

BOARD REPORT / RETREAT – July 12-14, 2019

Board members gathered at the Barnsley Resort, Adairsville, Georgia. Ms. Jeannine Pekkarinen, ADA Outreach Manager, facilitated the leadership development program and led the group in exploring the attributes of a good leader, characteristics of a poor leader and challenges of leadership through a D.I.S.C. behavioral style assessment: Dominance, Influence, Steadiness, Conscientiousness. There was discussion about how each person is a mixture of these four styles and how these styles work together to understand each other as well as make an effective board.

Dr. Terry Propper, President, spoke about the current Strategic Plan and her goal to have sub-groups of the Board examine progress on our initiatives and updating the Plan. Dr. Propper also gave a brief outline of the 2020 annual session plans and opened discussion regarding the relevance of our annual meeting to the TDA membership.

The Board met early the next day for a working breakfast while Ms. Pekkarinen shifted her presentation to how the board can lead with good governance. Ms. Pekkarinen talked about the difference between governing (strategy and goal setting) and managing (management of resources and day-to-day operations) and how role confusion can lead to poor governance.

The last segment of the meeting divided the board into four groups, and those groups were given a short period of time to come up with a one-minute “pitch” to non-members of the TDA on why they should join the TDA. Each group did an excellent job and provided lots of laughs in the process.

BOARD REPORT I – September 28, 2019

Consent

MOTION: By Dr. Anthony Carroccia, Eighth District Trustee, to approve the following Consent items:

- TDA Foundation Report
- Tenn-D-Pac Treasurer’s Report
- Executive Committee Action
- Calendar of Activities for Component Societies
- Letter to the ADA Regarding Dr. Roy Thompson’s Candidacy for ADA President-elect
- Dr. Joe Smiddy Report on IPF Screening at 2019 TDA Annual Session
- Peer Review Committee, CADS Member, Dr. Joseph Payne to Replace Dr. Frank Johnson
- Tennessee Chiropractic Association Joins MEWA/Group Health Insurance Option
- TDA Insurance Agency Annual Report
- Report of Board of Trustees Retreat, Barnsley Gardens, Adairsville, Georgia
- Presidential Appointments 2019 – 2020
- Tenn-D-Pac Meeting June 6, 2019 Minutes and Contributions

Approved.

Legislative Report

Mr. Jack Fosbinder, TDA contract lobbyist, reported that he, Mr. Dvorak and Dr. Leon Stanislav met with other healthcare representatives at the Governor’s office about healthcare. The meeting was positive.

Mr. Fosbinder reported on several legislative issues:

- Telehealth Bill
- Block Grant Bill
- Prior authorization
- Hygienists
- In-office Membership Plans

Per Mr. Dvorak, Dr. Mark Holifield, Seventh District member, asked the Board to survey members about TennCare, EFDAs and DentaQuest.

ACTION: President Propper will form an ad hoc committee to review the proposed questions and a deadline.

Other items:

- Coalition for Modernizing Dental Licensure: Dr. Watson will provide a link with information.
- Smile Tennessee: Governor Bill Lee is promoting this access to care organization for rural Tennessee, founded by Dr. Phillip Kemp, Nashville Dental Society.
- TennCare Audit:
 - Dr. Watson will follow-up regarding the TennCare Audit.
 - Dr. Jeannie Beauchamp, President-elect, recommended that the TDA stress to members that they are responsible for abiding by the TennCare guidelines published online, which can be changed frequently.
- Virtual Credit Cards: Dr. Watson spoke regarding opting-out of accepting this method of payment.
- Insurance Loss Ratios: Dr. Walter Fain, Vice President East Tennessee, said that the ADA passed a resolution for insurance companies to publish loss ratios. This will be on the next Governmental Affairs Committee agenda.

Audit Fiscal Year-end June 30, 2019

Mr. Scott Scouten, CPA, of Neal, Scouten & McConnell in Chattanooga, Tennessee, presented the TDA Audit of fiscal year-end June 30, 2019 for the four entities of the TDA.

Tennessee Dental Association: Clean report. Minor recommendation to tighten up some documentation giving the basis of some allocations, such as internal administration costs.

TDA Relief Fund: There was no disaster assistance during the fiscal year, so there was little activity in this fiscal year.

Tennessee Dental Political Action Committee: There were more expenditures than receipts for the Tenn-D-Pac, however the existing cash balance allows for that loss.

TDA Foundation: No audit report was presented at this time. Mr. Scouten discovered that the West Tennessee Foundation owns this endowment – not TDA. Therefore, Mr. Scouten’s firm could not perform an audit of the TDA Foundation. A draft report was sent to the Board.

Mr. Scouten was thanked for his work and excused from the meeting.

The Board continued discussion regarding the TDA Foundation. Mr. Dvorak presented TDA general counsel Jack Robinson’s opinion regarding the TDAF Endowment Agreement dated April 27, 2017. Mr. Robinson noted that money the TDA gives to the Endowment at West Tennessee Healthcare Foundation becomes their property and, per the agreement signed, TDA has no ownership rights or authorization to remove those funds. Mr. Robinson’s opinion will be sent to Dr. Robert Hopper, TDAF President, for their Board to review. If the TDAF chooses to

keep the current agreement with West Tennessee Healthcare Foundation, the TDA will inform members that contributions to the TDA Foundation do not remain in the TDA's control.

MOTION: By Dr. Cullum, to authorize an independent annual audit. Approved.

Meharry ASDA Representative

Ms. Aierress Hanna, third-year dental student at Meharry and President of the ASDA chapter at Meharry, was introduced by Dr. Propper. Per Ms. Hanna, ASDA has a Business Symposium on October 5th and an Oral Health Day on February 29, 2020.

Executive Session

The Board went into Executive Session at 10:30 a.m.

The Board returned from Executive Session at 10:50 a.m.

ADA Trustee Report

Dr. Roy Thompson, ADA Sixth District Trustee and TDA Fourth District member, reported on his campaign for ADA President-elect. Because of ADA campaign restrictions, Dr. Thompson asked for each Board member's help to spread the word about his campaign and to request support at election time.

