ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

ILLINOIS BOARD OF DENTISTRY

MINUTES

Date: August 30, 2005
Time: 9:00 a.m.
Adjournment: 12:30 p.m.
Location: IDFPR Springfield Office, Room 376

Board Members Present: Dr. Charles Johnson, Chairman
Dr. Alan J. Shapiro, Vice-Chairman
Dr. Barbara L. Mousel, Secretary
Mr. Bob T. Bastas, Public Member
Dr. Geri Ann DiFranco, Member
Ms. Debra L. Grant, R.D.H., Member
Dr. Richard Gregory, Member
Dr. J. Michael Krisko, Member
Ms. Carlene R. Snell, R.D.H., Member
Dr. Melanie Watson-Montgomery, Member

Board Members Absent: Dr. Anthony M. Spina, Member

Staff Present: Daniel Kelber, Legal Counsel
Neal Draznin, Health Related Coordinator
Mary Jo Southard, Chief Testing Officer
Barb Smith, Rules Coordinator
Bruce Paton, Legal Staff
Alicia Purchase, Board Liaison

Organizations Represented: Illinois State Dental Society
Illinois Association of Nurse Anesthetists
Illinois Department of Public Health

<table>
<thead>
<tr>
<th>TOPIC</th>
<th>DISCUSSION</th>
<th>ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Call to order</td>
<td>The Chair called the meeting to order at 9:00 a.m.</td>
<td></td>
</tr>
<tr>
<td>Introductions</td>
<td>Board members and staff made appropriate introductions.</td>
<td></td>
</tr>
<tr>
<td>Chairman Time/Announcements</td>
<td>The Board was apprised of Secretary Grillo’s resignation and his departure from state government to the private sector.</td>
<td></td>
</tr>
</tbody>
</table>
Dr. Johnson noted the signing of the Sunset Bill on August 2, 2005, which is valid through 2016. Dr. Johnson briefly highlighted the following particulars associated with the bill:

- Changes the license cycle from 2 years to 3 years
- Adds 90 day grace period for license renewal
- Matches the cost of duplicating patient records with the Code of Civil Procedures.

Mr. Kelber explained there is a formula set in the Code of Civil Procedures for what the maximum can be charged.

- Modifies the consent order provision to allow the Director only to sign off on orders that are under $5000 and do not result in the suspension or revocation of a license.
- Adds subpoena power to the act upon the determination by the chairman of the Board that reasonable cause exists that a violation has occurred.

Dr. Johnson briefly expounded on the Legislative Report from the American Association of Dental Examiners (AADE) and how the different states are handling the issue of Botox. The Colorado’s Board of Dental Examiners opinion that the use of Botox or Restylane injections may be within a dentist’s scope of practice. In Florida, the Board restricted the use of Botox to oral and maxillofacial surgeons and/or dentists who can demonstrate specific training in the use of this modality; while the Virginia Board stated that the use of Botox for cosmetic purposes is limited to OMSs. The question was raised as to where Illinois stands and if anything should be done to address this matter.

Dr. Johnson requested the issue of Botox be added to the Ad-Hoc Committee discussions.
Dr. Johnson reminded the Board that at April’s board meeting Dr. Richard Haught, DDS, President, American Dental Association (ADA), indicated that there were not going to be any tests and it appeared that Illinois buried their head in the sand while all the other states wrote letters to the ADA and the ADA eventually changed their policy. Dr. Johnson urged the Board to be more pro-active on these issues.

Dr. Lewis Lampiris, DDS, MPH, Chief, Division of Oral Health for the Illinois Department of Public Health, was in attendance to provide a report on school based programs and the fact that Public Aid is raising the rates for reimbursement of services significantly. A meeting will be convened on September 16 at the Thompson Center in Chicago to bring key people together to discuss the issue of school based programs and the potential for abuse. In attendance will be Dr. Ranieli, as well as representatives from Public Aid, Human Services, ISDSP, and Public Health. Dr. Lampiris invited Board members to attend this meeting and welcomes their expertise.

Board members expressed their concerns relative to the quality of care provided to these children.

| Mary Jo Southard, Testing/Barb Smith, Rules Coordinator | Department representatives met with the Board to discuss the examinations for dentists and dental hygienists. A general discussion ensued relative to the examinations being administered and discrepancies involved with the scoring process. Ms. Southard indicated that acceptance of an examination - all examinations - should be equivalent not only in content, but also scoring. ADEX has essentially completed the development phase of the examinations, which will be provided to regional testing agencies and independent states. Ms. Southard provided an overview from a historical viewpoint and referenced the comparison chart she had prepared in 2003 for the Board’s consideration. | Motion was made and seconded to approve the ADEX Letter of Agreement for Illinois. Motion unanimously passed. Ms. Smith advised that she will put together proposed draft rules for consideration. |
At this time, approximately 32 states have signed with ADEX. Board members were allowed sufficient time to ask questions and to make comments.

**New Business**

Discussion was held relative to having the Ad Hoc Committee review continuing education providers. Ms. Purchase explained how CE sponsor applications are handled and reviewed.

Dr. DiFranco advised that the AD Hoc Committee questioned if a dentist should be required to have CE in CPR every 2 years. It was noted that some offices do not employ a dental hygienist and that some dentists are not certified in CPR. The question is being brought the Board for a vote. Mr. Draznin stated that licenses starting January 1 will be on a 3 year cycle.

