



**TEXAS STATE BOARD OF DENTAL EXAMINERS
BOARD MEETING**

Convened on May 3, 2024 –8:30 a.m.--Conclusion
Barbara Jordan State Office Building
1601 Congress Avenue, Suite 2.034
Austin, TX 78701

MINUTES

1. Call to Order.

Dr. Yu called the meeting to order at 8:39 a.m. and asked Ms. Lamb to read the mission of the Texas State Board of Dental Examiners.

2. Roll Call of Board Members.

Dr. Yu asked Dr. McNeill to call the roll and a quorum was present.

Dr. Linda Burke	Present
Mr. Ricky Garcia	Present
Dr. Bryan Henderson	Present
Ms. Lorie Jones	Present
Dr. Yvonne Maldonado	Present
Dr. Margo Melchor	Present
Dr. Robert McNeill	Present
Ms. Lois Palermo	Present
Dr. Brady M. Morehead	Present
Ms. Sarah Lamb	Present
Dr. David Yu (ex officio)	Present

3. Discussion and Approval of Minutes from Previous Board Meetings.

a. Minutes for February 16,2024 Board Meeting.

A motion was made to approve the minutes as presented by Dr. Burke and seconded by Ms. Jones.

Dr. Linda Burke	For
Mr. Ricky Garcia	For
Dr. Bryan Henderson	For
Ms. Lorie Jones	For
Dr. Yvonne Maldonado	For
Dr. Margo Melchor	For
Dr. Robert McNeill	For
Ms. Lois Palermo	For
Dr. Brady M. Morehead	For
Ms. Sarah Lamb	For
Dr. David Yu (ex officio)	For

FOR: 11 AGAINST: 0 ABSTAIN: 0 MOTION: CARRIES

4. Discussion of and Possible Action Regarding Rules.

a. Rule Reviews in Accordance with Section 2001.039, Texas Government Code.

- i. For Proposal: Chapter 107, Dental Board Procedures (§107.1 – 107.3, 107.11 – 107.26, 107.29, 107.31, 107.40, 107.47 – 107.60, 107.62 – 107.69, 107.100 – 107.110, 107.200 – 107.206, 107.300, 107.400)

TIMECODE: 59.21

Ms. Studdard led the discussion on readopting these chapters and a few proposed amendments were read. Rule 107.400 will be proposed in August and no changes at this time.

A motion was made to adopt as presented by Mr. Garcia and seconded by Dr. Henderson.

Dr. Linda Burke	For
Mr. Ricky Garcia	For
Dr. Bryan Henderson	For
Ms. Lorie Jones	For
Dr. Yvonne Maldonado	For
Dr. Margo Melchor	For
Dr. Robert McNeill	For
Ms. Lois Palermo	For
Dr. Brady M. Morehead	For
Ms. Sarah Lamb	For
Dr. David Yu (ex officio)	For

FOR: 11 AGAINST: 0 ABSTAIN: 0 MOTION: CARRIES

- ii. For Proposal: Chapter 111, Standards for Prescribing Controlled Substances and Dangerous Drugs (§111.1 – 111.5)

Ms. Studdard led the discussion. Part of the rule review that the board approve the changes listed.

A motion was made to accept changes to rule 111.1 – 111.5 by Dr. Henderson and seconded by Dr. Burke.

Dr. Linda Burke	For
Mr. Ricky Garcia	For
Dr. Bryan Henderson	For
Ms. Lorie Jones	For
Dr. Yvonne Maldonado	For
Dr. Margo Melchor	For
Dr. Robert McNeill	For
Ms. Lois Palermo	For
Dr. Brady M. Morehead	For

Ms. Sarah Lamb
Dr. David Yu (ex officio)

For
For

FOR: 11 AGAINST: 0 ABSTAIN: 0 MOTION: CARRIES

5. Presiding Officer Report.

Dr. Yu gave his report. He thanked Ms. Mendez for holding the upcoming licensing expo June 17-19, 2024 and advised that we've added a third day for dental assistants. An email regarding mental health support was sent to the dental practitioner community including a video starring Dr. McNeill.

Dr. Henderson reported that he did exams and Dr. Morehead will join him in the CWC. Ms. Jones is also participating on exams. Ms. Jones added that Dr. Yu participated in the hygiene component and grading process. Ms. Jones observed a dental exam in Houston and found it valuable.

