



ARIZONA STATE BOARD OF DENTAL EXAMINERS

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BODEX UPDATE/FAQs

As I approach my six-year anniversary at the Dental Board I realize that I've written over 60 columns for Inscriptions. The Agency priorities are constantly changing based on regulatory changes, legal challenges, Department of Administration mandates and/or dental practices. Given this, I am usually able to share issues of interest. I appreciate the feedback on these columns and receive additional questions as a result. Since frequently asked questions (FAQs) generate the most feedback, this column will be dedicated to some of those.

On a positive note for 2015, the Dental Board received a recommendation for a 10 year continuance from the Legislature's Committee of Reference. This is a major accomplishment given the legislative climate and Arizona Medical Board publicity. As communicated previously, the Auditor General Performance Report will be evaluated during the 2015 legislative session. The Board has made considerable changes as a result of the auditor general's recommendations. Additionally, an Omnibus Bill will be introduced in the upcoming legislative session. One of the proposed amendments as recommended by the Auditor General is that the Agency conduct criminal background checks of licensee applicants. This could be somewhat controversial given differing opinions of legislators.

Frequently Asked Questions:

Should I obtain legal counsel to help me on a Board complaint?

Board staff cannot provide legal advice or guidance; however, I tell licensees that it is the Board's understanding that most insurance companies will pay for an attorney to represent a licensee in a Board proceeding. Correspondence sent by the Board does recommend the licensee consider obtaining legal representation.

Can I prescribe for family members?

Under the Dental Practice Act, it is unprofessional conduct to prescribe, dispense or use drugs for other than accepted dental therapeutic purposes or for other than medically indicated supportive therapy in conjunction with managing a patient's dental needs. Board staff routinely receives calls from pharmacists asking about the legitimacy of drugs ordered by a dentist for friends and/or family members. It is critical that licensees who have a DEA register with the Pharmacy Board's Controlled Substance Monitoring Program. There is considerable discussion at the legislature regarding mandated use of the program by licensees.

May I contact a patient once they file a complaint with the Board?

Again, Board staff cannot give advice; however, the Dental Practice Act is silent on this issue. The patient may choose not to speak with the licensee. Many times, a patient files a complaint when they believe the office staff or dentist is not listening to them.

Where does it say in the Dental Practice Act that I must use a rubber dam when performing a root canal?

The Dental Practice act does not articulate the standard of care but Board does based on the facts of each individual case. We receive many calls asking this same question related to specific procedures. The standard of care is what a reasonable and prudent dentist would do under the same or similar circumstances.

Does a non-disciplinary letter of concern go on my permanent record with the Board?

No it does not. Non-disciplinary sanctions are not placed on the Board's website; however, if someone calls the Agency non-disciplinary sanctions must be reported if they occurred within the past five years. After five years, non-disciplinary sanctions are not reportable.

How many self-study hours can I claim per triennial?

A licensee may claim 24 hours for self-study. This is explained in R4-11-1209 (A) (4) (b).

Why is the Board sending information to my home address?

The Board sends information to the address of record a licensee has provided. The address of record is also placed on the licensee's profile on the website. Many licensees fail to report address changes as required in ARS 32-1236 (I).

Special thanks to Nancy Chambers, Deputy Director, the Dental Board team, our Assistant Attorney General, Mary Williams, and Board members for moving the Agency toward a ten year continuance! May 2015 be a prosperous year and.....the Cardinals **GO ALL THE WAY!**