Dr. Thompson informed the Board about resolutions passed at the ADA House of Delegates meeting in San Francisco, California, September 6-9, 2019.

Treasurer's Report

Dr. James Avery, Treasurer, presented the financial statements for fiscal year-end June 30, 2019 and July 31, 2019.

MOTION: By Dr. Avery, that the TDA transfer the remaining money in the former Wellness Committee's account to the Tennessee Wellness Foundation by October 2, 2019. Approved.

Recommendations for Accounting Firm and Legal Counsel

President Propper reported that the Executive Committee and the Budget & Finance Committee interviewed various lawyers and accountants on Friday, September 27th. The search will continue for an accounting firm.

MOTION: By Budget & Finance Committee, that Mr. Blake Matthews, Cornelius and Collins, be hired as TDA legal counsel to replace Mr. Jack Robinson.

Alcohol Policy

MOTION: By Dr. Burlson, that the Board's alcohol policy be changed to add the word "member", to read "TDA member funds are not spent on alcohol for any member at a general member function." Approved.

New Dentist Report

Dr. Julia Prince, New Dentist representative, reported that the New Dentist Committee met in June at the TDA Annual Session and have scheduled a conference call in October. Dr. Prince said that the ADA Engagement Grants have been brought back and could provide funds for new dentist-related activities. Dr. Prince also requested that the new dentist representative have a vote on the Board of Trustees.

MOTION: By Dr. Cullum, to allow the New Dentist Committee Chair a vote on the Board, and the new dentist representatives on TDA councils and committees be allowed a vote, and the Constitution and Bylaws Committee make the necessary Bylaws changes. Approved.

TDA Delegates to the ADA Sixth District Caucuses

MOTION: By Dr. Watson, that TDA include reimbursement of the registration fee for the TDA delegation to attend the ADA Sixth District Pre-caucus and Caucus meetings. Approved.

Constitution and Bylaws Update

MOTION: By the Constitution & Bylaws Committee, that the following resolutions be submitted to the House of Delegates:

- Housekeeping / Minor wording and reference changes
- Adding Option of Appointed Associate Executive Director
- Sessions of the Board of Trustees
- Approval of Budget
- Component Society Deadlines
- Clarification of Life Membership
- No Dues for Full-time Charitable Service
- Reinstatement of Membership and Remove Fee
- Waiver of Dues Categories to Comply with the ADA

Approved.

Add Executive Committee to Executive Director Performance Review

MOTION: By Dr. Burlison, that the Policy Manual for the Board of Trustees of the TDA be amended to read: . . . the duty of the Budget and Finance Committee along with the Executive Committee is to establish and maintain performance review procedures for the Executive Director and review the Executive Director's performance pursuant to those procedures on an annual basis. The Secretary of the TDA will assume the responsibility of that review annually, at least one month in advance of the Annual Meeting. Approved.

Strategic Plan Update

Membership: Dr. Tom Patterson, Memphis Trustee and chair of the subcommittee of the Board regarding the membership section of the 2016 Strategic Plan, reported on their meeting, September 17, 2019.

MOTION: By Dr. Walter Fain, Vice President East Tennessee, to discontinue the additional fee for dues payment via credit card. Approved.

MOTION: By Dr. Beauchamp, that we explore having the Component Society Officer meeting again at the annual session. Approved.

Dr. Propper asked Dr. Patterson to schedule another meeting of the subcommittee to determine what items in that section of the Strategic Plan should be retired or modified.

Annual Session and Education: Dr. Beauchamp, chair of the subcommittee of the Board regarding the Strategic Plan section on annual session and education, reported on their meeting September 23, 2019. The committee will do a new survey regarding annual meeting preferences

and meet again after they have current data. The survey is targeted to be sent by the end of October.

Council on Scientific Programs and Continuing Education

MOTION: By the Council on Scientific Programs and Education, that the TDA Annual Session be a two-day format.* Approved.

*Clarification was requested from Dr. Chad Edwards, Chair of the Council. Per Dr. Edwards, this motion regarded CE courses and did not include the House of Delegates.

Membership Report

Mr. Dvorak showed a graph of TDA's market share per component society. He reported that the TDA won the ADA Conversion Award at the July 2019 ADA Membership Conference for the highest conversion of graduated dues to full dues. The Non-member Renewals Initiative was also discussed.

2020 Annual Session Update

President Propper updated the Board on plans for the 2020 Annual Session, which include a live auction titled "Viva Nashvegas!" to raise money for TDA charities. More information will be shared in January.

President-elect Report

Dr. Beauchamp reported that she attended the ADA President-elect's Conference in Chicago in July where she received good information on speakers for events. Another main topic was regarding cyber security.

The 2021 Annual Session venue contract has been signed with the Marriott Renaissance Hotel in downtown Nashville for June 25-27, 2021.

Executive Director Report

Mr. Dvorak provided updates on the building and staff. He also provided some non-dues revenue ideas.

MOTION: By Dr. Avery, to endorse the TDA logo-branded Pinnacle Community Card. Approved.

Dr. Watson suggested that we might negotiate with the ASDA chapters to promote the credit card to dental students to help them build their credit score.

Editor of the Journal Search Update

Dr. Cullum and Mr. Dvorak reported that Dr. Franklin Garcia-Godoy expressed interest in the editor position, and Dr. Josh Campbell has expressed interest in the Scientific Editor position. Dr. Cullum suggested that an ad hoc committee be formed by the President for a more formal search.

Board of Dentistry Report

Dr. Carroccia presented the July 11, 2019 Board of Dentistry meeting report, written by Board liaison Dr. Susan Orwick-Barnes who traveling out of the country.

Recommendations for Board of Dentistry Board Member

MOTION: By the Council on State Agencies, Awards, Ethics and Judicial Affairs, to accept the following recommendations to the Governor for Board of Dentistry members to fill positions expiring March 31, 2020.