Dr. McNeill reported on ADEX and commented that it is important for everyone to be involved in the exam process. Ms. Jones advised of the ADEX ten day wait to retake an exam.

Dr. Maldonado reported on CRDTS and observed an exam at Southern Indiana University and found it was thorough, she was glad to be mentored by many examiners and she's happy to serve on CRDTS.

Dr. Morehead reported no news from SRTA at this time.

Ms. Palermo reported on the Chicago AADB meeting. Dr. Henderson reported that Ms. Nichols was selected as the leader of the AADB legal round table. Ms. Nichols was joined at AADB by Ms. Palermo, Dr. Henderson and Ms. Studdard. Ms. Nichols commented that they discussed the compact, spa dentistry and botox and she was asked to take on a leadership role and agreed. Ms. Palermo went to the ADA caucus and commented on their discussions on their compact opinions. Ms. Palermo advised that Oklahoma allows dental hygienists to do botox and fillers.

TIMECODE: 1:10:55

a. AADB Compact Presentation.

Ms. Kimber Cobb, RDH, Dr. Guy Shampaine and Ms. Diane Klemann from AADB presented virtually regarding the Compact.

b. Dental/Hygiene/Assistant Education Reports.

Ms. Carolyn Haynie, a dental hygienist for 42 years, represents Pima Medical Institute and gave a report on the school and clinic.

Dr. Yu called for a 10-minute break at 10:03 a.m.

Dr. Yu reconvened the meeting to order at 10:16 a.m.

6. Professional Recovery Network Report (PRN).

Ms. Leal was unable to join us. Dr. McNeill commented as the representative of PRN and met with them last week. They supported the video email focused on mental health that was sent to the dental community by TSBDE.

7. Discussion and Possible Action on Cases Heard before the State Office of Administrative Hearings (SOAH).

- a. Docket No. 504-24-09142, Melissa Ann Black, RDH, Registered Dental Hygienist No. 15789. Consideration of the Administrative Law Judge’s Proposal for Decision on Summary Disposition, Recommendations and Board Action.

Ms. Davidson, staff attorney, presented the case.

A motion to accept the SOAH judge decision to revoke the license by Ms. Jones and seconded by Dr Maldonado.

Dr. Linda Burke	For
Mr. Ricky Garcia	For
Dr. Bryan Henderson	For
Ms. Lorie Jones	For
Dr. Yvonne Maldonado	For
Dr. Margo Melchor	For
Dr. Robert McNeill	For
Ms. Lois Palermo	For
Dr. Brady M. Morehead	For
Ms. Sarah Lamb	For
Dr. David Yu (ex officio)	For

FOR: 11 AGAINST: 0/ ABSTAIN:0/ MOTION CARRIES

- b. Docket No. 504-24-13176, Valery Cantu, RDA, Dental Assistant Registration No. 103651. Consideration of the Administrative Law Judge’s Proposal for Decision on Summary Disposition, Recommendations and Board Action.

Mr. Geiler, staff attorney, presented the case.

A motion to accept the SOAH judge decision to revoke the registration by Dr. Burke and seconded by Dr. Melchor.

Dr. Linda Burke	For
Mr. Ricky Garcia	For
Dr. Bryan Henderson	For
Ms. Lorie Jones	For
Dr. Yvonne Maldonado	For
Dr. Margo Melchor	For
Dr. Robert McNeill	For
Ms. Lois Palermo	For
Dr. Brady M. Morehead	For
Ms. Sarah Lamb	For
Dr. David Yu (ex officio)	For

FOR: 11 AGAINST: 0/ ABSTAIN:0/ MOTION CARRIES

- c. Docket No. 504-24-13177, Celeste Corral, RDA, Dental Assistant Registration No. 109389. Consideration of the Administrative Law Judge's Proposal for Decision on Summary Disposition, Recommendations and Board Action.

Ms. Davidson, staff attorney, presented the case.

A motion to accept the SOAH judge decision to revoke the registration by Dr. Morehead and seconded by Ms. Lamb .

