

# Nebraska Board of Dentistry

## Newsletter

### NOVEMBER 2006

#### Chairperson's Message

Dear Colleagues:

I would like to introduce to you two new members of the Board of Dentistry:

Professional Member - Dr. R. Mark Hinrichs  
and  
Dental School Member – Dr. Julie Marshall

Dr. Hinrichs and Dr. Marshall replace Dr. J. Patrick Giddings and Dr. Joan Sivers. We would like to thank Dr. Giddings and Dr. Sivers for their 10 years of dedicated service on the Board of Dentistry.

At the end of 2006, two more Board members terms will come to an end. Both have served on the Board for 10 years. Dr. Paul Tamisiea, Dental School member representing Creighton University, and Dr. James Murphy, Professional member. We would like to thank them for their dedication to our profession. If in the future you would have an interest in serving your profession in this way or know of someone you would like to nominate for a position on the Board. Notify the Department of your interest. The Professional Board Committee of the Board of Health reviews the applications and conduct interviews of the applicants.

Another point of interest is that the Board of Dentistry is continuing to review the potential changes in expanded functions for dental auxiliaries. We will continue to work with the NDA, NDHA, and the NDAA for any feasible changes. Some of these changes may involve further education along with possible certification. The Boards primary goal in overseeing this is the health, safety and welfare of the citizens of Nebraska.

We are well into the year and are approaching a new year and the Board of Dentistry would like to wish each of you a healthy and safe upcoming year. In a different section of this newsletter are some "Resolutions for Dental Professionals." If we try to incorporate these resolutions into our lives they may help us to improve ourselves along with our dental profession.

Sincerely,



David Mlnarik, DDS  
2006 Chairperson  
West Point

Sam Jacoby, DDS  
2006 Vice-Chairperson  
Bridgeport

Doris Schrader  
2006 Secretary  
York

Judith Kissell, PhD  
Omaha

Jane Lott, RDH  
York

Jane Stratman, RDH  
Geneva

Paul Tamisiea, DDS  
Omaha

James Murphy, DDS  
Norfolk

R. Mark Hinrichs, DDS  
Lincoln

Julie Marshall, DDS  
Lincoln

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## **Resolutions for Dental Professionals**

The following are resolutions that dental professionals can make for the New Year to improve themselves and the dental profession. Some of these apply more to dentist than dental hygienist or dental assistants, but everyone can learn from all of them:

- Become familiar with the scope of practice for your profession and/or the scope of practice of the employees under your supervision.
- Do not perform duties outside of your scope of practice and/or delegate duties to your employees that are not within their scope of practice.
- Do not practice without a current license/registration/certification/permit issued by the Nebraska Board of Dentistry and employers, do not allow any of your employees to practice without a current license/registration/certification/permit.
- Keep your and your employees credentials available in an office or place in which he or she practices and shall show such proof of credentialing upon request.
- Review the advertisements for your practice to be sure that the information is not misleading or in violation of 172 NAC 54 Regulations Governing Professional Advertising by Dentists.
- Communicate clearly and respectfully with all patients, staff and colleagues. If you are uncomfortable with communicating or do not seem to be communicating clearly, consider attending a course to improve your communication skills. **NOTE:** Some courses may **not** qualify as acceptable continuing education.
- Make sure all patients understand their options, the risks and benefits, the cost of each option, and give informed consent for treatment before treatment begins.
- Listen to patients and staff. Listen to their concerns and problems with an open mind.
- Never hesitate to assist dissatisfied patients. If necessary, refund the patient and refer them to another dentist.
- If the dentist determines that the dentist/patient relationship should be terminated, follow the proper guidelines.
- When in doubt, refer. Recognize that you may sometimes need to refer patients to someone better qualified to treat their problem and not try to perform procedures which you are not qualified to treat or not familiar with treating.
- Remember that it is better to prevent problems than to "cure" problems. Remember you cannot "fix" everything nor do everything yourself.
- Practice mainstream dentistry and not be the first or the last to use a new technique or material. Carefully research what you intend to do or use and do not rely solely on a manufacturer's or "guru's" claims.
- Do not over-treat patients! Be reasonable with treatment plans and fees. The patient's pocket is not a bottomless pit.

