

MINUTES OF THE MEETING  
OF THE  
BOARD OF DENTISTRY

January 6, 2023

ROLL CALL

The meeting of the Board of Dentistry was called to order at 9:01 a.m. by Dean Cope, DDS, Chairperson, in the Husker Room at the Hampton Inn & Suites, located at 7343 Husker Circle, Lincoln, Nebraska, 68504. The Agenda and Revised Agenda (revised more than 24 hours prior to the commencement of the meeting and posted/available for public inspection at the Board's office more than 24 hours prior to the meeting) were sent to the Board members and other interested parties prior to the meeting. The following members answered the roll call:

Dean Cope, DDS - Chairperson  
Melanie Steckelberg, DDS, Vice-Chairperson  
Michael J. O'Hara, JD, PhD – Secretary (via WebEx)  
Yoshiharu Ameku, DDS  
Terrence Lanphier, DDS  
Hannah Randell, RDH  
Gene Giles, DDS  
Lynlee Medhi  
Lisa Kucera, RDH  
John Thomas, DMD

Also present were: Jesse Cushman, Program Manager; Vonda Apking, Health Licensing Coordinator; Jennifer Miralles, Department Attorney (via WebEx); Anna Harrison, RN, BSN, Compliance Monitor; and Jeff Newman, Investigator.

Cope announced that there is a copy of all the public documents being reviewed at this meeting available in the meeting room pursuant to the Open Meetings Act.

Cope noted that agenda items #12 and #13 will be discussed after approval of the minutes and regulations update will be discussed after agenda item #16.

ADOPTION OF AGENDA

Kucera moved, seconded by Thomas, to adopt the agenda as rearranged per Chairperson. Voting aye: Ameku, Cope, Giles, Kucera, Lanphier, Medhi, O'Hara, Randell, Steckelberg, Thomas. Voting nay: None. Motion carried.

APPROVAL OF MINUTES

September 23, 2022

Page 1: No changes.

Page 2: No changes

Page 3: Under ADMINISTRATION OF CLINICAL EXAMINATIONS; line 1, add “s” to the word “Dean”; under DISCUSSION REGARDING LANGUAGE OF NEB. REV. STAT. 38-1117(1)(C) – CONT’D, paragraph 4, line 1, change “ben” to “be”.

Page 4: No changes.

Page 5: No changes.

Page 6: first paragraph, the Board’s opinion should read “It is the Board’s opinion that if an assistant cannot take a traditional impression, they cannot take a digital scan”; under question 2, the Board’s opinion should read “ It is the Board’s opinion that an assistant cannot switch out a healing abutment with a scan body for the final scan”; and under question 3, the Board’s opinion should read “ It is the Board’s opinion that a separate license is needed for expanded functions in Nebraska per statutes”.

Giles moved, seconded by Ameku, to approve the September 23, 2022, minutes as corrected. Voting aye: Ameku, Cope, Giles, Kucera, Lanphier, Medhi, O’Hara, Randell, Steckelberg, Thomas. Voting nay: None. Motion carried.

### EXAM CANDIDATE MANUALS

The Board members reminded that any clinical examination approval after comparing the clinical examinations will begin as of November 2022. O’Hara provided his comparisons of the clinical examinations to the Board through CITRIX. O’Hara’s opinion was that all clinical examinations are good, but Nebraska statutes requires clinical examinations be comparable to the clinical examinations offered by the Central Regional Dental Testing Service (CRDTS). O’Hara’s opinion is the clinical examinations offered by the Southern Regional Testing Agency (SRTA) and the American Board of Dental Examiners (ADEX) clinical examination are not comparable to CRDTS.

Giles commented that each examination places emphasis on different procedures such as probing or full metal crown versus porcelain crown. Kurcera mentioned that CRDTS allows state members to be involved in changes made to the clinical examination via the examination review committee and steering committee each getting to vote on any changes to the clinical examination and other testing agencies do allow some states that accept their clinical examination with the ability to have voting rights on examination changes. Cope explained that he started keeping track these past weeks on how many times he used a probe. Giles commented that calculus detection is different for each clinical examination.

T.J. O’Neill, Assistant Attorney General arrived at 9:21 a.m.

Lanphier commented that his opinion is that each clinical examination is comparable to CRDTS. Mr. Cushman questioned does each examination meet minimum standards for the practice of dentistry. Steckelberg explained that detecting calculus is an important aspect of the practice of dentistry that there should be certain parameters to meet.

Kimber Cobb, RDH, BS, CDCA/WREB/CITA  
Director, Dental Hygiene Examinations  
National Director, Licensure Acceptance and Portability  
1304 Concourse Drive, Suite 100  
Linthicum, MD 21090

Ms. Cobb mentioned that the Board could still approve the ADEX examination and still has the option to require an additional periodontal examination which the Board has done in the past.