Dr. Linda Burke	For
Mr. Ricky Garcia	For
Dr. Bryan Henderson	For
Ms. Lorie Jones	For
Dr. Yvonne Maldonado	For
Dr. Margo Melchor	For
Dr. Robert McNeill	For
Ms. Lois Palermo	For
Dr. Brady M. Morehead	For
Ms. Sarah Lamb	For
Dr. David Yu (ex officio)	For

FOR: 11 AGAINST: 0/ ABSTAIN:0/ MOTION CARRIES

- d. Docket No. 504-24-09065, Jesus Ponce, RDA, Dental Assistant Registration No. 24876. Consideration of Administrative Law Judge's Proposal for Decision on Summary Disposition, Recommendations and Board Action.

Mr. Geiler, staff attorney, presented the case.

A motion to accept the SOAH judge decision revoke the registration by Dr. Morehead and seconded by Dr Henderson.

Dr. Linda Burke	For
Mr. Ricky Garcia	For
Dr. Bryan Henderson	For
Ms. Lorie Jones	For
Dr. Yvonne Maldonado	For
Dr. Margo Melchor	For
Dr. Robert McNeill	For
Ms. Lois Palermo	For
Dr. Brady M. Morehead	For
Ms. Sarah Lamb	For
Dr. David Yu (ex officio)	For

FOR: 11 AGAINST: 0/ ABSTAIN:0/ MOTION CARRIES

- e. Docket No. 504-24-08710, Sonyia Marie Rodriguez, RDA, Dental Assistant Registration No. 44909. Consideration of Administrative Law Judge's Proposal for Decision on Summary Disposition, Recommendations and Board Action.

Mr. Geiler, staff attorney, presented the case.

A motion to accept the SOAH judge decision to revoke the registration by Dr. Burke and seconded by Ms. Lamb.

Dr. Linda Burke	For
Mr. Ricky Garcia	For
Dr. Bryan Henderson	For
Ms. Lorie Jones	For
Dr. Yvonne Maldonado	For
Dr. Margo Melchor	For
Dr. Robert McNeill	For
Ms. Lois Palermo	For
Dr. Brady M. Morehead	For
Ms. Sarah Lamb	For
Dr. David Yu (ex officio)	For

FOR: 11 AGAINST: 0/ ABSTAIN:0/ MOTION CARRIES

8. Discussion and Possible Action on Continuing Education Review Committee Report and Recommendations.

Dr. Melchor thanked her committee members.

- a. Committee recommendation and possible action on 22 Tex. Admin. Code §§104.1 – 104.2, Continuing Education.

A motion was made to approve course providers getting CE credits for delivering their courses at 1.5 hours per credit hour per course (every two years) by Dr. Melchor and no second is needed as it came from committee.

Ms. Palermo makes a friendly amendment to the motion of two hours of credit per course and seconded by Dr. McNeill.

Discussion involved Ms. Palermo, Dr. Henderson, Dr. Melchor and Ms. Mendez confirmed that the course instructor will need to provide the correct documentation. Ms. Studdard read the details of §§104.1 – 104.2, Continuing Education. Ms. Mendez confirmed that the processing will be the same as the CE certificate with required data.

Dr. Linda Burke	For
Mr. Ricky Garcia	For
Dr. Bryan Henderson	Against
Ms. Lorie Jones	For
Dr. Yvonne Maldonado	Against
Dr. Margo Melchor	For
Dr. Robert McNeill	For
Ms. Lois Palermo	For
Dr. Brady M. Morehead	For
Ms. Sarah Lamb	Against
Dr. David Yu (ex officio)	For

FOR: 8 AGAINST: 3 ABSTAIN: 0 MOTION: CARRIES

The motion for two hours of credit was made by Dr. Melchor with the friendly amendment by Ms. Palermo and seconded by Dr. McNeill.

Dr. Linda Burke	For
Mr. Ricky Garcia	For
Dr. Bryan Henderson	Against
Ms. Lorie Jones	For
Dr. Yvonne Maldonado	For
Dr. Margo Melchor	For
Dr. Robert McNeill	For
Ms. Lois Palermo	For
Dr. Brady M. Morehead	For
Ms. Sarah Lamb	Against
Dr. David Yu (ex officio)	For

FOR: 9 AGAINST: 2 ABSTAIN: 0 MOTION: CARRIES

TIMECODE: 3:07:55

- b. Committee recommendation and possible action on continuing education pertaining to hygienists administering local infiltration anesthesia.

Dr. Melchor advised that this committee forwarded this issue to the Anesthesia Committee.