- First, do no harm! Take care of your patients and they will take care of you.
  - The Board does not tolerate dishonesty. Read and understand before you sign any Board documents (including renewal applications) and do not alter records for your or the Board's benefit.
  - Your personal life reflects into your practice and you cannot properly perform your dental duties if your personal life is a mess.
  - Encourage any dental professional who is impaired due to the use of alcohol or other drugs to obtain assistance and treatment from the Licensee Assistance Program (LAP).
  - Be aware of the Mandatory Reporting law (172 NAC 5). A copy is available on the Department's website at [www.hhss.state.ne.us](http://www.hhss.state.ne.us)
  - Be aware of patients seeking controlled substances and of your prescribing authority.
  - Complete continuing education for professional development, not just for credit accumulation.
  - Abide by the statutes and rules and regulations of the Board of Dentistry at all times. The Board has suggested that all dental professionals read the statutes and rules and regulations pertaining to your profession.
- Please follow these resolutions throughout this year and every year to prevent problems, complaints and/or disciplinary action against you and your license.

*\*Adapted from the Tennessee Board of Dentistry newsletter.*

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## **Committee on Expanded Duties of Dental Hygienists and Dental Assistants**

By James Murphy, DDS

The Nebraska Dental Association (NDA) presented a proposal on expanded duties for Nebraska dental hygienists and dental assistants at the April 22, 2005 Board meeting. The concept of the proposal was given approval by the Board and a subcommittee was formed. The Board suggested that the NDA, the Nebraska Dental Hygienists Association (NDHA), and the Nebraska Dental Assistants Association (NDAA) work together with input from all interested parties to develop a final proposal to be presented to the Board. All interested parties have been working on a proposal that would include duties at different levels of training and would include an educational component for the different levels of training.



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## **Meeting Highlights From 2005**

**January 14, 2005** – The Board discussed LB 89. This legislation initiated a locum tenens license for dentists. The Board also discussed LB 182, which requested a change in the scope of practice for dental hygiene. The Board continued discussion on the development of a national clinical examination. The Board reviewed and discussed the changes to the Uniform Licensing Law (ULL) rewrite documents, which include changes to the Dentistry Practice Act.

**April 22, 2005** – The Board discussed implementation of LB 89. LB 382 also affected dentistry, by allowing certain prescriptions to be signed electronically. The Board nominated Roger Gerstner, DDS for AADE Citizen of the Year. The Board formed a committee to discuss expanded duties of dental assistants and dental hygienists.

**July 15, 2005** – The Board discussed updates from the Enteral Conscious Sedation Committee, the Expanded Duties for Dental Assistants Committee, and the Alternatives for Expanding CE Acceptance Committee. The board discussed LB 306, which would require background checks on dentist applying for initial licensure. LB 306 requires background checks on anyone applying for initial licensure that has prescribing authority.

**October 14, 2005** – The Board discussed that CRDTS chose to administer the ADEX examination for the 2006 examination season. The Board chose to not accept WREB and SRTA as of January 1, 2006. This would require a regulations change before we can deny the scores of these examinations.

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## **Introducing Two New Board Members**

**R. Mark Hinrichs, DDS** – I was born and raised in Lincoln, Nebraska. I attended the University of Nebraska and graduated from UNMC College of Dentistry in 1992. I am married to Kelly Jo and we have two children. Their names are Emma, 15, and Lillian, 11. Hobbies include spending time with my family and friends and taking photographs.

Post graduation training includes studying at the L.D. Pankey Institute completing Continuum Level 4; and at the Dawson Center for Advanced Dental Studies. Memberships include the American College of Dentists, the International College of Dentists and the American Equilibration Society.

Some of my volunteer activities include President of the Lincoln District Dental Association; Chair of the ADA's Committee on the New Dentist; Chairman of the NDA's Legislative Affairs and Intra-Professional Relations Council and Chairman of the Nebraska Dental Association's Committee on the New Dentist.