Dr. Chad Buckendahl  
Partner, ACS Ventures  
Chair, Nebraska Department of Education's Technical Advisory Committee for Assessment and Accountability

Ms. Cobb offered to share their last occupational analysis from either 2016 or 2017. Dr. Buckendahl explained that an occupational analysis on the ADEX is performed at least every 5 years. Their examination is evaluated by a psychometrician. There were comments that comparability does not necessarily same clinical judgment along with clinical skills. There should be evidence based on what is expected for minimal entry level testing such as core measurements, what elements are related to clinical judgement and clinical skills.

There are inconsistencies with the national testing guidelines. CRDTS test on calculus detection however ADEX assigns 12 sections for the candidate to detect calculus. Giles discussed modification requests by candidates

### APPROVAL OF CLINICAL EXAMINATION FOR TESTING SEASON 2023

O'Hara moved, seconded by Steckelberg, it is the Board's opinion that SRTA and ADEX dental clinical examinations are not comparable to the standardized form of the CRDTS dental clinical examination. Voting aye: Cope, Giles, Kucera, Medhi, O'Hara, Randell, Steckelberg, Thomas. Voting nay: Lanphier. Abstain: Ameku. Motion carried.

O'Hara left the meeting at 10:07 a.m.

Kucera moved, seconded by Thomas, it is the Board's opinion that the ADEX dental hygiene clinical examination is not comparable to CRDTS dental hygiene (both the patient based and the simulated forms) clinical examination. Voting aye: Cope, Giles, Kucera, Lanphier, Medhi, Randell, Steckelberg, Thomas. Voting nay: None. Abstain: Ameku. Absent: O'Hara. Motion carried.

Board noted that this opinion starts for clinical examinations that were initiated after November 1, 2022.

Mr. Cushman will draft a notification to both dental programs in Nebraska and send to Cope to review.

Dr. Jacoby commended the Board for taking the time to digest comparability and the leadership in the profession of dentistry. Ms. Gaskill noted the same praise to the Board as Dr. Jacoby.

### INVESTIGATIONAL REPORTS AND APPLICATION REVIEW – CLOSED SESSION

Giles moved, seconded by O'Hara, to go into closed session at 10:26 a.m. for the purpose of review and discussion of investigative reports, licensure applications, and other confidential information, and for the prevention of needless injury to the reputation of the individuals. Voting aye: Ameku, Cope, Giles, Kucera, Lanphier, Medhi, Randell, Steckelberg, Thomas. Voting nay: None. Absent: O'Hara. Motion carried.

The Board returned to Open Session at 11:30 a.m.

## APPLICATION REVIEW – OPEN SESSION

### Dental Application(s)

No dental applications to review at this time.

### Dental Hygiene Application(s)

No dental hygiene applications to review at this time.

### Dental Assistant Application

Steckelberg moved, seconded by Lanphier, to postpone the dental assistant application of Matthew Edwards for additional information. Voting aye: Ameku, Cope, Giles, Kucera, Lanphier, Medhi, Randell, Steckelberg, Thomas. Voting nay: None. Absent: O'Hara. Motion carried.

### Reinstatement After Discipline Application(s)

Kucera moved, seconded by Lanphier, to recommend reinstating the dental hygiene license (#2033) of Stephanie Klimiades without restrictions. Voting aye: Ameku, Cope, Giles, Kucera, Lanphier, Medhi, Randell, Steckelberg, Thomas. Voting nay: None. Absent: O'Hara. Motion carried.

## E-MAIL BALLOTS SINCE THE LAST MINUTES

Nothing to read into the record at this time.

## LEGISLATIVE UPDATE

Mr. O'Neill mentioned that today was the first day to introduce proposed bills.

## RESTORATIVE 1 & 2 APPROVAL

Steckelberg moved, seconded by Ameku, to approve the expanded function courses offered by University of Iowa. Voting aye: Ameku, Cope, Giles, Kucera, Lanphier, Medhi, Randell, Steckelberg, Thomas. Voting nay: None. Absent: O'Hara. Motion carried.

Dr. Jacoby requested a list of the approved courses.

## EXPANDED FUNCTION EXAMINATION APPROVAL

Nothing discussed at this time.

## PRACTICE QUESTION – CAN EXPANDED FUNCTION DENTAL HYGIENIST/DENTAL ASSISTANT USE A HIGH-SPEED HANDPIECE? – DEB SCHARDT, RDH

Deb Schardt, BSDH, RDH, PHRDH, EMT  
5644 Road Un  
Carleton NE 68326

The Board discussed the use of high-speed handpiece by expanded scope function and expanded functions dental hygienists and dental assistants. The Board discussed that the opinion of the Board was that a dental hygienist and a dental assistant should not be using a high-speed handpiece inside the mouth.

#### DISCUSSION ON REMEDIAL COURSE(S) FOR DENTAL HYGIENISTS – HANNAH RANDELL, RDH

Ms. Randell discussed having a remediation course similar to the American Association of Dental Board (AADB) Accredited Continuing Education (ACE) program. She explained that there are different about whether there should be a hands-on portion. Staff requested clarification on whether the remediation is required for discipline or re-entry or because an applicant failed a clinical examination on two or more occasions. Ms. Randell explained this course would be used for someone that let their license expire or lapse. Staff explained that the practice requirement is not a requirement for reinstatement. The Board mentioned that there could be more previous licensees coming back to the profession. Mr. Cushman will ask the question to Department legal.