9. Discussion and Possible Action on Disciplinary Review Committee Report and Recommendations.

Dr. Maldonado thanked her committee members.

- a. Discussion and Possible Action on Proposed Case Resolutions.

- i. Agreed Settlement Orders.

A motion was made to approve the Agreed Settlement Orders by Dr. Maldonado and no second was required as it came from committee.

Dr. Linda Burke	For
Mr. Ricky Garcia	For
Dr. Bryan Henderson	For
Ms. Lorie Jones	For
Dr. Yvonne Maldonado	For
Dr. Margo Melchor	For
Dr. Robert McNeill	For
Ms. Lois Palermo	For
Dr. Brady M. Morehead	For
Ms. Sarah Lamb	For
Dr. David Yu (ex officio)	For

FOR: 11 AGAINST: 0 ABSTAIN: 0 MOTION: CARRIES

- ii. Remedial Plans.

A motion was made to approve the Remedial Plans by Dr. Maldonado and no second was required as it came from committee.

Dr. Linda Burke	For
Mr. Ricky Garcia	For
Dr. Bryan Henderson	For
Ms. Lorie Jones	For
Dr. Yvonne Maldonado	For
Dr. Margo Melchor	For
Dr. Robert McNeill	For
Ms. Lois Palermo	For
Dr. Brady M. Morehead	For
Ms. Sarah Lamb	For
Dr. David Yu (ex officio)	For

FOR: 11 AGAINST: 0 ABSTAIN: 0 MOTION: CARRIES

iii. Agreed Administrative Penalties.

A motion was made to approve Agreed Administrative Penalties by Dr. Maldonado and no second was required as it came from committee.

Dr. Linda Burke	For
Mr. Ricky Garcia	For
Dr. Bryan Henderson	For
Ms. Lorie Jones	For
Dr. Yvonne Maldonado	For
Dr. Margo Melchor	For
Dr. Robert McNeill	For
Ms. Lois Palermo	For
Dr. Brady M. Morehead	For
Ms. Sarah Lamb	For
Dr. David Yu (ex officio)	For

FOR: 11 AGAINST: 0 ABSTAIN: 0 MOTION: CARRIES

iv. Consent Orders.

A motion was made to approve the Consent Orders by Dr. Maldonado and no second was required as it came from committee.

Dr. Linda Burke	For
Mr. Ricky Garcia	For
Dr. Bryan Henderson	For
Ms. Lorie Jones	For
Dr. Yvonne Maldonado	For
Dr. Margo Melchor	For
Dr. Robert McNeill	For
Ms. Lois Palermo	For
Dr. Brady M. Morehead	For

Ms. Sarah Lamb For
Dr. David Yu (ex officio) For

FOR: 11 AGAINST: 0 ABSTAIN: 0 MOTION: CARRIES

v. Pre-ISC Recommendations of Dismissal.

A motion was made to approve the Pre-ISC Recommendations by Dr. Maldonado and no second was required as it came from committee.

Case pulled was 2023-01039 and Ms. Studdard advised that the patient was reimbursed.

Dr. Linda Burke For
Mr. Ricky Garcia For
Dr. Bryan Henderson For
Ms. Lorie Jones For
Dr. Yvonne Maldonado For
Dr. Margo Melchor For
Dr. Robert McNeill For
Ms. Lois Palermo For
Dr. Brady M. Morehead For
Ms. Sarah Lamb For
Dr. David Yu (ex officio) For

FOR: 11 AGAINST: 0 ABSTAIN: 0 MOTION: CARRIES

vi. Post-ISC Recommendations of Dismissal.

A motion was made to approve the Post-ISC Recommendations by Dr. Maldonado and no second was required as it came from committee.

Dr. Linda Burke For
Mr. Ricky Garcia For
Dr. Bryan Henderson For
Ms. Lorie Jones For
Dr. Yvonne Maldonado For
Dr. Margo Melchor For
Dr. Robert McNeill For
Ms. Lois Palermo For
Dr. Brady M. Morehead For
Ms. Sarah Lamb For
Dr. David Yu (ex officio) For

FOR: 11 AGAINST: 0 ABSTAIN: 0 MOTION: CARRIES

vii. Modification Orders--None.

viii. Discussion of Specific Orders--None.