**Julie A. Marshall D.D.S., M.S.** - I have been involved in various aspects of dentistry for the past 25 years and began

my career in dentistry as a practicing dental hygienist. I am currently teaching at the University of Nebraska Medical Center College of Dentistry and active in a part-time private practice.

As an associate professor in the Department of Adult Restorative Dentistry at UNMC my teaching involves directing the preclinical fixed prosthodontic courses and providing clinical instruction. I enjoy collaborating in research with the Madonna Rehabilitation Hospital Speech-Language Pathology staff in the area of speech aid prostheses for patients with communication disorders.

I received my Doctor of Dental Surgery degree from the University of Texas Health Science Center Dental Branch in Houston, Texas (1987) and Bachelor of Science Degree in Dental Hygiene (1981), Masters of Science Degree in Oral Biology (1996) and Specialty Certificate in Prosthodontics (1995) from the University of Nebraska Medical Center. I also completed a General Practice Residency at the Veteran's Administration Hospital in Omaha, Nebraska (1988).

I have served on various local boards including the American Cancer Society, and served as President of the UNMC Dental Alumni Association, Lincoln District Dental Association, and Kahoa Elementary PTA. My husband Jay and I have two daughters (ages 17 and 11) and have enjoyed volunteering in the variety of public school and community organizations.

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## **Uniform Licensing Law Rewrite**

**By Sam Jacoby, DDS**

The Uniform Licensing Law rewrite has been an ongoing project for the Department of Health and Human Services Regulation and Licensure and all the professional boards for the last couple of years. The goal is to revise and condense the current statutes so that licensing requirements common to all professions are contained within one document. Requirements that are unique to each profession would then be addressed in that professions practice act. The Practice Act Committee of the Board of Dentistry has been active in 2005 and has made its recommendations to the Board of Dentistry and the Department for revisions to the Dental Practice Act. The proposed revisions will remove antiquated language from the Act, reorganize the text so that it will be easier to follow, and modify licensing requirements to facilitate movement of dental professionals into the state while assuring that their qualifications match those presently practicing dentistry in Nebraska. Department staff and Committee members worked diligently in an effort to have proposed legislation ready for introduction in the upcoming legislative session. In early January, however, we were inexplicably instructed by the governor's policy research office to not pursue introduction of the bill during the 2006 legislative session. The Board of Dentistry has respectfully requested an explanation from the governor concerning this directive. The Department has informed the Board that introduction is planned for the 2007 legislative session. The Practice Act Committee consists of Sam Jacoby, DDS, Chairman, and Jane Lott, RDH, and Jane Stratman, RDH.

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## **Dentistry and Professionalism**

By Judith Lee Kissell, PhD, Center for Health Policy and Ethics, Creighton University Medical Center

At the heart of the responsibilities of the Nebraska Board of Dentistry is the promotion and furtherance of the "professionalism" of dentistry in the state of Nebraska. The idea of professionalism as an identity has gained greater currency and relevance in the healthcare world in recent times because of the growing importance of defining the relationship of health caregivers to the community at large. The implications of this concept touch the health care-givers with special gravity. Healthcare, once regarded as a work of mercy, concern and compassion, has come more and more to be portrayed as a product to be bargained for, whose value is determined by the market place. Healthcare professionals, once universally thought of as related to the sick and suffering through a *covenant* of fidelity, trust and care, are now too often characterized as *contractors* whose main goals are efficiency and cost containment. Patients are now all too often merely "customers" and caregivers, "providers." A once sacred relationship is in danger of becoming a profane one.

Defining professionalism takes special thought and care. For there is a tendency for all kinds of people involved in surviving in the market place to call their work a "profession" as a means of enhancing their image in a competitive world. Jos Welie, a Nebraska dental ethicist and leader in the dental ethics movement internationally, points out that we must look at the historical roots of the word. There we find that professionalism indicates persons with certain kinds of skills, education and hence, responsibilities, who make an *avowal* to others. The professional vows to serve the community

and frequently, to put their patients' interests before their own concerns. A person becomes a professional, especially as the term is understood in the world of healthcare, because only the community to which one makes this avowal has the power to grant this status.

