

March/April/May 2009

# Volusia-Flagler Dental Association Newsletter

"The Unified Voice of Organized Dentistry"

Serving Volusia and Flagler Counties

## MARCH MEETING AT DAYTONA USA

Place: Bill France Room

### STAFF APPRECIATION MEETING

*COME SEE ONE OF THE BEST IMPRESSIONISTS OF OUR TIME!!*

**GEORGE TRULLINGER THE IMPRESSIONIST**

**March 12, 2009**

Board Meeting 5:30 PM - 6:30 PM

Meeting Time 6:30 PM - 9:30 PM

**STAFF IS INVITED FOR A FUN TIME!!**

*Call Dr. David Lloyd to Register*

**\$25 Per Staff Member**



## APRIL NO MEETING

**Dentist Day On The Hill Canceled**

## MAY MEETING

**Installation Banquet of Officers**

**Place: Oceanside Country Club**

**75 N. Halifax Drive. - Ormond Beach, FL**

**May 15, 2009**

**6:30 PM - 9:30 PM**

## VOLUSIA-FLAGLER DENTAL ASSOCIATION

### 2008-2009 ANNUAL DUES STATEMENT: \$175.00

Please fill out *completely* this information update form and dues statement and return it with a check made payable to the **VOLUSIA-FLAGLER DENTAL ASSOCIATION (VFDA)** for \$175.00. This is your dues statement for 2008-2009. There will not be a separate statement mailed. The information collected will be used only for the VFDA.

Return this form and check to:

**Dr. David Lloyd**  
**Treasurer, VFDA**  
**139 Executive Circle #101**  
**Daytona Beach, FL 32114**

Name & Degree \_\_\_\_\_

Spouse's Name (Degree/Occupation) \_\_\_\_\_

Home Address \_\_\_\_\_

Home Phone \_\_\_\_\_ Home 2nd Line or FAX \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Dental School & Year \_\_\_\_\_

Specialty School & Year \_\_\_\_\_

Other Degrees/Fellowships/Certifications \_\_\_\_\_

Primary Office Address \_\_\_\_\_

Main Phone \_\_\_\_\_ Back Phone Line \_\_\_\_\_ FAX \_\_\_\_\_

Secondary Office Address \_\_\_\_\_

Main Phone \_\_\_\_\_ Back Phone Line \_\_\_\_\_ FAX \_\_\_\_\_

Third Office Address \_\_\_\_\_

Main Phone \_\_\_\_\_ Back Phone Line \_\_\_\_\_ FAX \_\_\_\_\_

Nitrous Oxide: ☐ Yes ☐ No IV Sedation: ☐ Yes ☐ No

Foreign Language(s) \_\_\_\_\_

Other: \_\_\_\_\_

# VOLUSIA-FLAGLER DENTAL ASSOCIATION

## VOLUSIA-FLAGLER DENTAL ASSOCIATION 2008-2009

President ..... Dr. Ray Kenzik  
Vice President ..... Dr. April C. Flutie  
Secretary ..... Dr. Bryan Bergens  
Treasurer ..... Dr. David Lloyd  
Immediate Past President ..... Dr. Don Hermann

Delegates ..... Dr. Scott Lawson  
Dr. Oscar Morejon  
Dr. Howard Pranikoff

Alternate Delegates ..... Dr. Bob Borer  
Dr. Rod MacIntyre  
Dr. Jason Larkin

Affiliate Rep to CFDDA ..... Dr. Gene Rhee

Editor ..... Dr. Bryan Bergens  
Public Relations ..... Dr. Don Hermann

### Committee Chairs:

Dental Health Month ..... Dr. Jason Larkin  
Direct Assignment Rep ..... Dr. Howard Pranikoff  
Peer Review ..... Dr. Jack Goldey  
Membership, Recruitment & Retention ..... Dr. Gene Rhee  
Project Selection ..... Dr. April C. Flutie  
CFDDA Committee on the New Dentist ..... Dr. Bob Borer

## CENTRAL FLORIDA DISTRICT DENTAL ASSOCIATION

Second Vice President ..... Dr. Howard Pranikoff

### Submitted by Nominating Committee

Dr. Donald Hermann, Chair  
Dr. Gene Rhee  
Dr. Oscar Morejon  
Dr. Benny Ramirez

1  
2 DATE: January 11, 2008

3  
4 SUBMITTED BY: FDA Staff

5  
6 **STATUS REPORT: TOOTH WHITENING**

7  
8 Florida law makes it a felony (unlicensed practice of dentistry) for a non-dentist to provide, or offer  
9 to provide, tooth-whitening services. The law allows tooth whitening supplies to be sold directly to  
10 consumers and it allows consumers to apply whitening products to their own teeth. But offering to  
11 perform, or actually performing, the service for another person is the practice of dentistry, such that  
12 only a Florida-licensed dentist may lawfully do it.