10. Discussion and Possible Action on Dental Practice Committee Report and Recommendations.

- a. Committee recommendation and possible action on currently proposed rule from the February 16, 2024 Board Meeting: 22 Tex. Admin. Code §114.5, Coronal Polishing, published in the March 22, 2024 issue of the Texas Register.

Dr. Burke thanked her committee members. Currently with one-year experience, registered or not, once they have passed the CODA coronal polishing 8-hour course, they can do coronal polishing. TDHA did not support the rule. TDA and TAPD sent comments late afternoon on 5/2/24 is creating barriers to practicing. The board wants to make sure they are not going against legislative intent. There is no evidence of patient harm to date. Ms. Studdard commented on the portion of “registered” creating workplace barriers. Ms. Lamb suggests “one year and CODA program completion or non-registered and two years of experience.”

Dr. McNeill calls the question.

Ms. Palermo read the Sunset Commission 2.1 and stated: “requires one registration for dental assistants that perform: x-rays, pit and fissure, coronal polishing and nitrous oxide monitoring without being registered with the board.” Dr. Burke commented about the limited availability of courses that the Dental Board requires.

Dr. McNeill calls the question.

Dr. Linda Burke	For
Mr. Ricky Garcia	For
Dr. Bryan Henderson	For
Ms. Lorie Jones	For
Dr. Yvonne Maldonado	For
Dr. Margo Melchor	For
Dr. Robert McNeill	For
Ms. Lois Palermo	For
Dr. Brady M. Morehead	For
Ms. Sarah Lamb	For
Dr. David Yu (ex officio)	For

FOR: 11 AGAINST: 0 ABSTAIN: 1 MOTION: CARRIES

A motion was made to accept the changes rule 114.5 Coronal Polishing by Dr. Burke and no second was needed as it came from committee.

Dr. Linda Burke	Against
Mr. Ricky Garcia	For
Dr. Bryan Henderson	Against
Ms. Lorie Jones	For
Dr. Yvonne Maldonado	Against
Dr. Margo Melchor	For
Dr. Robert McNeill	Against
Ms. Lois Palermo	For
Dr. Brady M. Morehead	Against

Ms. Sarah Lamb Against
Dr. David Yu (ex officio) Against

FOR: 4 AGAINST: 7 ABSTAIN: 1 MOTION: DENIED

A motion to adopt the proposal 114.5 as presented, and changed to one year, was made by Dr. Maldonado and seconded by Dr. McNeill.

TIMECODE: 3:38:53

Dr. Linda Burke For
Mr. Ricky Garcia For
Dr. Bryan Henderson For
Ms. Lorie Jones For
Dr. Yvonne Maldonado For
Dr. Margo Melchor Abstain
Dr. Robert McNeill For
Ms. Lois Palermo For
Dr. Brady M. Morehead For
Ms. Sarah Lamb For
Dr. David Yu (ex officio) For

FOR: 10 AGAINST: 0 ABSTAIN: 1 MOTION: CARRIES

- b. Committee recommendation and possible action on American Dental Association's update on lead apron use during dental x-rays.

Ms. Nichols led the discussion on the Stakeholder Meeting that was suggested at the last meeting. The committee requests a stakeholder meeting before the end of the year on the subject of lead apron use during dental x-rays.

Discussion only.

- c. Committee recommendation and possible action on requiring registered dental assistants to complete the jurisprudence assessment every four years.

The committee voted to not require the Dental Assistants to complete the jurisprudence every four years and to not bring it to the board. Ms. Palermo went on the record that she was in favor of it.

TIMECODE: 3:42:48

11. Discussion and Possible Action on Anesthesia Committee Report and Recommendations.

Dr. Henderson thanked his committee members.

- a. Committee recommendation and possible action on currently proposed rule from the February 16, 2024 Board Meeting: 22 Tex. Admin. Code §115.10, Administration of Local Infiltration Anesthesia, published in the March 22, 2024 issue of the Texas Register.

A motion to adopt the 22 Tex. Admin. Code §115.10, Administration of Local Infiltration Anesthesia was made by Dr. Henderson and no second necessary as it is out of committee.

Ms. Palermo asks if the course can be taken in another state and count in Texas and Ms. Studdard advised that it is accepted.

