

Board of Dentistry 1500 SW 1st Ave. Suite 770 Portland, OR 97201-5828 (971) 673-3200 Fax: (971) 673-3202

Testimony
On House Bill 4070
By
Patrick D. Braatz, Executive Director
Oregon Board of Dentistry
Before the
House Committee on Health Care
Wednesday, February 5, 2014

On behalf of the Oregon Board of Dentistry (OBD), I want to thank you for the opportunity to provide informational testimony regarding House Bill 4070.

- The Oregon Board of Dentistry Web site and specifically the Licensee Lookup Section were created to provide for transparency to the Public, Consumer and Organizations that require regulatory information on OBD Licensees.
- The OBD Web site Licensee Lookup Section was created to provide for the efficient and effective use of OBD limited Staff resources.
- The OBD Web site Licensee Lookup Section is a complete listing of all information about all 7,700 licensees that the OBD licenses.
- Removing information from OBD Web site Licensee Lookup Section will render the Licensee Lookup Section no longer valid for primary source verifications and will in reality no longer serve the transparency and efficiency uses that it was designed for.
- Example 1 the OBD Web Site main page.
- Example 2 Pages 1-3 is an example of a query into the OBD Licensee Lookup Section for a licensee that has an active license, but has never been disciplined by the OBD or had any Malpractice Actions that were required to be reported to the OBD based on ORS 742.400.
- Example 3 Pages 1-6 is an example of a query into the OBD Licensee Lookup Section for a licensee that has an active license, but has never been disciplined by the OBD but has had a Malpractice Action that were required to be reported to the OBD based on ORS 742.400, and the actual malpractice information does have to appear on the OBD Licensee Lookup Section.

- Example 4 Pages 1-6 is an example of a query into the OBD Licensee Lookup Section for a licensee that has an active license, but has never been disciplined by the OBD but has had a Malpractice Action that were required to be reported to the OBD based on ORS 742.400, but the actual malpractice information does not have to appear on the OBD Licensee Lookup Section.
- Example 5 Pages 1-9 is an example of a query into the OBD Licensee Lookup Section for a licensee that has an active license, and has been disciplined by the OBD.

We hope that Members of the Committee now understand more completely the issues surrounding the OBD Web site Licensee Lookup Section.

We look forward to working with you and the dental community to continue the mission of the OBD concerning the protection of the citizens of Oregon and providing them with transparent and efficient information about Oregon Board of Dentistry Licensees.

TEXT SIZE: A+ A- A . TEXT ONLY TRANSLATE .

Find

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**Current Topics** 

< || >

**Board Meeting Information** 

The next regularly scheduled Board Meeting will take place February 28, 2014 at the **NEW** office location. 1500 SW 1st Ave., Portland OR 97201. The meeting will take place in the 7th Floor Conference room. Please check in at front desk if you plan on attending.

Further Information to come...

## **Important Information**

## 2014-2016 Dental Renewal

2014-2016 online Dental Renewal is now available. Please follow the link below to being the renewal process.

Online Dental Renewal

## THE OBD OFFICE HAS

#### MOVED!

The Board of Dentistry office has moved to a new location. As of Monday, December 9th our new

> 1500 SW 1st Ave., Ste # 770 Portland, OR 97201 Phone (971) 673-3200 Fax (971) 673-3202

### Rule Change Effective January 1, 2014

The Oregon Board of Dentistry held a public rulemaking hearing Thursday, October 17, 2013. The Board voted to make the following rules effective January 1, 2014.

· Full Text of Rule Changes Effective January 1,

#### Temporary Rule Extending Deadline for End **Tidal CO2 Monitors Passed**

On June 21, 2013 the Board passed a Temporary Rule extending the deadline for meeting the new requirement for Moderate, Deep and General anesthesia permit holders. This moves the deadline from July 1, 2013 to December 28, 2013 for these permit holders to have End Tidal CO2 monitors in their office and allows adequate time to implement the change.

