

OHIO STATE DENTAL BOARD

ANNUAL REPORT



FY 22/FY23 BIENNIUM

DECEMBER 23, 2023

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Mike DeWine, Governor Jon Husted, Lt. Governor Timothy V. Kyger, DDS, President Harry Kamdar, Executive Director

December 23, 2023

The Honorable Mike DeWine, Governor
The Honorable Jon Husted, Lieutenant Governor
State of Ohio
77 South High Street, 30th floor
Columbus, OH 43215

Dear Governor DeWine and Lieutenant Governor Husted:

On behalf of the Ohio State Dental Board, we are pleased to submit a biennial-format Annual Report that encompasses fiscal years 2022 and 2023.

The Board has continued to successfully serve the public and approximately 38,000 dental professionals with efficiency and effectiveness in its daily operations. Technology solutions have been leveraged to the extent possible without compromising customer service. Protecting dental consumers, supporting oral health access, and supporting the delivery of equitable dental care across Ohio are among the mainstays of the Board.

As the dental profession has evolved, the Board has kept pace with national best practices. Accordingly, the Board has been accepting manikin-based clinical examinations in lieu of patient-based clinical examinations. This change has given graduating oral health students more options to meet the rigors of the clinical examinations offered by the regional testing agencies. Additionally, the Board is supportive of a national interstate compact for dental and dental hygiene licensure. In part, this will help address workforce shortages in certain areas. The protection of Ohioans' oral health will remain the most critical priority as the profession continues to evolve and the Board contemplates future changes.

The Board recently completed a strategic planning session which resulted in the development of a Strategic Map for 2024 and 2025. While this tool will serve as a corporate compass for the following two years, it is nimble enough to adapt to changing conditions and trends within the profession.

The opioid epidemic continues to be a major focal point for the Dental Board. We are pleased to report that we have worked collaboratively with the Ohio Dental Association in educating dentists on being proactive concerning the potential for the abuse of prescription opioids and benzodiazepines.

The Dental Board has been conducting due diligence regarding a critical national issue whereby state dental boards including our organization are facing a legal challenge aimed at recognizing dental specialties over and beyond those that have gone through the process of credentialing and sanctioned by the Commission of Dental Accreditation and U.S. Department of Education. Therefore, the Dental Board has consulted and worked closely with the Attorney General's office in proposing modifications to its rules on specialty designation and advertising.

As we carry out our pre-eminent duty to protect dental patients, we will embrace the best of yesterday and meld it with the best of today to create the best of tomorrow, for the greater good of the profession and the 11 million Ohioans that we serve.

Very respectfully,

A handwritten signature in blue ink that reads "Timothy V. Kyger DDS".

Timothy V. Kyger, DDS, President

A handwritten signature in blue ink that reads "Harry Kamdar".

Harry Kamdar, MBA, Executive Director

BOARD OVERVIEW

The Board is comprised of 13 members consisting of nine dentists, three dental hygienists and one public member. All the Board members are appointed by the Governor and serve four-year terms. Two board members are selected by their peers to serve as the Secretary and Vice Secretary and oversee the Board's Supervisory Investigative Panel.

The Board meets at least eight times per year. Meeting agendas and minutes are available on the Board's website.

Committees

The Board addresses a variety of policy issues through its standing committees. Committees formulate reports and recommendations to take to the full Board for approval. Committee meetings typically are held on the same day as the Board meetings. Board actions on committee recommendations are included in the Board meeting minutes. Additionally, each committee is assigned to champion one or more key priorities from the Board's strategic plan.

Education Committee

The Education Committee is a committee comprised of three (3) Board members, one of whom is appointed by the Board President as the chairperson. The Education Committee generally meets immediately prior to regularly scheduled Board meetings. Primary directives of the Education Committee are to review and make recommendations to the Board regarding continuing education providers, specific educational courses that lead to Board-issued certificates or permitted duties of dental auxiliary, and continuing education audits of minimum requirements for licensure renewal. Recommendations from the Education Committee are forwarded to the full Board for further consideration, review and approval.

Law and Rules Review Committee

The Law and Rules Review Committee is comprised of seven (7) members consisting of five (5) Board members; one (1) representative from the Ohio Dental Association; and one (1) representative from the Ohio Dental Hygienists' Association. Also, other regular attendees include the Board's Assistant Attorney General, Executive Director and Deputy Director. The primary purpose of the Law and Rules Review Committee is the five-year review of the administrative rules governing the licensing and regulation of the profession of dentistry and to make changes as deemed necessary by the Board, subject to legislative approval. The Law and Rules Review Committee submits recommendations regarding rule revisions to the full Board for review, consideration, and approval for filing with the Common Sense Initiative and the Joint Committee on Agency Rule Review.

