

**BOARD OF DENTISTRY
GENERAL BUSINESS MEETING MINUTES
November 17, 2017
Radisson Resort Orlando-Celebration
2900 Parkway Blvd.
Kissimmee, Florida 34747
(407) 997-7032
7:30 A.M.**

Participants in this public meeting should be aware that these proceedings are being recorded and that an audio file of the meeting will be posted to the board's website.

I. CALL TO ORDER/ROLL CALL

MEMBERS PRESENT

Catherine Cabanzon, RDH, BASDH, Chair
Joseph Calderone, DMD
T.J. Tejera, DMD
Claudio Miro, DDS
William Kochenour, DDS
Nick Kavouklis, DMD,
Naved Fatmi, DMD
Angela Sissine, RDH
Fabio Andrade, Consumer Member

COURT REPORTER

American Court Reporting
Cindy Green
(407) 896-1813
ReportingOrlando@aol.com

STAFF PRESENT

Jennifer Wenhold, Executive Director
Jessica Sapp, Program Administrator

BOARD COUNSEL

David Flynn, Esq.
Assistant Attorney General

PROSECUTING ATTORNEY

Rose Garrison, Esq.
Asst. General Counsel, PSU
John Wilson, Esq.
Asst. General Counsel, PSU

Ms. Cabanzon called the meeting to order and welcomed Dr. Kavouklis and Mr. Andrade to the Board.

Ms. Cabanzon read the Department of Health's mission: To protect, promote & improve the health of all people in Florida through integrated state, county, & community efforts.

II. PRESENTATION ON PERIODONTAL LASER THERAPY

DR. SAMUEL LOW, DDS, MS, M.Ed

Dr. Low gave a presentation before the Board on the use of lasers in the practice of dentistry.

The board discussed the training requirements if this were to be a delegable task.

Dr. Low suggested to make the requirement the best it can be to protect the consumers of

Florida. The board continued further discussion during the Council on Dental Hygiene agenda item.

III. THE USE OF LIVE PATIENTS IN THE ADEX EXAM
DR. GUY SHAMPAINÉ, DDS

Ms. Cabanzon introduced Dr. Shampaine and David Perkins, Chairman of the CDCA. Dr. Shampaine presented to the board on the dental exam and why the use of live patients is important.

IV. REVIEW OF MINUTES

A. August 25, 2017 General Board Meeting

The minutes of the August 25, 2017 meeting were reviewed and the following action was taken by the Board:

Motion: by Dr. Kochenour to approve

Second: by Dr. Tejera

Vote: Unanimous

V. REPORTS

A. Board Counsel

i. Rules Report

Mr. Flynn provided the board with an update of the rules moving through the process. Rule 64B5-14, F.A.C. was recently amended to update the terminology of Conscious Sedation to Moderate Sedation. This became effective November 13, 2017. Holders of those permits will receive new permits with the new terminology.

ii. Annual Regulatory Plan

The Board ratified Mr. Flynn's Annual Regulatory Plan

B. Executive Director

i. MQA's Multi-Board Workgroup Update

Ms. Wenhold provided the Board with an overview of MQA's Multi-Board Workgroup which held meetings on June 2, 2017 and November 3, 2017. Discussions included the CDC's new prescribing guidelines, continuing education requirements related to prescribing, alternative treatment therapies, and to develop strategies to combat the over prescribing of controlled substances. The Board was provided a copy of SB 8 and requested the Board's support of the legislation.

Dr. Tejera provided an overview of the bill which includes a continuing education requirement for renewal for prescribing professions, authorizing disciplinary action against practitioners for violating specific provisions relating to controlled substances, limiting opioid prescriptions for the treatment of acute pain and the requirement to participate in the prescription drug monitoring

program. He encouraged the Board to support the bill.

Motion: by Dr. Fatmi to support the bill by sending such letter to the Governor's office

Second: by Dr. Calderone

Vote: Unanimous

- ii. SB 458, An Act Relating to Controlled Substance Prescribing
- iii. SB 8, An Act Relating to Controlled Substances
- iv. SB 280, An Act Relating to Telehealth
- v. HB 369, An Act Relating to Dental Student Loan Repayment Program
- vi. Financial Reports

Ms. Wenhold provided an update of the Board's financial position. The Board is currently in a chronic deficit and further discussion will need to be had to combat that.