Temporary Rule

## Have a Question? Ask the Board

**Popular Picks** 

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Licensee Address Change

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#### OREGON.GOV

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#### WEB SITE LINKS

Text Only Site Accessibility Oregon, gov File Formats Privacy Policy Site Map

#### PDF FILE ACCESSIBILITY

Adobe Reader, or equivalent, is required to view PDF files. Click the "Get Adobe Reader" image to get a free download of the reader from Adobe.



## **Licensee Directory**

The data source for this directory was last refreshed on 2/4/2014

Dentists and Dental Hygienists

Search for a Licensee	
Search By: Last Name	
Search For: hongo	
Search in: All Licensees	
Search	
Select the field you would like to search in the "Search By" texbox, then input the search text in the "Search For" textbox	
For more results, type in less characters in "Search For". For a narrower search, type in more characters.	

Browse b	y Specialty or Expa	nded Practic
Specialty or	Endodontics	
Expanded Practice:	Endodontics	
& In City:	All	
	Browse	

ž	Sedation Permit  Sedation Permits:
2	& In City: All  Browse
2	Search for Case Documents
	Case Number:

#### LICENSEE LOOKUP

Licensees on this lookup site are active with the exception that expired, retired, resigned, and revoked Licensees will appear on this site if they have had Board action taken against their license.

Applicants who have not been licensed by the Board and have had formal Board Action can be found in the Licensee Lookup System.

If a Licensee is NOT on this lookup screen that you believe should be listed, please contact us.

This information is updated daily and every effort is made to assure that it is accurate.

#### PRIMARY SOURCE VERIFICATION

We have done primary source verification of the Licensee's initial education leading to her/his eligibility for licensure since at least 1987. The information contained on this web site is the same information provided through other means, i.e., telephone, e-mail or mail, and is true and complete to the best of our knowledge.

### **WRITTEN VERIFICATION OF LICENSURE\***

The Board will provide written verification of licensure, which contains the following information about Licensees of the Board: license number, date issued, status of the license (active, retired, expired), expiration date of license, dental school or dental hygiene program, date of graduation, specialty, endorsements (for dental hygienists), anesthesia permits, mailing address, business address, and disciplinary action taken. (This verification does not have the Board's Official Seal on it.)

Cost: \$2.50 per name

#### INFORMATION REGARDING BOARD ACTION\*

Copies of final Board actions regarding individual Licensees are available on-line. If you are unable to print this information, please contact us.

If you need certified copies of final Board actions you must put your request in writing.

Cost: \$0.50 per page, plus postage, if more than ten pages. (Once the order is received, you will be notified if there is a charge. Prepayment is requested.)

\*For written verification of licensure or for copies of Board actions, use the <u>Licensee Information Request</u> found under "Forms & Brochures" on this Web site.

## INFORMATION REGARDING MALPRACTICE CLAIMS

Malpractice claim information is compiled by the Oregon Board of Dentistry from claim reports it receives from primary insurers; public bodies required to defend, save harmless and indemnify an officer, employee or agent of the public a self-

insured entity; or a health maintenance organization. Claim reporting and disclosure requirements are governed by ORS 742.400.

The settlement of a medical malpractice claim may occur for a variety of reasons that do not necessarily reflect negatively on the professional competence or conduct of the provider. Therefore, there may be no disciplinary action appearing for a licensee, even though there is a closed malpractice claim on file. A payment in the settlement of a medical malpractice action does not create a presumption that medical malpractice occurred. Malpractice information provided on a record represents information from reporters to date. Please note: Not all reporters may have submitted claim information to the Board

#### **INFORMATION REGARDING DENTAL ASSISTANTS:**

The Dental Assisting National Board (DANB) certifies dental assistants for the Oregon expanded functions and radiologic proficiency. Certification information is available on the DANB Web site at <a href="http://www.DANB.org/main/OregonLookup.asp">http://www.DANB.org/main/OregonLookup.asp</a>.

### **CONTACT US**

Mailing Address: Oregon Board of Dentistry 1600 SW 4th Avenue Suite 770 Portland, OR 97201

Phone: 971-673-3200 Fax: 971-673-3202

E-mail: Information@oregondentistry.org

## HOURS OF OPERATION

7:30 AM - 4:00 PM, Pacific Time





# Licensee Detail

Name:

JONNA E HONGO D.M.D.

