy of the previous board's strategic plan was provided for review. Mr. Richard DeCuir asked the board's approval to proceed with finding a consultant, developing a contract and begin the establishment of a new strategic plan. Dr. Newton Gordon and Dr. Alan Kaye will work together with staff on this development.

It was m/s/c (SooHoo/Hundley with Ms. Osuna abstaining) to approve the strategic plan process and to have Drs. Gordon and Kaye serve as board representatives to work with the hired consultant.

AGENDA ITEM 9 Enforcement Program

In accordance with SB 826(Figueroa), consultants Benjamin Frank and Joe Hill of NewPoint Group were hired to monitor the board's Enforcement Program and provide a report to the Director of the Department of Consumer Affairs. The initial draft report was provided to each member prior to today's meeting. Mr. Frank and Mr. Hill provided a brief summary to the board and were available to answer questions regarding the report. The Chief of Enforcement, Ms. Lynn Thornton, addressed the board briefly to highlight some of the changes already implemented to address the monitor's concerns.

While the board acknowledges the fact there is a problem relating to the Enforcement process, it was m/s/c (Osuna/SooHoo) that the board president appoint two members of the Enforcement Committee to work with the Enforcement Monitors and staff on issues addressed in the report.

AGENDA ITEM 10 Board Policy on Speaking Engagements

It was motioned by Dr. Hundley and 2nd by Dr. Gordon to delay this agenda item as requested by the board president. The motion died. Ms. Osuna, who initially requested this item be agendized, stated all she wanted to know is if the board or Department had any uniform presentation materials for board members to use when attending speaking engagements. Mr. DeCuir informed Ms. Osuna that the board currently does not have a uniform presentation kit for board members, but if she was interested one could be put together for her.

AGENDA ITEM 11 Approval of The Universidad DelaSalle Bajio School

Dr. Ariane Terlet provided the board with a report of the on-site visit to Mexico. Dr. Terlet recommended a two-year provisional approval. This would allow time to correct the deficiencies that were identified by the on-site team. Because the University was on academic recess, the on-site team was not able to observe direct patient care. As a result, the Technical Advisory Group recommends a revisit in 6 months.

It was m/s/c (Terlet/Gordon) to grant a 2-year provisional certification to the Universidad DelaSalle Bajio School.

AGENDA ITEM 12 Dental Material Fact Sheet Committee Report

Committee Chair, Dr. Chester Yokoyama, addressed the board about his concern of

the readability of the current DMFS. He acknowledged that a rewrite at this time would be cumbersome and without resources. He spoke to the Governor's intent of the new statute and sunset reform bill to require the board to provide a mercury risk fact sheet. As a result, he provided a tentative draft proposal of a consumer-friendly cover sheet that emphasizes and clarifies those points pertaining to mercury. Dr. Yokoyama announced his intent to hold a subcommittee meeting prior to the November board meeting. This meeting will include a presentation of the science that would call for the restrictions of amalgam. He has invited Fritz Lorscheiser, a neonatal biologist and Boyd Haley to speak in support of harm in mercury amalgam fillings. Dr. Hundley asked if Dr. Yokoyama planned to invite speakers with opposing views, so that the board could hear both sides. Mr. Richard DeCuir suggested that an informational hearing be held so that all individuals interested in speaking on this topic could be heard. Committee member, Dr. Ariane Terlet, agreed that an informational hearing should be scheduled in order for the new board to hear the arguments from both sides before constructing a new fact sheet.

Public comment from Ms. Cathy Mudge and Ms. Judy Babcock, both of CDA, request that the board hold an informational hearing to hear the science from both perspectives and that if the discussion is limited to a particular risk group that it is noticed as such. Ms. Donna Russell, representing California Citizens for Healthcare, expressed her opinion that the board has always limited discussions to people in favor of mercury and that it would be a good balance to finally allow someone to speak that feels mercury is harmful. Ms. Collette Glavez of the Center for Public Interest Law expressed her support of Dr. Yokoyama's efforts to fulfill the requirement of the legislature to create a consumer-friendly fact sheet. She also provided the board members with CPIL's analysis of the current Dental Material Fact Sheet. Ms. Anita Tibau of Consumers for Dental Choice informed the board that the United Nations is holding a world summit on mercury September 9-13, 2002. Mr. Frank Cuny of the California Citizens for Health Freedom requested that speakers at the informational hearing present their arguments in writing, citing their research, and that this information be made available to the public. Dr. Ward Echoes, of Livermore, expressed his support to hear the science behind the effects of mercury. Dr. Andy Landerman of Santa Rosa, representing the American Academy of Biological Dentistry, support Dr. Yokoyama's proposals and endorsed the elimination of placing mercury amalgam in the mouth.