Don Ilkka, with the Florida Dental Association, was a part of a task force to increase biennium fees for three biennium's and consider a one-time assessment fee. Those increases are currently not popular options so board staff is working creatively to ensure we are efficiently regulating.

Dr. Tejera indicated that Maryland has an efficient sedation inspection program and is willing to obtain that information so that we may gain additional ideas to efficiently perform inspections.

C. Chair

Ms. Cabanzon expressed her appreciation for the opportunity to chair the Board. She also recognized Mr. Tim Pyle and thanked him for his service as the former consumer member.

D. Board Members

- i. Dr. Fatmi, AADB Meeting Overview

Dr. Fatmi provided an overview of the annual AADB meeting.

- ii. Dr. Fatmi, Rules Committee Overview

Dr. Fatmi held a Rules Committee meeting on November 16, 2017 and provided an overview of the rules the committee will be working on. This includes removing the continuing education requirement for teaching permits, delegable tasks of dental assistants and hygienists and cleaning up the continuing education rule. Committee members will be working on the rules with Board Counsel and staff and drafts will be brought to a future board meeting.

- iii. Ms. Cabanzon, Council on Dental Hygiene Overview

Ms. Cabanzon provided an update of the October 11 and October 27, 2017 Council meetings. The Council proposed the following rule amendments:

Rule 64B5-13.001, F.A.C. Determination of Probable Cause

During the October 11, 2017 Council on Dental Hygiene meeting, the Council voted to propose the following rule amendment:

64B5-13.001 Determination of Probable Cause.

(1) The probable cause panel by majority vote shall determine whether probable cause exists to believe that a licensee has violated the provisions of Chapter 456 or 466, F.S., or the rules of the Department or Board.

(2) The probable cause panel shall be appointed by the Chairman and shall be composed of three members, two of which must be dentists who hold valid and active dental licenses in this State. At least two members of the probable cause panel must be present to constitute a quorum. If only two members are present, the determination of probable cause shall require the affirmative vote of both members present.

(a) One or two members may be former dentist or consumer Board members.

(b) At least one member must be a current Board member who holds a valid and active license in this State.

(c) At least one member must be a current or former consumer member of the Board if one is available and willing to serve.

(d) When an investigation report of a dental hygienist or a dental radiographer will be considered by the panel, at least one member must be a current or former dental hygienist member of the Board if one is available and willing to serve.

(e) (d) Any former dentist member of the Board appointed to the panel must currently hold a valid and active dental license in this State.

(f) (e) Probable cause panel members shall serve for one year terms but may serve successive terms.

(3) The probable cause panel shall meet as necessary to conduct business as determined by the Chairman of the Board or the Chairman of the panel.

After discussion, the following action was taken:

Motion: by Dr. Kochenour to approve the proposed language

Second: by Dr. Tejera

Vote: Unanimous

Motion: by Dr. Tejera that the Board considered the economic impact and determined that a Statement of Estimated Regulatory Cost was not necessary and the rule will not need legislative ratification.

Second: by Dr. Kochenour

Vote: Unanimous

Motion: by Dr. Tejera to determine that this rule is not considered a minor violation

Second: by Dr. Kochenour

Vote: Unanimous

Rule 64B5-16.006, F.A.C. Remediable Tasks Delegable to a Dental Hygienist

During the October 27, 2017 Council on Dental Hygiene meeting, the Council voted to

propose the following rule amendment:

64B5-16.006 Remediable Tasks Delegable to a Dental Hygienist

(1) No Change

(2) The following remediable tasks may be performed by a dental hygienist who has received training in these procedures in pre-licensure education or who has received formal training and who performs the tasks under indirect supervision:

(a) through (l) No Change

(m) Using adjunctive oral cancer screening medical devices approved by the U.S. Food and Drug Administration.

(3) through (6) No Change

Dr. Calderone asked if the dentist would perform another oral cancer screening after the hygienists evaluates. Ms. Cabanzon explained that this tasks would be under indirect supervision. The dentist is liable for every delegable act.