Middle Tennessee: Joseph Britton (Eighth District), James Clark III (Nashville), Chad Edwards (Nashville), Matt Gorham III (Nashville), Scott Nickels (Nashville), and Tom Underwood (Nashville);

West Tennessee: Scott Edwards (Memphis), Goodloe “Chuck” Keltner (Memphis), Randy Prince (Seventh District), and David Travis (Seventh District / current BOD member and eligible for reappointment).

East Tennessee:

Dr. Paul McCord (CADS) – Dr. McCord asked to be submitted for East Tennessee, even though there is not an opening for East Tennessee in 2020.

Approved.

New Business

Relief Fund:

MOTION: By Dr. Chip Clayton, Nashville Trustee, that solicitation for contributions to the Relief Fund be made by the annual membership dues statement in lieu of a mailing to reduce administration cost, allowing more money to be contributed to the fund. Approved.

Component Societies and Legislative Night: Dr. Beauchamp proposed that components invite legislators to their legislative night and give a contribution to their campaigns.

Mr. David Horvat Agreement:

MOTION: By Dr. Cullum, that the David Horvat agreement (*signed May 2017*) be rescinded and Mr. Horvat be afforded all the privileges of an Honorary Member of the TDA, which he is.

Approved.

BOARD REPORT II – January 25, 2020

Call to Order

President-elect Dr. Jeannie Beauchamp, Eighth District, called the meeting to order at 8:30 a.m. President Dr. Terry Propper was unable to attend the meeting because of illness. Before official business began, Dr. Beauchamp and the Board toasted Dr. Susan Orwick-Barnes, Board of Dentistry Liaison, for completion her chemotherapy treatments. Dr. Orwick-Barnes thanked the Board for their support and encouragement throughout her treatment. Dr. Anthony Carroccia, Eighth District Trustee, led in the Pledge to the Flag. Dr. John Petty, Speaker of the House, offered the invocation. Dr. Allen Burleson, Secretary, called the roll.

New TDA Legal Counsel, Mr. Blakeley Matthews

Mr. Blakeley Matthews, Cornelius & Collins, LLP, was introduced to the Board as the TDA’s new legal counsel as of January 1, 2020.

Tennessee Wellness Foundation, Dr. David Sain

Dr. David Sain, Director of the Tennessee Wellness Foundation, presented a PowerPoint regarding their new organization, new office and new board. Dr. Sain recommends that Dr. Angela K. Burns, Second District, be the Board liaison to the Tennessee Wellness Foundation.

Executive Session

Dr. Sain was invited to remain in the executive session.

The Board went into Executive Session at 9:20 a.m.

The Board returned from Executive Session at 9:30 a.m.

Tennessee Wellness Foundation, continued

MOTION: By Dr. Magee, that \$5,000 in the next TDA budget year be given to the Tennessee Wellness Foundation. The motion was clarified to be for one year only. Approved.

Tennessee Dental Association Foundation, Dr. Robert Hopper

Dr. Robert Hopper, President of the TDA Foundation (TDAF), opened his presentation by asking for any questions about the operation of the TDAF. Dr. Hopper explained that the money goes into the endowment and a reserve of 4% is given each year for spending. It was asked if the contract could be rewritten to reflect that the money in the endowment is protected for the TDA. According to Dr. Hopper, that would be difficult and not a viable option. Also, Dr. Hopper assured the Board that there is no conflict of interest with Mr. Frank McMeen serving on the TDAF Board as well as working for the West Tennessee Health Foundation, now renamed The Foundation.

Dr. Hopper distributed a presentation about the TDAF – where it is now and where it is going. Dr. Hopper asked that he be invited back to the Fall Board of Trustees meeting to make another presentation. He also asked that the Board reconsider the TDA's annual administrative fee which is \$4,000.

Legislative Report, Mr. Jack Fosbinder

Mr. Jack Fosbinder, TDA Contract Lobbyist, gave an update on bills currently before the legislature. Mr. Fosbinder plans to begin emailing a weekly legislative report to contact dentists.

Current bills and items of note:

- Block Grant – Changing TennCare to a Block Grant Program
- West Tennessee Pilot Project from Commissioner of Health
- Direct primary care agreements – TDA bill
- Allowing direct primary care agreements across all providers.
- Prescription side-effects explained.
- Telehealth Bill
- Anti-smoking and Anti-vaping Bill.
- Gold Card Program – require providers to rate doctors according to their service.
- Right to Shop Bill

MOTION: By Dr. Magee, that TDA support and endorse the bill to raise the legal age to obtain tobacco and vaping products to 21 years and allow use of the TDA logo. Approved.

Mr. Fosbinder said that he, Dr. Leon Stanislav (Chair, Governmental Affairs Committee), Mr. Mike Dvorak (Executive Director) and Mr. Mark Greene (AGD Lobbyist) met with the Hygienists Association about their concerns.

Mr. Greene explained status of the e-prescribing bill which will take effect in January 2021. This is a state and a federal deadline.

Mr. Dvorak reported that he and Mr. Greene met with the new Tennessee Health Commissioner, Dr. Lisa Piercy regarding Governor Lee's Pilot Program. The Health Department will request a line item of \$800,000 in the Governor's budget to hire three dentists to work in Jackson, Tennessee and up to five hygienists to reach out to the five counties surrounding Jackson under the dentists' supervision.

Executive Session

Mr. Fosbinder and Mr. Greene were included in the executive session at separate times. The Board went into Executive Session at 11:00 a.m.

The Board returned from Executive Session at 11:55 a.m.

Consolidation Task Force, Dr. Beth Randall

Dr. Beth Randall, Chair of the Consolidation Task Force, reported that the task force voted to consolidate the Council on Scientific Programs and Continuing Education and the Annual Session Committee and have worked on a plan as to how the consolidated group would be implemented and function. Dr. Randall recognized the work of the other task force members: Dr. Rick Bateman, Dr. Kimberly Pitts, Dr. John Petty, Dr. Chad Edwards and Dr. Matt Gorham. MOTION: By the Consolidation Task Force, to change the Bylaws to allow the consolidation of the Council on Scientific Programs and Continuing Education with the Annual Session Committee. Approved.