Staff will reach out to AADB regarding a presentation on their ACE program.

Mr. Cushman explained that if courses are required under discipline, then it is the licensee's responsibility to find a course and obtain Board approval of that course.

#### CLARIFICATION REGARDING INHALATION ANALGESIA REGARDING PALS CERTIFICATION FOR ADMINISTERING TO INDIVIDUALS UNDER 12 YEARS OF AGE

Pediatric Advanced Life Support (PALS) certification is not required to administer inhalation analgesia. Nebraska statutes only requires PALS certification to administer minimal sedation. Steckelberg read from some guidelines regarding safe practices for using sedation on pediatric patients.

The Board discussed that one needs to be aware of how to care for a patient that might go over into the next level of sedation.

Mr. Cushman explained that the regulation language regarding drugs for sedation should be used based on the manufacturers guidelines to be proactive when the guidelines change.

#### MINIMAL SEDATION PERMITS NEEDED FOR GRADUATES IF PRESCRIBING SEDATIVES FOR PATIENTS' PRIOR CLINICAL VISITS

A minimal sedation permit is required to prescribe sedatives to patients prior to clinical visits. The goal is to educate and there is a portion of the department dental licensure presentation that discusses having to have a minimal sedation permit to prescribe sedatives prior to a dental visit. Staff will find the minutes that discuss a physician prescribing minimal sedation sedatives prior to the dental visit.

Staff will search minutes for previous discussion regarding a physician prescribing sedative before a dental appointment.

## REGULATIONS UPDATE

Cushman provided the hearing summaries for 172 NAC 53, 56, 57, 58. The Board discussed each item from the hearing summaries.

The Board reviewed the hearing summary comments for 172 NAC 56. In discussing the comments, the Board determined that these regulations should be pulled from review by the Board of Health. Mr. Cushman will incorporate suggested changes from the July 2022 meeting and bring back to the Board.

The Secretary of State's Office will indicate the regulations will be terminated my program and they will need to be set for a new public hearing.

The Board reviewed the hearing summary comments for 172 NAC 53. Mr. Cushman explained the Department's proposed response would be that "no changes will be made" based on the three comments identified in the hearing summary.

The Board reviewed the hearing summary comments for 172 NAC 57. Mr. Cushman explained the Department's proposed response for comment #1 would be that for consistency will make the language same as the language in 172 NAC 56. The Department's proposed response for comment #2 would be that this issue is covered in another way. The Department's response for comment #3 would be that the Department disagrees, and that the language is consistent with language in other regulations. The Department's response to comment #4 is that the Attorney General determined that the language is not in conflict with the statutes therefore no changes will be made. The Department's proposed response to comment # 5 would be that not all dental hygienists have the expanded function license so no additional changes will be made.

There were no public comments provided for 172 NAC 58.

## EXPANDED FUNCTION EXAMINATION APPROVAL

Thomas moved, Lanphier seconded, requesting Teresa Fee to take CRDTS Restorative Auxiliary examination. Voting aye: Ameku, Cope, Giles, Lanphier, Medhi, O'Hara, Randell, Steckelberg, Thomas. Voting nay: None. Absent: Kucera. Motion carried.

## DESIGNATION OF THE METHOD BY WHICH THIS BODY WILL GIVE PUBLIC NOTICE OF ITS MEETINGS

Apking explained that the Board needs to inform the public each year the method by which the Board will provide notice of their meetings. In the past, the Board had chosen to post meeting agendas at the Nebraska State Office Building, to e-mail agendas to the interested parties list, and to post agendas on the Department's website. Steckelberg moved, seconded by Thomas, to continue the same method that the Department has been using to provide public notice of this Board's meetings by posting meeting agendas at the Nebraska State Office Building, by e-mailing agendas to the interested parties list, and by posting agendas on the Department's website. Voting aye: Ameku, Cope, Giles, Kucera, Lanphier, Medhi, Randell, Steckelberg, Thomas. Voting nay: None. Absent: O'Hara. Motion carried.

Kucera asked if there was a Board opinion on Oral Facial Myology. Staff will find in the minutes and send to Kucera.

### ELECTION OF OFFICERS

Lanphier moved, seconded by Thomas, to keep the officer slate the same as last year. The slate of officers is as follows: Cope – Chairperson, Steckelberg – Vice-Chairperson, and O’Hara – Secretary. Voting aye: Ameku, Cope, Giles, Kucera, Lanphier, Medhi, Randell, Steckelberg, Thomas. Voting nay: None. Absent: O’Hara. Motion carried.

The next meeting is scheduled for April 14, 2023.

### ADJOURNMENT

The Board adjourned the meeting at 1:10 p.m.

Respectfully submitted by,

(signature on file with the Department)

Melanie Steckelberg, DDS, Vice-Chairperson  
Board of Dentistry