

AGENDA (REVISED)

CONNECTICUT STATE DENTAL COMMISSION
Wednesday, January 17, 2007 at 1:00 PM
Department of Public Health
410 Capitol Avenue, Hartford, CT
Conference Room E – 2nd Floor.

CALL TO ORDER

EXECUTIVE SESSION

Assistant Attorney General Kerry Colson

MINUTES / CORRESPONDENCE

- A. Review and approval of the minutes from December 6, 2006.
- B. Correspondence

NEW BUSINESS

Michael Maroon, DMD – Petition No. 2002-0516-002-034
Oral Argument on Proposed Memorandum of Decision

OLD BUSINESS

- “Advise and Assistance” Chapter 379 - § 20-103a
- “Under the Supervision of Dental Commission” Licensure § 20-108
- Licensure Application Review §§ 20-107, 20-108, 20-110
- Residency training verification forms § 20-108b

NEW BUSINESS

- Dental Assistants “supervision and control” - § 20-112a
- Dental Hygiene Standards of Care
Assistant Attorney General Daniel Shapiro
- Special Act – 04-07
Assistant Attorney General Daniel Shapiro
- DPH Scope of Practice Dental Legislation
Jennifer Filippone, Section Chief of the Practitioner Licensing and Investigations, DPH
- 2007 AADE Mid-Year Meeting and Forum on Examinations
Jennifer Filippone, Section Chief of the Practitioner Licensing and Investigations, DPH

LEGAL OFFICE BUSINESS

Richard Shulman, DMD – Petition No. 2004-0928-002-081
Presentation of Consent Order – Roberta Swafford, Staff Attorney

ASSIGN HEARING PANELS

- A. Michael Green, DDS – Petition No. 2005-1024-002-069
- B. Gary Lessin, DDS – Petition No. 2005-0812-002-62

NEW BUSINESS

- Additional Patient Protection Legislation
- Commission on Dental Accreditation – Site Visit Process
- Parking at DPH

ADJOURN

The following minutes are draft minutes which are subject to revision and which have not yet been adopted by the Board.

**Connecticut State Dental Commission
MINUTES OF MEETING
December 6, 2006**

The Connecticut State Dental Commission held a meeting on December 6, 2006, at the Department of Public Health, 410 Capitol Avenue, Conference Room F, Second Floor, Hartford, Connecticut.

COMMISSION MEMBERS PRESENT: Martin J. Rutt, DDS, Chairman
 Gerald Birmingham, DMD, MPH
 Robert Friedman, DDS
 Peter Katz, DMD
 Merrill Marks
 Steven Reiss, DDS
 Jeanne P. Strathearn, DDS
 Barbara Ulrich

COMMISSION MEMBERS ABSENT: None

Dr. Rutt called the meeting to order at 1:04 p.m.

I. Minutes

The minutes of the September 27, 2006 meeting were reviewed. Dr. Strathearn made a motion seconded by Dr. Friedman, to approve the minutes. The motion passed unanimously.

II. Legal Office Business

A. Richard Shulman, DMD – Petition No. 2004-0928-002-081

Roberta Swafford, Staff Attorney, Department of Public Health, presented a Consent Order in the matter of Richard Shulman, DMD. Neither Dr. Shulman nor his attorney was present. For discussion purposes Dr. Strathearn made a motion, seconded by Dr. Reiss, to approve the Consent Order.

Following extensive discussion, Dr. Strathearn withdrew her motion to approve and made a motion, seconded by Mr. Marks, to table this matter to the first meeting of 2007 to allow for additional information to be provided to the Commission. The motion to table passed unanimously.

B. Michael Sonick, DMD – Petition No. 2006-0418-002-025

Stanley Peck, Section Chief, Legal Office, Department of Public Health, presented a Consent Order in the matter of Michael Sonick, DMD. Neither Dr. Sonick nor his attorney was present. Dr. Strathearn made a motion, seconded by Dr. Katz, to approve the Consent Order. The motion passed unanimously. Dr. Rutt signed the Order.

