

MINUTES OF THE MEETING
OF THE
BOARD OF DENTISTRY

January 5, 2024

ROLL CALL

The meeting of the Board of Dentistry was called to order by Melanie Steckelberg, DDS, Vice-Chairperson, at 9:00 a.m. on January 5, 2024, in the Husker Room at the Hampton Inn & Suites, located at 7343 Husker Circle, Lincoln, Nebraska, 68504. The meeting was conducted In-Person and by WebEx. The following members answered the roll call:

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

Absent: Hannah Randell, RDH

A quorum was present, and the meeting convened.

Also present to participate in the meeting: Vonda Apking, Program Manager; Jan Gaden Harris, Health Licensing Coordinator; C.J. Roberts, Department Attorney; T.J. O’Neill, Assistant Attorney General; and Jeff Newman, Investigator with the Investigation Unit.

Steckelberg 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.

In accordance with Neb. Rev. Stat. § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were e-mailed to the Board members and other interested parties, posted on the DHHS web site at <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx> and posted on the Bulletin Board at the entrance to the Nebraska State Office Building on December 22, 2023 with revisions posted on December 27, 2023, December 29, 2023 and January 4, 2024.

Steckelberg provided an overview of the Board of Dentistry’s purpose.

ADOPTION OF AGENDA

Giles moved, seconded by Ameku, to approve adoption of the agenda with the Chair having the authority to rearrange agenda items as needed. Agenda Item #11 will be moved to after Item #4, Approval of Minutes. Voting aye: Ameku, Cope, Giles, Kucera, Lanphier, Medhi, O’Hara, Steckelberg, Thomas. Voting nay: None. Absent: Randell. Abstain: None. Motion carried.

APPROVAL OF MINUTES

October 13, 2023

Page 1: No changes.

Page 2: Last paragraph, line 3, add “the desire to see” after the word mentioned.

Page 3: No changes.

Page 4: Seventh paragraph, line 2, change the word “EDUCAITON” to “EDUCATION”.

Page 4: Eighth paragraph, line 1, add “OF” after the word UNIVERSITY.

Page 5: No changes.

Giles moved, seconded by Mehdi, to approve the October 13, 2023, minutes as corrected.
Voting aye: Ameku, Cope, Giles, Kucera, Lanphier, Medhi, O’Hara, Steckelberg, Thomas.
Voting nay: None. Absent: Randell. Abstain: None. Motion carried.

November 9, 2023

Page 1: The paragraph under the “Adoption of Agenda” has been edited by Dr. Steckelberg

Page 2: Fourth paragraph, line 2, change the word “hope” to “help”.

Page 3: No changes.

Page 4: No changes.

Page 5: First paragraph, line 4, change the word “me” to “be”.

Lanphier moved, seconded by O’Hara, to approve the November 9, 2023, minutes as corrected.
Voting aye: Ameku, Cope, Giles, Kucera, Lanphier, Medhi, O’Hara, Steckelberg, Thomas.
Voting nay: None. Absent: Randell. Abstain: None. Motion carried.

DISCUSSION of the ZOOM MEETING with DEANS OF CREIGHTON & UNMC SCHOOL/COLLEGE of DENTISTRY

Dr. Cope and Dr. Thomas were present at the meeting. Discussion included a legislative change to give the Board more flexibility, creating an advisory board, processing time for licensing, licensing after completing residency, and how the Board and both of the College/School of Dentistry can work together moving forward. O’Hara questioned if the Board needed to act on anything at this time. The Board discussed the dangers of having side meeting. There is nothing that the Board needs to decide at this time.

INVESTIGATIONAL REPORTS AND APPLICATION REVIEW – CLOSED SESSION

O’Hara moved, seconded by Thomas, to go into closed session at 9:41 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, O’Hara, Steckelberg, Thomas.
Voting nay: None. Absent: Randell. Abstain: None. Motion carried.

O’Hara left the meeting at 10:00 a.m.

Board Break: 10:08 a.m.

Board Returned: 10:16 a.m.

The Board returned to Open Session at 10:18 a.m.

Thomas left the meeting at 10:18 a.m.