Dr. Linda Burke	For
Mr. Ricky Garcia	For
Dr. Bryan Henderson	For
Ms. Lorie Jones	Absent
Dr. Yvonne Maldonado	For
Dr. Margo Melchor	For
Dr. Robert McNeill	For
Ms. Lois Palermo	For
Dr. Brady M. Morehead	For
Ms. Sarah Lamb	For
Dr. David Yu (ex officio)	For

FOR: 10 AGAINST: 0 ABSTAIN: 0 MOTION: CARRIES (Ms. Jones absent)

- b. Committee recommendation and possible action on currently proposed rule from the February 16, 2024 Board Meeting: 22 Tex. Admin. Code §102.1, Fees, published in the March 22, 2024 issue of the Texas Register.

A motion to adopt the 22 Tex. Admin. Code §102.1, Fees was made by Dr. Henderson and no second necessary as it is out of committee.

Dr. Linda Burke	For
Mr. Ricky Garcia	For
Dr. Bryan Henderson	For
Ms. Lorie Jones	Absent
Dr. Yvonne Maldonado	For
Dr. Margo Melchor	For
Dr. Robert McNeill	For
Ms. Lois Palermo	For
Dr. Brady M. Morehead	For
Ms. Sarah Lamb	For
Dr. David Yu (ex officio)	For

FOR: 10 AGAINST: 0 ABSTAIN: 0 MOTION: CARRIES (Ms. Jones absent)

- c. Committee recommendation and possible action on the March 2024 Report from the Advisory Committee on Dental Anesthesia.

Dr. McNeill commented on timelines of cases and guidelines.

Dr. Linda Burke	For
Mr. Ricky Garcia	For
Dr. Bryan Henderson	For
Ms. Lorie Jones	Absent
Dr. Yvonne Maldonado	For

Dr. Margo Melchor	For
Dr. Robert McNeill	For
Ms. Lois Palermo	For
Dr. Brady M. Morehead	For
Ms. Sarah Lamb	For
Dr. David Yu (ex officio)	For

FOR: 10 AGAINST: 0 ABSTAIN: 0 MOTION: CARRIES (Ms. Jones absent)

12. Discussion and Possible Action on Licensing Committee Report and Recommendations.

- a. Committee recommendation and possible action on currently proposed rule from February 16, 2024 Board Meeting: 22 Tex. Admin. Code §102.1, Fees, published in the March 22, 2024 issue of the Texas Register.

A motion was made to adopt the 22 Tex. Admin. Code §102.1, Fees by Dr. McNeill and no second is needed as it came from committee.

Dr. Linda Burke	For
Mr. Ricky Garcia	For
Dr. Bryan Henderson	For
Ms. Lorie Jones	Absent
Dr. Yvonne Maldonado	For
Dr. Margo Melchor	For
Dr. Robert McNeill	For
Ms. Lois Palermo	For
Dr. Brady M. Morehead	For
Ms. Sarah Lamb	For
Dr. David Yu (ex officio)	For

FOR: 10 AGAINST: 0 ABSTAIN: 0 MOTION: CARRIES (Ms. Jones absent)

- b. Committee recommendation and possible action on currently proposed rule from February 16, 2024 Board Meeting: 22 Tex. Admin. Code §101.6, Dental Licensing for Military Service Members, Military Veterans, and Military Spouses, published in the March 22, 2024 issue of the Texas Register.

A motion was made to adopt the 22 Tex. Admin. Code §101.6, Dental Licensing for Military Service Members, Military Veterans, and Military Spouses by Dr. McNeill and no second is needed as it came from committee.

Dr. Linda Burke	For
Mr. Ricky Garcia	For
Dr. Bryan Henderson	For
Ms. Lorie Jones	Absent
Dr. Yvonne Maldonado	For
Dr. Margo Melchor	For
Dr. Robert McNeill	For
Ms. Lois Palermo	For
Dr. Brady M. Morehead	For

Ms. Sarah Lamb For
Dr. David Yu (ex officio) For

FOR: 10 AGAINST: 0 ABSTAIN: 0 MOTION: CARRIES (Ms. Jones absent)

Dr. Maldonado thanked the military service members serving currently.

- c. Committee recommendation and possible action on currently proposed rules from February 16, 2024 Board Meeting: 22 Tex. Admin. Code §§101.14, 103.10, 114.7, Exemption from Licensure for Certain Military Service Members and Military Spouses, published in the March 22, 2024 issue of the Texas Register.