AGENDA ITEM 13 General Anesthesia Committee Report

Committee Chair, Dr. Newton Gordon, reported support on the establishment of a independent Blue Ribbon Panel to address or to assess areas of anesthesia, to gather information and make a recommendation and that this panel represent a broad spectrum of dentistry including general dentists. John Yagiela, DDS, has agreed to chair this panel and to add additional members to ensure a broad spectrum of dentistry is represented.

AGENDA ITEM 14 Continuing Education Committee Report

Committee Chair, Ms. Patricia Osuna provided the board with a list of topics she would like discussed at future meetings. She also asked that requests coming from interested parties on a particular subject be forwarded to the committee chair. Karen

Wyant, EO for COMDA, asked the committee to consider an automated CE system. COMDA and the board had a joint contract to begin looking into such a system prior to Y2K at which time the project was stopped.

AGENDA ITEM 15 Diversion Evaluation Committee Report

Committee Chair, LaDonna Drury-Klein, gave an overview of the written committee report. Ms. Drury-Klein, along with staff, is hoping to establish a protocol handbook for all Diversion Committee Members in order to provide direction from the board as to how the DEC members should function within the committee.

AGENDA ITEM 16 Budget Report

Mr. Richard DeCuir gave a general overview of the budget and informed the members that travel and other expenses will not be reimbursed until the new budget is signed.

AGENDA ITEM 17 Enforcement Committee Report

Committee Chair, Mr. Pinkerton, reported on the outcome of the enforcement meeting held yesterday.

- Special Permits for Majed Moawad and Radhika Chigurupati were disapproved due to inconsistencies in documentation. These permits can be resubmitted for approval once the inconsistencies are dealt with. Approval was granted to the Special Permit Application for Christine Peters.
- An Extramural Facility Application submitted Dr. Allen Pulsipher of Murrieta, CA, was approved.
- Issuance of a New License to Replace a Cancelled License for Dr. William S. Pourcho was approved. Application from Wallace M. Remsen, DDS was deferred until Dr. Remsen completes the UOP RT process for evaluation to determine competency level prior to the board's consideration of his application. An appeal to the board's decision to deny issuance of a new license to replace a cancelled license to Dr. Oscar Holtzclaw was heard and the committee voted to uphold the denial.
- An application of Approval of Course in Administration of Oral Conscious Sedation for Minor Patients submitted by UCSF for renewal was approved.

It was m/s/c (Hundley/Baron) to accept the committee report as presented.

AGENDA ITEM 18 Examination Committee Report

Committee Chair, Dr. George SooHoo, reported the outcome of the examination committee meeting held yesterday.

- The minutes of the May Examination Committee meeting were approved as written.
- The issue of Human Subjects in the Licensure Examination was discussed. Public comment was received from CDA representative, John Galbraith. He provided news articles on this subject for the committee to review. Public

comment was also received from several Northern Examiners on this issue. Dr. SooHoo handed out information received from various Testing Agencies and other Associations for the committee to review and discuss at a future meeting.

- A recommendation was made by COMDA to appoint Susan Potter and Rita Atencio as new EF Examiners. It was m/s/c (Osuna/Terlet) to approve.

It was m/s/c (Osuna/Hundley) to accept the committee report as presented.

AGENDA ITEM 19 COMDA Report

COMDA Chair, Ms. Rhona Lee, presented the COMDA report.

It was m/s/c (Baron/SooHoo) to adopt the report as presented.

AGENDA ITEM 20 Approval of Auxiliary Educational Programs

COMDA Chair, Ms. Rhona Lee recommended approval of the Loma Vista Coronal Polishing Course. It was m/s/c (SooHoo/Gordon) to approve.

AGENDA ITEM 21 Amendment to 16 CCR 1070 and 1070.1 – RDA Educational Programs

COMDA recommended that the regulations be amended and set for hearing

It was m/s/c (Klein/Yokoyama) to set for regulatory hearing.