Dr. Becky Smith, with the Florida Dental Hygienists' Association, addressed the Board in support of the rule amendment.

Motion: by Ms. Cabanzon to accept the Council's recommendation

Second: by Dr. Tejera

Vote: Unanimous

Motion: by Dr. Tejera that the Board considered the economic impact and determined that a Statement of Estimated Regulatory Cost was not necessary and the rule will not need legislative ratification.

Second: by Dr. Kochenour

Vote: Unanimous

Motion: by Ms. Cabanzon to determine that this rule should not be considered a minor violation

Second: by Dr. Tejera

Vote: Unanimous

Rule 64B5-16.001, F.A.C. Definitions of Remediable Tasks and Supervision Levels

During the October 27, 2017 Council on Dental Hygiene meeting, the Council voted to propose the following rule amendment:

64B5-16.001 Definitions of Remediable Tasks and Supervision Levels.

CURRENT WORDING

(1) Remediable tasks, also referred to as expanded functions of dental assistants, are those intra-oral tasks which do not create unalterable changes in the oral cavity or contiguous structures, are reversible and do not expose a patient to increased risks. The use of a laser or laser device of any type is not a remediable task.

PROPOSED WORDING

(1) Remediable tasks, also referred to as expanded functions of dental assistants, are those intra-oral tasks which do not create unalterable changes in the oral cavity or contiguous structures, are reversible and do not expose a patient to increased risks. ~~The use of a laser or laser device of any type is not a remediable task.~~ Dental Hygienists are authorized to use

laser technology while performing remediable tasks within the dental hygienist's scope of practice.

A. A licensee who is a laser user must first successfully complete training that covers at a minimum laser physics, safety, and appropriate use prior to utilizing the laser. The course must be a minimum of twelve hours in length, contain a hands on opportunity, and a learning assessment instrument. Three of the twelve hours must include clinical simulation laser training similar to the procedures that the hygienist will perform.

B. Training must be obtained through a course provided or recognized by any of the following organizations (or a successor organization):

1. A Commission on Dental Accreditation (CODA) accredited institution;
2. The American Dental Association (ADA) Continuing Education Recognition Program (CERP); or
3. The Academy of General Dentistry (AGD) Program Approval for Continuing Education (PACE).

C. A dentist who supervises a dental hygienist in the use of lasers must have laser education and training sufficient to adequately supervise the dental hygienist, including but not limited to meeting the training requirements required of dental hygienists in subsection (A) of this section.

D. All lasers must be used in accordance with the minimum standard of care and accepted safety guidelines.

The council also discussed moving the proposed changes of A-C to Rule 64B5-16.002(2) and removing the proposed subsection (d).

Dr. Becky Smith addressed the Board and she explained the outcome of the workgroup which included Dr. Low, Dr. Rashkind, and Angie Mott-Wallace.

Dr. Calderone would like to see more research and possibly a task force formed to gather additional information.

Ms. Sissine expressed concerns that the proposed language does not specify wavelengths and types of lasers.

The rule would need to go back to the Council for the development of a task force.

Dr. Fatmi agrees that this should be under direct supervision and that language needs to be added to include wavelengths.

Ms. Cabanzon indicated that she will not move forward with the rule if the Board requests this task be moved under direct supervision.

Dr. Miro believes patients can benefit from this and doesn't want to see the proposal die.

Mr. Andrade would like to see more evidence about how it effects the consumer.

After discussion, the following action was taken:

Motion: by Ms. Cabanzon to bring back to the hygiene council for further discussion
Second: by Dr. Fatmi

Ms. Cabanzon invited Dr. Tejera to participate on the call as well as Ms. Angie Mott-Wallace

Vote: Unanimous

VI. DISCIPLINARY PROCEEDINGS

A. Settlement Agreements

- i. Scott Welch, DDS, Case No. 2016-19906
(PCP – Thomas, Miro, Robinson)

Dr. Welch was not present or represented by counsel.