MOTION: From the Consolidation Task Force, contingent on House of Delegates approval of the consolidation, to change the Board Policy Manual to establish the Annual Session Committee as a Standing Committee of the Board of Trustees with details described in the TDA Council & Committee Handbook. Approved.

Consent

MOTION: By Dr. Magee, to accept the Consent Calendar. Approved.

- TDA Foundation Report 2019
- Tenn-D-Pac Treasurer's Report 2019
- TDA Relief Fund Drive Report 2019
- Worksheet of Council & Committee Appointments for 2020-2021 / For Approval at April 18th Board Meeting
- Tennessee Department of Health – Update on Oral Health Services 2019
- Tennessee Wellness Foundation Financial Closure
- Letter to Mr. David Horvat Rescinding Agreement
- Dental Lifeline Network Report, January 2020
- Tennessee Licensing Healthcare Facilities Board Recommendations
- Invitation for Governor Lee to Speak at the 2020 TDA Annual Session
- Letter to Jack Robinson Ending Legal Counsel Agreement

Board of Dentistry Report

October 10, 2019: As Dr. Orwick-Barnes, Board of Dentistry Liaison, was unable to attend this meeting, Dr. Carroccia substituted for her. Highlights from Dr. Carroccia's report include BeamReaders and rejection of blanket acceptance for any provider to read the scans, revising state laws to include dental anesthesiology as a specialty, and dentists with sedation permits must be inspected by their license renewal date.

January 9-10, 2020: Dr. Orwick-Barnes provided a report from the January 9-10, 2020 meeting, which included an EFDA training update. It was made clear that UT Knoxville campus can provide EFDA training courses, and a Board of Dentistry Task Force is exploring the possibility of UT satellite locations, as well. This will be decided at the April Board of Dentistry meeting.

Recommendation for Board of Dentistry Members: The letter recommending TDA members to be considered for Board of Dentistry positions was provided to the Board.

Treasurer's Report

Dr. James Avery, Treasurer, reported on the search for a new accounting firm for the TDA's daily functional accounting and for the annual audit. After the Executive Committee interviewed seven accounting firms, including Bellenfant, PLLC, who is under new leadership, the Budget & Finance Committee presented the following motion:

MOTION: By Budget & Finance Committee, to retain Bellenfant, PLLC, as the TDA's functional, day-to-day accounting company. Approved.

Dr. Avery mentioned that the Budget & Finance Committee will choose a separate CPA firm for the annual audit.

Dr. Avery presented the TDA Financial Statement through December 31, 2019. Dr. Avery also presented a report on the mortgage loan and current balance.

Dr. Chip Clayton, Trustee Nashville, asked that we investigate if we should file a UBI (Unrelated Business Income) tax return on income received from our building tenants.

Administrative Fees: The Board reviewed the documents that will be presented to related entities for signatures regarding the administrative fees that are currently charged for administrative work performed by TDA staff: TDA Foundation - \$4,000; TDA Relief - \$10,000; and Tenn-D-Pac - \$4,000. The Board asked that the TDA staff research how much time is spent on administration for these entities and report to the Board at the April meeting.

Meharry Funding for ADA Student and Dentist Lobby Day: Meharry requested of the TDA financial assistance to send students to Washington, D.C. for the ADA Student and Dentist Lobby Day. Per Mr. Dvorak, we have submitted a grant request to the ADA for these funds. If the ADA grant is not approved, the Board decided to provide funds for Meharry students.

MOTION: By Dr. Hope Watson, that if the ADA grant for Meharry students to attend the ADA Student and Dentist Lobby Day is not approved, the TDA will provide up to \$3,000 for Meharry students to attend the ADA Student and Dentist Lobby Day, with reimbursement dependent on presentation of receipts. Approved.

ADA Trustee Report

Mr. Dvorak referred to Dr. Roy Thompson's ADA Sixth District Trustee report which was provided in the Board reference materials. Dr. Thompson's campaign is progressing with over \$50,000 raised so far from other states in the Sixth District, individual contributions and fundraisers from components. Dr. Thompson has not requested fund from the TDA at this time.

Governance Documents Update

Dr. John Petty, Speaker of the House and Chair of the Constitution and Bylaws Committee, presented the following motions:

MOTION: By Constitution and Bylaws Committee, that the TDA Bylaws add a method to remove officers or trustees for cause, in Chapter XIV Miscellaneous, Section 40 “Removal for Cause” with the wording as submitted. Approved.

MOTION: By Constitution and Bylaws Committee, that the Board Policy Manual be revised as proposed in the provided document. Approved.

Strategic Plan

Membership: Per Dr. Tom Patterson, Memphis Trustee, there are no new items to discuss regarding the Membership section of the Strategic Plan. Mr. Dvorak presented slides showing an upswing in TDA membership and positive information regarding TDA market trends.

Annual Session: Dr. Beauchamp reported that a survey was sent to all TDA members regarding the annual session, and the Strategic Plan Subcommittee on Annual Session will review the survey results before the next Board meeting.

Technology and Communications: Dr. Burleson, Chair of the Strategic Plan Subcommittee on Technology, reported that the Communications and Technology Subcommittees combined since their goals align. Dr. Burleson reported that most technology targets have been accomplished. Mr. Dvorak explained setting up a shortcut icon on mobile phones that will go directly to the TDA mobile-friendly website. Mr. Dvorak said that attendees of the Annual Session will be required to have the conference app for all information and to report continuing education.

Dr. Trey Carney, Seventh District Trustee, Chair of the Strategic Plan Subcommittee on Communications, stated that social media outlets are constantly changing, and our new communications coordinator is working to cover all areas and remain updated on new channels. Mr. Dvorak presented slides showing statistics from TDA social media in the 2019 fourth quarter, showing significant growth in all TDA social media areas.

Council on State Agencies, Awards, Ethics and Judicial Affairs

MOTION: By the Council on State Agencies, Awards, Ethics and Judicial Affairs, that the following be approved for the 2020 Fellowship Award: Drs. Jon Mather, First District; Timothy McConnell, Second District; Benjamin Scott, Second District; Charles McBrayer, CADS; Sam McKenna, Nashville; Greg Richardson, Nashville; Larry Chambers, Seventh District; and Jennifer Cornell, Eighth District. Approved.