Mr. Kelber anticipates taking this matter before the General Counsel’s Staff for consideration.

The Board tabled this discussion.

Dr. DiFranco reported that the Ad Hoc Committee discussed information on Oraqix, which questioned the wording on the insert. Oraqix is considered a topically applied local anesthetic. In order for a dental hygienist to use Oraqix they must be certified in local anesthesia and under general supervision, with a work order detailing the area for use and the dosage.

Mr. Kelber apprised members that no provision exists where under general supervision that a dental hygienist can apply an anesthetic. If the Board recommends Oraqix as a desensitizing agent applied to surfaces of the gums, nothing would have to be changed, if the Board considers this a local anesthetic topical.

Discussion was tabled until Dr. Spina can be present and further discussion can be held with the AD Hoc Committee and Staff Attorney.

**Dr. Lingen**

Dr. Johnson explained Dr. Lingen is an Oral and Maxillofacial Pathologist that is requesting the Board to grant him a specialty license in his field of practice in

The Board requests that Ms. Purchase prepare a response.
Illinois. Mr. Draznin pointed out that the specialty is statutory and that legislation was just signed by the Governor with the list of specialties and that any addendum at this time would prove costly to the Department. Discussion was held relative to the purpose of granting such a specialty license on Dr. Lingen’s behalf and the exam, legislative changes and cost involved. Ms. Southard expressed concerns of setting up a specialty licensing exam for one to five people and the costs involved. Dr. Lingen needs to be advised the specialty of Oral and Maxillofacial Pathologist is not a field of specialty in Illinois.

### Closed Session

A roll call vote was taken to go into closed session to discuss deliberations and consent orders.

- Dr. Johnson – Yes
- Dr. Gregory – Yes
- Dr. Krisko – Yes
- Dr. Watson-Montgomery – Yes
- Dr. Shapiro – Yes
- Mr. Bastas – Yes
- Dr. Mousel – Yes
- Dr. DiFranco – Yes
- Ms. Snell – Yes

Subsequent to the roll call vote, the Board went into Closed Session at 11:25 a.m. pursuant to Section 7 c/5 of the Open Meetings Act. Motion passed.

### Motion to go into Open Session

Motion was made and seconded to go into Open Session at 12:05 p.m. Motion passed.

### Deliberations

Subsequent to discussion in Closed, Session the Board made the following recommendations:

- **Samuel J. Wilson, DDS**
  Case No. 2004-07992-1

- **Sheldon Hamilton, DDS**
  Case No. 2005-00026-1

Motion was made/seconded to place Dr. Wilson’s license on indefinite suspension and may be reconsidered upon receipt of a compliance letter from the Department of Revenue. Motion passed.

Motion was made/seconded to place Dr. Hamilton’s license be revoked and fined imposed of $20,000. Motion passed.

### Consent Orders

- **Paul Pladziewicz**
  Case No. 2004089351

Motion was made/seconded to accept the consent orders as written and
<table>
<thead>
<tr>
<th>Closed Session</th>
<th>A roll call vote was taken to go into closed session to discuss applications.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Dr. Johnson - Yes</td>
</tr>
<tr>
<td></td>
<td>Dr. Gregory - Yes</td>
</tr>
<tr>
<td></td>
<td>Dr. Krisko - Yes</td>
</tr>
<tr>
<td></td>
<td>Dr. Watson-Montgomery - Yes</td>
</tr>
<tr>
<td></td>
<td>Dr. Shapiro - Yes</td>
</tr>
<tr>
<td></td>
<td>Mr. Bastas - Yes</td>
</tr>
<tr>
<td></td>
<td>Dr. Mousel - Yes</td>
</tr>
<tr>
<td></td>
<td>Dr. DiFranco - Yes</td>
</tr>
<tr>
<td></td>
<td>Ms. Snell - Yes</td>
</tr>
<tr>
<td>Motion to go into Open Session</td>
<td>Motion was made and seconded to go into Open Session at 12:25 p.m.</td>
</tr>
<tr>
<td>Open Session</td>
<td>Subsequent to discussion in Closed Session, the Board made recommendations.</td>
</tr>
<tr>
<td></td>
<td>Krell/Reuben Oral &amp; Maxillofacial Surgery Ltd. - CE Sponsor</td>
</tr>
<tr>
<td></td>
<td>David A. Rice, DDS - Permit A - Conscious Sedation</td>
</tr>
<tr>
<td></td>
<td>Chia-Yu Lotus Su, DDS - Permit A - Conscious Sedation</td>
</tr>
<tr>
<td>Open and Closed Minutes</td>
<td>The Board reviewed the Open and Closed Session Minutes of the June 17, 2005, business meeting.</td>
</tr>
<tr>
<td>Election of Officers</td>
<td>The Board held their annual election of officers.</td>
</tr>
</tbody>
</table>
Dr. Shapiro as Chairman.

Motion was made/seconded (Gregory/Watson-Montgomery), to elect Dr. Mousel as Vice-Chair.

Motion was made/seconded (DiFranco/Gregory), to elect Dr. Krisko as Secretary.

Motions were unanimously passed.

**Adjournment**

There being no further business to be brought before the Board, the meeting adjourned at 12:30 p.m.