AGENDA ITEM 22 Amendment to 16 CCR 1088, Allow RDHs to Perform Brush Biopsies

COMDA recommended that the regulations be amended and set for hearing. Ms. Osuna explained to the members under what circumstances a hygienist may biopsy. Clarification of the general supervision rule was provided by JoAnn Galliano of CDHA. Dr. Ariane Terlet spoke against a hygienist doing this procedure based on the potential outcome. Ms. Kristie Menage-Bernie of CDHA urged the board to go forth with a regulatory hearing to debate the issues.

It was m/s/c (Osuna/Klein) to set for regulatory hearing.

AGENDA ITEM 23 Independent Consultant Report on Auxiliary Scope of Practice

COMDA Chair, Ms. Rhona Lee, provided the board with a short synopsis of the history behind the Independent Consultant Report. In 1999, the board requested that COMDA began a review of the regulations that define the duties that RDAs and RDHs can perform. To assist in meeting the mandate of B&P Code Section 1754 that it review such duties ever 7 years. In August 1999, COMDA began that review as well as a review of the regulations defining the duties of DAs and EFs and the appropriateness of the entire regulatory scheme.

Legislation resulting from the 2000 Sunset Review of COMDA did not make any changes with regards to scopes of practice except to direct that the Department work with the board and the Joint Legislative Sunset Review Committee to review auxiliary scopes of practice by September 30, 2002. In early 2002, the Department hired the firm Sjoberg & Evanshenk to conduct an independent analysis and report to the

Department by August 1, 2002. Although COMDA provided minutes of pertinent meetings on this issue, COMDA was not actually involved in the analysis or content of the report. At its meeting August 8, 2002, COMDA approved the majority of the recommendations of the consultants' report.

AGENDA ITEM 24 RDHAP Program Application Approval of West Los Angeles College

COMDA recommended the RDHAP license category, no educational programs have applied to the board for approval. The first application has been received from West Los Angeles College for approval. It was m/s/c (Osuna/SooHoo) to approve the application.

AGENDA ITEM 25 RDHAP Curriculum

This agenda item was withdrawn by requestor Ms. Patricia Osuna.

AGENDA ITEM 26 Locations of Course Work for the RDHAP

Ms. Patricia Osuna requested staff to draft proposed language and notice appropriately for the next board meeting.

AGENDA ITEM 27 Use of Devices Intra-Orally by RDAs

Provided as information only.

AGENDA ITEM 28 Unlicensed Dental Assistants – Information/Action

Ms. Barbara Blade addressed the board on behalf of the Alliance. She spoke to the enforcement process of unlicensed dental assistants and how there is no direct monitoring process for enforcement. This item was tabled in order to be referred to the Enforcement Committee for discussion at their next meeting.

AGENDA ITEM 29 Consideration of Amendment 16 CCR Section 1016 – Definition of Courses of Study for Continuing Education

The California Dental Association has agreed to defer this item to the Continuing Education Committee for discussion.

AGENDA ITEM 31 Public Comment

No public comments were given.

AGENDA ITEM 32 Future Agenda Items

Ms. Drury-Klein requested that board president, Dr. Kaye appoint the ad hoc committee to review the periodontal section of the clinical exam with Shanda Wallace, RDH as a member, as reflected in the November 2001 and May 2002 minutes.

She also requested COMDA address the issue with section 1756 of the DPA with regard to the RDAEF programs also not being affiliated with dental programs.

Dr. Ariane Terlet requested that the board set the remaining calendar for 2003 meeting dates and set the Strategic Plan at the next meeting.

As a point of information, Dr. George SooHoo informed the board of the possibility of adding an additional clinical exam at USC November 1-3, 2002.

The meeting was adjourned at 3:00pm.



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EXAMINATION COMMITTEE MEETING
August 8, 2002
South San Francisco, CA

MINUTES

Members Present:

George SooHoo, DDS, Chair
Newton Gordon, DDS
LaDonna Drury-Klein, RDA
Ariane Terlet, DDS
Chester Yokoyama, DDS

Staff Present:

Richard DeCuir, AEO
La Rita Abdul-Rahman, Secretary
Norine Marks, Legal Counsel
Anita Scuri, Legal Counsel

The meeting was called to order at 2:25 pm. All members of the committee were present and a quorum was established.

