

**LOUISIANA DENTAL ASSOCIATION
135th MEETING OF THE HOUSE OF DELEGATES
APRIL 11, 2015
NEW ORLEANS DOWNTOWN MARRIOTT AT THE CONVENTION CENTER
859 CONVENTION CENTER BOULEVARD, BLAINE KERN BALLROOM
NEW ORLEANS, LOUISIANA**

MINUTES

CALL TO ORDER

Speaker of the House of Delegates Dr. L. Stephen Ortego called the meeting to order at 8:00 a.m. Dr. E. Jeffrey Hooton, a Louisiana Dental Association (LDA) past president, gave the invocation, followed by the Pledge of Allegiance.

Dr. Ortego welcomed the delegates and guests. He gave announcements on the LDA's non-smoking rule and advised that with the handouts being sent via email this year, there is Wi-Fi available in the meeting room and provided the password. There is also a limited supply of printed copies of delegate packets available at the registration desk. Delegates will receive two hours of continuing education for their service today; he reminded them to sign the registration list at the check-in table to confirm their attendance.

The Speaker recited the LDA Mission, Ethics, and Antitrust Statements.

LDA Mission Statement - Promote, Advocate, Protect.

LDA Ethics Statement - As members of the legislative and governing body of the Louisiana Dental Association, we want to be reminded of our responsibility to act with integrity and exercise our powers and perform our duties relating to professional matters in a manner consistent with the Principles of Ethics and Code of Professional Conduct of the Association.

By acting ethically and with integrity over the course of this annual session, we can be certain that our legislative obligations and decision making authority will be discharged in keeping with the profession's fiduciary obligations.

Finally, we must be mindful of our responsibility for professionalism and respect to each other in our work and deliberations. The ADA's Professional Conduct Policy that appears in the Manual of the House of Delegates speaks to the fact that professionalism is the standard for communications throughout this Association.

LDA Antitrust Statement - The Louisiana Dental Association (LDA) is a not-for-profit organization. The association is not organized to, nor shall it, play any role in the competitive decisions of its members. Nor shall the LDA in any way restrict competition among members, potential members or the businesses with whom they contract. Rather, it serves as an advocate for the betterment of the profession as a whole and a forum for a free and open discussion of diverse opinions in a variety of

settings without in any way attempting to encourage or sanction any particular business practice.

The LDA recognizes the possibility that the association and its activities could be viewed by some as an opportunity for anti-competitive conduct. Therefore, the LDA with this statement declares its support for the principle of competition that antitrust laws are intended to foster and hereby communicates the association's uncompromising policy to comply strictly in all respects with those laws.

The LDA also recognizes the severity of the potential penalties that might be imposed on not only the association, but its members as well, in the event that certain conduct is found to violate the antitrust laws. Consequently, the LDA board of directors believes it is prudent to regularly remind members whose position in the association requires them to act in an official capacity from time to time that federal and state antitrust laws prohibit the exchange of information among competitors in matters pertaining to price, refusals to deal, market division, tying relationships and similar topics which might infringe upon antitrust regulations. Furthermore, no such exchange or discussion will be tolerated during the LDA's official business meetings.

Remembrance of Deceased LDA Members

Dr. Ortego called for a moment of silence in remembrance of LDA members who passed away during the past year. He recognized Drs. Edwin Dorvin, Jr., Rene Fourcade III, Ernest Morrow III, Thomas J. Kiebach, James Leftwich, Oscar Ory, Earl Patterson III, Sylvester Dileo, Francis Abadie, William Schmidt, Anthony Carimi, Jay Patel, Philip Kitchin, John Shea, Richard Jones, Stephanie Gonsoulin, Alvin Bertucci, Wylie Barrow, Allen Black, and Edgardo Rabel.

Recognition of First Time Delegates

Dr. Ortego asked all first time delegates to stand. The House recognized them with applause.

Recognition of American Student Dental Association (ASDA) Delegates

Dr. Ortego recognized the ASDA delegates in attendance. The LDA provides two seats for ASDA delegates, however they have only one vote between the both of them.