Dr. Jack Wells Dedication to Dentistry Award: The following were nominated by the Council for the Jack Wells Award: Dr. Zachary Carden, Dr. James Hight, and Dr. James Avery. The nine district trustees voted by secret ballot, and Dr. James Avery, Memphis, was selected as the recipient of the 2020 Dr. Jack Wells Dedication to Dentistry Award.

2020 Annual Session Update

Mr. Dvorak reported that the Preregistration Brochure will be online and mailed by January 31, 2020. Mrs. Amy Williams, TDA staff, showed the Board the registration form and explained the CE Bundle. Event highlights are a golf tournament limited to 32 member dentists, a 5K Fun Run, and the President’s Party, Boogie the Night: Dancing through the Decades.

President-elect Report

President-elect Beauchamp said that the 2021 Annual Session will be at the Renaissance Hotel in downtown Nashville on June 25-27, 2021. Dr. Beauchamp reported that she met with Dr. Chad Edwards, Chair, Council on Scientific Programs and Continuing Education, Mr. Dvorak and Mrs. Williams regarding the outline of the meeting and speaker direction.

Executive Director Report

Per Mr. Dvorak, most of his items had been discussed during the day, and he referred to a comprehensive report included in the Board reference materials.

Journal Editor Search

President-elect Beauchamp reported that Dr. Propper contacted the following individuals regarding serving on a task force to search for a *Journal of the Tennessee Dental Association* editor: Dr. Paul Cullum, Dr. Jay Ragain, Dr. Zack Carden and Dr. Jerry Karr.

Executive Session

The Board went into Executive Session at 2:45 p.m.

The Board returned from Executive Session at 2:50 p.m.

BOARD REPORT III – April 18, 2020

Call to Order

President Dr. Terryl Propper called the TDA Board of Trustees meeting to order at 9:05 a.m. Because of the travel and gathering restrictions imposed by governmental officials due to the Coronavirus pandemic, the Board met via Zoom video conferencing. President Propper offered the invocation, and Dr. Allen Burleson, Secretary, called the roll.

Consent

MOTION: By Dr. Hope Watson, Second District Trustee, to approve the following Consent items:

- Board of Trustees Minutes for Approval:
 - January 25, 2020
 - March 16, 2020
 - April 1, 2020
 - Executive Committee:
 - March 16, 2020
 - March 17, 2020
- Component Society Annual Reports:
 - First District
 - CADS
 - Nashville
 - Seventh District
 - Eighth District
- Annual Attorney Report, 2019, Jack Robinson Jr.
- Membership Report – March 31, 2020
 - Tabulation per District

- Members Pending Cut-off
- Five Year Market Trend
- New CPA Firm to Audit TDA 2019-202 – Patterson Hardee & Ballentine
- Meharry ASDA Update – January 30, 2020
- Council and Committee Appointments and Chairs for 2020-2021
- TDA Insurance Agency Directors for 2020-2021
- Executive Director Report
- Legislative Report
- Dental Lifeline Network Report, April 2020
- TDA Communications
 - COVID-19 / Coronavirus pandemic
 - Social Media Report
- Board of Dentistry:
 - Report on Meeting March 26, 2020
 - Letter Regarding Continuing Education Requirements for 2019-2020
 - Report on Meeting April 9, 2020

The following Consent item was removed for discussion by Dr. Watson:

- Item 1.B.2 Second District Annual Report: Dr. Watson stated that an amended report would be supplied to the board that includes information on a silent auction fundraiser for Dr. Roy Thompson's campaign for ADA President-elect.

Treasurer's Report

Dr. James Avery, Treasurer, referred the Board to the February 29, 2020 financial statement and other provided documents. Mr. Mike Dvorak, Executive Director, reported on some of the 2020-2021 budget concerns, due to practice closures during the Coronavirus pandemic and how that might affect membership. Dr. Avery reported on the Relief Fund balance, tenant income and building mortgage. Dr. Avery and Mr. Dvorak will check on refinancing the current mortgage. Mr. Dvorak also reported on the financial impact of canceling the TDA Annual Session, if necessary.

MOTION: By Dr. Anthony Carroccia, Eighth District Trustee, that TDA Administrative Fees assessed to the TDA Foundation and TDA Relief Fund be forgiven in the current 2019-2020 year and in 2020-2021 reduced to \$2,500 each for the TDA Foundation, TDA Relief Fund and Tenn-D-Pac. Approved.

MOTION: By Dr. Jeannie Beauchamp, President-elect, to approve the 2020-2021 budget as presented. Approved.

Regarding the TDA Relief Fund, President Propper will appoint a task force to establish criteria and an application for granting Relief funds. Members will include Dr. Burleson, Dr. Chip Clayton, Dr. Hope Watson, Dr. Vicki Guffey and Dr. Avery.

Annual Session

President Propper said that she would like to have the House of Delegates meeting in person on June 27, 2020. Dr. John Petty, Speaker of the House, expressed concern regarding achieving a quorum with the change in date and the possible change in priorities of the delegates

as they return to their practices. President Propper proposed that we ask for a response from the delegates as to whether they could attend on June 27th and switch to a virtual meeting if needed. Dr. Petty will research TDA governance documents to determine the details necessary in the Official Call Letter.

MOTION: By Dr. Steve Nowlin, Sixth District Trustee, that should the House of Delegates need to be virtual, the Board present a motion at the beginning of the House of Delegates meeting as follows: “Moved, that the House of Delegates suspend all rules or requirements for person-to-person contact or physical presence in a meeting room pertaining to the conduct of business for the duration of the 2020 House of Delegates session. (Requires 2/3 approval.)” Approved.

Regarding the installation of component officers, President Propper asked that each trustee organize the installation of their local officers, as she will be unable to travel to the district installation meetings. The trustees are to inform Dr. Propper and Mrs. Amy Williams, TDA staff, when the installation occurs.

Outstanding District Award

President Propper congratulated Dr. Trey Carney, Seventh District Trustee, on the Seventh District’s award as Outstanding District in 2019.