AGENDA ITEM 3 - Approval of Examination Committee Minutes

The minutes of the May 16, 2002 Exam Committee Meeting was approved as presented.

AGENDA ITEM 4 - Elimination of the Use of Human Subjects in the Licensure Examination

John Galbraith of the California Dental Association (CDA) spoke in support of the committee looking to remove the use human subjects from the exam. He also provided several articles and studies for the committee's review.

Dr. Morrow from Loma Linda commented on the increased difficulties in establishing a patient pool for the exam process and how students are being sold patients at the exam sites. RDH, Shanda Wallace, opposed the elimination of live patients, particularly in the perio section. Coragene Savio, DDS, Chief Examiner for the Dental Board since 1976, also spoke against this concept. She feels that typodonts can not simulate real-world situations, such as live patients in the office. She is not aware of any problems with the live patient format. Drs. Nokashima and Fong, both examiners for the Dental Board, agreed

with Dr. Savio in that simulators do not provide real world experience.

Judy Babcock of CDA, commented on what other licensing agencies are doing and encouraged the board to establish a subcommittee in order to further evaluate this issue.

Committee Chair, Dr. George SooHoo, commented that he has been in touch with other regional testing agencies and has obtained minutes from their various committees on this issue. He would like to see this board work towards using technology that could resolve this issue.

AGENDA ITEM 5 - Recommendation of Appointment of EF Examiners

Karen Wyant, Executive Officer for COMDA, requested approval to appoint Susan Potter and Rita Atencio as EF Examiners.

It was m/s/c (Osuna/Terlet) to approve.

PUBLIC COMMENT

No public comment was given. Meeting was adjourned at 3:00 P.M.



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Enforcement Committee
August 8-9, 2002
San Francisco, California

Minutes

Chairman Michael Pinkerton called the Enforcement Committee meeting to order at approximately 2:00 p.m. Roll was called and a quorum established.

Members Present

Michael Pinkerton, Public Member – Chair
LaDonna Drury-Klein, RDA
Chester Yokoyama, DDS
David Baron, Public Member

Members Absent

Alan H. Kaye, DDS

Staff Present

Alan Mangels, Attorney General Liaison
Norine Marks, Legal Counsel (came in while meeting in session)
Anita Scuri, Legal Counsel

ENFORCEMENT AGENDA ITEM 3 - Approval of Minutes - May 16, 2002

It was m/s/c (Yokoyama/Baron) to approve the minutes from the May 2002 meeting with changes as noted:

Discussion:

Anita Scuri conveyed changes noted by Norine Marks. Page 4, about one-half way down on paragraph that starts out, "Chairman Pinkerton inquired as to whether Dr. Kaye would consider amending his motion. He agreed, and legal counsel clarified that under §1043.6 the Board is entitled to pass or fail. If the applicant fails, the applicant is entitled to come back and appeal. That is accurate, but legal counsel did not know at the time that the applicant had already failed twice. Although the minutes are accurate insofar as what was said, they don't reflect what actually took place. This was called to the Enforcement Committee's attention even though it would not require a change in the minutes.

On page 5, sentence starting “Any other member. . .” The sentence should be struck out and should state, “If a quorum of the Board is present, members not on the committee may only be observers.”

Mr. Baron noted that his name was misspelled on some items and requested it be corrected.

**** Staff has made the changes to the May 2002 minutes.*

ENFORCEMENT AGENDA ITEM 4 - Special Permits Approval

This item was put over until 8:45 a.m., Friday August 9, 2002. Members did not have all items in the handouts for the agenda.

ENFORCEMENT AGENDA ITEM 5 – Approval of Extramural Dental Facilities

Dr. D. Allen Pulsipher
39755 Murrieta Hot Springs Road
Suite B130
Murrieta, CA 92356

Supervising Facility
Dr. D. Allen Pulsipher, DDS, MD
California License 41667
Oral & maxillofacial surgery

It was m/s/c (Baron/Yokoyama) to approve the extramural dental facility application.

Discussion:

Loma Linda University requesting an extramural facility.

ENFORCEMENT AGENDA ITEM 6 - Request to Issue a New License to Replace a Cancelled License

William S. Pourcho, DDS
303 Gray Woods Lane
Lake Angelus, MI 48326

5 year delinquency rule - practicing in State of Michigan.