Mr. Delia summarized the case for the board. Respondent was charged with the following violation: Section 466.028(1)(b), Florida Statutes, by having a license to practice dentistry suspended or otherwise acted against by the Wyoming Board.

A Settlement Agreement was presented to the Board with the following terms:

- Appearance is not required due to Respondent's residence in Wyoming
- Letter of Concern
- Maintain compliance with all conditions of the Settlement Agreement, Stipulation and Order for Suspension (Wyoming Order) the Wyoming Board of Dental Examiners entered into with Respondent on or about May 26, 2016.
- Costs of \$103.84 to be paid within six (6) months

After discussion, the following action was taken:

Motion: by Ms. Sissine to reject the Settlement Agreement
Second: by Dr. Kochenour
Vote: Unanimous

Motion: by Ms. Sissine to offer a counter agreement that includes the original terms without the Letter of Concern
Second: by Dr. Tejera
Vote: Unanimous

- ii. Anilkumar C. Patel, DDS, Case No. 2015-29455
(PCP – Thomas, Miro, Robinson)

Dr. Patel was present and sworn in by the court reporter. He was represented by Tom Kaufman, Esq. Dr. Miro and Dr. Kavouklis were recused.

Ms. Garrison summarized the case for the board. Respondent was charged with the following violation: Section 466.028(1)(x), Florida Statutes, by failing to meet the minimum standards of performance in diagnosis and treatment by failing to select an appropriate size

for the implants placed; by failing to adequately place an implant equal to or slightly below the crest of the bone; by failing to adequately diagnose a surgical complication; by failing to provide patient with a referral to a specialist or provide appropriate treatment; or by having paid an indemnity in the amount of \$214,500.00 to patient as a result of negligent conduct.

A Settlement Agreement was presented to the Board with the following terms:

- Appearance
- Reprimand
- \$5,000 fine to be paid within twelve (12) months
- Costs of \$4,000.00 to be paid within twelve (12) months
- Continuing Education to be completed within six (6) months to include a 7-8 hour course as necessary to determine competency in Placement of Implants.
- Successful completion of the Laws and Rules exam within twelve (12) months

After discussion, the following action was taken:

Motion: by Dr. Tejera to reject the Settlement Agreement

Second: by Dr. Kochenour

Vote: Unanimous

Motion: by Dr. Tejera to offer a counter agreement that includes the same terms except with the addition to refrain from placing implants until the remedial course is completed.

Second: by Dr. Kochenour

Vote: Unanimous

Dr. Patel accepted the counter agreement on the record

- iii. Kristina Dawn Russell, DMD, Case No. 2013-13819
(PCP – Thomas, Calderone, Britten)

Dr. Russell was present and sworn in by the court reporter. She was represented by Carol Shrewver, Esq. Dr. Calderone was recused from this case.

Ms. Garrison summarized the case for the board. Respondent was charged with the following violation: Section 466.028(1)(x), Florida Statutes, by failing to meet the minimum standards of performance in diagnosis and treatment by failing to fill patient's root canal with sufficiently dense material to completely seal the involved roots; by failing to use an appropriate post to support the post/core build-up that was performed after the root canal treatment.

A Settlement Agreement was presented to the Board with the following terms:

- Appearance
- Letter of Concern
- Costs of \$4,000.00 to be paid within two (2) years
- Continuing Education to be completed within twelve (12) months to include a 3-6 hour course as necessary to determine competency in Endodontics.
- Successful completion of the Laws and Rules exam within twelve (12) months
- Patient reimbursement within 6 months of \$850.00.

After discussion, the following action was taken:

Motion: by Dr. Kochenour to accept
Second: by Dr. Tejera
Vote: Unanimous

iv. Robert W. Balch, DDS, Case No. 2015-17184
(PCP – Thomas, Fatmi, Britten)

Dr. Balch was present and sworn in by the court reporter. He was represented by Robin Black, Esq. Dr. Fatmi and Dr. Kavouklis were recused.

Mr. Delia summarized the case for the board. Respondent was charged with the following violation: Section 466.028(1)(x), Florida Statutes, by failing to meet the minimum standards of performance in diagnosis and treatment by making multiple attempts to restore a tooth with a crown even though the tooth was non-restorable; and/or by seating multiple crowns on the tooth without verifying the fit to avoid open margins; and/or failing to take appropriate steps to correct the fit of the crown on the tooth once it became compromised.