Examination Committee

The Examination Committee is comprised of three (3) Board members including a chairperson appointed by the Board President. The committee considers various examination options offered by regional testing agencies and other such authorized entities, to determine acceptability for licensure, certification, or registration. The Examination Committee makes recommendations to the full Board for further consideration, review, and approval.

Policy Committee

The Policy Committee is comprised of three (3) Board members including a chairperson appointed by the Board President. The committee considers, drafts, and develops policies that clarify the law and rules governing the practice of dentistry, dental hygiene, and dental assisting which allow the Board to operate more effectively and efficiently. The Policy Committee makes recommendations to the full Board on policies for review, consideration, and approval.

Scope of Practice Committee

The Scope of Practice Committee is comprised of four (4) Board members including a chairperson appointed by the Board President. It considers inquiries and develops position statements which clarify the scope of practice for the profession since the field of dentistry is constantly evolving and changing with emerging technologies that offer better solutions to oral health problems. The committee makes recommendations to the full Board with the health, safety and welfare of Ohio's dental consumers as its principal motivation.

Ad Hoc Committee

The Ad Hoc Committee is comprised of four (4) Board members including a chairperson appointed by the Board President. The focus of the committee is to review and approve expert witnesses, create disciplinary guidelines and other tasks as assigned by the Board. The Ad Hoc Committee reports to the full Board for review, consideration and approval.

Research Committee

The Research Committee is comprised of three (3) Board members including a chairperson appointed by the Board President. The focus of the committee is to research any major issues stemming from the other committees that require a deep dive and recommendation on a pathway forward. The Research Committee reports to the respective committee requesting a deep dive and also the full Board.

STATEMENT OF REVENUES AND EXPENSES

In odd years, less revenue is collected resulting in a deficit. However, this deficit is offset by a surplus in even years when more revenue is collected. This anomaly is due to the revenue pattern of lower-cost license renewals (e.g., EFDAs and Radiographers) occurring in odd years and higher-cost license renewals (e.g. Dentists & Dental Hygienists) occurring in even years.

| | FY22 (even year) | FY23 (odd year) |
|---|-----------------------|-----------------------|
| REVENUE: | | |
| LICENSURE FEES | \$3,349,269.00 | \$753,484.00 |
| | | |
| EXPENSES: | | |
| PAYROLL | \$1,239,255.12 | \$1,206,984.87 |
| | | |
| PURCHASED PERSONNEL SERVICES | \$25,545.07 | \$18,445.00 |
| Administrative | 0.00 | 0.00 |
| Consultants & Experts | 24,053.00 | 14,965.00 |
| State & Vendor offered Training | 749.00 | 895.00 |
| Membership Dues | 375.00 | 2,585.00 |
| Witness Fees | 368.07 | 0.00 |
| | | |
| SUPPLIES & MAINTENANCE | \$454,153.06 | \$407,483.16 |
| Office Supplies, Equipment & Repairs | 3,503.36 | 7,525.10 |
| Copy, Print, Scan Equip<\$1,000 | 0.00 | 0.00 |
| Medical Licenses & Permits | 14.21 | 0.00 |
| General Travel & Expenses | 4,540.08 | 11,909.42 |
| ISTV/DAS | 361,568.92 | 348,872.26 |
| IT/Software/Equipment/Perpetual License | - | 3,150.00 |
| Network Communications | 13,977.03 | 19,519.44 |
| Bank Fees for electronic licensing transactions | 68,956.46 | 15,063.94 |
| Books/Subscriptions | 1,293.00 | 1,293.00 |
| Park/Storage/Messenger/Janitorial/Toll/Equip | 300.00 | 150.00 |
| | | |
| REFUNDS | \$7,903.00 | \$114.07 |
| | | |
| TOTAL REVENUE | \$3,349,269.00 | \$753,484.00 |
| TOTAL EXPENSES | \$1,726,856.25 | \$1,633,027.10 |
| SURPLUS or (DEFICIT) | \$1,622,412.75 | (\$879,543.10) |

LICENSURE

The Board regulated approximately 38,591 licensees, registrants, certificate holders and permit holders in FY 23 compared to 39,113 in FY 22. This is a 1.4% decrease from FY 22 to FY 23 compared to the 5.7% decrease from FY 21 to FY 22. The Board issued 3,284 new licenses, registrations, certificates or permits in FY 23 compared to 3,182 in FY 22. The number of dentists licensed to practice in FY 23 was 7,442, a 5.1% increase compared to FY 22. The number of dental hygienists licensed to practice in FY 23 was 8,691, a 4.2% increase compared to FY 22.

