

MINUTES OF THE MEETING
OF THE
BOARD OF DENTISTRY

October 4, 2024

ROLL CALL

The meeting of the Board of Dentistry was called to order by Dean Cope, DDS, Chairperson, at 9:00 a.m. on October 4, 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
Melanie Steckelberg, DDS, Vice-Chairperson
Michael J. O’Hara, JD, PhD – Secretary
Yoshiharu Ameku, DDS
Gene Giles, DDS
Lisa Kucera, RDH
Terrence Lanphier, DDS
Lynlee Medhi
Takanari Miyamoto, DDS
Hannah Randell, RDH

Absent: None

A quorum was present, and the meeting convened.

Also present to participate in the meeting: Vonda Apking, Program Manager; Jan Gadeken-Harris, Health Licensing Coordinator; Becky Wisell, Deputy Director; Teresa Hampton, Department Attorney; Danielle Sund and Katherine Amyt, Department Attorneys via WebEx; T.J. O’Neill, Assistant Attorney General; and Jeff Newman, Investigator with the Investigation Unit.

Cope 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 September 20, 2024 with revisions posted on September 23, 2024 and October 1, 2024.

ADOPTION OF AGENDA

Giles moved, seconded by Kucera, to approve adoption of the agenda with the Chair having the authority to rearrange agenda items as needed. Voting aye: Ameku, Cope, Giles, Kucera, Lanphier, Medhi, Miyamoto, O’Hara, Randell and Steckelberg. Voting nay: None. Absent: None. Abstain: None. Motion carried.

APPROVAL OF MINUTES

July 12, 2024

Page 5: Delete the words “which in his opinion” on line 14 of the “Discussion Regarding Plans to Accept other Clinical/Practical Examinations”.

Page 5: Add Dr. Jacoby’s letter to the Board and Dean Wallen’s letter to the Board, under the “Discussion Regarding Plans to Accept other Clinical/Practical Examinations”.

Steckelberg moved, seconded by Randell, to approve the July 12, 2024, minutes as corrected. Voting aye: Ameku, Cope, Giles, Kucera, Lanphier, Medhi, Miyamoto, O’Hara, Randell and Steckelberg. Voting nay: None. Absent: None. Abstain: None. Motion carried.

September 27, 2024

Page 2: Paragraph 1 line 5 delete the words “about approximately 60%” and replace with the words “by 60 Dentists”

Page 2: Paragraph 2 line 3 “probe” should be “probing”

Page 2: Paragraph 2 line 5 “or decalcification” corrected to “for decalcification”

Page 2: Paragraph 5 line 1 correction to read as: “ADEX and CRDTS are not the same.”

Page 3: Paragraph 7 corrected to read:

Ameku stated that when statutes were drafted it was focused on patient-based examination not mannequin. Maybe it is time to look at alternative pathways to licensure such as PGY1 (Post Graduate Year 1) by successfully completing a PGY1 in Advanced Education in General Dentistry or General Practice Residency from a CODA accredited program. This will provide the Dentist an opportunity to gain additional experience and allow another option for obtaining dental licensure in Nebraska.

Page 3: Paragraph 8 corrected to read:

Steckelberg states she is open to finding other pathways to licensure. Such as, accepting an extra post graduate year after graduation, but that would not be equal for both dental schools in Nebraska.

Giles moved, seconded by O’Hara, to approve the September 27, 2024, minutes as corrected.

Voting aye: Ameku, Cope, Giles, Kucera, Lanphier, Medhi, Miyamoto, O’Hara, Randell and Steckelberg. Voting nay: None. Absent: None. Abstain: None. Motion carried.

PUBLIC COMMENTS

There were no public comments at this time.

INVESTIGATIONAL REPORTS AND APPLICATION REVIEW – CLOSED SESSION

O’Hara moved, seconded by Steckelberg, to go into closed session at 9:19 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, Miyamoto, O’Hara, Randell and Steckelberg. Voting nay: None. Absent: None. Abstain: None. Motion carried.

The Board returned to Open Session at 10:29 a.m.

Board Break: 10:29 a.m.
Board Returned: 10:45 a.m.

APPLICATION REVIEW – OPEN SESSION

Dental Application(s)

LARSON, JUDD, DDS – application for Initial Dentist license. Steckelberg moved, seconded by Ameku to recommend approval of the application for Initial Dentist license subject to the limitation of no placement of dental implants. Basis is action in another state. Voting aye: Ameku, Cope, Giles, Kucera, Lanphier, Medhi, Miyamoto, O'Hara, Randell and Steckelberg. Voting nay: None. Absent: None. Abstain: None. Motion carried.