Our society has yet to address adequately the social meaning of healthcare: is it strictly a commodity? How closely linked is healthcare to social responsibility? Healthcare's social meaning determines where we draw the line between what is public trust and what is private practice. It entails some sticky questions: are healthcare decisions strictly the business of the dentist and the patient? When should the Board, as keeper of the public trust, intervene, as in the case of substance abuse, conflict of interest or allowing services to be provided by non-licensed personnel? In what sense can communities make demands upon its professionals, and what demands would these be? And it entails some sensitive guidance giving: what should the standard be for dental error, especially when it is non-deliberate? How does the Board encourage dentists to act as professionals who own up to mistakes while at the same time encouraging the public to recognize the importance of allowing caregivers some leeway when they act with good intentions?

The question of professionalism in dentistry is of great importance to the dentists and the people of Nebraska. An interesting and important discussion of this issue can be found in the articles found at the websites below:

<http://www.cda-adc.ca/jcda/vol-70/issue-8/529.html>

<http://www.cda-adc.ca/jcda/vol-70/issue-9/599.html>

<http://www.cda-adc.ca/jcda/vol-70/issue-10/675.html>

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## **License Statistics**

Licenses/Permits/Certifications Totals (as of 6/30/2006)

	<u>Total Active</u>	<u>Issued*</u>	<u>Issued by Reciprocity</u>
Dentist Licenses	1467	120	18
Dental Hygienist Licenses	997	119	10
General Anesthesia Permits	45	8	
Parenteral Sedation Permits	35	9	
Inhalation Analgesia Permits	487	98	
Local Anesthesia Certifications	707	128	
Dental Temporary Licenses	2		
Dental Faculty Licenses	7	3	
Locum Tenens		2	

\*This column is based on those licenses/permits/certifications issued since 3/2/2005.

### Licensure Actions

The following is a list of licensure actions taken between October of 2004 to June of 2006, additional information on any of these actions is available by calling (402) 471-2118.

Licensee	Date of Action	Action(s)	Reason(s) for Action(s)	Violation(s)
James A. Branchaud, DDS	10/18/04	Censure Civil Penalty-\$1,000	Administering Nitrous Oxide without a permit.	Unprofessional Conduct
Alan J. Beck, DDS	10/18/04	30 day - Suspension Civil Penalty-\$5,000 5 year – Probation	Writing fraudulent prescriptions for his own use; wrote prescriptions for non-dental purposes; diagnosed as chemically dependent.	Chemical Dependency; Practicing Beyond the Scope of Dentistry; Violation of the Uniform Controlled Substances Act (USCA); Unprofessional Conduct
	9/06/05	Censure Civil Penalty-\$1,000	Did not report use of doctor prescribed controlled substances/prescription medications on a monthly basis; failure to appear for a body fluid screening as directed.	Probation Violation
Rachelle (Schroeder) Lodge, RDH	10/21/04	Initial license issued on probation	Past misdemeanor convictions.	2 years Probation
Thomas E. Lewis, DDS	1/27/05	Censure Civil Penalty-\$500	Administered dental blocks to the lips of a patient for a non-dental purpose specifically in preparation of a permanent cosmetic tattoo.	Unprofessional Conduct
Michael W. Burbach, DDS	1/27/05	Censure Civil Penalty-\$1,000	Administering Nitrous Oxide without a permit.	Unprofessional Conduct
Bruce S. Kuhn, DDS, MD	1/19/05	30 day – Suspension Civil Penalty-\$20,000	Performed an oral maxillofacial surgical procedure which resulted in catastrophic brain injury and ultimately brain death; Failed to report a settlement in a civil suit.	Dishonorable Conduct Unfitness; Unprofessional Conduct; Failure to File a Mandatory Report
Charles R. James, Jr., DDS	2/15/05	Censure Civil Penalty-\$500	Allowed dental assistants to take x-rays when they were not certified to do so.	Aiding & Abetting in Unlawful Practice Dentistry
Clinton A. Kindler, DDS	2/15/05	Censure Civil Penalty-\$500	Administering Nitrous Oxide without a permit.	Unprofessional Conduct
Marie A. Keese, RDH	3/15/05	5 year - Probation	Conviction of 2 DUI's; practicing while impaired; diagnosed as chemically dependent.	Alcohol Addiction; Dishonorable Conduct Unfitness; Practicing While Impaired; Unprofessional Conduct
Kimberly A. Buchholz, RDH	4/06/05	Censure Civil Penalty-\$500	Failed a random body fluid screen by testing positive for marijuana. This was a violation of her current probation.	Probation Violation; Controlled Substance addiction; Violation of the UCSA
Kimberly K. Heinrichs, RDH	5/06/05	Censure Civil Penalty-\$500	Delivering a prescription in her name to her employer for his own use.	Violation of the UCSA