| LICENSURE - NEW | FY 22 | FY 23 |
|--|---------------|---------------|
| Dental licenses issued - examination | 311 | 291 |
| Dental licenses issued - residency | 10 | 11 |
| Dental licenses issued - non-accredited international | 23 | 19 |
| Dental licenses issued - credentials | 14 | 38 |
| Dental licenses issued - active military temporary | 1 | 5 |
| General Anesthesia permits issued | 6 | 10 |
| Conscious Sedation permits issued | 12 | 20 |
| Dental Hygiene licenses issued - examination | 325 | 312 |
| Dental Hygiene licenses issued - credentials | 3 | 17 |
| Dental Hygiene licenses issued - active military temporary | 1 | 0 |
| Dental Assistant Radiographer certificates issued (Den. X-ray Mach. Oper.) | 1,894 | 1,848 |
| Coronal Polishing certificates issued | 171 | 230 |
| Expanded Function Dental Auxiliary registrations issued | 200 | 212 |
| Limited Continuing Education licenses issued | 65 | 86 |
| Limited Resident licenses issued | 115 | 152 |
| Limited Teaching licenses issued - Dentist | 4 | 10 |
| Limited Teaching licenses issued - Hygienist | 1 | 0 |
| Oral Health Access Supervision permit - Hygienist | 6 | 6 |
| Oral Health Access Supervision permit - Dentist | 12 | 9 |
| Teledentistry permits issued | 8 | 8 |
| Total | 3,182 | 3,284 |
| LICENSURE - ACTIVE | FY 22 | FY 23 |
| Dentists | 7,082 | 7,442 |
| Dental Hygienists | 8,344 | 8,691 |
| Dental Assistant Radiographer certificates issued (Den. X-ray Mach. Oper.) | 16,830 | 15,126 |
| Limited Residents | 314 | 336 |
| Limited Teaching - Dentist | 35 | 40 |
| Limited Teaching - Hygienist | 1 | 1 |
| Limited Continuing Education | 74 | 105 |
| Coronal Polishing | 2,517 | 2,747 |
| Expanded Function Dental Auxiliaries | 3,154 | 3,284 |
| General Anesthesia permit | 246 | 256 |
| Conscious Sedation permit | 368 | 391 |
| Oral Health Access Supervision permit - Hygienist | 94 | 100 |
| Oral Health Access Supervision permit - Dentist | 38 | 48 |
| Teledentistry permit | 16 | 24 |
| Total | 39,113 | 38,591 |

ORAL HEALTH ACCESS SUPERVISION PROGRAM (OHASP)

| Compilation of OHASP Services Based on Self-Reported Data FY 22 and FY 23 | | | |
|--|-----------------|-------|------|
| OHASP STATISTICS - DENTISTS | | 2022 | 2023 |
| Number of Applications | | 12 | 10 |
| Number of Permits Issued | | 12 | 9 |
| Number of Permits Renewed | | 27 | 1 |
| Number of Permits Active | | 38 | 48 |
| Geographical Location | # of Facilities | 21 | N/A |
| | # of Counties | 15 | N/A |
| Number of Clinical Evaluations Conducted By A Dentist | | 1,056 | N/A |
| OHASP STATISTICS - DENTAL HYGIENISTS | | 2022 | 2023 |
| Number of Applications | | 12 | 4 |
| Number of Permits Issued | | 6 | 6 |
| Number of Permits Renewed | | 91 | 0 |
| Number of Active Permits | | 94 | 100 |
| Geographical Location | # of Facilities | 23 | N/A |
| | # of Counties | 15 | N/A |
| Number of Patients Seen By A Dental Hygienist | | 1,707 | N/A |
| Disclaimer - This table is presented for general information purposes only. Information was retrieved from self-reported license renewal data reflecting a 2-year cycle and therefore is available for the renewal year only. Excluded from this data set are any late submissions that are received outside the report dates. | | | |

COMPLIANCE AND MONITORING

The Board received 412 complaints in FY 23 and 449 complaints in FY 22. These complaints are followed up on by 4 investigators who travel across the state of Ohio to conduct investigations. Investigative reports are then reviewed by the Supervisory Investigative Panel (“SIP”) consisting of the Board’s Secretary and Vice-Secretary. They make a determination as to whether a case should be presented to the Board for disciplinary action or to close it with no further action. Board members vote on the appropriate action to be taken.