INTRODUCTION OF GUESTS

Dr. Ortego welcomed the families in attendance for award honorees. He recognized the LDA past presidents in attendance. The Speaker also recognized Dean Henry Gremillion, from LSU School of Dentistry; Dr. Aubrey Baudean, president of the Louisiana State Board of Dentistry (LSBD); and, Dr. Rusty Hickham, executive director of the LSBD.

INTRODUCTION OF SPEAKERS

Dr. Ortego introduced Dr. Carol Summerhayes, American Dental Association (ADA) president-elect, from San Diego, California. Dr. Summerhayes mentioned that she was glad to visit with the LDA as a candidate last year and pleased to be back in New Orleans. She has been traveling around the country offering a town hall format meeting to constituents to address any questions they may have about activity at the ADA. Dr. Summerhayes congratulated the LDA for their high market share, engaged membership, and the diversity of their delegates. She also

complimented the LDA on their close relations with the dental school, the dental board and state legislators.

Dr. Summerhayes reported that the ADA is keeping abreast of new technology available to dental professionals and that over the next five years we may have the largest number of practicing dentists throughout the country. The ADA is focusing on students throughout the country and promoting organized dentistry. One of their high priorities is to visit every dental school over the next two years. She has visited twenty-five schools over the past year.

She mentioned that one of the challenges the dental profession is facing is the increasing number of models for dental access, with the Affordable Care Act accelerating change. There is an increase in large corporate and group practices. One of the ADA's major initiatives is to work closely with these practices to have them commit to abide by a code of ethics and put patients' interests first.

Dr. Summerhayes expressed the ADA's concern for dental students and their high debt. She mentioned that LSUSD students are fortunate not to be saddled with as much debt as the average student around the country. Also, while many LSUSD graduates stay on to practice within the state, there are some who move to other areas. The ADA is working on a five year plan to have first time licensure be more portable so that new dentists can practice in other areas, if desired. In addition, they are discussing a plan to make licensing exams much, more fair for students and patients; hopefully moving away from the stand alone exams.

The ADA is working on advancing the Power of Three. The national society wants to increase activity with state associations and local components to focus on the success of members and improve oral health of citizens throughout the country. Their three priority objectives include getting all ADA constituent associations on the same software platform (Aptify) – the LDA initialized this software in September of 2014; working closely with dental schools and students; and, the Action for Dental Health initiative.

Dr. Summerhayes commended the LDA for their successful first Mission of Mercy in which over a million dollars of dental treatment was provided over a two day period to over 1,400 patients.

She complimented the efforts of the 12th District Trustee Dr. Gary Roberts. He has been involved with many major initiatives at the ADA, one of the most notable being to save the library at the ADA. He and a team not only saved the library, but the ADA now has one of the most advanced digital libraries in the world.

Dr. Summerhayes thanked the LDA for the invitation to attend the LDA Annual Session. The House recognized her with applause.

Dr. Ortego introduced Dr. Gary Roberts, the 12th district trustee of the ADA. Dr. Roberts expressed his gratitude to the LDA for giving him the opportunity to serve as the 12th district trustee. There are some significant challenges and opportunities facing us. Forbes magazine has ranked dentistry as the number one profession in the United States. Dr. Roberts reiterated Dr. Summerhayes' statement that we'll see changes to practice models. In twenty years there may be few solo practices with the fast advances in technology and the expense of keeping offices current. Dr. Roberts sees groups of ten or so dentists joining together to share office and technology expense in the future, not just corporate dentistry.

Dr. Roberts thanked the LDA and the membership for their support during his campaign for ADA vice-president, as well as the support of the other three states in the 12th district. The House recognized him with applause.

COMMITTEE ON CREDENTIALS

Dr. Jude P. Fairchild, chairman of the Committee on Credentials, reported that there is a quorum of certified delegates at the House today and thanked all those present for their service to the profession.

REPORT OF THE COMMITTEE ON RULES AND ORDER

Dr. Michael G. Dragon, chairman of the Committee on Rules and Order, presented the proposed agenda of the 2015 House of Delegates with no recommended changes.