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

An E-Mail ballot was reviewed and approved by a 6/3 vote in favor of having Dr. Cope and Dr. Steckelberg attend a meeting with the Deans on September 13, 2024.

REGULATIONS UPDATE

Clarification on Reciprocity Pathways for Dentistry:

NE Revised Statute 38-1117.

<https://nebraskalegislature.gov/laws/statutes.php?statute=38-1117>

Dentistry; license; requirements.

(1) Every applicant for a license to practice dentistry shall (a) present proof of graduation with a Doctor of Dental Surgery degree or a Doctor of Dental Medicine degree from an accredited school or college of dentistry, (b) pass an examination approved by the Board of Dentistry which shall consist of the National Board Dental Examinations, both Part I and Part II, as constructed and administered by the American Dental Association Joint Commission on National Dental Examinations, (c) demonstrate the applicant's skill in clinical dentistry by passing the practical examination administered by the Central Regional Dental Testing Service or any other regional or state practical examination that the Board of Dentistry determines to be comparable to such practical examination, (d) pass a jurisprudence examination approved by the board that is based on the Nebraska statutes, rules, and regulations governing the practice of dentistry and dental hygiene, and (e) demonstrate continuing clinical competency as a condition of licensure if required by the board.

(2) Upon completion of these requirements, the department, with the recommendation of the board, shall issue the applicant a license to practice dentistry.

NE Revised Statute 38-1120.

<https://nebraskalegislature.gov/laws/statutes.php?statute=38-1120>

Dentist; reciprocity; requirements.

Every applicant for a license to practice dentistry based on a license in another state or territory of the United States or the District of Columbia shall meet the standards set by the board pursuant to section [38-126](#) and shall have been actively engaged in the practice of dentistry for at least three years, one of which must be within the three years immediately preceding the application, under a license in another state or territory of the United States or the District of Columbia. Practice in an accredited school or college of dentistry for the purpose of completing a postgraduate or residency program in dentistry also serves as active practice toward meeting this requirement.

NE Revised Statute 38-1121.

<https://nebraskalegislature.gov/laws/statutes.php?statute=38-1121>

Dental hygienist; licensed dental assistant; reciprocity; requirements; military license; temporary license.

(1) Every applicant for a license to practice dental hygiene based on a license in another state or territory of the United States or the District of Columbia shall meet the standards set by the board pursuant to section [38-126](#) and shall have been actively engaged in the practice of dental hygiene for at least three years, one of which must be within the three years immediately preceding the application, under a license in another state or territory of the United States or the District of Columbia. Practice in an accredited dental hygiene program for the purpose of completing a postgraduate or residency program in dental hygiene also serves as active practice toward meeting this requirement.

(2) An applicant who is a military spouse may apply for a temporary license as provided in section [38-129.01](#).

(3) Every applicant for a license to practice as a licensed dental assistant based on a license in another state or territory of the United States or the District of Columbia shall meet the standards set by the board pursuant to section [38-126](#) and shall have been actively engaged in practice as a licensed dental assistant for at least three years, one of which must be within the three years immediately preceding the application, under a license in another state or territory of the United States or the District of Columbia. Practice in an accredited dental assisting program for the purpose of completing a postgraduate or residency program in dental assisting also serves as active practice toward meeting this requirement.

Dean Wallen
Creighton University

Jessica Meeske, DDS
Hastings, NE 68901

Dr Meeske suggested that the Reciprocity Pathways be added to the DHHS public website Dentistry pages with complete explanation of the differences.

LEGISLATION UPDATE

Jessica Meeske, DDS
Hastings, NE 68901

LR373 - *Interim study to examine different methods, including potential statutory changes, to address the need to recruit, train, and retain individuals to practice dentistry in Nebraska.*

Notice of Hearing for October 30, 2024

https://nebraskalegislature.gov/bills/view_bill.php?DocumentID=57232

UPDATE ON THE MEETING WITH THE DEANS

Cope commented that he would prefer that no exam be specified in the Statutes.

Steckelberg agrees with Cope and asks how should legislative bills be proposed in the future to be presented for the Legislative sessions?

Timothy Tesmer, MD
DHHS Chief Medical Officer
Division of Public Health

Good morning. My name is Timothy Tesmer, and I am the Chief Medical Officer for the Nebraska Department of Health and Human Services. It is an honor to be here. I want to express my sincere appreciation for the opportunity afforded me last week to speak to this Board. I will respect your time and agenda and keep my comments brief.