A Settlement Agreement was presented to the Board with the following terms:

- Appearance
- Letter of Concern
- \$2,500.00 fine to be paid within six (6) months
- Costs of \$3,506.03 to be paid within six (6) months
- Continuing Education to be completed within six (6) months to include a 7-12 hour course as necessary to determine competency in Crown and Bridge and a 3-6 hour course as necessary to determine competency in Treatment Planning
- Successful completion of the Laws and Rules exam within twelve (12) months

After discussion, the following action was taken:

Motion: by Ms. Sissine to reject the Settlement Agreement
Second: by Dr. Kochenour
Vote: Unanimous

Motion: by Ms. Sissine to offer a counter agreement that includes the same terms with the exception to issue a Reprimand instead of a Letter of Concern and to increase the fine to \$5,000.00.
Second: by Dr. Calderone
Vote: Unanimous

Dr. Balch accepted the counter agreement on the record.

v. Matthew Robert Moye, DDS, Case No. 2010-21018
(PCP – Thomas, Calderone, Britten)

Dr. Moye was not present but was represented by Edwin Bayo, Esq.

Ms. Garrison summarized the case for the board. Respondent was charged with the following violation: Section 466.028(1)(c), Florida Statutes, by being convicted or found guilty of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime in any jurisdiction which related to the practice of dentistry.

The family of the victim was present to address the Board.

A Settlement Agreement was presented to the Board with the following terms:

- Appearance was not required but Respondent's counsel shall be present to answer any questions of the Board
- Reprimand
- Suspension of licensure to practice dentistry until such time as Respondent demonstrates to the Board, by petition, Respondent's ability to practice dentistry with reasonable skill and safety to patients and the Board enters an Order lifting the suspension.
- \$1,000.00 fine to be paid within one (1) year of the date of Order lifting suspension
- Costs of \$3,000.00 to be paid within one (1) year of the date of Order lifting suspension
- Successful completion of the Laws and Rules exam within one (1) year

After discussion, the following action was taken:

Motion: by Mr. Andrade to reject the Settlement Agreement

Second: by Dr. Miro

Vote: Unanimous

Motion: by Dr. Tejera to send to the Division of Administration Hearings to seek revocation

Second: Kochenour

Vote: Carried 9/1

- vi. Scott Merrick Lampert, DDS, Case No. 2016-24725
(PCP – Thomas, Miro, Robinson)

Dr. Lampert was present and sworn in by the court reporter. He was represented by Melissa Krepps, Esq. Dr. Kavouklis was recused.

Ms. Garrison summarized the case for the board. Respondent was charged with the following violation: Section 466.028(1)(x), Florida Statutes, by failing to meet the minimum standards of performance in diagnosis and treatment by failing to diagnose the need for a post on the patient's tooth to support the core build up and bridge; and/or by failing to adequately seat and verify the fit of the bridges placed to avoid open margins.

A Settlement Agreement was presented to the Board with the following terms:

- Appearance
- Letter of Concern
- \$3,500.00 fine to be paid within twelve (12) months
- Costs of \$2000.00 to be paid within twelve (12) months

- Continuing Education to be completed within six (6) months to include a 7-8 hour course as necessary to determine competency in Fixed Prosthodontics
- Patient reimbursement in the amount of \$4,944.00 to be paid within twelve (12) months
- Successful completion of the Laws and Rules exam within twelve (12) months

After discussion, the following action was taken:

Motion: by Dr. Tejera to accept

Second: by Dr. Kochenour

Vote: Unanimous

- vii. Mark A. Weiskopf, DDS, Case No. 2016-24732
(PCP – Thomas, Miro, Robinson)

Dr. Weiskopf was present and sworn in by the court reporter. Dr. Miro and Dr. Kavouklis were recused.

