



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

Convened on August 9, 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 8:45 a.m. and asked Dr. Henderson 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

Staff present: Ms. Nichols, Executive Director, Ms. Studdard, General Counsel, Ms. Sanchez, Assistant General Counsel, Mr. Richards, Staff Attorney, Ms. Kappel, Deputy Executive Director, Ms. Mendez, Director of Licensing, Ms. Fernandez, Licensing Specialist, Dr. Bell, Dental Director, Ms. Hieber, Director of Investigations, Mr. Gregory, Director of IT, Mr. Walsh, IT Department, Ms. Richardson, Executive Assistant

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

a. Minutes for May 3, 2024 Board Meeting.

A motion was made to approve the minutes as presented by Dr. Melchor 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

**4. Nominations and Board Vote to Elect a Secretary.**

Paper ballots were provided for voting. Ms. Lamb nominated Dr. McNeill, Dr. Burke nominated Dr. Henderson and Dr. Melchor nominated Ms. Jones. Dr. Henderson and Dr. McNeill received a tie vote and the board voted again and Dr. Henderson was elected as Board Secretary.

**5. Discussion of and Possible Action Regarding Rules.**

- a. Rule Reviews in Accordance with Section 2001.039, Texas Government Code.
  - i. For Adoption: 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)

Ms. Studdard led the discussion. No comments were received. A motion was made to re-adopt the proposed Chapters §107 and §111 without amendment except rules 107.3, 107. 17, 107.106, 107.300 and 107.105 by Ms. Jones 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

TIME CODE: 1:06:44

Ms. Studdard led the discussion on the amendments to the rules and repeal. A comment by TAGD agreed to the amendments 104.1 and proposed repeal of 107.3.

A motion to accept the proposed amendments to board rules 107.3, 107. 17, 107.106, 107.300 and 107.105 and repeal of rule 107.3, was made by Dr. Maldonado and seconded by Dr. Morehead.

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 Adoption: Chapter 111, Standards for Prescribing Controlled Substances and Dangerous Drugs (§111.1 – 111.5)

Voted on above.

## **6. Presiding Officer Report.**

Dr. Yu thanked staff for the excellent Licensing Expo and the board members that help provide the staff lunch.

AADB: Dr. Henderson reported that AADB is in Kentucky in September. Dr. Henderson is attending and there is time to still register.

ADEX: Dr. McNeill, Ms. Jones, Dr. Henderson. Ms. Jones reported on bylaw changes, a meeting this Tuesday. A CWC meeting as well.

CRDTS: Dr. Maldonado reported on the committee for the dental therapists exam and she did the Dental Therapist section. A few changes were made to the exams. The annual meeting is in Kansas City in two weeks and she will attend. Ms. Jones attended the steering committee meeting that Dr. Maldonado will take over next session. The SRTA and CRDTS merger was discussed. The merger is in negotiation talks. Dr. Morehead will be in Chattanooga in two weeks to discuss the merger at that meeting.

AADB: Ms. Jones reported that the meeting will be in September in Louisville, Kentucky, Dr. McNeill will be presenting on well-being and mental health issues at the conference. AADB is hosting Town Hall events to discuss the compact and they broke the country up and Texas is August 27<sup>th</sup> at 7pm. Ms. Jones and Dr. McNeill will be on the August 27<sup>th</sup> Town Hall meeting.

**TIMECODE: 1:13:57**

a. CSG Compact Presentation.

Mr. Matt Shafer, Deputy Policy Director, National Center for Interstate Compacts, The Council of State Governments presented virtually on the compact for dentists and hygienists. He is from the National Center for Interstate Compacts (NCIC). Ms. Lamb, Mr. Garcia and Dr. Morehead asked questions regarding the compact. Ms. Palermo asked who bears the cost of litigation and how many representatives would be assigned to Texas. Ms. Jones asked about who creates the commission. Dr. Maldonado asked about complaints and learned it is still in the state system. Texas can take any action it deems appropriate and the commission does not weigh in per Mr. Schaeffer. Dr. Yu spoke about the ability to change states and not meeting Texas requirements. Ms. Palermo spoke about the bill that circumvented the state board. Mr. Schaeffer will report back on the questions the board staff proposed and provide his PowerPoint presentation.

**TIMECODE: 1:57:35**

b. Dental/Hygiene/Assistant Education Reports.

Kimberley Franek, RDA, presented in person about Dental School Texas that she owns. She asked that the Dental Assistant Schools list on our website start to list her school and change to Course Testing list.

Michelle Landrum, Med, RDH, Department Chair of ACC, presented on Austin Community College virtually. She presented a Power Point.