A motion was made to adopt the 22 Tex. Admin. Code §§101.14, 103.10, 114.7, Exemption from Licensure for Certain Military Service Members and Military Spouses by Dr. McNeill and no second is needed as it came from committee.

Dr. Linda Burke For
Mr. Ricky Garcia For
Dr. Bryan Henderson For
Ms. Lorie Jones Absent
Dr. Yvonne Maldonado For
Dr. Margo Melchor For
Dr. Robert McNeill For
Ms. Lois Palermo For
Dr. Brady M. Morehead For
Ms. Sarah Lamb For
Dr. David Yu (ex officio) For

FOR: 10 AGAINST: 0 ABSTAIN: 0 MOTION: CARRIES (Ms. Jones absent)

- d. Committee recommendation and possible action on application for registration of a non-profit corporation authorized to hire dentists: United Community Foundation.

A motion was made to approve United Community Foundation registration and no second is needed as it came from committee.

Dr. Linda Burke For
Mr. Ricky Garcia For
Dr. Bryan Henderson For
Ms. Lorie Jones Absent
Dr. Yvonne Maldonado For
Dr. Margo Melchor For
Dr. Robert McNeill For
Ms. Lois Palermo For
Dr. Brady M. Morehead For
Ms. Sarah Lamb For
Dr. David Yu (ex officio) For

FOR: 11 AGAINST: 0 ABSTAIN: 0 MOTION: CARRIES (Ms. Jones absent)

- e. Committee recommendation and possible action on request for approval to become a registered dental assistant course provider: Palo Alto College.

A motion was made to approve the Palo Alto College registration by Dr. McNeill and no second is needed as it came from committee.

Dr. Linda Burke	For
Mr. Ricky Garcia	For
Dr. Bryan Henderson	For
Ms. Lorie Jones	Absent
Dr. Yvonne Maldonado	For
Dr. Margo Melchor	For
Dr. Robert McNeill	For
Ms. Lois Palermo	For
Dr. Brady M. Morehead	For
Ms. Sarah Lamb	For
Dr. David Yu (ex officio)	For

FOR: 10 AGAINST: 0 ABSTAIN: 0 MOTION: CARRIES (Ms. Jones absent)

- f. Committee recommendation and possible action on request for exception to Board rules: 2024-Q3-DDS1

A motion was made to deny the exception to board rule and no second is needed as it came from committee.

Dr. Linda Burke	For
Mr. Ricky Garcia	For
Dr. Bryan Henderson	For
Ms. Lorie Jones	Absent
Dr. Yvonne Maldonado	For
Dr. Margo Melchor	For
Dr. Robert McNeill	For
Ms. Lois Palermo	For
Dr. Brady M. Morehead	For
Ms. Sarah Lamb	For
Dr. David Yu (ex officio)	For

FOR: 10 AGAINST: 0 ABSTAIN: 0 MOTION: CARRIES (Ms. Jones absent)

- g. Committee recommendation and possible action on request for reinstatement of cancelled license:
 - i. 2024-Q3-RDH1

A motion was made to require an Agreed Administrative Penalty, a \$5k fine, provide proof of missing CE hours and take an additional 6 CE hours of risk management and 4 CE hours of ethics and take the dental hygiene exam within six months and no second is needed as it came from committee.

Dr. Melchor requested to enter Executive Session but there was no second. Dr. Melchor is concerned that RDH1 was teaching out of compliance and how did the institute did not find her out

of compliance with her cancelled license? Dr. McNeill spoke to the previous Reprimand and Warning level cases and how they determined the AAP action. Ms. Palermo asked about the AAP and Ms. Studdard advised it is in the public record. Dr. Morehead asked about re-testing and coming before the board again and the historical decisions. Mr. Garcia asked when the cancelled license is communicated to the licensee. Ms. Nichols added that it is the responsibility of the licensee and we send notices only as a courtesy.

Dr. Linda Burke	For
Mr. Ricky Garcia	Against
Dr. Bryan Henderson	For
Ms. Lorie Jones	Absent
Dr. Yvonne Maldonado	For
Dr. Margo Melchor	Against
Dr. Robert McNeill	For
Ms. Lois Palermo	For
Dr. Brady M. Morehead	For
Ms. Sarah Lamb	For
Dr. David Yu (ex officio)	For

FOR: 8 AGAINST: 2 ABSTAIN: 0 MOTION: CARRIES (Ms. Jones absent)

ii. 2024-Q3-RDH2

A motion was made by Dr. McNeill to approve the request for reinstatement for a cancelled license with a reprimand, \$500 fine, and 10 CE hours in ethics, and complete any outstanding CEs and cease working as a hygienist until the order is complete and no second is needed as it came from committee.