The mission of DHHS is to “help people live better lives” by ensuring the health, safety and welfare of our citizens. Broadly speaking, the Department and this Board should have a similar mission.

Currently, an opportunity exists to positively impact the alarming trend of the number of dentists in our state decreasing, while our overall population increases. Recruiting young dentists to our state is vital and critical. Currently, per state statute, one practical clinical licensing examination is listed as acceptable (CRDTS). However, the statute allows for “any other regional or state practical examination that the Board of Dentistry determines to be comparable to such practical examination”.

Comparable is not defined in the statutes. Plain English definitions of comparable include similar, like or close. Nowhere does the word “exact” appear in such definitions. We all know that no one test can assess complete or exact clinical competency for treating actual patients. The key is whether the test adequately assesses minimal competency to utilize the clinical skills necessary for dental practice.

I have been unable to find any disciplinary actions taken across jurisdictions based on a particular practical licensing examination one took to obtain a dental license. With this, I have considerable difficulty understanding any safety objections that would disallow the ADEX exam from being accepted, especially when nearly all other states in our country, with perhaps two exceptions, find it to be acceptable.

I humbly and respectfully ask this Board to thoughtfully consider its decision on acceptable practical licensing examinations, thereby providing Nebraskans expanded access to well-trained dental professionals who want to come live and practice in our state. The time is now to courageously act for the dental “health, safety and welfare” of our citizens. Thank you.

Dean Wallen
Creighton University

Dean Wallen wants to maintain continued relations with both clinical exams (CRDTS & ADEX)

Sheri Cobler
CRDTS

Ms. Cobler comments that the “DLOSCE” pathway contains no hands-on skills assessments.

DLOSCE is a computer-based examination requiring the candidate to answer 150 questions using 3D computer modeling to answer questions on clinical dental tasks and does not include a hands-on component.

https://jcnde.ada.org/-/media/project/ada-organization/ada/jcnde/files/dlosce_quick_facts.pdf?rev=7bb1a68a85fa43799cbcc277daf51aad&hash=A551B66F94B514FAB91AA2D3448A5BAD

With Legislative change it will reduce the responsibility of the Board of Dentistry to look at the exams each and every year.

OROFACIAL MYOLOGY SUBCOMMITTEE MEETING REPORT

Nebraska Board of Dentistry Subcommittee: Orofacial Myology
October 4, 2024 Report to Full Board

Nebraska Board of Dentistry Subcommittee on the Orofacial Myology Practice questions (7/12/24 BOD meeting) met via Zoom on 8/14/24 and 8/28/24. Subcommittee members in attendance were: Lisa Kucera, Dr. Takanari Miyamoto, Hannah Randell, and Dr. Melanie Steckelberg.

We also met via Zoom on 9/12/24 with the above individuals plus the following additional interested parties: Elizabeth Laney, BSDH, RDH and Patricia Brinkman-Falter, BSDH, MS, PHRDH, COM. These individuals were on record from the last BOD meeting as interested in working with this subcommittee. We finalized this report via email.

The subcommittee reviewed the practice questions posed and brings forth these recommended answers.

Q1. Is a myofunctional therapist required to work in a dental office under direct supervision or general supervision.

Recommended Answer 1. *If a myofunctional therapist is licensed as a dental hygienist, they are bound to the statutes of their licensed profession. Therefore, they are required to work with a dentist under general or indirect supervision. A Nebraska professional license dictates the scope of practice. Nebraska dentistry statutes do **not** include direct supervision.*

Q2. If a myofunctional therapist has additional training in manual therapy for TMJD from a licensed massage therapist and certified myofunctional therapist, can they provide manual therapy intraorally for TMJD if working on their own and not within a dental office?

Recommended Answer 2. No, that training would need to come from a CODA accredited institution.

Q3. Can a hygienist work as a myofunctional therapist under a 1099 independent contractor agreement within a dental office?

Recommended Answer 3. The Board of Dentistry does not comment on IRS classifications.

The subcommittee also brings forth these recommended statements:

1. Orofacial myofunctional therapy is the re-education of the orofacial complex: muscles, functions, and rest postures. This involves lips, tongue, cheeks, mandible, sucking, chewing, swallowing, speech articulations and more. Myofunctional therapy takes time to integrate via neurologic reeducation. Discharge of the patient occurs when the functions of the stomatognathic system are stable and new patterns have been habituated.
2. Receiving a Referral does not equate to general supervision nor indirect supervision.