13  
14 While the law is clear, enforcement has been slow and the number of bleaching kiosks is rising at  
15 an alarming rate. Business-owners may not know that a dental license is required if they place the  
16 products in, or take an impression of, a consumer's mouth. Yet ignorance of the law is no excuse.  
17 Prosecutors may be reluctant to pursue felony charges if they believe—incorrectly—that there is  
18 no danger to the patient from tooth whitening. Yet they are sworn to uphold the law. Prosecutors  
19 may believe that the punishment far exceeds the seriousness of the crime. Yet the public goes  
20 unprotected if the rule of law is compromised. Enforcement agencies may be reluctant to divert  
21 meager resources to tooth-whitening choosing instead to focus only on "major" crimes. Yet there is  
22 money in the budget to prosecute unlicensed activity and it is indeed a felony. Investigators may  
23 face considerable challenges because tooth whitening operations are often set up at very  
24 temporary, easily relocated, locations where the business owner is not present to be served with  
25 process. Yet these challenges are present with all criminal activity, not just unlicensed practice.

26  
27 The issue has attracted the attention of the Florida Board of Dentistry but the BOD has no authority  
28 to prosecute criminal violations and no authority at all over non-licensees. Instead, unlicensed  
29 activity is prosecuted by the Florida Department of Health.

30  
31 Dentists who want to report unlicensed activity should contact the Department of Health, not the  
32 Board of Dentistry. The telephone number to report unlicensed activity is 877-HALT-ULA (877-  
33 425-8852).



### Questionnaire to Accompany Complaints of Unlicensed Practice

If you know the Subject  
of your complaint, what  
is your relationship to  
the Subject?

How did you become aware of the alleged  
unlicensed practice?

When did you become aware of the  
alleged unlicensed practice?

Location of Occurrence of  
the alleged unlicensed  
practice:

Time/Date/Location of Treatment or  
Incident:

If payment was made, how was subject paid?

Does the Subject or Subject's business

accept Medicaid ( ) Yes ( ) No

Medicare ( ) Yes ( ) No?

Physical Description of  
Subject:

Race:

Sex:

Height:

Weight:

Color of Eyes:

Description of Vehicle:

Year:

Make:

Model:

Tag No:

Color:

Have you notified law enforcement or any other Agency about the  
offense? ( ) Yes ( ) No

If yes, please provide the case # and Name of Investigator  
assigned to your case:

Name and telephone number of Agency:

Names and addresses of other individuals  
aware of your complaint:

Names of other Subjects/licensees at the same location or  
business:

#### **CONFIDENTIAL INFORMANT SECTION:**

If you wish to remain anonymous you may become a Confidential Informant. Pursuant to Florida Statutes dealing with the Investigation of Criminal Activities, the Department may investigate complaints made by a Confidential Informant. You do not have to provide your name. If you prefer to become a Confidential Informant, your identity will only be disclosed by the department under the order of a judge having jurisdictional authority.

Division of Medical Quality Assurance, Consumer Services Unit  
4052 Bald Cypress Way, Bin C-75 \* Tallahassee, FL 32399-3275  
Telephone Number (850) 245-4339 or Toll Free Call Center 1-888-419-3456  
Visit us online at [www.doh.state.fl.us/mqa](http://www.doh.state.fl.us/mqa)

# **CFDDA Annual Meeting**

**Friday April 24, 2009**

**Suzanne Boswell - Morning Session - Team Building**

**The afternoon session has been especially**

**designed for dentists**

**& front office staff**

**Friday Afternoon - Special Auxiliary  
Session**



**Dr. Gregory Oxford**

**Periodontal Maintenance of Dental Implants for**

**Dental Hygienists and**

**Dental Assistants**



**Saturday April 25, 2009**

**Dr. Avishai Sadan**

**Updates in Esthetic and Implant Dentistry**

**PARAMOUNT PLAZA HOTEL**

**& CONFERENCE CENTER**

**2900 SW 13th Street Gainesville, FL 32608**



**TOLL FREE: 877-992-9229**

**LOCAL: 352-377-4000**

**Book your room NOW**

**CFDDA Block - \$99 per night**

**block deadline March 24 or until soldout**

**CENTRAL FLORIDA DISTRICT DENTAL  
ANNUAL ASSOCIATION MEETING  
Annual Meeting Registration  
Friday April 24 & April 25, 2009**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State ZIP: \_\_\_\_\_

Please print the name of the doctor and all auxiliaries that will be attending. Please put a check next to each course you will be attending.