**Break at 10:42 am**

**Returned from break at 10:53am**

## **7. Professional Recovery Network Report (PRN).**

Ms. Leal was unable to join us so Will Turney reported for PRN. The Professional Recovery Network (PRN) continues to receive a steady number of referrals regarding potentially impaired dental professionals. Compliance by current participants is acceptable and all concerns regarding public safety have been reported to the Texas State Board of Dental Examiners. PRN's Fall Seminar is tentatively scheduled for September 21, 2024 at Norris Conference Center in Austin, TX. Finalized details will be available at TSBDE's next board meeting report. PRN is scheduled to hold their biannual Advisory Committee meeting the morning of the spring PRN seminar, September 21, 2024 via teleconference. Finalized details will be available at TSBDE's next board meeting.

LBB numbers for September 1, 2024 – May 31, 2024 were submitted to TSBDE on June 10, 2024. LBB numbers include all licensed dental professionals enrolled in the PRN program.

Board Ordered Dentists: 11, Compelled Volunteer Dentists: 2, Volunteer Dentists: 21, Board Ordered Hygienists: 2, Compelled Volunteer Hygienists: 0, Volunteer Hygienists: 1, Board Ordered Assistants: 0, Compelled Volunteer Assistants: 0, Volunteer Assistants 0.

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

- a. Docket No. 504-24-14577, Gillynn Russell, RDA, Dental Assistant Registration No. 5398. Consideration of the Administrative Law Judge’s Proposal for Decision on Summary Disposition, Recommendations and Board Action.

Ms. Sanchez, assistant general counsel, presented the case.

A motion to accept the SOAH judge decision to revoke the registration was made 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

- b. Docket No. 504-24-12590, Courtney Shea Salzman, RDA, Dental Assistant Registration No. 125474. Consideration of Default Dismissal Order, Recommendations and Board Action.

Mr. Geiler, staff attorney, presented the case.

A motion to accept the SOAH judge decision to revoke the registration was made by Mr. Garcia 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

- c. Docket No. 504-24-13747, Girish Shelke, Petitioner/Applicant. Consideration of the Administrative Law Judge’s Proposal for Decision on Summary Disposition, Recommendations and Board Action.

Ms. Sanchez, assistant general counsel, the hearing has not occurred and will appear at the next board meeting.

- d. Docket No. 504-24-08518, Maritza Villatoro, RDA, Dental Assistant Registration No. 40698. Consideration of Administrative Law Judge’s Proposal for Decision, Recommendations and Board Action

Ms. Sanchez, assistant general counsel, presented the case.

A motion to accept the SOAH judge decision to revoke the dental registration was made by Ms. Palermo 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

**TIME CODE: 3:13:18**

**9. Discussion and Possible Action on Anesthesia Committee Report and Recommendations.**

Dr. Henderson thanked his committee members.

- a. Committee recommendation and possible action on 22 Tex. Admin. Code §107.400, Collection and Reporting of Enforcement and Licensing Data.

Discussion only. Ms. Nichols advised that the rule established the type of data that was to be recorded and the current auditors found that most of the data can be found on our website in the different reports we post. Staff will generate a report once all departments determine the best way to input and review the data and it will be presented in November. The rule will be re-examined at the next meeting to determine if all requested information is available in different reports.

**10. 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.

Ms. Sanchez led the discussion.

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.

Ms. Sanchez led the discussion.

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.

Ms. Sanchez led the discussion. Ms. Jones asked if we can do an AAP to the entity and what would show if we pulled this up in the records. Ms. Sanchez stated that it is based on the license and it should be searchable for a mobile facility and the dentist's name would not show as connected with the AAP.

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.

Ms. Sanchez led the discussion.

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.

Ms. Sanchez led the discussion.

A motion was made to approve the Pre-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

vi. Post-ISC Recommendations of Dismissal.

Ms. Sanchez led the discussion.

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.

**b. Committee recommendation and possible action on trend spotting for enforcement cases.**

Dr. Bell led the discussion on the trends and where our data comes from. She outlined what data is manually input and which software generates each data point. Dr. Henderson suggested that Dr. Bell write a summary for the newsletter or TDA could communicate the data. Ms. Palermo commented on the value of the data and options of where it could be useful like the LAR.

**11. Discussion and Possible Action on Dental Practice Committee Report and Recommendations**

- a. Committee recommendation and possible action on foreign trained dentists working as dental hygienists.

Dr. Burke thanked her committee. No action was taken on this item, just discussion. Discussion points will be included in the next newsletter. Dr. Burke reviewed the requirements for dental hygienists. Dr. Melchor asked about rule 114.2 for Dental Assistants that requires a high school graduate, but one RDA school representative who spoke today said they are accepting 16 year olds. It was noted that some high school graduates may be only 16.

**TIMECODE: 3:42:14**

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

- a. Committee recommendation and possible action on currently proposed rule from the May 3, 2024 Board Meeting: 22 Tex. Admin. Code §104.1, Continuing Education Requirements.