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Doyle D. Gutsafson, DDS	5/13/05	<b>Non-disciplinary</b> Assurance of Compliance	Deficiencies in infection control practices including storing semi-critical instruments unwrapped, sterilizing instruments in break-room area and storage of instruments in unsanitary drawers.	Failure to Conform to the Standards of Practice in Dentistry  Dr. Gustafson took and successfully completed a didactic training course on OSHA and Bloodborne Pathogen Standards. He shall also comply with the 2003 Center for Disease Control Infection Guidelines & Updates.
Jeffrey J. Siegert, DDS	6/03/05	Censure Civil Penalty-\$1,000	Administering Nitrous Oxide without a permit.	Unprofessional Conduct
Peter Sartori, III, DDS	6/03/05	Censure Civil Penalty-\$1,000	Administering Nitrous Oxide without a permit.	Unprofessional Conduct
Michael A. Furmanski, DDS	6/03/05	Censure Civil Penalty-\$1,000	Administering Nitrous Oxide without a permit.	Unprofessional Conduct
James H. Brower, DDS	6/03/05	Censure	Did not wash his hands between dental examinations he just re-gloved.	Failure to Conform to Standards of Practice in Dentistry
William J. Bresnahan, DDS	6/03/05	Censure Civil Penalty-\$1,000	Administering Nitrous Oxide without a permit.	Unprofessional Conduct
Corey J. Auch, DDS	6/03/05	Censure	Removed lesion from the leg of employee at the UNMC College of Dentistry as an oral surgeon resident at the time.	Practice Beyond the Scope of Dentistry
Richard W. Barnard, DDS	6/15/05	<b>Non-disciplinary</b> Assurance of Compliance	Allowed unlicensed dental assistants to remove orthodontic cement or resin from teeth using a rotary hand-piece and bur.	Failure to Conform to the Standards of Practice in Dentistry  Dr. Barnard shall not allow dental assistants to remove orthodontic cement or resin using a rotary hand-piece and bur until such time it is authorized by law.