If there are further practice questions, the subcommittee recommends going through the 407 process (change of practice scope).

Nebraska Board of Dentistry Subcommittee: Orofacial Myology
October 4, 2024 Additional Statement

Nebraska Board of Dentistry Subcommittee on the Orofacial Myology Practice questions (7/12/24 BOD meeting) met via Zoom on 8/14/24, 8/28/24, and 9/12/24. We also communicated via email. Subcommittee members in attendance were: Lisa Kucera, Dr. Takanari Miyamoto, Hannah Randell, and Dr. Melanie Steckelberg.

The subcommittee reviewed the practice questions posed and feel compelled to address some unacceptable professional behavior.

The subcommittee brings to the Board of Dentistry the following statement:

The Board of Dentistry is here to assist those in our profession who have questions or concerns relating to our profession. The Board does have limitations on what actions we can take. This subcommittee has been made aware that individuals within dentistry have retaliated against those who have asked questions of this board. This subcommittee wants it made known that the Nebraska Board of Dentistry welcomes practice questions and is concerned that this type of behavior has occurred. The dental profession needs to do a better job of working together. We are all better than this.

Pat Brinkman, UNMC
Lincoln, NE

Liz Laney, BS, DH, RDH
Elkhorn, NE

Kucera moved, seconded by O'Hara to approve the Sub Committee's Practice Questions and Opinions. Voting aye: Ameku, Cope, Giles, Kucera, Lanphier, Medhi, Miyamoto, O'Hara, Randell and Steckelberg. Voting nay: None. Absent: None. Abstain: None. Motion carried.

REQUEST TO WAIVE CONTINUING EDUCATION REQUIREMENTS

Lanphier moved, seconded by Randell that the Board of Dentistry supports the request to waive the CE requirements for the renewal period of 3/1/2025 for Monique Grotrian. Voting aye: Ameku, Cope, Giles, Kucera, Lanphier, Medhi, Miyamoto, O'Hara, Randell and Steckelberg. Voting nay: None. Absent: None. Abstain: None. Motion carried.

DISCUSSION ON DENTAL AND DENTAL HYGIENE EXAMINATIONS

Kucera moved, seconded by Steckelberg for the exam year for the 2026 Dental Hygienist testing cycle to accept only the CRDTS exam. Voting aye: Ameku, Cope, Giles, Kucera, Medhi, O'Hara and Steckelberg. Voting nay: Lanphier, Miyamoto and Randell. Absent: None. Abstain: None. Motion carried.

Lanphier moved, seconded by Miyamoto for the Academic Year of 7/1/2025 – 6/30/2026 to accept both the CRDTS exam and the ADEX exam with mandatory periodontal exam **for dentistry**. Voting aye: Ameku, Cope, Giles, Kucera, Lanphier, Medhi, Miyamoto, O'Hara, Randell and Steckelberg. Voting nay: None. Absent: None. Abstain: None. Motion carried.

DISCUSSION ON NEWSLETTER

Topics for the next newsletter were discussed.

PUBLIC COMMENTS

Dr. Charles Craft
DHHS

Veterans Mission of Mercy
November 15-16, 2024
789 County Road J, Yutan, NE
Titan Army National Guard Readiness Center

The Mission of Mercy Dental Clinic will provide a range of FREE dental services – including exam, cleanings, fillings, extractions, dentures* and more – to eligible Nebraska veterans and their spouses. The two-day clinic will run:

- Friday, November 15, 2024, 8:00 am to 5:00 pm
- Saturday, November 16, 2024, 8:00 am to 3:30 pm

**Limited number of dentures available*

Eligibility: any individual who served in the U.S. Armed Forces or a component of the U.S. Armed Forces, regardless of type of service – active, reserve or guard – as well as their spouse.

Register: <https://veterans.nebraska.gov/dentalclinic>

To date 450 patients have signed up for services and 250 volunteers have signed up.

MEETING SCHEDULE

The next regular meeting is scheduled for January 10, 2025.

The future meeting dates for 2025 are tentatively scheduled for:

April 4, 2025

July 11, 2025

October 3, 2025

January 16, 2026

To see the list of meeting dates, agendas and minutes go to:

<https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx>

ADJOURNMENT

The Board adjourned the meeting at 1:30 p.m.

Respectfully submitted by,

(signature on file with the Department)

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