MINUTES OF PREVIOUS MEETING

Dr. Robert E. Barsley, LDA secretary-treasurer, reported that under provisions of the Manual of the House of Delegates, the Committee on Minutes reviewed and approved the Minutes of the Session of the House of Delegates held on Saturday, April 5, 2014, in New Orleans, Louisiana. (*See Appendix II*) No amendments from the House were presented.

ADOPTED

RESOLVED, that the Minutes of the House of Delegates, held on Saturday, April 5, 2014, in New Orleans, Louisiana, are approved as presented.

REPORT OF THE NOMINATING COMMITTEE

Dr. Nelson P. Daly, LDA president, presented the report of the Nominating Committee that met on January 9, 2015, at the LDA office headquarters in Baton Rouge, Louisiana. (*See Appendix III*) The following were nominated:

President-Elect: **Dr. Robert E. Barsley**

Secretary-Treasurer: **Dr. Daniel A. Weaver**

Speaker of the House: **Dr. L. Stephen Ortego**

ADA Delegate Area 2 - Three year term (NODA): **Dr. Mark S. Chaney**

ADA Delegate Area 3 - Three year term (Acadiana/SW): **Dr. Stephanie B. Weaver**

ADA Delegate Area 6 – Three year term (Bayou/Central/Northlake): **Dr. L. Stephen Ortego**

Alternate Delegate Areas 1 & 2 - One year term (NODA): **Dr. Kristi M. Soileau**

Alternate Delegate Area 3 - One year term (Acadiana/SW): **Dr. Lance N. Savoie**

Alternate Delegate Area 4 - One year term (Greater Baton Rouge): **Dr. Nelson P. Daly**

Alternate Delegate Area 5 - One year term (Northeast/Northwest): **Dr. L. King Scott**

Alternate Delegate Area 6 - One year term (Bayou/Central/NL): **Dr. Charles B. Foy, Jr.**

Alternate Delegate Area 6 - One year term (Bayou/Central/NL): **Dr. F. Scott Sicard**

ELECTION OF OFFICERS, DELEGATES AND ALTERNATE DELEGATES TO THE AMERICAN DENTAL ASSOCIATION

Dr. Ortego asked for any nominations from the floor; no new nominations were received. The Speaker declared the nominees are elected by acclamation.

ADOPTED

RESOLVED, that the slate of nominees for 2015 officers, delegates and alternate delegates to the American Dental Association is elected as presented.

PRESENTATION OF AWARDS

Distinguished Service Award

Dr. Ortego invited Dr. Mark S. Chaney, chairman of the Distinguished Service Award (DSA) Committee, to come forward to announce the four DSA recipients. Dr. Chaney provided the criteria for this award and recognized former recipients since its inception in 1987 in a Power Point presentation. The presenters were invited to the podium for presentation of awards.

Dr. Frank Martello presented the 2015 Distinguished Service Award to Dr. Glenn C. Dubroc, Jr., a member of the New Orleans Dental Association.

Ms. Bethany Hebert presented the 2015 Distinguished Service Award to Dr. Edward J. Hebert, a member of the Southwest District Dental Association.

Dr. C.J. Richard, Jr., presented the 2015 Distinguished Service Award to Dr. Hugh V. McKnight, Sr., a member of the Greater Baton Rouge Dental Association.

Dr. Donald M. "Buddy" Quinn presented the 2015 Distinguished Service Award to Dr. Albert Fred McMullen III, a member of the Northeast Louisiana Dental Association.

Humanitarian Award

Dr. Chaney invited Dr. Stan P. Cowley, Jr., forward to recognize the Humanitarian Award recipients.

Dr. Cowley presented the 2015 Humanitarian Award to Dr. Michael J. Guevara, a member of the Northlake District Dental Association.

Dr. Cowley presented the 2015 Humanitarian Award to Dr. Joseph L. Lindsay III, a member of the New Orleans Dental Association.

New Dentist Award

The Speaker invited President Daly forward to recognize the New Dentist Award recipient. President Daly presented the 2015 New Dentist Award to Dr. Nicholas J. Rauber, a member of the Greater Baton Rouge Dental Association.