APPLICATION REVIEW – OPEN SESSION

Dental Application(s)

No applications were reviewed by the Board.

Dental Assistant Application(s)

No applications were reviewed by the Board.

Dental Hygienist Application(s)

No applications were reviewed by the Board.

E-MAIL BALLOTS SINCE THE LAST MINUTES

No E-Mail ballots were reviewed since the last meeting.

REGULATIONS UPDATE

The draft regulations are currently in the Attorney General's office for review.

LEGISLATION UPDATE

Vonda Apking mentioned that there are two Legislative Bills that have been introduced that will be of interest to the Board:

LB824 Regarding the Dentist and Dental Hygienist Compact.

LB834 Regarding establishing requirements for resident licensing.

The Board needs time to review these two Bills in detail. The Board desires to schedule a WebEx meeting where they can discuss and decide if they will support or oppose the Bills as written.

Vonda will schedule formal plans for the meeting and publish the agenda appropriately.

DISCUSSION REGARDING THE OPEN MEETING ACT

Each public body shall give reasonable advance publicized notice of the time and place of each meeting. Such notice shall be transmitted to all members of the public body and to the public.

The quorum rule for a meeting is half of the members on a Board plus one. For the Board of Dentistry that means at least six of the members would need to be present either in-person or by WebEx to conduct the meeting.

There is an Open Meeting Act rule that states no more than one-half of the meetings can be held by virtual conferencing in a calendar year.

To learn more about the Open Meeting Act go to:
<https://nebraskalegislature.gov/laws/statutes.php?statute=84-1411>

INFORMATION TRANSPARENCY TO BOARD MEMBERS WHEN ADDITIONAL MEETINGS ARE REQUESTED OR CALLED

Steckelberg wants to make sure that in the future emergency or special meetings be very transparent to the Board giving them clear justification as to what will be discussed.

Lanphier moved, seconded by Giles to have the agenda for future special meetings be in writing and to include specific justification for the meeting. Voting aye: Ameku, Cope, Giles, Kucera, Lanphier, Medhi and Steckelberg. Voting nay: None. Absent: O'Hara, Randell and Thomas. Abstain: None. Motion carried.

DISCUSSION OF A ZOOM CALL WITH THE NEBRASKA DENTAL ASSOCIATION AND TRUSTEES

Dr. Steckelberg and Cope commented that they attended a ZOOM call with the Nebraska Dental Association and Trustees. Both agreed that resolutions were passed.

DISCUSSION REGARDING DENTAL COMPACTS

Steckelberg and Cope commented that there will likely be two "dental compact" bills introduced. One particularly mentions "clinical assessment" but not "independent assessment". Board recommended discussing these at the January 19, 2024 meeting.

DISCUSSION REGARDING CENTRAL REGIONAL DENTAL TESTING SERVICES (CRDTS) STEERING COMMITTEES BOARD REPRESENTATIVES

Two Board members will be off the Steering Committee at the end of this year, Dr. Thomas and Lisa Kucera. Lanphier moved, seconded by Steckelberg to have Giles replace Thomas on the Steering Committee. Voting aye: Ameku, Cope, Kucera, Lanphier, Medhi and Steckelberg. Voting nay: None. Absent: O'Hara, Randell and Thomas. Abstain: Giles. 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. Kucera moved, seconded by Lanphier, 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 and Steckelberg. Voting nay: None. Absent: O'Hara, Randell and Thomas. Abstain: None. Motion carried.

ELECTION OF OFFICERS

Lanphier moved, seconded by Ameku 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; Education Committee: Ameku, Kucera, Lanphier and Steckelberg. Liaison to Investigations: Cope, Lanphier and Steckelberg. Voting aye: Ameku, Cope, Giles, Kucera, Lanphier, Medhi and Steckelberg. Voting nay: None. Absent: O'Hara, Randell and Thomas. Abstain: None. Motion carried.

The next regular meeting is scheduled for April 5, 2024.

ADJOURNMENT

The Board adjourned the meeting at 11:50 a.m.

Respectfully submitted by,

(signature on file with the Department)

Michael O'Hara, JD, PhD, Secretary
Board of Dentistry