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Licensee	Date of Action	Action(s)	Reason(s) for Action(s)	Violation(s)
John A. Des Enfants, DDS	6/23/05	2 year - Probation	Not wearing gloves during a dental examination.	Unprofessional Conduct
Jerry B. Kohn, DDS	7/11/05	2 year - Probation	Failure to inform patient of the presence of periodontal disease; Failure to maintain a treatment plan for the patient.	Failure to Conform to the Standards of Practice in Dentistry; Unprofessional Conduct
Joseph B. Bavitz, DDS	7/11/05	Censure	Gave permission to an oral surgeon resident to remove a lesion from the leg of an employee of the UNMC College of Dentistry and noted this in the employee's dental chart.	Aiding & Abetting in Unlawful Practice Dentistry
Michael P. Neal, DDS	8/11/05	Civil Penalty-\$500	Administering Nitrous Oxide without a permit.	Failure to Conform to the Standards of Practice in Dentistry; Unprofessional Conduct
Stacey C. Sype, DDS	8/11/05	2 year - Probation	Perforated the furcation of a tooth; tooth was unsalvageable and was removed; removal of tooth caused a fracture to lingual cusp of adjacent tooth.	Failure to Conform to the Standards of Practice in Dentistry
Christine S. Campbell, DDS	11/04/05	Censure Civil Penalty-\$1,000	Administering Nitrous Oxide without a permit.	Unprofessional Conduct
LaMont L. Gillham, DDS	11/04/05	Censure Civil Penalty-\$2500 5 year - Probation	Misrepresentation of material facts in procuring or attempting to procure license; failure to disclose felony and misdemeanor convictions; possession and use of controlled substance; alcohol dependency.	Dishonorable Conduct- Unfitness; Habitual Intoxication; Misdemeanor Conviction; Misrepresentation of the Facts; Unprofessional Conduct; Violation of the Uniform Controlled Substances Act (UCSA)
James J. Graff, DDS	12/27/05	Censure Civil Penalty-\$5,000	Treated or diagnosed medical problems not specifically related to dental treatment.	Unprofessional Conduct
James F. McCaslin, DDS	1/27/06	Censure Civil Penalty-\$1,000	Administering Nitrous Oxide without a permit.	Unprofessional Conduct
Larry V. Smith, DDS	3/10/06	<b>Non-disciplinary</b> Assurance of Compliance	Failed to report a \$100,000 insurance settlement payment within 30 days.	Failure to File a Mandatory Report  Dr. Smith shall comply with the Mandatory Reporting Law.

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Douglas M. Barr, DDS	3/27/06 4/06/06	Civil Penalty-\$10,000 5 year - Probation	Prescribing controlled substances to patient and patient's family members without a legitimate dental purpose; prescribing controlled substances without an examination; failed to keep and maintain adequate records of treatment and services.	Dishonorable Conduct; Fraudulent Practice; Negligent Conduct; Unprofessional Conduct; Willful Uniform Licensing Law (ULL) Violation
LaMont L. Gillham, DDS	3/27/06	Censure Civil Penalty-\$500	Testing positive on a mandatory body fluid screen.	Probation Violation
Scott K. Kugler, DDS	3/27/06	Censure Civil Penalty-\$1,000	Administering Nitrous Oxide without a permit.	Violation of the Practice Act
Charles M. Schaepler, DDS	3/27/06	Censure Civil Penalty-\$1,000	Administering Nitrous Oxide without a permit.	Violation of the Practice Act
William J. Gewain, DDS	4/19/06	Censure Civil Penalty-\$10,000	Failure to conform to Operational Safety & Health Administration (OSHA) standards.	Unprofessional Conduct
Cristin C. Wilson, DDS	4/19/06	Censure Civil Penalty-\$1,000	Administering Nitrous Oxide without a permit.	Practice Beyond Scope
Michael A. Starkey, DDS	4/26/06 6/06/06 6/16/06	30 day – Suspension Civil Penalty-\$10,000 5 year - Probation	Opioid dependence; Failure to comply with the Licensee Assistance Program (LAP); Practicing while impaired by controlled substances; Failure to maintain accurate controlled substances records; Self-administration of various controlled substances without a valid medical order; Violation of a 1995 Assurance of Compliance to maintain accurate controlled substances records; offering alcohol to patients.	Ability to Practice Impaired; Chemical dependency; Failure to Conform to the Standards of Practice; Unprofessional Conduct; Violation of the Uniform Controlled Substances Act (UCSA)
Dean H. O'Brien, DDS	5/09/06	Censure Civil Penalty-\$2,000	Dishonesty on his application to administer Nitrous Oxide; Administering Nitrous Oxide without a permit.	Dishonorable Conduct- Unfitness; Violation of the Practice Act
William L. Graves, DDS	5/23/06	Censure Civil Penalty-\$10,000	Allowing dental assistants to perform dental hygienists duties; allowing dental assistants to take radiographs without being certified.	Aiding & abetting in Unlawful Practice; Unprofessional Conduct
Michael R. Kirke, DDS	5/30/06	Non-disciplinary Assurance of Compliance	Refusal to provide a patient with a copy of her dental records because she had an outstanding bill.	Unprofessional Conduct
Penny J. Zahurones, RDH	6/08/06	Censure	Misrepresentation of having received continuing education on her application to renew her dental hygiene license.	Dishonorable Conduct; Fraud, Forgery, Misrepresentation of Material Facts