Service Recognition

President Daly presented LDA service appreciation certificates to the new committee/council chair serving during his term – Dr. Craig H. Crawford, chair of the Council on Dental Education; and, new LDA board members serving during his term – Dr. H. Kirt Touchstone, director from Northeast Louisiana Dental Association, and Dr. Rodney J. Isolani, director from Northlake District Dental Association.

REPORT OF THE EXECUTIVE DIRECTOR

Mr. Ward Blackwell, LDA executive director, reported that it has been an eventful year for the LDA. He advised that attendance is up this year for the New Orleans Dental Conference (NODC)/LDA Annual Session, from last year, and feedback so far has been very positive from both attendees and exhibitors. The NODC committee has already confirmed Dr. Gordon Christensen as a key speaker for the 2016 NODC/LDA Annual Session. Attendance was also up

on the other LDA continuing education events in 2014. We set a record with the Last Chance seminar in December 2014, with over two hundred attendees. The LDA was among the first twelve associations to convert to the ADA's Aptify database and have been working with the ADA to continue to move forward in the conversion. One of the downsides during the past year was the demise of the LDA-sponsored health insurance plan; primarily due to the Affordable Care Act. Most of the insurance companies that don't provide health insurance primarily have gotten out of the business. Mr. Blackwell reported that all the members who were covered by the LDA's sponsored plan were moved to other insurance providers without any lapse in coverage. The LDA's Council on Insurance realizes that this is an important benefit and are working toward being able to provide a sponsored insurance program again; this will be discussed in Resolution #2 at today's House. The LDA Foundation sponsored the first time Louisiana Mission of Mercy (LaMOM) event this past February in Baton Rouge and he thanked all LDA members and staff for their hard work on the event. Mr. Blackwell reported that there were over 900 volunteers; 1,400 patients; and, over one million dollars in dental treatment provided during the two day event. No other first time MOM event has exceeded one million dollars in care. Mr. Blackwell recognized the State Chair of LaMOM Dr. Maria Burmaster for her outstanding efforts. The House acknowledged her with applause. Our legislative efforts included no new cuts to Medicaid; getting the LSUSD Capital Outlay Request into the Capital Outlay Bill and this year we hope to get the funding for it. Legislation regarding the LSBSD included potential new laws on advertising. The LDA/LSBD Task Force is working to resolve other issues that our members are concerned about. Mr. Blackwell mentioned that it will be a busy 2015 during the legislature to obtain funding for the Capital Outlay Bill; protect Medicaid funding; and work on four LDA bills that today's House will instruct the board how to proceed. Mr. Blackwell commended the LDA staff for their efforts and introduced them – Assistant Executive Director Annette Droddy, Director of Accounting Tiffany Waddell, Director of Membership Development Sharon Elliott, Executive Assistant Debra Bagley, and Director of Conference Services Sherri Jones. He also recognized the LDA volunteers who have served the association diligently this past year; the LDA officers, board of directors, past presidents, council and committee members, task force members, and leadership at the ADA. Mr. Blackwell thanked the delegates for their service to the dental profession today.

REPORT OF THE SECRETARY/TREASURER

Dr. Barsley presented the LDA Consolidated Financial Statement – December 31, 2013; the Review of the January 1, 2014 through December 31, 2014 Treasurer's Report, Balance Sheet, Profit and Loss Statement (unaudited) showing the year ending with a deficit of -\$37,792.43; and, the Audit Engagement Letter for year-end 2014. (*See Appendixes IV-A-B-C*) Dr. Barsley mentioned that the budget approved at the last House anticipated a larger deficit and the LDA did better than expected for 2014. He stated that while the LDA finances are in good shape there is concern about continuing to operate with a loss and this will be addressed during the resolutions section at today's House. The Speaker asked if there were any additions or corrections to the reports as presented, hearing none and without objection he proclaimed the Treasurer's Reports are accepted as presented.

ADOPTED (*IV-A-B-C*)

RESOLVED, that the LDA financial reports and audit engagement letter are approved as presented.