Anesthesia, Sedation and Scope of Practice Committee

Dr. Carroccia, Eighth District Trustee and Chair of the Anesthesia, Sedation and Scope of Practice Committee, reported that the committee met via conference call in March to discuss the state’s inspection checklist. The committee recommended several amendments to that checklist. Dr. Carroccia will work with Dr. Beauchamp regarding reducing the composition of the committee in 2020-2021, which has changed from nine members to eighteen members in recent years.

Board Meeting Dates for 2020-2021

President-elect Beauchamp proposed that her first Board meeting as TDA President be via Zoom Video Conference on August 8, 2020.

Next Board of Trustees Meeting

The next Board meeting will be in conjunction with the House of Delegates meeting.

Executive Session

The Board went into executive session at 10:30 a.m.

The Board returned from executive session at 12:45 p.m.

New Business

Relief Fund: Dr. Chip Clayton, Nashville Trustee, suggested that the TDA might use Relief Fund money to send all active members \$100 as a gesture of goodwill as everyone moves forward in the wake of the COVID-19 pandemic. The newly appointed task force (see Treasurer’s Report/page 3) will take that idea into consideration as they explore options for Relief Fund criteria.

ADA Sixth District Trustee Report: Dr. Roy Thompson, ADA Sixth District Trustee and Fourth District member, reported that the ADA would release guidelines for dentists going back to work in the coming weeks, including PPE (Personal Protective Equipment) and engineering controls (air purifiers, UV lights, patient waiting rooms, etc.). Dr. Thompson answered questions from the board members and was available after the meeting adjourned to answer any additional questions.

COUNCIL ANNUAL REPORTS

Council on State Agencies, Awards, Ethics and Judicial Affairs Randall C. Montgomery, Chair Meeting Via Email / September 5, 2019

Members Responding: Drs. Randy Montgomery, Chair, Newson Baker, Bill Hunter, Hal Jones, Tony Vaughn, Stan Young, David Bailey, and Steve Fergus; Tom Patterson, Board Liaison

No Response: Dr. Tim Brown

Recommendations to the Board of Trustees for Board of Dentistry Members for the term expiring March 31, 2020

Middle Tennessee*:

Joseph Britton (Eighth District)
James Clark III (Nashville)
Chad Edwards (Nashville)
Matt Gorham III (Nashville)
Scott Nickels (Nashville)
Tom Underwood (Nashville)

West Tennessee:

Scott Edwards (Memphis)
Goodloe “Chuck” Keltner (Memphis)
Randy Prince (Seventh District)
David Travis (Seventh District / currently on BOD – eligible for reappointment)

Additional name to recommend:

East Tennessee:

Dr. Paul McCord (CADS) – Dr. McCord would like to be submitted for East Tennessee, even though there is not an opening for East Tennessee in 2020. He has been informed that there will not be an opportunity for consideration by the Governor until 2021 unless an East Tennessee representative resigns before their term has ended.

** FYI: Dr. Thomas Williams (Non-member / currently on BOD as Middle Tennessee member – eligible for reappointment)*

Council on State Agencies, Awards, Ethics and Judicial Affairs Meeting Via Email / January 10, 2020

Members Responding: Drs. Randall Montgomery, Chair, Newson Baker, Hal Jones, Tim Brown, Tony Vaughn, Bill Hunter, Stan Young, David Bailey, and Steve Fergus

Chair Dr. Randall Montgomery conducted this January meeting of the Council on State Agencies, Awards, Ethics and Judicial Affairs via email communication. There was no need for real-time voting since there were only three nominees for the Jack Wells Award, which is the number the council is to refer to the Board of Trustees.

Minutes

The minutes of the Council's September 5, 2019 meeting were approved.

Board of Dentistry

The council was informed of new members appointed to the Tennessee Board of Dentistry:

- East Tennessee / Edward Moody (replaced Don Henson)
- Middle Tennessee / Phillip Kemp (replaced Katherine Hall)
- Rotating Dentist / Robert Caldwell – Middle TN (replaced Rick Bateman – East TN)

The council was asked to research and bring to the June meeting names of those interested in Board of Dentistry positions expiring March 31, 2021 for the following Grand Divisions:

- East Tennessee / Maricela Rodriguez – eligible for reappointment
- West Tennessee / Dan Meadows – eligible for reappointment

Jack Wells Dedication to Dentistry Award

The council respectfully submits to the Board of Trustees the following nominees for the Jack Wells Award:

- Zachary Carden
- James Hight
- James Avery

Fellowship Award

The council respectfully submits to the Board of Trustees the following nominees for the Fellowship Award:

- John Mather, First District
- Timothy McConnell, Second District
- Benjamin Scott, Second District
- Charles McBrayer, CADS
- Sam McKenna, Nashville
- Greg Richardson, Nashville
- Larry Chambers, Seventh District
- Jennifer Cornell, Eighth District

There was no new business considered.

Anesthesia, Sedation and Scope of Practice Committee
Dr. Anthony Carroccia, Chair
Conference Call Meeting
March 10, 2020

The Tennessee Dental Association's Anesthesia, Sedation and Scope of Practice Committee met on 10 March 2020 by conference call.

In attendance: Drs. Anthony Carroccia, Chair, Andrew Lunn, Katie Bradford, Brandon Roller, Charles Felts III, Jamie Hutton, George Adams Jr, William Hunter IV, Chris Rowland, Lindsey Nagy, Terry Sawyer and Mr. Mike Dvorak, Executive Director

Start: 1900 (7:00 p.m.); stop: 1957 (7:57 p.m.), Central Daylight Saving Time

As the inspection form/checklist is neither numbered nor lettered, the boxes shall be referred to in descending order beginning with "A" at the top of each section. Items we propose for change from the facility inspection sheet:

Under the category of "*Emergency management*":

A) It is recommended that the written protocols must be kept with the emergency drugs and equipment.

Rationale: Inspectors have discovered that dentists have kept these items in various areas and not always together and where they would make the most sense.

B) It is recommended that "written" be added to protocols and that those protocols should be kept with those specific drugs and/or the rest of the emergency drugs and equipment.