**License Type:** 

Dentist

License #:

D5984

**Initial License Date:** 

6/26/1982

**License Status:** 

Active

**Current License Expires:** 

3/31/2014

**Business Address:** 

4511 S E HAWTHORNE #110

PORTLAND OR 97215

Permits and Endorsements: None

**Board Action:** 

There has been no discipline on this license.

**Malpractice Action:** 

There has been no reported malpractice on this license

pursuant to ORS 742.400, effective July 17, 2007.

This information was last updated 2/4/2014

For More Information, contact this office via phone at (971) 673-3200, fax at (971) 673-3202 or e-mail <a href="mailto:information@oregondentistry.org">information@oregondentistry.org</a>



# Licensee Detail

Name:

ROBERT E BURNSIDE D.M.D.

**License Type:** 

Dentist

License #:

D3938

**Initial License Date:** 

6/19/1964

**License Status:** 

Active

**Current License Expires:** 

3/31/2014

**Business Address:** 

551 NE GREENWOOD AVE

**BEND OR 97701** 

Certified in the Specialty of: Orthodontics and Dentofacial Orthopedics

Permits and Endorsements: None

**Board Action:** 

There has been no discipline on this license.

**Malpractice Action:** 

There has been reported malpractice on this license pursuant to ORS 742.400, effective July 17th, 2007.

View Document M0052.1.BURNSIDE

This information was last updated 2/4/2014

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I do not Understand (return to lookup)

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1980s.

Civil Penalty: A monetary penalty imposed upon a licensee

as a result of a disciplinary action.

**Community Service:** The provision of direct dental care in the

community for no remuneration.

**Complaint:** The documentation of violations alleged by

the Board that may precede a formal

disciplinary matter. This term was used by the

Board in the 1970s and 1980s.

**Conditional License:** A license that places conditions, limitations or

restrictions on a Licensee's scope of practice.

Conclusion of Law: Violations of the law as determined through

application of the law and rules of the Board.

Consent Order: An order that a licensee agreed to sign in

order to resolve a disciplinary action by the

Board.

**Continuing Education:** Courses required to be taken by a licensee to

maintain license requirements or courses

specifically ordered by the Board.

Corrective Action Order: An order by agreement between the Board

and the licensee in which the licensee agrees to meet specific provisions, in order to resolve a pending proposed disciplinary action. A Corrective Action Order is not considered by

the Board to be a disciplinary action.

**Default Order:** A final order issued by the Board when a

licensee fails to respond to the Board's Notice

of Proposed Disciplinary Action.

**Dismissal:**An Order issued by the Board that finally

disposes of a previous action taken by the

Board.

Final Order: A final order issued by the Board after an

administrative hearing has been held

regarding disciplinary action by the Board.

Finding of Fact, Conclusion of Law and An Order that is considered by the Board Order: following a Hearing. Finding of Fact: Determination of the factual evidence in a **Hearing:** A legal administrative proceeding where a licensee and the Board can present their respective cases to an Administrative Law Judge in a disciplinary action by the Board. **Mentoring:** A formal arrangement for a licensee to be guided by and to have work reviewed by a Board approved licensee. **Notice of Proposed Disciplinary Action:** A formal written notification that allegations or charges have been made by the Board against a licensee. Probation: The monitoring of a licensee's conduct for a stated period of time. Release: An Order terminating requirements previously ordered by the Board. Reprimand: A formal censure. Reconsideration: A Board review of a previous Board action. Resignation: The voluntary or involuntary surrender of a license terminating Licensee's right to practice in the state. Restitution: The payment to a patient from a licensee to compensate the patient for actual loss or cost to correct the unacceptable care. Restriction: The formal removal of the privilege to practice all or part of the licensee's profession and/or a formal placement of constraints on the practice of a licensee. **Revocation:** To permanently remove or take away a license to practice one's profession. Stay: A process that is used to place on hold the

final action of the Board.

Stipulation: Another term used to describe an order that a

licensee agreed to sign in order to resolve a

disciplinary action by the Board.

**Study Club:** A group workshop where skills are further

developed or refined.