Dr. _____	Friday _____	Friday Afternoon/Implant _____	Saturday _____
Aux 1 _____	Friday _____	Friday Afternoon/Implant _____	Saturday _____
Aux 2 _____	Friday _____	Friday Afternoon/Implant _____	Saturday _____
Aux 3 _____	Friday _____	Friday Afternoon/Implant _____	Saturday _____
Aux 4 _____	Friday _____	Friday Afternoon/Implant _____	Saturday _____
Aux 5 _____	Friday _____	Friday Afternoon/Implant _____	Saturday _____
Aux 6 _____	Friday _____	Friday Afternoon/Implant _____	Saturday _____
Aux 7 _____	Friday _____	Friday Afternoon/Implant _____	Saturday _____
Aux 8 _____	Friday _____	Friday Afternoon/Implant _____	Saturday _____
Aux 9 _____	Friday _____	Friday Afternoon/Implant _____	Saturday _____
Aux 10 _____	Friday _____	Friday Afternoon/Implant _____	Saturday _____
Aux 11 _____	Friday _____	Friday Afternoon/Implant _____	Saturday _____
Aux 12 _____	Friday _____	Friday Afternoon/Implant _____	Saturday _____

Mail form to 800 North Mills Avenue, Orlando, Florida 32803 or Fax to 407-895-9712.

For additional information please call 1-800-449-3481

or Orlando line 407-898-3481.

Pre Register by April 6, 2009

No on-site registration

Join us Friday Night as the CFDDA joins with

University of Florida College of Dentistry, Academy of Alumni & Friends

& ASDA for a reception

including the ASDA Vendor Fair

Everyone is invited to attend

Entertainment by UFCD's faculty band "The Jawbreakers"

hors d'oeuvres, beer, and wine provided.

**CONTINUING EDUCATION DENTIST** – For renewal of dental licenses, a total of 30 hours of continuing education is required which must include 2 hours in the prevention of medical errors. To receive credit, all courses must be taken with board approved providers. Each licensee must complete a course in HIV/AIDS prior to the first license renewal. Each licensee must complete a two (2) hour course on domestic violence as part of every third licensure renewal. In addition to the 30 hours, for each license renewal biennium, a licensed dentist must complete a CPR course at the basic life support level, which includes training in cardiopulmonary resuscitation (CPR) at the basic support level, including one-rescuer CPR for adults, children, and infants; the relief of foreign body airway obstructions for adults, children, and infants; the use of an automatic external defibrillator (AED); and the use of ambu-bags resulting in certification or recertification by the American Heart Association, the American Red Cross or an entity with equivalent requirements. \* **DO NOT SEND PROOF UNLESS YOU ARE AUDITED.** Each licensee is required to retain PROOF at least 4 years. Ref: 64B5-12, FAC.

Anesthesia permit holders are required to complete at least four (4) hours of continuing education relating to anesthesia each biennium the permit is held, to include two (2) hours dealing with the management of medical emergencies. These hours would be included in the 30 hours of continuing education required by Section 466.0135(1), Florida Statutes.



During the 2008 Legislative Session, the Florida Dental Association (FDA) amended the Health Care Clinic Establishment Permit legislation in an attempt to minimize its impact on the dental profession. The bill, HB 7049, tried to curb fraud associated with the purchase and alteration of prescription drugs. The Florida Department of Health's (DOH) answer: require anyone purchasing a prescription drug to register and purchase a Health Care Clinic Establishment Permit. The FDA led the effort to exempt the purchase of prescription drugs by an individual practitioner from the provisions of this bill. FDA staff expressed concerns following initial discussions with the DOH in which they did not acknowledge the exemption.

More recently, the DOH has clarified: if a group practice, in its corporate capacity, wishes to purchase and own prescription drugs, then a health care clinic establishment permit is required. Group practice is defined as a professional services corporation (PA) or professional limited liability company (LLC) operating a place of business at one or more physical locations..

Thus, dentists who want their business entity to be the purchaser and owner of prescription drugs, rather than themselves personally, may obtain a health care clinic establishment permit. Permit applications now are available online at [www.floridadental.org/HCCCE.pdf](http://www.floridadental.org/HCCCE.pdf) or through the Department of Health at [www.doh.state.fl.us/pharmacy/ap\\_HCCCE.pdf](http://www.doh.state.fl.us/pharmacy/ap_HCCCE.pdf). Although a rule implementing this program has yet to be promulgated, the statutory law becomes effective Jan. 1, 2009. Permits cost \$255 for two years and require the business entity to designate an individual dentist employed by the entity "who will be responsible for all legal and regulatory requirements."

Why would dentists want their corporation to be the owner of the prescription drugs? In a common situation, doctors, through their business organization, own and operate more than one practice location and want to centralize ordering and distribution of prescription drugs for all the practice locations. With a health care clinic establishment permit in hand, a single doctor could order drugs for all practice locations and transfer drugs from one office to another, rather than having a doctor at each location individually order and keep track of the drugs.