III. New Business

A. An Act Concerning Patient Protection and Health Care Practitioner Security Fund

Stanley Peck, Section Chief, Legal Office, Department of Public Health (DPH) provided an overview of legislation proposed by the Department of Public Health which would establish a confidential program for impaired health care practitioners; provide funding for DPH consultants and provide funding to the DPH for medical record management in situations in which a practitioner has abandoned a practice. Mr. Peck stated that this legislation would result in a \$10.00 surcharge added to annual license renewals with the monies deposited in a designated fund.

Dr. Birmingham suggested that the DPH gain the support of the Connecticut State Dental Association regarding this proposal.

Dr. Katz made a motion, seconded by Ms. Ulrich, to support the proposed legislation. The motion passed with all in favor except Dr. Birmingham who abstained.

Dr. Rutt will draft a letter of support that will be shared with the Commission members and then forwarded to the Public Health Committee.

B. Verification of Dental Residency Training

Dr. Rutt explained that he has reviewed a number of residency training verification forms and believes that many of the applicants should not have been found eligible for licensure based on his interpretation of the law concerning licensure of PGY-1 applicants. Dr. Rutt also stated that he is concerned that some of the applicants had failed the ADEX clinical skills examination yet they are able to qualify for licensure under these provisions. Commission members questioned how the Department is going to handle taking licenses back from individuals who should not have been licensed. DPH indicated that they had not interpreted the law in the same way that the Commission had, and that they would be seeking a formal interpretation of this law from the Attorney General's Office. Jennifer Filippone, Section Chief of the Practitioner Licensing and Investigations Section stated the DPH will reevaluate the applicants who were granted licenses by the PGY-1 process to determine eligibility by other licensure standards. Assistant Attorney General Richard Lynch, who was present for this discussion, commented that on its face, his reading of this statute suggests that the Dental Commission appears to be correct in its interpretation of this section. Dr. Rutt requested, that until the DPH gets a formal opinion from the Assistant Attorney General, the Department refrain from granting any licenses pursuant to the PGY-1 process. Dr. Rutt also read an excerpt from §20-108 which states each applicant for a license to practice dental medicine or dental surgery shall be examined by the Department of Public Health, under the supervision of the Dental Commission as to his professional knowledge and skill before such license is granted. He believes that this section means that the Dental Commission supervises the Department is carrying out all licensure activities. Attorney Lynch stated his office will also review the question of supervision of the licensing process by the Commission.

There was also discussion that the current licensure §20-107 may preclude Canadian trained dentists from being licensed in Connecticut unless they comply with licensure requirements for other foreign-trained dentists. DPH has not interpreted the law in this way and believes that graduates from Canadian programs accredited by the ADA would be eligible for licensure without having to meet the additional requirements for foreign-trained dentists. DPH will also ask the Attorney general's for an interpretation of this section of the statute.

Stephen Carragher, Health Program Supervisor provided an overview of the criteria for the processing of applications for the reinstatement of lapsed licenses. The current agreement, that applicants out of practice for more than six months are to be reviewed by the Commission, will remain in effect.

C. Provisional License Application – Kahlid Almas, DDS

A provisional license application for Kahlid Almas, DDS was presented by Debbie Brown, Health Program Assistant, Department of Public Health.

Dr. Birmingham made a motion seconded by Dr. Strathearn, to recommend approval of a provisional license provided that the applicant does not have an adverse licensure history in the State of New York. The motion passed unanimously.

D. Meeting Dates 2007

The following meeting dates were tentatively scheduled for 2007:

January 17, 2007

April 11, 2007

September 5 or 26, 2007

December 5, 2007

All meetings will be scheduled for 1:00 p.m., at the Department of Public Health, 410 Capitol Avenue, Hartford, Connecticut.

Dr. Strathearn left the meeting at 3:15 p.m.

IV. Old Business

Bleaching of teeth in hair salons

Jennifer Filippone, Section Chief, Practitioner Licensing and Investigations Section thanked the Commission for its advice concerning teeth bleaching that was provided at the last Dental Commission meeting. DPH continues to conduct investigations into this practice and will proceed with action against unlicensed persons found to be performing teeth bleaching in salons in the form cease and desist consent orders, which will be submitted to the Commission for approval. The Dental Commission thanked the Department for following up on these matters.

V. Adjourn

Dr. Friedman made motion, seconded by Dr. Katz, to adjourn the meeting. The motion passed and the meeting adjourned at 3:30 p.m.