Dr. Melchor thanked her committee members.

A motion to adopt the rule was made by Dr. Melchor and no second necessary as it is out of committee.

Ms. Lamb asked about language that two hours course for a one-time credit is allowed per course per renewal period? She doesn't see the detail about the one course time period excluding if the course is modified. Dr. Melchor advised that the staff is capable and

will capture erroneous CEs and it is not an issue. Legal said no additional clarification is needed.

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. Committee recommendation and possible action on 22 Tex. Admin. Code §114.12, Continuing Education for Registered Dental Assistants.

A motion to adopt the amendments to §104.1, of 12 hours annual CE credits required and the dental assistants must take jurisprudence every 4 years was made by Dr. Melchor and no second necessary as it is out of committee.

Discussion: Dr. Melchor spoke about the amendments including 12-hour biannual CE requirement and Dental Assistant jurisprudence every 4 years. Ms. Studdard added that a public comment from TAPD states they are against language of Dental Assistants taking jurisprudence and it would be a barrier for Dental Assistants. Dr. Morehead added that RDAs knowing their rights would allow them to speak up. Ms. Lamb commented that staff will create a specific Dental Assistant jurisprudence exam. Ms. Nichols advised that the \$54 fee is the same as dentists and dental hygienists pay for jurisprudence. The issue was the 2 years jurisprudence requirement and dentists and RDHs only complete jurisprudence every 4 years. Dr. Yu states 60,000 RDAs have cancelled their registrations. Ms. Palermo stated that \$54 every four years is acceptable to help keep the public safe. She added that dental assistants appear in ISCs and jurisprudence is a way to ensure they know the rules and protect the public. Dr. McNeill feels it is burdensome to the Dental Assistant. Ms. Mendez stated that in 2024 there were RDAs 800 selected for a CE audit and half have complied. Ms. Palermo suggested two hours of the CE requirements be focused on jurisprudence. Dr. Melchor agreed that sending this back to committee is a good idea.

A motion to approve the amendments that include 12-hour biennial CE credits and Dental Assistants doing jurisprudence every 4 years was made by Dr. Melchor and no second necessary as it is out of committee.

Dr. Linda Burke	Against
Mr. Ricky Garcia	Against

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

FOR: 0 AGAINST: 11 ABSTAIN: 0 MOTION: FAILS

A motion to send the issue back to committee to was made by Ms. Jones 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

**13. Discussion and Possible Action on Licensing Committee Report and Recommendations.**

- a. Committee recommendation and possible action on 22 Tex. Admin. Code §102.1, Fees.

**TIMECODE: 4:11:32**

Dr. McNeill thanked his committee. Ms. Studdard led the discussion. The committee approved the proposed motion for fees.

A motion was made to propose an amendment to 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	For

Dr. Yvonne Maldonado	For
Dr. Margo Melchor	Absent
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

b. Committee recommendation and possible action on the dentist and dental hygienist compact.

Discussion only.

C. Committee recommendation and possible action on request to become a nitrous oxide monitoring course provider: Coastal Bend College.

A motion was made to approve the Coastal Bend College as a nitrous oxide monitoring course provider by Dr. McNeill and no second is needed as it came from committee.

**TIMECODE: 4:14:10**

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: 1 AGAINST: 0 ABSTAIN: 0 MOTION: CARRIES

D. Committee recommendation and possible action on request for exception to Board rules:

i. 2024-Q4-DDS1

Ms. Studdard led the discussion. Committee approved exception to board rule if three weeks of remediation was taken and a letter confirms the amount of time. Ms. Palermo stated that she voted against this because he hadn't gotten prior approval for the remediation prior to coming to Texas and didn't read the rules that were tested in jurisprudence. Dr. Henderson spoke against the exception. Ms. Jones asks why the hours can't be broken

down out of the three weeks to meet the 80 hour requirement. Ms. Palermo asks that the licensing committee look at this section as exceptions are consistently being made.

A motion was made to amend the exception to board rule with proof of three weeks and a minimum of 80 hours of remediation by Ms. Lamb and seconded by Dr. McNeill.

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

A motion was made to accept the exception to board rule with proof of three weeks and a minimum of 80 hours by Ms. Lamb and seconded by Dr. McNeill.

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

**TIMECODE: 4:29:59**

ii.2024-Q4-FDEN

Dr. McNeill led the discussion. The dentist is foreign trained and licensed in four other states. She only works as a Professor at Texas A&M. Dr. Morehead spoke about her only working as a professor and not doing hands on work. Dr. Henderson recuses himself as he is on the faculty of Texas A&M. Dr. McNeill stated that it's the insurance company that declines payment on a faculty license. Dr. Henderson asks about if she leaves and quits teaching she could go out to do full dentistry. Ms. Palermo asks that this rule be explored

in committee as there are many exceptions. Ms. Lamb states that dentists that keep their license and do their CEs and but don't know their amount of patient interaction.