Rationale: Inspectors have discovered that dentists have kept these items in various areas and not always together and where they would make the most sense.

C) It is recommended that "life safety" be clarified or changed to "lifesaving" and that "infection control, and hazardous waste practices" be stricken.

Rationale: Life safety could encompass many things including but not limited to: active shooter drills, tornado drills, fire drills, earthquake drills, suicide prevention awareness, situational awareness, etc. It is too vague. Lifesaving would make more sense and may have been the original intent.

Infection control and hazardous waste management are OSHA topics that all offices should be doing regardless of sedation and therefore should not be subject to a facility inspection by these inspectors as it would fall to TOSHA to evaluate on their inspections.

D) It is recommended to strike this line item.

Rationale: It is listed under equipment and therefore this one is superfluous.

Under the category of "*Equipment*":

K) It is recommended that IV set ups should be required for all sedation permit levels.

Rationale: ACLS and PALS algorithms may require venipuncture which would then mandate the need for IV set ups to include hardware and fluids. Having current ACLS/PALS is a requirement for both limited and comprehensive conscious sedation permits as well as deep sedation and general anesthesia.

L) It is recommended that tourniquet and tape should be required for all sedation permit levels.
Rationale: ACLS and PALS algorithms may require venipuncture which would then mandate the need for tourniquet and tape. Having current ACLS/PALS is a requirement for limited and comprehensive conscious sedation permits as well as deep sedation and general anesthesia. Even if the dentist chooses to use an intraosseous access for fluids, a tourniquet and tape is not an undue or expensive addition to a "crash cart" in the event that another provider or emergency personnel were to require it.

***) It is recommended that a simple blood glucose test kit be added to equipment.

Rationale: A simple, quick in-office test can help rule out or confirm a glycemic crisis during a sedation and also for patients who are not sedated.

Under the category of "*Drugs*":

C) It is recommended that amiodarone be listed as an alternative to lidocaine, if not replacing it.

Rationale: In ACLS algorithms, either lidocaine or amiodarone may be used with the latter more cited. This gives dentists an option as to which to have.

G) It is recommended that vasopressor be stricken.

Rationale: All of the following are common vasopressors: epinephrine, norepinephrine, vasopressin/Vasostrict, dopamine, dobutamine, phenylephrine. Epinephrine is already on the list. In the American Heart Association's ACLS Provider Manual it states, "Vasopressin is a nonadrenergic peripheral vasoconstrictor. A meta-analysis of 5 randomized trials found no difference between vasopressin and epinephrine for ROSC, 24-hour survival, or survival to hospital discharge." p.65 of the 2011 edition.

H) It is recommended that "a corticosteroid" be stricken.

Rationale: Dentists do not feel comfortable enough to diagnose an adrenal crisis during a sedation to properly administer this drug. Moreover, there is not an ACLS/PALS algorithm that requires its use.

Such actions should not require a change to either Rules 0460-2-.07(6)(b)6(iv) or (7)(b)6(v) as the language states the "equipment and drugs on a list available from the Board..." but would require publication/notification of any adopted changes.

**Governmental Affairs Meeting
 Dr. Leon Stanislav, Chair
 Conference Call ❖ December 13, 2019**

Members Present: Drs. Leon Stanislav, Chair, Randy Montgomery, Bill Powell, Chad Eslinger, Kathy Hall, James Hight Jr., Jeannie Beauchamp

Also Present: Dr. Hope Watson (ADA Council), Dr. Terryl Propper (TDA President), Mr. Jack Fosbinder (Contract Lobbyist), Mr. Mark Greene (AGD Lobbyist), Mr. Mike Dvorak (Executive Director), and Mrs. Amy Williams (TDA Staff)

Members Absent: Drs. Walter Owens, Christina Rosenthal

Call to order: Dr. Leon Stanislav, Chair, called the meeting to order at 11:00 a.m.

Minutes:

MOTION: By Dr. James Hight Jr. to approve the minutes of the meeting June 7, 2019.

Approved.

Discussion:

- Governor’s Workgroup – Dr. Stanislav, Mike Dvorak and Jack Fosbinder met with Health Department representatives.
- Medicaid Block Grant – Most healthcare groups are against. The TDA has not taken an official position. The TDA submitted a letter to Gabe Roberts, Tennessee Medicaid Director, which stated, “The TDA opposes Medicaid block grant proposals if adequate funding and safeguards are not in place to ensure access to comprehensive oral health services.”
- Hygiene Meeting – Hygienists want a hygiene diagnosis code added to the Practice Act.

ACTION: Dr. Stanislav will draft a response.

- New Health Commissioner, Dr. Lisa Piercey – Met with Mike Dvorak and Mark Greene.
- Prior Authorization – Dr. Hope Watson will research if there have been complaints.
- Direct Primary Care Agreements – Senator Powers is drafting legislation for dentists to be included in Primary Care Agreements.
- Virtual Credit Card Payments – Per Dr. Watson, this is not mandated and is not a good thing. Dr. Watson will research for more information.
- Silent PPO – Dentists often end up in a network they did not sign up for. Mike and Jack will inquire with larger dental benefit plans regarding their position. If neutral, will draft legislation for next year.
- Telehealth as it Relates to Teledentistry – Jack will monitor telehealth legislation, as it governs dentistry.
- Mail Order Ortho Issues – The ADA has filed a lawsuit and asks that they be allowed to handle this.
- EFDA Expansion – Dr. Jay Ragain, UTHSC Dean, reported that class size and offerings have increased and eliminated the “queue” problem. Per Dr. Ragain, they would be willing to expand to East Tennessee but would need to comply with state rules.
- Fluoridation – Nothing pending at the state level. Federally, the EPA is being sued for the supposed ill-effects of fluoride, and the ADA is preparing to celebrate the 75th anniversary of water fluoridation next year.
- Bill Tracking – Report should be sent to all contact dentists. Amy will update contact list.
- Proposed additional dental schools – South College/Nashville; possible expansion of UT’s campus to Knoxville; DeBusk/Lincoln Memorial University, a possible fourth school in East Tennessee.
- Future meeting dates – Conference call tentatively scheduled for February 14th – 11:00a CST

Motion to adjourn – Dr. Powell.