Ms. Garrison summarized the case for the board. Respondent was charged with the following violation: Section 466.028(1)(x), Florida Statutes, by failing to meet the minimum standards of performance in diagnosis and treatment by failing to diagnose the need for a post on the patient's tooth to support the bridge; by failing to adequately seat and verify the fit of the bridge placed to avoid open margins; or by failing to adequately place a post sufficient to support the last placed crown by Respondent on the patient's tooth.

A Settlement Agreement was presented to the Board with the following terms:

- Appearance
- Letter of Concern
- \$1,750.00 fine to be paid within six (6) months
- Costs of \$2,000.00 to be paid within twelve (12) months
- Continuing Education to be completed within twelve (12) months to include a 7-12 hour course as necessary to determine competency in Prosthodontics
- Patient reimbursement in the amount of \$6.00 to be paid within six (6) months
- Successful completion of the Laws and Rules exam within twelve (12) months

After discussion, the following action was taken:

Motion: by Dr. Fatmi to reject the Settlement Agreement

Second: by Dr. Kochenour

Vote: Unanimous

Motion: by Dr. Fatmi to offer a counter agreement to impose only a Letter of Concern and costs of \$2,000.00.

Second: by Dr. Kochenour

Vote: Carried 8/2

Dr. Weiskopf accepted on the record

- viii. Justin A. Martone, DMD, Case No. 2017-00367

(PCP – Thomas, Miro, Robinson)

- ix. Justin A. Martone, DMD, Case No. 2016-21584
(PCP – Thomas, Miro, Robinson)

Dr. Martone was present and sworn in by the court reporter. Dr. Miro was recused from the cases.

Ms. Garrison summarized Case No. 2017-00367 for the board. Respondent was charged with the following violation: Section 466.028(1)(m), Florida Statutes, by failing to document the results of the limited oral evaluation Respondent conducted on the patient; by failing to document sufficient justification for the extraction of the patient's tooth; or by failing to document justification for the use of anesthetic agents include recording in the patient record the drugs used and the dosages of each drug used in administering anesthesia, including local anesthesia.

Ms. Garrison summarized Case No. 2016-21584 for the board. Respondent was charged with the following violations: **Count I:** Section 466.028(1)(n), Florida Statutes, by failing to provide medical records upon request to the patient. **Count II:** Section 466.028(1)(mm), Florida Statutes, by failing to provide written notification to the department of his current mailing address. **Count III:** Section 466.028(1)(mm), Florida Statutes, by failing to adhere to the notification requirements when he terminated his dental practice.

A global Settlement Agreement was presented to the Board with the following terms:

- Appearance
- Reprimand
- \$7,500.00 fine to be paid within one (1) year
- Costs of \$3000.00 to be paid within one (1) year
- A 3-6 hour Continuing Education course in Record Keeping through a Board approved provider
- Successful completion of the Laws and Rules exam within one (1) year

After discussion, the following action was taken:

Motion: by Dr. Calderone to accept

Second: by Dr. Fatmi

Vote: Unanimous

B. Voluntary Relinquishments

- i. Phillip Provenzale, DDS, Case No. 2017-01003
(PCP Waived)

Dr. Provenzale was not present nor represented by counsel.

Ms. Garrison presented the case which consist of the following alleged violations: Section 456.072(1)(k)(z)(dd), 466.028(1)(i)(s)(mm) and Rule 64b5-13.005(1)(i)(s)(ll).

Motion: by Dr. Tejera to accept the Voluntary Relinquish

Second: by Dr. Kochenour

Vote: Unanimous

C. Recommended Order

- i. Juan Francisco Sanchez, RDH, Case No. 2016-09999
(Cabanzon, Thomas, Robinson)

Mr. Sanchez was not present nor represented by counsel. Dr. Kavouklis and Ms. Cabanzon were recused.

On May 27, 2015, the Department filed an amended Administrative Complaint for a violation of Section 456.063(1), F.S. by engaging or attempting to engage in, or inducing or attempting to induce patients to engage in sexual activity outside the scope of Respondent's professional practice. The matter was referred to the Division of Administrative Hearings. The Administrative Law Judge recommended the Board of Dentistry enter a Final Order revoking the license of Mr. Sanchez.