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

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

FOR: 5 AGAINST: 5 ABSTAIN: 1 MOTION: FAILS

Dr. Cabido spoke on her own behalf virtually. Ms. Jones clarified that if she had submitted in the timeframe she would not have to appear before the committee. Dr. Henderson clarified that Medicare wouldn't approve Dr. Cabido if she didn't have an unrestricted license.

**TIMECODE: 4:52:07**

A motion was made to revote on the approval of the exception to the rule by Ms. Palermo and seconded by Ms. Lamb.

Dr. Linda Burke	For
Mr. Ricky Garcia	For
Dr. Bryan Henderson	Recuse
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: 9 AGAINST: 0 ABSTAIN: 1 MOTION: CARRIES

iii. 2024-Q4-DDS2

A motion was made by Dr. McNeill to approve the request and no second is needed as it came from committee. Her jurisprudence was delayed by only 12 days and she presented her case virtually during the 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: 10 AGAINST: 0 ABSTAIN: 0 MOTION: CARRIES

iv. 2024-Q4-DDS3

A motion was made by Dr. McNeill to approve the exception to the rule and approve the license and no second is needed as it came from committee. Candidate is looking to relocate to Texas and practice restorative dentistry.

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

FOR: 5 AGAINST: 6 ABSTAIN: 0 MOTION: FAILS

e. Committee recommendation and possible action on request for approval of remediation: 2024-Q4-DDS4

A motion was made by Dr. McNeill to approve the remediation request and no second is needed as it came from committee.

Dr. McNeill spoke to the comment from Ms. Lamb about committee recommendations and how the board can make an alternate decision. Ms. Nichols reiterated that the staff advises everyone on the agenda to return the next day to be present for a board vote.



TIMECODE 5:14:47

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

**14. Public Comments. None.**

**15. Agency Activity Reports.**

a. Executive Division Report.

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

i. Legislative Appropriations Request FY 2025-2026.

The LAR was submitted for funding every two years and for the 89<sup>th</sup> session. The agency asked for two to three staff members for licensing, staff raises as we are one of the lowest paid agencies, House bill 3130 funding for privacy of licensee information. A state agency salary comparison updated with the help of our summer intern was completed.

A stakeholder meeting will be held in September or October.

2025 meeting schedule will be on the website. Our November board meeting will be in the Bush Building on the fourth floor.

Local Infiltration permit information is forthcoming but the data base is not complete. Information of the status will be posted on the website. Dr. Henderson will not be present at the May 2025 meeting.

b. Finance and Administration Division Report.

Ms. Kappel gave her report and her materials were uploaded to the board site. Fiscal Year 2024 data is presented including the percentage of the budget remaining in this fiscal year. Staff was given some merit raises. The funds received pass through to the general fund and do not come to the Agency. The state of Texas two-year budget cycle and budgeting is ongoing for 2026 and 2027.

Licensing Division Report.

Ms. Lisa Fernandez gave her report and materials are in the board documents. She thanked the board for providing lunch during the Expo, the department loves our Executive Director, Ms. Nichols and thanks Ms. Mendez for keeping the department running like a well-oiled machine. The licensing team was thanked for their hard work.

Ms. Jones asks about a mini Expo since some hygienists are on an 18-month schedule. Ms. Nichols commented that the request for more staff is in the LAR to accommodate that additional Expo.

**TIMECODE: 5:39:18**

c. Dental Division Report.

Dr. Bell gave her report and her materials were uploaded to the board site.

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

A motion to accept the three DRP applicants by Dr. Henderson 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. Investigations Division Report.

Ms. Hieber gave her report and materials are in the board documents. Two new investigators have been hired in the department. Ms. Hieber reported that investigations has passed the amount of cases from 2023 and continue to do so.

e. Legal Division Report.

Ms. Studdard gave her report and materials are in the board documents. The new ISC schedule has been posted and there are dates that need to be filled. Dr. Yu thanked Ms. Sanchez for her great work in ISCs.

**TIMECODE: 5:50:20**

A motion to go into Executive Session to discuss the Executive Director was made by Ms. Palermo and seconded by Mr. Garcia.

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

Executive Session started at 1:43pm

A motion was made to exit Executive Session by Dr. Henderson 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	Absent
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

Executive Session returned at 1:59pm

A motion was made to give the maximum raise to Ms. Nichols of \$141,867 by Dr. Henderson 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	Absent

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

**15. Announcements.** None.

**16. Adjourn.**

A motion to adjourn was made by Dr. Henderson 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 Absent  
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

TIME ENDED: 2:04 p.m.



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Presiding Officer



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Board Secretary