



## MEMORANDUM

TO: Senator Stedman, Co-Chair  
Senator Hoffman, Co-Chair  
Senate Finance Committee

DATE: April 1, 2011

FROM: Don Habeger, Division Director  
Corporations, Business and Professional  
Licensing

RE: Department Response to Questions  
regarding SB 92: Dental Practice

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In response to the Committee's questions on SB92 – Dental Practice, regarding investigative case number comparison the Division of Corporation, Business and Professional Licensing has the following information to offer.

Time period for case numbers for the Medical Board and the Dental Board is January 1, 2009 through March 30, 2011:

- Dental Board cases are: Total cases = 40: 19 have been closed; 21 open status, of these none involve AAG or litigation.
- Medical Board cases are: Total cases = 162: 85 have been closed; 77 open status, of these 4 are with AAG and 4 are in litigation.

Notes: Open status may include the following: initial notification of an alleged violation, intakes, receiving of formal complaint, fact gathering (interviews, records review, etc.); expert witness review and advice as to case merits; board subcommittee review for case merits; accusations filing, Consent Agreements, and presentation to Boards and Commissions for final action.

Currently there are 21 open matters concerning Dental and Dental Hygienist. The open matter includes complaints and intakes. Intakes are when Investigations receive a telephone call or letter alleging a complaint against a licensed practitioner. Investigations respond by sending out a complaint packet and once it is returned, turn the intake into a complaint. It does not turn into an "open" investigation, until we have evidence of a violation. Of the 21 only 5 are considered "open" investigations, the rest are in the intake or complaint stages. This process, although discussed specifically in relation to the Dental Board's investigation activity, is similar for all boards and commissions.

Please let me know if you have any further questions or concerns.