Suspension: A temporary removal of the privilege to

practice one's profession for a specific period

of time.

**Termination:** An Order terminating requirements previously

ordered by the Board.

**Voluntary Surrender:** Allowing a licensee to give up the right and

privilege to practice a profession.

Please indicate that you have read the above common definitions that may be contained in the Board Actions, and that you understand these definitions.

I understand (view discipline) I do not Understand (return to lookup)





Oregon Negligence/Malpractice Claim Report Form

Oregon Board of Dentistry OREGON BOARD OF DENTISTRY

1600 SW 4th Avenue, Suite 770 • Portland, Oregon 97201 (971) 673-3200 • <u>www.oregon.gov/Dentistry</u>

ORS 742.400(2) Within 30 days after receiving notice of a claim a reporter listed in ORS 742.400(1)(d)(A)(B)(C) and (D) shall report the disposition of the claim to the appropriate Board. ORS 742.400(1)(a) defines a claim as a written demand for payment for an injury alleged to have been caused by professional neglig

filed with a court of appropriate jurisdiction.	Disposition of a claim means:	e that is made in a complaint
A. A judgment or award against the cov	ered practitioner by a court, jury or an arbitr	*******
A withdrawal or dismissal of the cla	in.	ator.
C. A settlement of the claim.		
Covered Pra	ctitioner (DMD, DDS, RDH only	
License #: D3938	Name: Robert Burnside	
	Injury/Incident Data:	Phone: ((541))480-7048
Name of the Person who filed Claim: Terry Jo		
Date Claim Filed:	04/05/12	
Person filing claim reason or reasons:		
Dental malpractice claim stemming from jaw a course of several years. The claimant alleged Burnside; excessive pressure on certain teeth, secondary to pressure issues; and future gum toothpaste supplied by the insured.	which caused there to the W	ork performed by Dr.
		2
		**
	s = =	
	Closure Data:	
If Claim is closed, check appropriate box below	v:	
The second secon		
Judicial Findings.		Sec. 7
Admission of Liability.		
Money Judgement, Award Against Practition	oner by Court, Jury, or Arbitration.	
Withdrawl or Dismissal of Claim.	2	
Settlement of Claim.		



# Licensee Detail

Name:

HENRY L HARBERT D.M.D.

**License Type:** 

Dentist

License #:

D4229

**Initial License Date:** 

6/12/1967

**License Status:** 

Active

**Current License Expires:** 

3/31/2015

**Business Address:** 

City & State:

VANCOUVER WA

Certified in the Specialty of: Endodontics

Permits and Endorsements: Deep Sedation

**Board Action:** 

There has been no discipline on this license.

**Malpractice Action:** 

Please contact the Board office.

This information was last updated 2/4/2014

For More Information, contact this office via phone at (971) 673-3200, fax at (971) 673-3202 or e-mail information@oregondentistry.org

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I understand
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Study Club:

I understand (view discipline) I do not Understand (return to lookup)



