

**Maine Board of Dental Practice
Board Meeting Minutes
June 14, 2019**

Members Present: Drs. Stephen Morse; Glen Davis; Paul Dunbar; Todd Ray; and Mark Zajkowski; Nancy Foster, RDH, EFDA; Tracey Jowett, RDH, IPDH; Kathryn Young, LD; and M. Lourdes Wellington, Public Member

Also Present: Andrew Black, Assistant Attorney General; Teneale Johnson, Executive Secretary; and Penny Vaillancourt, Executive Director

Minutes – May 17, 2019: Following their review of the draft minutes, Dr. Zajkowski made a motion to accept the minutes as presented. Dr. Davis seconded the motion. Vote 7-0 in favor. (Ms. Young and Ms. Wellington abstained)

Case Items – Compliance Reporting:

Review of Letter Received – Case No. 14-35: The Board received a letter from the Maine Medical Professionals Health Program and from the licensee’s attorney concerning a current medical condition. Following their review, the information was accepted as an FYI and Board staff will remind the licensee’s attorney that the board office be notified when the licensee will return to practice.

E-mail dated June 4, 2019 from Dr. Catherine Bunin-Stevenson: Dr. Davis made a motion to approve Dr. Fellers to perform an independent evaluation of Dr. Bunin-Stevenson. Ms. Foster seconded the motion. Vote 8-1 in favor. (Ms. Jowett recused)

Board Rule – Chapter 7 “Establishment of Fees”: After a review and discussion of the draft basis statement and response to comments, Dr. Davis made a motion to accept the draft as presented. Ms. Young seconded the motion. Vote 9-0 in favor.

Dr. Davis made a motion to adopt Board Rule, Chapter 7 as presented. Dr. Zajkowski seconded the motion. Vote 7-2 if favor. (Ms. Foster and Dr. Dunbar opposed)

Applications for Review:

- Aaron M. Guimond, DMD – dentist licensure: After a review and discussion of the application materials, including the applicant’s disclosure of criminal conduct, Dr. Dunbar made a motion to grant Dr. Guimond a dentist license. Dr. Zajkowski seconded the motion. Vote 9-0 in favor.
- Alden Hurtig, DMD – dentist licensure: After a review and discussion of the application materials, including information indicating that the applicant had not taken a national or regional examination, Dr. Dunbar made a motion to approve application and waive the examinations. Dr. Zajkowski seconded the motion for purposes of discussion. Vote 9-0 in opposition (motion failed). Dr. Davis made a motion to preliminarily deny the application based on the applicant’s failure to pass a national examination. Ms. Foster seconded the motion. Vote 9-0 in favor.

Subcommittee on Dental Hygienists Report: Ms. Grenier reported the following:

- The Subcommittee reviewed and approved its minutes from the May 17, 2019 meeting.
- The Subcommittee reviewed and accepted as an FYI, the preliminary agenda for upcoming meetings.
- Application for Local Anesthesia and Nitrous Oxide Analgesia Authority – Karina Coronel, RDH: The Subcommittee’s recommendation to approve the course and examination information and to grant the authorities to Ms. Coronel was adopted by the Board.
- Application for Local Anesthesia Authority – Stephanie Seger, RDH: The Subcommittee’s recommendation to approve the course and examination information and grant the authority to Ms. Seger was adopted by the Board.
- Applications for Dental Hygiene Licensure and Local Anesthesia and Nitrous Oxide Analgesia Authorities – Dayna Woods: The Subcommittee’s recommendation to conditionally approve the applications contingent on a clear assessment to be completed by the Maine Medical Professionals Health Program was adopted by the Board with Ms. Foster and Ms. Jowett recused.
- Delegation chart: The Subcommittee’s recommendation to approve the delegation chart as presented was adopted by the Board.

Adjudicatory Hearing – Marina Narowetz, DDS – Case No. 18-87:

An adjudicatory hearing was held in the above mentioned case

After presentation of the evidence, Dr. Dunbar made a motion stating that there is proof by a preponderance of the evidence that the licensee engaged in unprofessional conduct by violating a standard of professional behavior as established by Board Rules Chapter 9, § II(K) Dr. Zajkowski seconded the motion. Vote 7-1 in favor. (Dr. Davis recused; Ms. Wellington abstained)

Dr. Zajkowski made a motion that the following sanctions be imposed based on the above finding: 1) Reprimand; 2) Completion of Continuing Education (3 hours Ethics/3 hours Recordkeeping) which must be pre-approved by the Complaint Officer, which cannot be reused for license renewal, and must be completed within 90 days; 3) Hearing costs not to exceed \$3,000 to be paid within 90 days; 4) Civil penalty of \$1,500 to be paid within 90 days; and 5) A license probation of five (5) years to which she shall refrain from violating any Board statutes and/or rules. Dr. Dunbar seconded the motion. Vote 8-0 in favor. (Dr. Davis recused)

Board Policy – Limited Delegation of Authority to Board Staff to Review and Approve

Applications and Offer Consent Agreements: After a review and discussion of the draft policy and delegation chart, Dr. Zajkowski made a motion to adopt the board policy effective today. Dr. Dunbar seconded the motion. Vote 9-0 in favor.

Board Policy – Veterans Preference – Pursuant to 10 M.R.S. §8011: After a review and discussion of the draft, Dr. Davis made a motion to adopt the board policy effective today. Dr. Zajkowski seconded the motion. Vote 9-0 in favor.

E-mail dated May 23, 2019 from Licensee RE: Case No. 16-13 Letter of Guidance: After a review and discussion of the e-mail received, the Board accepted the information as an FYI.

Letter dated May 24, 2019 to Christopher Freeman, DMD RE: Clarification regarding dental practice: After a review and discussion of the letter received, the Board accepted the information as an FYI.

Letter dated May 31, 2019 from Lee Richheimer, DDS RE: Report of medical incident: After a review and discussion of the letter received, the Board accepted the information as an FYI.

E-mail dated June 5, 2019 from Licensee RE: Laser Use and Soft Tissue Curettage: Following their review of the information, the Board agreed that staff should reiterate what was previously provided for information concerning the use of lasers, and scope of practice for dental hygienists.

Rulemaking Items: The Board reviewed changes made to the following draft rules:
Chapter 9 “Unprofessional Conduct”
Chapter 19 “Practice Requirements”

Case Items – Compliance Reporting:

Review of Consent Agreement Compliance Documentation – Case No. 18-91: After a review and discussion of the compliance documents submitted to the Board which included payment of a civil penalty and proof of continuing education completed, Dr. Zajkowski made a motion to accept the documentation. Ms. Young seconded the motion. Vote 9-0 in favor.

Executive Director’s Report:

- Legislative Update: Board staff is continuing to monitor legislation in the 129th First Regular Legislative session in coordination with the Commissioner’s Office.
- Rulemaking: The Rules Committee will reconvene in the future to discuss Chapters 14 and 21.
- Financial Report: The Board accepted the report as an FYI.
- Licensing Data: The Board accepted the report as an FYI.

Dr. Davis made a motion to adjourn at 5:30 p.m. Ms. Jowett seconded the motion. Vote 9-0 in favor.