12:55 p.m.*

*Note that this meeting was suspended from 12:00 – 12:20 p.m. for a Tenn-D-Pac conference call and reconvened at 12:20 p.m.

**Governmental Affairs Meeting
Conference Call ❖ February 12, 2020**

Present: Dr. Leon Stanislav (Chair), Dr. Kathy Hall, Dr. Chip Clayton (EC), Dr. Hope Watson, Dr. Jay Hight, Dr. Trey Carney (EC), Andrea Bennett-Punke (McMahan, Winstead & Richardson), Dr. Allen Burleson (EC), Jack Fosbinder (TDA Contract Lobbyist), Mike Dvorak (TDA Executive Director), Mark Greene (AGD Lobbyist), Dr. Jeannie Beauchamp (EC & PAC Chair), Dr. Bill Powell, Dr. Chad Eslinger

Absent: Dr. Walter Owens, Dr. Christina Rosenthal, Dr. James Avery (EC), Dr. Terryl Propper (TDA President), Dr. Rick Kinard (EC), Dr. Roy Thompson (6th District Trustee).

Call to order: Dr. Leon Stanislav, Chair, called the meeting to order at 6:03 p.m.

No Motions were made during this meeting

Discussion:

- 2020 Legislative Bills
- Scheduled meetings with legislators next week
- Communication to contact dentists as needed
- Future meeting dates – Conference call will be scheduled as needed

Meeting adjourn – Dr. Stanislav

6:55 p.m.

**Tenn-D-Pac Meeting
Dr. Jeannie Beauchamp, Chair
Conference Call ❖ December 13, 2019**

Members Present: Drs. Jeannie Beauchamp, Chair, Leon Stanislav, Randy Montgomery, Bill Powell, Mike Law, Mike King, Mitch Baldree, Chip Clayton, Terryl Propper, John Petty, James Ragain

Also Present: Dr. Hope Watson, Mr. Jack Fosbinder, Mr. Mark Greene, Mr. Mike Dvorak, Mrs. Amy Williams

Members Absent: Drs. Tom Gardenhire, Roy Thompson, Dennis Sigman, Larry Higginbotham, David Magee, Allen Burleson, James Avery, Paul Cullum, Susan Orwick-Barnes, Richard Dycus, Mrs. Amy Hopper, Mrs. Trish Nash, Mrs. Julie Maroda

Call to order: Dr. Jeannie Beauchamp, Chair, called the meeting to order at 12:00 noon.

Treasurer's Report – The Treasurer's Report will be emailed.

Minutes:

MOTION: By Dr. Bill Powell to approve the minutes of the meeting on June 7, 2019. Approved.

Recap of Contributions Received: A recap of contributions received in 2019 by component society was reviewed. Chair Beauchamp noted that fewer members contributed in 2019 and the campaign for contributions should be better promoted.

Campaign donations: Mr. Jack Fosbinder, TDA Lobbyist, suggested that the PAC donations discussed for this meeting focus on the Senate and House insurance committees since upcoming legislation would be in those committees.

MOTION: By Dr. Leon Stanislav that Senate members of the Commerce and Labor Committee receive \$1,000 each except Frank Niceley and Delores Gresham who receive \$500 each. Exceptions would be any members who received a campaign donation in September 2019 as part of the Health Committee.

MOTION: By Dr. Leon Stanislav that House members of the Insurance Committee receive \$500 each except Matthew Hill and Timothy Hill who receive \$250 each. Exceptions would be any members who received a campaign donation in September 2019 as part of the Health Committee. The total amount of the campaign donations approved was \$12,500. A list of recipients is attached.

Due to extraneous noise on the conference call from a phone placed on hold, the committee adjourned with no further discussion at 12:20 p.m.

2019 ANNUAL REPORT OF THE ATTORNEY
Jack Robinson, Jr.

Jack Robinson, Jr., of the law firm of Gullett, Sanford, Robinson & Martin, PLLC in Nashville, Tennessee, attorneys for the Tennessee Dental Association, submits the following summary of services performed by the firm on behalf of the Association since the last Annual Report:

- Reviewed leases for space in TDA building and provided advice regarding landlord-tenant matters
- Provided advice regarding the interpretation of TDA Constitution, Charter and Bylaws
- Reviewed and provided suggested revisions to employee policies
- Provided advice with respect to employee matters
- Reviewed and provided suggested revisions to proposed endorsement agreements
- Served as parliamentarian for House of Delegates
- Reviewed and provided suggested revisions to proposed affiliation agreement
- Drafted and provided advice on confidentiality agreements
- Provided advice regarding relationship of TDA committee and 501(c)(3) entity
- Reviewed and provided advice regarding continuing education article submitted by 501(c)(3) entity
- Drafted employment agreement
- Reviewed and provided advice with respect to dental service plans, concierge dentistry and dental office discounts
- Reviewed and provided advice on agreement between TDA Foundation and outside entity
- Provided advice regarding filings with Tennessee Secretary of State
- Reviewed and provided suggested revisions to agreement for facilities for 2021 TDA annual session
- Provided advice regarding local laws, as they apply to the TDA annual session activities

- Reviewed and provided suggested revisions to contract with entity providing convention services
- Attended ADA conference on legal issues facing the dental profession, conferring with other state dental association attorneys
- Drafted attorney response letter to TDA auditors in conjunction with annual audit of TDA
- Researched certain legal issues involving dentistry and provided advice regarding them
- Reviewed and provided advice regarding statutes and regulations (including teledentistry and telehealth statutes) affecting the practice of dentistry
- Reviewed and provided advice regarding antitrust statutes
- Responded to inquiries regarding rules and actions of the Tennessee Board of Dentistry
- Reviewed proposed contracts and submitted suggestions
- Reviewed court opinions and filings and called attention to any which related to dentistry
- Responded to other inquiries on various topics in conjunction with the operation of TDA executive office, prepared correspondence and reports, and conferred as needed with TDA executive director and other TDA personnel