Dr. Linda Burke	Against
Mr. Ricky Garcia	For
Dr. Bryan Henderson	Against
Ms. Lorie Jones	Absent
Dr. Yvonne Maldonado	For
Dr. Margo Melchor	Against
Dr. Robert McNeill	For
Ms. Lois Palermo	For
Dr. Brady M. Morehead	For
Ms. Sarah Lamb	For
Dr. David Yu (ex officio)	For

FOR: 7 AGAINST: 3 ABSTAIN: 0 MOTION: CARRIES (Ms. Jones absent)

TIMECODE: 4:24:40

13. Public Comments.

A public comment was made by Sandy Tesh as a dental hygienist and TDH location and she submitted support for the Interstate Compact Coalition for all practices, Monday May 6th and an invitation by Mr. Bryan Mars. Ms. Kathy Nobles asked to clarify 115.0 and there is some confusion about taking Texas out of the rule, but make clear Texas dental hygienist is only for Texas

programs, an out of state dental hygienist doesn't need to have a Texas instructor. The local anesthesia issue confuses program directors and they think a Texas licensed dentist has to teach the didactic portion. Can a newsletter clarification be sent like a Q and A?

14. Agency Activity Reports.

- a. Executive Division Report.

Ms. Nichols gave her report and materials are in the board documents.

- b. Strategic Plan FY 2025-2029.

The plan is posted on our website for the public to review.

- i. Legislative Appropriations Request FY 2025-2026.

Ms. Nichols thanks Ms. Kappel and Ms. Shauna for their assistance in the preparation of the document.

- c. Finance and Administration Division Report.

TIMECODE: 4:37:06

Ms. Kappel gave her report and her materials were uploaded to the board site. Reminder that fees incurred do not come to our agency but go to the State of Texas general fund. There are three full time positions open at this time.

Licensing Division Report.

Ms. Mendez gave her report and materials are in the board documents.

- d. Dental Division Report.

Dr. Bell gave her report and her materials were uploaded to the board site. Number of cases awaiting DRP has increased slightly due to higher complaints.

- i. Discussion and possible action on Dental Review Panel (DRP) mentees.

A motion to accept the four DRP applicants by Ms. Lamb and second by Dr. Morehead.

Dr. Linda Burke	For
Mr. Ricky Garcia	For
Dr. Bryan Henderson	For
Ms. Lorie Jones	Absent
Dr. Yvonne Maldonado	For
Dr. Margo Melchor	For
Dr. Robert McNeill	For
Ms. Lois Palermo	For
Dr. Brady M. Morehead	For
Ms. Sarah Lamb	For
Dr. David Yu (ex officio)	For

FOR: 10 AGAINST: 0 ABSTAIN: 0 MOTION: CARRIES (Ms. Jones absent)

e. Investigations Division Report.

Ms. Hieber gave her report and materials are in the board documents. Ms. Marian Brady has been with the agency since 2013 and is retiring. She has completed 2,000 investigations in her time at TSBDE.

f. Legal Division Report.

Ms. Studdard gave her report and materials are in the board documents. Ms. Sanchez took Ms. Kamp's place as Assistant General Counsel and Mr. Richard is the Litigation Manager leaving one open attorney position.

15. Announcements. None.

16. Adjourn.

A motion to adjourn was made by Mr. Garcia and seconded by Dr. Maldonado.

Dr. Linda Burke	For
Mr. Ricky Garcia	For
Dr. Bryan Henderson	For
Ms. Lorie Jones	Absent
Dr. Yvonne Maldonado	For
Dr. Margo Melchor	For
Dr. Robert McNeill	For
Ms. Lois Palermo	For
Dr. Brady M. Morehead	For
Ms. Sarah Lamb	For
Dr. David Yu (ex officio)	For

FOR: 10 AGAINST: 0 ABSTAIN: 0 MOTION: CARRIES (Ms. Jones absent)

TIME ENDED: 12:41 p.m.



Dr. Davis Yu
Presiding Officer



Dr. Robert McNeill
Board Secretary