Working with FDA staff, the DOH has clarified that dentists who has not incorporated (that is, they own and operate the practice as a sole proprietor) do not have to obtain a health care clinic establishment permit in order to purchase, store and administer drugs to patients under their care. Also, the department has clarified that even doctors who have incorporated their practice do not need a health care clinic establishment permit so long as they individually order their own prescription drugs for dispensing or administering to their own patients under their own license number.

In other words, dentists who have incorporated their practice, but practice by themselves are not required to purchase a health care clinic establishment permit. This is perhaps the most common practice setting. The FDA is pleased that most of its members therefore will remain unaffected by this new legislation. In this setting, uniquely typical of dentistry, it made no sense for the department to require a \$255 permit when it has already issued a dental license.

But remember:

- As an individual licensee, you are personally responsible for what happens to the prescription drugs you order, store and administer. Keep them safely locked away and dispose of them properly when expired.
- Even if you personally are not required to have a health care clinic establishment permit, your business organization may still want to obtain one (see above).
- If you want to give the drugs you ordered to other doctors in your practice to administer to their patients, you must incorporate the group practice and the corporation itself must obtain a health care clinic establishment permit. Alternatively, the other doctors should order the drugs themselves under their own license number and be personally responsible for them. This should be clearly spelled out.
- In some situations, a federal Drug Enforcement Administration registration number may be required in addition to your individual dental license number (controlled substances).
- Also, dispensing practitioner permits and anesthesia permits are different from health care clinic establishment permits. You may need one of these permits if you fill prescriptions (other than fluorides and chlorohexidine rinse solutions) for take-home use or if you perform conscious sedation, general anesthesia, etc.

Florida Dental Association

1111 E. Tennessee St.

Tallahassee, Florida 32308

Phone: (800) 877-9922

This message originates from the Florida Dental Association and/or its affiliated organizations. It contains information that may contain solicitations for and/or advertising of services.

Florida Dental Association [FDA@FloridaDental.org](mailto:FDA@FloridaDental.org)

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**YOUR ASSOCIATION NEEDS YOU!!**

**ANYONE INTERESTED IN BECOMING  
*VFDA'S PUBLIC RELATIONS COORDINATOR***

**PLEASE CONTACT DR. RAY KENZIK  
FOR INFORMATION AND JOB DESCRIPTION**

**THIS POSITION WILL HELP OUR  
ASSOCIATION PROMOTE DENTISTRY**

**THANK YOU IN ADVANCE**

**THE EXECUTIVE BOARD**



United Jewish Communities  
Formerly United Jewish Appeal

February 4, 2009

**Jewish  
Federation  
Of  
Volusia  
&  
Flagler  
Counties**  
470 Andalusia Avenue  
Ormond Beach, FL.  
32174

(386) 672-0294  
(386) 672-2396  
FAX (386) 673-1316

**Lynne Ritter**  
President

**Gloria Max**  
Executive Director

Dr. Howard Pranikoff  
49 River Ridge Trail  
Ormond Beach, FL 32174

Dear Dr. Pranikoff & Dentists & Hygienists of Volusia & Flagler Counties:

Wow!! We at the Federation were just amazed at the generosity of your continuing educational dentists and hygienists who not only brought high quality food but gave funds to the Jerry Doliner Food Bank. Jerry, of blessed memory, couldn't stand to see anyone go hungry, especially children. Unfortunately, we are seeing an overwhelming amount of people coming for assistance, especially for food.

We are seeing a new face -- people who were once taxpayers and donors, humbly coming to our office for help. They are so embarrassed but when you lose your job and go through your reserves, and when you have children, you have no choice. We feel that these people who have worked hard need a hand up. Many agencies have an income eligibility but we feel that times are different now, especially when jobs are scarce and the least we can do is help feed their families. Our clients are so grateful. It really hits home when a youngster exclaimed -- look mom we now have toilet paper. We were stunned. We just assumed that everyone has toilet paper but when we asked the mother said, this was a luxury she had to do without. We now have toilet paper drives. All of us have felt the pinch of this recession but at least we have a roof over our heads and food to eat.

Because of your generosity, many families will benefit from your gifts. You have definitely made a difference. Bless you all.

Yours truly,

Gloria Max  
Executive Director

**Friday Jan. 29, 2010**

**SAVE THE DATE**

**SEMINAR 2010**

**Speaker: Dr. Lou Graham**

**Topic:**

***"Building Value with a  
Conservative/Esthetic/Oral Health Approach"***

**Primary Sponsor:**

**Dentsply Tulsa Dental Specialities**

**Location: Indigo Lakes Golf Club Banquet Center**

Invitations will be mailed with complete details in late

December, in the meantime please call us at

**386-677-1844** If you have any questions or  
would like to register in advance.

Hope to see you there.

**Howard L. Pranikoff, DDS, MScD, FICD, FACD**