# SUMMARY OF MANDATORY REPORTING REQUIREMENTS

\*\*\*A document developed to help licensed individuals understand the Mandatory Reporting Regulations\*\*\*

Every dentist and dental hygienist should be aware of the regulations which govern the **Mandatory Reporting** by health care professionals. Neb. Rev. Stat. §§71-168 through 168.02 became effective in 1994. 172 NAC 5 Regulations Governing Mandatory Reporting by Health Care Professionals, Facilities, Peer and Professional Organizations and Insurers became effective on May 8, 1995. The statutes and regulations offer greater protection to public from incompetent, unethical, or impaired practitioners.

172 NAC 5 – Regulations Governing Mandatory Reporting by Health Care Professionals, Facilities, Peer and Professional Organizations and Insurers	
<b>Summary of Mandatory Reporting Requirements</b> ✓ Must be reported in writing within 30 days of occurrence/action ✓ Immune from criminal or civil liability (except self) ✓ Must have first hand knowledge.	
<b>WHAT TO REPORT</b>	<b>WHO IS TO REPORT</b>
1. Practice without License.	All Professionals
2. Gross Incompetence. 3. Pattern of Negligent Conduct. 4. Unprofessional Conduct. 5. Practice while Impaired by Alcohol/Drugs or Physical, Mental, or Emotional Disability. 6. Violations of Other Regulatory Provisions of the Profession.	All Professionals report Others of the SAME Profession*
7. Gross Incompetence. 8. Practice while Impaired by Alcohol/Drugs or Physical, Mental, or Emotional Disability.	All Professionals report Others of a DIFFERENT Profession*
9. Loss of Voluntary Limitation of Privileges . . . . . 10. Resignation of Staff 11. Loss of Employment 12. Licensure Denial 13. Loss of Membership in Professional Organization . . . . . 14. Adverse Action pertaining to Professional Liability coverage. 15. Licensure Discipline/Settlement/Voluntary Surrender/Limitation in any State or Jurisdiction. 16. Conviction of Felony or Misdemeanor in this or any other State or Jurisdiction.	All Professionals ---Self-Reporting
17. Payments made due to Adverse Judgement, Settlement, or Award. 18. Adverse Action affecting privileges or memberships. *** See above	Health Facilities, Peer Review Organizations, and Professional Association
19. Violation of Regulatory Provisions Governing a given Profession. ** 20. Payments made due to Adverse Judgement, Settlement, or Award. 21. Adverse Action affecting coverage.	Insurers
22. Convictions of Felony or Misdemeanor involving Use, Sale, Distribution, Administration, or Dispensing controlled substances, Alcohol or Chemical Impairment, or Substance Abuse. 23. Judgements from claims of professional liability.	Clerk of County or District Court

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\* Exceptions to reporting are: 1) If you are a spouse of the practitioner, 2) If you are providing treatment which means information is protected by a practitioner-patient relationship (unless a danger to the public), 3) When a chemically impaired professional enters the Licensee Assistance Program, 4) When serving as a committee member or witness for a peer review activity.

\*\* Unless knowledge is based on confidential medical records.

Send Written Report To:  
 Investigations Division  
 P O Box 95164  
 Lincoln, NE 68509-5164

The Board wishes to bring your attention to the ADA Principles of Ethics and Code of Conduct:

[www.ada.org/prof/prac/law/code/index.asp](http://www.ada.org/prof/prac/law/code/index.asp)

## CHEMICAL DEPENDENCY RESOURCE GUIDE

The resource guide was developed by the Credentialing Division of the Nebraska Department of Health and Human Services Regulation and Licensure and the Nebraska Licensee Assistance Program for the purpose of providing information about the disease of chemical dependency and health care professionals. The guide provides information on how to recognize the signs and symptoms of the disease of chemical dependency, steps on how to intervene, recovery, relapse prevention and return-to-work considerations.

