



ARIZONA STATE BOARD OF DENTAL EXAMINERS
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**MEETING OF THE ARIZONA
STATE BOARD OF DENTAL EXAMINERS
MINUTES OF THE TELEPHONIC BOARD MEETING
FEBRUARY 5, 2013**

Board Members Present:

Gregory A. Waite, DDS, President
Michael R. Hauer, DDS, Vice President
Laurie A. Buckles, RDH
Ms. Carole A. Crevier
Robert H. Foster, DDS
Gary M. Gradke, DDS
Mr. Joshua Greer
Mr. Charles E. Jackson
Marilyn J. McClain, RDH

Board Members Absent:

D. Benjamin Whiting, DDS

Staff Present:

Ms. Elaine Hugunin, Executive Director
Ms. Nancy Chambers, Deputy Director
Ms. Terry Bialostosky, Investigations Supervisor
Ms. Sherrie Biggs, Licensure Manager

NOTICE:

Roll Call votes are recorded and provided as an attachment to these minutes pursuant to A.R.S. §32-3205 which reads "If a disciplinary action requires a vote of Board members, the health professional regulatory Board shall conduct that vote by roll call. The Board shall maintain a record of each member's vote. This section does not prohibit a Board from using a Consent Agenda."

Agenda Item No. I - Call to Order

Dr. Waite called the meeting to order at 5:01 p.m.

Agenda Item No. II – Review, discussion and possible action regarding Board's proposed legislation HB2426 Mobile Dentistry – Amending section 32-1299.25 related to informed consent; information for patients.

Dir. Hugunin stated that several issues have been brought forward regarding HB2426. Board Members in attendance indicated they had received the materials. Dir. Hugunin proceeded to present the issues.

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One of the issues is the proposed language in HB2426 regarding the requirement to provide contact information of the local public health department as found in § 32-1299.25(D)(2). The language in the bill is not the same language which the Board approved. Further, there is stakeholder concern that referring to another entity exposes the mobile dental permit holder to risk. The stakeholder wants 32-1299.25(D)(2) deleted. The Board's lobbyist has opined that this issue should be worked out between the county and the mobile dental permit holders outside of the proposed legislation. Dir. Hugunin has been in contact with county officials. They understand the issue and are willing work on the issue with the stakeholder.

Upon MOTION by Dr. Hauer, second by Ms. Crevier, the Board voted to DELETE section (D)(2) of the proposed language in HB2426. MOTION PASSED UNANIMOUSLY.

Dir. Hugunin presented further issues with HB2426. The Arizona Dental Association (AzDA) has proposed two new amendments to the language in HB2426. Both amend 32-1299.25(B) which is the section requiring an additional consent. The first proposed amendment deletes the Board's proposed language – "permit holder of a mobile dental facility or portable dental unit" and adds the language "the treating dentist or dental hygienist." The second proposed amendment adds a sentence at the end of the section which reads, "Any such consent must contain a description of the proposed treatment and must provide an opportunity for the patient, or the parent or guardian, to ask questions about the proposed treatment from the treating dentist or hygienist."

Stakeholders have not yet had an opportunity to review and discuss the proposed amendments and may have issues as the proposed language is more specific than the original proposed language. The Bill will be heard in the House Health Committee tomorrow. AzDA will not oppose the bill with the caveat that there will be more discussion regarding their amendments.

Board comments: The first amendment is a good change; the dentist and hygienist are the ones who have to talk to the patient because they know what is going on. The second amendment is also an improvement. Giving the patient, parent or guardian a chance to respond and ask questions is a good change. A question – The parent should give their consent, but how hard will it be to talk to someone and get that consent? Response – it will be very difficult, but that's what we all do. There is an advantage when patients are seen in an office; the parent or guardian is usually, but not always, there. If the parent or guardian is not there, the office makes phone calls. If the treatment has to be postponed until the dentist can talk to the parent or guardian so be it. The proposed amendments are in keeping with the intent.

The Board is supportive of the proposed amendments, but also supportive of the original proposed language.

Agenda Item No. III – Adjournment

Upon MOTION by Dr. Foster, second by Mr. Jackson, the Board voted to ADJOURN the Board meeting. MOTION PASSED UNANIMOUSLY.

Dr. Waite adjourned the meeting at 5:13 PM.

Minutes APPROVED at the April 5, 2013 Board Meeting.



Elaine Hugunin, Executive Director