# Department of Consumer & Business Services Insurance Division Rates & Forms

350 Winter St. NE, Room 440-5 Salem, OR 97310-0765 Phone (503) 947-7983

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_	N.	W		

## Oregon Medical/Dental Negligence Claim Report Form

AUG 2 7 2007

	claimant-Insured pair is to be co nd again when closed, including		ents.	
Insurer name: FORTRESS Insurance Co.			_ Claim file ID:	7002505 DENTISTRY
Physician/Dentist				
License no: D4229 Name: Hen	ry L. Harbert, DMD	<u> </u>		Age 66
Address: 691 Murphy Road, Suite 204, Medford, Of				
		lity	State	ZIP
Profession/business (code):3Specialty (c				
Practice type (code): 3 Foreign medic	al graduate? Yes	No Counti	ry (If Yes):	
Injury Data				
Injured person's name: Michael Saint-John			Age: <u>37</u>	
Date of injury: 5/14/07 Date report	rted to insurer: 5/23/	07 Date	reopened:	
Place where injury occurred (code):5				
8		City		State ZIP
Name of institution (if injury occurred in instituti				
Total defendants involved in claim: 1			_ INC IO4 C	4
Plaintiff attorney's name: None				O.L.D.
Severity of injury (code): 2 Misadventures i		City : 99 M	State lisadventures in o	ZIP liagnosis (code): 99
Others contributing to injury (code):99				
Companion claim file identification:		161 E		ige (colle):
				Unamada masada IT
Allegations and reasons for claim. State patient's planning error, medical injury or other allegation		formal condition a	na any materiai d	nagnosis, procedure of
IF MORE INFO DOESN'T FIT GO TO NEXT PAGE:				in 1 office visit. The
insured referred the patient to an endodontist and did	not charge the patien	t for the incomplete	root canal.	
Closure Data				
Closure date:	Claim disposition (	code): <u>v 1</u>	Settlement (cod	e):
Court (code): 0	Binding arbitration	(code): 0	Review panel (c	ode):99
	Economic	Non-Economic	Punitive	Unspecified
Indemnity you paid on behalf of defendant:	\$0	\$0	\$0	so
Other indemnity paid by/on behalf of defendant:	s o	s0	so	
D E				,
Indemnity paid by all parties (for all defendants):	\$			
Loss adjustment expense paid to defense counsel:	\$OAll other	er allocated loss ad	justment expense	you paid:\$0
Type or print name of contact person: Linda Patte	rson		Phone: (800	) 522-6675
Mailing address: 6133 N. River Rd., Suite 650	Rosemont	IL	60018-5173	DEPARTMENT OF CONSUMER
440-1962 (10/83/COM)	City	State	ZIP	CBUSINESS



# **Licensee Detail**

Name:

DARRELL L ANGLE D.D.S.

**License Type:** 

Dentist

License #:

D6718

Initial License Date:

7/2/1991

License Status:

Active

**Current License Expires:** 

3/31/2015

**Business Address:** 

16330 SE STARK STREET

PORTLAND OR 97233

Certified in the Specialty of: Orthodontics and Dentofacial Orthopedics

Permits and Endorsements: None

**Board Action:** 

There has been Board action on this license.

X

Click here to view action documents

**Malpractice Action:** 

There has been no reported malpractice on this license pursuant to ORS 742.400, effective July 17, 2007.

This information was last updated 2/4/2014
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**Consent Order:** An order that a licensee agreed to sign in order to resolve a disciplinary action by the

Board.

**Continuing Education:** Courses required to be taken by a licensee to

maintain license requirements or courses

specifically ordered by the Board.

**Corrective Action Order:** An order by agreement between the Board

> and the licensee in which the licensee agrees to meet specific provisions, in order to resolve a pending proposed disciplinary action. A Corrective Action Order is not considered by

the Board to be a disciplinary action.

**Default Order:** A final order issued by the Board when a

licensee fails to respond to the Board's Notice

of Proposed Disciplinary Action.

Dismissal: An Order issued by the Board that finally

disposes of a previous action taken by the

Board.

Final Order: A final order issued by the Board after an

administrative hearing has been held

regarding disciplinary action by the Board.

Finding of Fact, Conclusion of Law and An Order that is considered by the Board Order: following a Hearing. **Finding of Fact:** Determination of the factual evidence in a case. **Hearing:** A legal administrative proceeding where a licensee and the Board can present their respective cases to an Administrative Law Judge in a disciplinary action by the Board. A formal arrangement for a licensee to be Mentoring: guided by and to have work reviewed by a Board approved licensee. **Notice of Proposed Disciplinary Action:** A formal written notification that allegations or charges have been made by the Board against a licensee. **Probation:** The monitoring of a licensee's conduct for a stated period of time. Release: An Order terminating requirements previously ordered by the Board. Reprimand: A formal censure. Reconsideration: A Board review of a previous Board action. The voluntary or involuntary surrender of a Resignation: license terminating Licensee's right to practice in the state. Restitution: The payment to a patient from a licensee to compensate the patient for actual loss or cost to correct the unacceptable care. Restriction: The formal removal of the privilege to practice all or part of the licensee's profession and/or a formal placement of constraints on the practice of a licensee. Revocation: To permanently remove or take away a license to practice one's profession. A process that is used to place on hold the Stay: final action of the Board. Stipulation: Another term used to describe an order that a

licensee agreed to sign in order to resolve a

disciplinary action by the Board.