| CASE TYPE | FY 22 COUNT | FY 23 COUNT |
|--|-------------|-------------|
| Adverse Occurrence | 26 | 9 |
| Advertising | 0 | 0 |
| Anesthesia/Sedation Violations | 0 | 0 |
| Bootstrap (Adverse Action Taken by Other Agency) | 4 | 5 |
| Commission of Felony Act | 0 | 5 |
| Commission of Misdemeanor Act in Course of Practice | 0 | 1 |
| Failure to Renew | 0 | 0 |
| Felony | 3 | 9 |
| Fraud/Deception in Obtaining a License | 10 | 1 |
| Fraudulent Billing Practices | 26 | 18 |
| Illegitimately Selling/Prescribing/Administering Drugs | 2 | 3 |
| Impairment | 8 | 12 |
| Infection Control Violations | 12 | 14 |
| Jurisdictional Issues | 19 | 17 |
| Lewd/Immoral Conduct in the Course of Practice | 5 | 6 |
| Continuing Education | 0 | 2 |

| | | |
|---|------------|------------|
| Misrepresentation/Deception to Obtain Property | 0 | 4 |
| OARRS Violations | 4 | 5 |
| Permitting | 3 | 5 |
| Practicing Outside Scope | 0 | 3 |
| Standard of Care | 306 | 245 |
| Standard of Care with Significant Patient Injury | 0 | 5 |
| Standard of Care: Excessive/Unnecessary Treatment | 3 | 9 |
| Standard of Care: Informed Consent | 0 | 6 |
| Standard of Care: Patient Records | 3 | 6 |
| Unlicensed Practice | 14 | 21 |
| Violation of Consent Agreement | 1 | 1 |
| Total | 449 | 412 |

DISCIPLINARY ACTIONS

The Board is authorized to revoke and suspend licenses, certificates and permits, impose probationary requirements, issue suspensions and practice restrictions. The Board is also authorized to deny initial applications or renewal applications. There were 131 disciplinary actions taken in FY 23 compared to 107 in FY 22. In both years, this accounted for approximately 16% of total cases investigated leading to disciplinary actions.

| COMPLAINTS AND INVESTIGATIONS | FY 22 | FY 23 |
|---------------------------------------|-------|-------|
| Cases carried over from previous year | 207 | 278 |
| New cases assigned | 449 | 513 |
| Total cases investigated | 656 | 791 |

| CHARGES FILED AND CITATIONS ISSUED | FY 22 | FY 23 |
|------------------------------------|-------|-------|
| Administrative Charges Filed | 2 | 11 |
| Evidentiary Reviews | 3 | 1 |
| Hearings Held | 3 | 0 |
| Suspensions | 5 | 4 |
| Revocations | 1 | 1 |
| Consent Agreements | 13 | 11 |
| Hearings Pending | 2 | 8 |
| Adjudication Orders | 0 | 2 |
| Warning Letters | 53 | 69 |
| Infection Control Evaluations | 18 | 23 |
| Voluntary Surrender/Retirement | 7 | 1 |

BOARD MEMBERS APPOINTMENT MATRIX

Appointments as of December 23, 2023

| Board Member Name | Eligible for reappointment? | | | | |
|--|-----------------------------|----------|----------|----------|----------|
| | | 2024 | 2025 | 2026 | 2027 |
| Vacant - Dentist <i>(formerly Dr. Subramanian -vacant since 6/3/23)</i> | | | | | |
| Timothy V. Kyger, DDS - Dentist | No | 4/6/2024 | | | |
| Paul Kelley, DDS - Dentist | Yes | 4/6/2024 | | | |
| Jamillee Krob, RDH, DHEd - Dental Hygienist | No | | 4/6/2025 | | |
| Trevor Vessels, Public Member | No | | 4/6/2025 | | |
| Kelly Kirtland, DDS, MS, MA, MBA - Dentist | Yes | | 4/6/2025 | | |
| Faisal Quereshy, MD, DDS - Dentist | No | | | 4/6/2026 | |
| Canise Bean, DMD, MPH - Dentist | No | | | 4/6/2026 | |
| Mary Kaye Scaramucci, RDH - Dental Hygienist | No | | | 4/6/2026 | |
| George Williams, DDS - Dentist | Yes | | | 4/6/2026 | |
| Michele Carr, RDH, Ed.D - Dental Hygienist | No | | | | 4/6/2027 |
| Kathy Brisley-Sedon, DDS - Dentist | No | | | | 4/6/2027 |
| Murali Lakireddy, DDS - Dentist | No | | | | 4/6/2027 |

LEGEND

| |
|---|
| BLUE - indicates Board seat is vacant |
| RED - indicates Board member term will expire in 2024 |
| YELLOW - indicates Board member term will expire in 2025 |
| GREEN - indicates Board member term will expire in 2026 |
| ORANGE - indicates Board member term will expire in 2027 |

**OHIO STATE DENTAL BOARD
STRATEGIC MAP
FOR CALENDAR YEARS 2024/2025**

OUR VISION
The State Dental Board will protect the oral health of Ohioans' and promote access to care.

OUR MISSION
The State Dental Board is entrusted to protect Ohioans through legislation, licensure, education, and enforcement of laws and rules with fairness and integrity.

OUR CORE VALUES
S.E.R.V.I.C.E. = Stewardship + Excellence + Respect + Virtuousness + Integrity + Communication + Ethics