It was m/s/c (Yokoyama/Baron) to approve issuing a new license to replace a cancelled license. Member Drury-Klein objected to approval.

Discussion:

Lynn Wood, California Dental Hygienist Association, inquired as to why the requirement for continuing education was 150 hours rather than 200 hours in the application. Ms. Wood noted that the applicant has less than 100 hours of verified continuing education. Staff counsel noted that the statute covering issuance of a new license for a cancelled license does not require a specific number of continuing education credits. Alan Mangels stated that, historically, the focus on this was the due regard for public safety. The thrust of the matter was that the applicant have the same amount of continuing education that would be required had the license been current.

LaDonna Drury-Klein stated that the number of continuing education hours submitted with the application is contradictory to the Board staff's check list and some hours were not verified.

Legal counsel, Anita Scuri, stated the committee could decide whether it wishes to make the person take the licensing exam or whether the committee wishes to do something in the alternative such as approve it contingent upon submission of what the committee agrees is sufficient continuing education. LaDonna Drury-Klein was concerned that the members would not know whether the contingency regarding continuing education was ever followed through by Board staff.

Bonnie Moorehead of the San Joaquin Dental Society commented that the dates regarding continuing education on the application are not specific. If the applicant is currently licensed in another state and has kept his license current, even if he doesn't have proof of the continuing education, the committee might want to consider what impact that would have on its decision. Chairman Pinkerton stated that continuing education credits needed for other professions are often self-certified. Alan Mangels clarified that the 200 units required was based on the 50 units per year requirement – adding up to 200.

Dr. Yokoyama was impressed by the letters of recommendation and felt comfortable about moving forward on this, even without the verified continuing education credits. Alan Mangels noted that the applicant indicated a previous discipline matter on his application.

Wallace M. Remsen, DDS

591 Rabbit Ridge Road
Reno, NV 89511

5 year delinquency rule - (presented, not approved at May 2002 meeting due to lack of information)

Retired moved to Nevada - teaching in dental hygiene field

It was m/s/c (Drury-Klein/Yokoyama) to defer a decision on this request until a competency evaluation at one of the dental schools in California was received. Upon completion of that evaluation, the application may come back to the Board for issuance of a license.

Discussion:

Dr. Remsen was present and he does not have plans to actively practice but plans to teach clinically either in California or Nevada. He has been teaching a dental materials laboratory to hygienists in Nevada. He feels he is a clinician and would love to teach clinically. In order to do that, he would need a Nevada license. Nevada has licensing by credential but the applicant has to have an active license in another state. He practiced 30 years in California, retired and moved to Lake Tahoe and then to Reno. The last time he saw a patient was in 1994.

Staff counsel reminded committee members that in issuing a license, they may practice any aspect of dentistry within the State of California. However, pursuant of §1718.3, the committee has the ability to impose conditions on the license such as some indication of continued competency if, as in this case, the dentist has not practiced for some time.

LaDonna Drury-Klein inquired as to whether the licensing by credential in Nevada requires that the applicant be actively participating in dentistry during a certain amount of time. Dr. Remsen clarified that it must be within the last five years, but that is also at the discretion of the Board. Member Drury-Klein clarified that if a person goes to Nevada with an out-of-state license, it's anticipated that the applicant has clinically worked within the last five-year time period. Dr. Remsen said that was presumed, but that is the discretion of the Nevada Board. Chairman Pinkerton made the observation that the Board has previously imposed retraining or certification requirements before reissuing a license. Dr. Remsen stated that was suggested by Board staff and he did go to UOP. The dean referred him to Dr. David Nielsen who is Associate Dean in charge of graduate studies. Dr. Remsen did go, but he was not examined for competency. Dr. Remsen suggested that the Board consider having him take the second, clinical portion of the National Boards.

Bonnie Moorehead clarified that only the state board exam is a hands-on clinical exam. She also stated that since Dr. Remsen had practiced orthodontics, and not general dentistry, it would be difficult to expect him to take the clinical exam based on general dentistry principles. UOP does have a restorative technique program for foreign dentists to see if they are capable of taking the state Board exam.