A group workshop where skills are further

developed or refined.

A temporary removal of the privilege to Suspension:

practice one's profession for a specific period

of time.

**Termination:** An Order terminating requirements previously

ordered by the Board.

**Voluntary Surrender:** Allowing a licensee to give up the right and

privilege to practice a profession.

Please indicate that you have read the above common definitions that may be contained in the Board Actions, and that you understand these definitions.

Study Club:

I understand (view discipline)

I do not Understand (return to lookup)



# **Board Action Detail**



View Definitions of terms used in the action documents. new window **Licensee Name:** 

DARRELL ANGLE

Licensee #:

D6718

**Board Action Documents:** 

Case: 1994-0172

Consent Order

# BEFORE THE OREGON BOARD OF DENTISTRY

In the Matter of the Dental License of	)
DARRELL L. ANGLE, D.D.S.,	) Consent Order ) Case 1994-0172
Licensee.	)

Darrell L. Angle, D.D.S., herein referred to as Licensee, aware of his right to a Hearing with his attorney present to contest the charges against him, does hereby waive that right and stipulates and agrees:

- A. The Oregon Board of Dentistry is authorized under ORS 679.025 and ORS 679.140 to license persons to practice dentistry in this State and to discipline licensees.
- B. Licensee is licensed to practice dentistry in this State having been issued license number D6718 on July 2, 1991.
- C. Based on the results of an investigation, the Board is prepared to file a formal complaint alleging that Licensee made an untrue statement on his 1993-95 Oregon Dental License renewal in which he denied disciplinary action was taken by another state, billed Blue Cross/Blue Shield of Oregon for treatment he did not provide to patient SS, did not change gloves before working on patient SH, allowed an uncertified person to expose dental radiographs, prescribed controlled substances outside the scope of the practice of dentistry for DR. prescribed controlled substances for DR who was not his patient of record, did not record controlled substances that were lost or stolen, did not report the loss or theft to the United States Drug Enforcement

Administration, and in his August 17, 1994 written response to the Board made untrue statements in which he denied overbilling insurance companies and writing prescriptions for persons who were not patients.

- D. Licensee acknowledges that, if proven, the allegations are violations of OAR 818-12-010(4), OAR 818-12-030(1), OAR 818-12-040(1), OAR 818-12-050(1), OAR 818-12-060(6), OAR 818-12-070(1)(g), OAR 818-12-080(2), OAR 818-12-080(3), OAR 818-12-100(3)(a), and OAR 818-12-100(3)(b) and would establish a basis for disciplinary action pursuant to ORS 679.140(1)(c) and ORS 679.140(1)(d).
- E. The Licensee and the Board wish by way of this Consent Order to settle and resolve the above matter without further proceedings by issuance of the following Order.

#### ORDER

- 1. Licensee shall pay a civil penalty in the amount of \$5,000.00 to the Oregon Board of Dentistry payable within 90 days of the effective date of this Order.
- 2. Licensee shall relinquish his DEA registration within 5 days of the effective date of this Order, and shall not reapply for a DEA registration without prior Board approval.
- 3. Licensee's license to practice dentistry is suspended for twelve months, with eleven months stayed. Licensee shall inform the Board, in advance as to which month Licensee will serve his suspension. Licensee may have the month of suspension divided into four, one-week increments, and shall inform the

Board in advance, as to which weeks the Licensee will serve his suspension.

- 4. If Licensee violates any of the terms of this Order, the Board may, after Notice and Hearing, enter further disciplinary orders including revocation therefor.
- 5. This Order is effective on the date it is signed by the President of the Board.

IT IS SO STIPULATED AND AGREED:

SI	GN	ATI	JRE	ON	FI	_E

Date

Darrell L. Angle, D.D.S.

IT IS HEREBY ORDERED:

0-65

5-30-95

SIGNATURE ON FILE

Edward Straka, D.D.S.

President

Oregon Board of Dentistry