If you would like a copy of the guide, contact Ruth Schuldt, Credentialing Compliance Monitor at 402-471-0313 or at [ruth.schuldt@hhss.ne.gov](mailto:ruth.schuldt@hhss.ne.gov).

## REQUEST FOR PRACTICE MONITORS/DENTAL RECORD AUDITORS

The Department of Health and Human Services Regulation and Licensure is looking for practicing Dentists who may be interested in contracting with the Department to serve as a Practice Monitor, conduct in-office inspections and/or conduct patient record audits for licensed dental practitioners who have been subject to disciplinary action as a result of practice related issues. If you would like more information or would like to be considered by the Board of Dentistry to serve in this capacity, please contact Ruth Schuldt, Credentialing Compliance Monitor, at 402-471-0313 or [ruth.schuldt@hhss.ne.gov](mailto:ruth.schuldt@hhss.ne.gov).

**MEETING DATES FOR 2007 ARE:**

January 12, 2007  
March 23, 2007  
July 13, 2007  
October 12, 2007

You can find the 2006 meeting dates posted, on the Department website at:

[www.hhs.state.ne.us/crl/brdmtgs.htm](http://www.hhs.state.ne.us/crl/brdmtgs.htm)

**Board of Dentistry Officers Elected for 2006**

On January 13, 2006 the Board of Dentistry elected new officers.

**David Mlnarik, DDS -- Chairperson**

**Sam Jacoby, DDS -- Vice-Chairperson**

**Doris Schrader -- Secretary**

The CE Review Committee members are:

**David Mlnarik, DDS, Julie Marshall, DDS, and Jane Stratman, RDH**

Practice Act Changes Ad Hoc Committee members are:

**Sam Jacoby, DDS, Jane Lott, RDH, and Jane Stratman, RDH**

Alternatives for Expanding Continuing Competency Acceptance Ad Hoc Committee members are:

**David Mlnarik, DDS, Julie Marshall, DDS, and Jane Stratman, RDH**

Enteral Conscious Sedation Ad Hoc Committee members are:

**Paul Tamisiea, DDS, and R. Mark Hinrichs, DDS**

Expanded Duties for Dental Auxiliaries Ad Hoc Committee members are:

**James Murphy, DDS, Sam Jacoby, DDS, Jane Lott, RDH, Jane Stratman, RDH, and Judith Kissell, PhD.**

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## **Change of Address?**

If you have moved or changed your business or mailing address, please remember to contact the Department staff with the new information. The US Postal Service has limitations on forwarding mail to a new address. You are responsible for meeting all renewal dates. If we can't find you, you are still not released from your professional responsibilities to maintain your license.

Any questions??? Please contact the staff at:

Department of Health and Human Services  
Regulation and Licensure  
Credentialing Division  
PO Box 94986  
Lincoln NE 68509-4986

Phone: 402/471-2118

Fax: 402/471-3577

E-Mail: [suzanne.tesina@hss.ne.gov](mailto:suzanne.tesina@hss.ne.gov)

**Becky Wisell  
Section Administrator**

**Vonda Apking  
Credentialing Coordinator**

**Suzanne Tesina  
Credentialing Specialist**

**The Nebraska Department of Health and Human Services Regulation and Licensure Website for Dentists and Dental Hygienists is:**

<http://www.hhs.state.ne.us/crl/medical/dent/dentindex.htm>

The following information is available on the website:

- Applications
- Application Procedures/Requirements
- Board Information
- Brochures/Newsletters
- License Certification/Verification
- Complaints
- Contact Information
- Other Related Contacts
- Continuing Education
- License Duplicates/Reissues
- License Fees
- License Lookup
- Listings
- Licensee Assistance Program
- Licensee Name and Address Change
- Renewal Information
- Rules and Regulations/Statutes

NEBRASKA HEALTH AND HUMAN SERVICES SYSTEM



The Nebraska Health and Human Services System is committed to affirmative action/equal employment opportunities and does not discriminate in delivering benefits or services.



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Regulation and Licensure  
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