Oscar Holtzclaw, DDS
2416 Columbus Avenue
Sandusky, OH 44870

5 year delinquency rule - left CA and has been assisting in VA hospital

It was m/s/c (Klein/Yokoyama) to deny the application to issue a new license to replace a cancelled license.

Discussion:

Dr. Holtzclaw stated he lost his license because he didn't pay the fees when he went to Cleveland to care for his father. He was not aware that his license would cancel after a certain number of years if the fees were not paid. He's been working in Ohio at the federal and state level through a veteran's hospital. Ms. Drury-Klein inquired as to how long ago the doctor had worked on a patient. Dr. Holtzclaw stated he had worked on a patient about a week and a half ago. It's been 12 years since he worked on a patient in California.

Legal counsel clarified that this matter had been before the Board in April and the request was denied based on the amount of time Dr. Holtzclaw had been away from the practice of dentistry and the outdated letters of reference. He did supply another letter of reference and he is appealing the committee's decision. Committee member Drury-Klein clarified that the doctor was not licensed in Ohio. She stated that she has the same concerns as the previous application. She feels that the committee is in the position that to assess the general competence of a dentist who has not practiced in California in the last 12 years. Dr. Holtzclaw stated he has worked in Ohio part time in an exempt setting because a license is not required for him to work at the veteran's hospital. Dr. Yokoyama stated that a license in another state would have a bearing on the committee's decision. Upon inquiry, Dr. Holtzclaw stated he did not go through an evaluation in order to work at the veteran's home.

Upon motion to deny the application, staff counsel noted that the previous applicant was also not licensed in another state. Member Drury-Klein stated she was aware of that, but this had been a lapse of 12 years. Upon completion of the motion and the vote, staff counsel stated the applicant could apply to take the California licensing examination or he could try this process again after he has received a very good assessment of his competency to take the licensing exam.

ENFORCEMENT AGENDA ITEM 7 - Approval of Course in Administration of Oral Conscious Sedation for Minor Patients

UCSF - Course in oral medications and sedation

It was m/s/c (Yokoyama/Drury-Klein) to approve the course.

ENFORCEMENT AGENDA ITEM 8 – General Anesthesia/Conscious Sedation/Oral Conscious Sedation Permits

No items were presented for consideration

Public Comment

Dr. Stephen Morrow, Loma Linda School of Dentistry, commented on agenda items regarding renewal of cancelled licenses. There are situations where a doctor can continue his or her license by simply paying the required fees even though they may not be actively practicing. He requested the committee look at these situations. Legal counsel, Norine Marks, pointed out that the applicant must also comply with the continuing education requirements. Dr. Morrow noted that attending continuing education courses that are not participatory gives you foundational knowledge, but it does not give you clinical skills.

Chairman Pinkerton recessed the meeting until staff was available to assist with further action on Agenda Item 4.

The meeting reconvened at 8:45 a.m. on Friday, August 9, 2002 to discuss Agenda Item 4. All members and staff present at the August 8, 2002 meeting were present. Additional staff present were Assistant Executive Officer Richard DeCuir and Enforcement Coordinator Peggy Bagdasarian. A quorum was established.

ENFORCEMENT AGENDA ITEM 4 Special Permits Approval

Majed Ibrahim Moawad

University of California, San Francisco
School of Dentistry
Specialty: Orthodontics

It was m/s/c (Drury-Klein/Yokoyama) to deny the Special Permit application.

Discussion:

LaDonna Drury-Klein noted that there was no copy of the out-of-state license in the packet. The date in the application showed post-graduate studies prior to completing dental school. The dates in the application were full of inconsistencies.

Christine Inge Peters

University of the Pacific
School of Dentistry
Specialty: Endodontics

It was m/s/c (Drury-Klein/Baron) to approve the special permit application.

Discussion:

The application was complete.

Radhika Chigurupati

University of California, San Francisco
School of Dentistry
Specialty: Oral & Maxillofacial Surgery

It was m/s/c (Drury-Klein/Yokoyama) to deny the special permit application at this time with the provision to bring it back to the committee when further documentation was received.

Discussion:

Richard DeCuir pointed out that the out-of-state license certificate from the University of Pennsylvania did not show the dean's certification. The individual sent in his actual license. A certification from the dean is required. LaDonna Drury-Klein noted that there was no current contract from the applicant's present employer and no letters of recommendation.

The committee adjourned at 9:00 a.m.