The Department filed exceptions to the Recommended Order to clarify the date of patient BM2's deposition date as it was on February 5, 2016, not February 5, 2015. After hearing from the Department, the following action was taken based on the oral presentation:

Motion: by Dr. Tejera to find there is no evidence to support the date of Feb 5, 2015 and accept the Department's exception

Second: by Dr. Kochenour

Vote: Unanimous

Following discussion, the following action was taken by the board:

Motion: by Dr. Kochenour to accept the Recommended Order and impose revocation

Second: by Dr. Calderone

Vote: Unanimous

The motion for costs was withdrawn.

Motion: by Dr. Miro to waive the costs of the investigation and prosecution

Second: by Dr. Tejera

Vote: Unanimous

VII. PROSECUTION REPORT

A. John Wilson, Assistant General Counsel

Mr. Wilson provided the prosecution report to the board.

Legal Case Status	Report Dated 4/27/2017	Report Dated 8/22/2017	Report Dated 11/17/2017
Total cases open/active in Prosecution Services:	323	320	292
Cases in intake status:	2	2	2
Cases in holding status:	1	1	1
Cases in Emergency Action Unit:	5	9	5
Cases under legal review:	153	177	161
Cases awaiting supplemental investigation:	2	7	6
Cases where a recommendation has been made for future Probable Cause Panel meetings:	99	67	66
Total cases where probable cause has been found:	69	77	59
Cases pending before DOAH:	0	1	1
Cases agendaed for current or future Board meeting:	21	25	17
Cases pending before Appeals Court:	0	0	0
Cases a year or older from legal review:	128	108	104

Motion: by Dr. Tejera to allow prosecution to continue prosecuting year old cases.
Second: by Dr. Kochenour
Vote: Unanimous

VIII. PETITION FOR DECLARATORY STATEMENT

A. Item Removed

IX. REVIEW OF APPLICATIONS

A. Application for Dental Expanded Duties

i. Florida Dental Association Online Radiography Program

Casey Stoutamire was present and sworn in by the court reporter. The Florida Dental Association submitted this application for the Board to consider approving their proposed online radiography program. She suggested the Board work on the rule and keep the application on file.

This discussion was referred to the Dental Assisting committee.

X. DISCUSSION

A. Sedation Center Business Model

Webb Millsaps, Esq. was present on behalf of the American Pediatric Dental Group to seek ratification from the Board of a Dedication Pediatric Dentistry Sedation Office.

Mr. Flynn indicated that such a request would need to be completed through a rule change.

B. Florida Mission of Mercy Request

Ms. Stoutamire requested the Board approve their annual event, Florida Mission of Mercy.

Motion: by Dr. Tejera to approve the FDA Foundation's request to permit out of state licensed dentists for their upcoming Mission of Mercy event

Second: by Dr. Kochenour

Vote: Unanimous

XI. FOR YOUR INFORMATION

A. 2017 Board Committee List

Ms. Cabanzon explained the make-up of the Board's committees. Mr. Andrade accepted Dr. Fatmi's nomination as the Budget Liaison.

- B. FDHA President Letter of Introduction**
- C. Bridget McDonnell's Letter to the Board**
- D. ADEX Meeting Highlights**
- E. Telehealth Advisory Council Report**

XII. NEW BUSINESS

A. Licensure Ratification Lists

After discussion, the following action was taken:

Motion: by Dr. Tejera to approve the licensure ratification lists
Second: by Dr. Kochenour
Vote: Unanimous

Motion: by Dr. Tejera to approve the sedation permit ratification list
Second: by Dr. Kochenour
Vote: Unanimous

B. 2017 Board Elections

Motion: by Dr. Kochenour to nominate Dr. Fatmi as Vice Chair
Second: by Dr. Calderone
Vote: Unanimous

Dr. Fatmi accepted

Motion: by Dr. Kochenour to nominate Dr. Tejera
Second: by Dr. Calderone
Vote: Unanimous

Dr. Tejera accepted

XIII. OLD BUSINESS

XIV. ADJOURNMENT

Motion: by Dr. Kochenour to adjourn at 2:45 p.m.
Second: by Dr. Miro
Vote: Unanimous