FINANCIAL IMPLICATION: – \$16,000 –

PRESIDENT’S ADDRESS

President Daly reported that enrollment at the LSUSD has increased by seventeen percent between 2010 and 2013; fifty-six percent were from new dental schools and forty-four percent from expansion of existing schools. The per capita supply of dentists is expected to increase with inflow exceeding outflow. The student loans from 2012 to 2013 increased an average of nine percent. Graduates are three times more likely to seek employment in large group practices than they were ten years ago. The majority of dentists are employees, not owners; sixty-three percent vs. twenty-five percent. President Daly stated that the focus of our leaders, going forward, needs to be on these facts. He reminded the House of the LDA’s mission statement to “Promote, Advocate and Protect”. Promote – the LDA has promoted the dental profession through local Give Kids a Smile Programs, Donated Dental Services and the LaMOM event, giving back to communities throughout the state. Advocate – membership in the LDA gives dentists a big voice to legislators as we seek funding for the dental schools, Medicaid reimbursements, and other issues concerning the dental profession. Protect – with recent actions in the courts, our state board’s hands are being tied with regards to who can actually practice dentistry. The dialogue between the LDA/LSBD Task Force has been key to protecting not only dentists, but the public in insuring qualified dental professionals are providing treatment. President Daly mentioned that an appropriate statement to new dentists is in the Journal Editor Dr. David Austin’s recent article about “finding the Matthews” to treat in your profession. He encouraged everyone to read this article, which was not only mailed to the membership but can be found on-line at the LDA web site. Dr. Daly thanked the membership for their trust in him and he complimented the LDA staff for their tremendous support to him during his term as president. He also thanked his wife, Dr. Sally Daly, for her support as he dedicated so many hours of work to the LDA over the past year. The House acknowledged President Daly with applause.

INSTALLATION CEREMONIES

Introduction of LDA Officers and Board Members

President Daly asked the LDA officers and board members who served during his term to stand and be recognized when their names were called – Dr. L. King Scott, *president-elect*; Dr. Robert E. Barsley, *secretary-treasurer*; Dr. Lige F. Dunaway, III, *Acadiana director*; Dr. Stephen A. Morgan, *Bayou director*; Dr. Daniel G. Lester, *Central director*; Dr. C.J. Richard, Jr., *Greater Baton Rouge director*; Dr. Kevin J. Collins, *NODA director*; Dr. David J. Hildebrandt, *NODA director*; Dr. H. Kirt Touchstone, *Northeast director*; Dr. Rodney J. Isolani, *Northlake director*; Dr. Gary L. Caskey, *Northwest director*; Dr. Danny A. Weaver, *Southwest director*; Dr. L. Stephen Ortego, *speaker of the house*; Dr. David N. Austin, *editor – LDA Journal*; Dr. Michael J. Maginnis, *president – LDS, Inc.*

Introduction of LDA Delegates and Alternate Delegates to the ADA

President Daly asked the LDA delegates and alternates delegates to the ADA who served during his term to stand and be recognized when their names were called – Dr. Robert E. Barsley, *delegate Area 1 – NODA*; Dr. Mark S. Chaney, *delegate Area 2 – NODA*; Dr. Lance N. Savoie, *delegate Area 3 – Acadiana/Southwest*; Dr. Marty B. Garrett, *delegate Area 4 – Greater Baton Rouge*; Dr. E. Jeffrey Hooton, *delegate Area 5 – Northeast/Northwest*; Dr. Curtis J. Zeringue, *delegate Area 6 – Bayou/Central/Northlake*; Dr. Kristi Soileau, *alternate delegate Area 1 & 2 – NODA*; Dr. Stephanie B. Weaver, *alternate delegate Area 3 – Acadiana/Southwest*; Dr. L. King Scott, *alternate delegate Area 5 – Northeast/Northwest*; Dr. Charles B. Foy, Jr., *alternate delegate Area 6 – Bayou/Central/Northlake*; Dr. L. Stephen Ortego, *alternate delegate Area 6 – Bayou/Central/Northlake*.

Installation of new LDA Officers and Delegates

Dr. Summerhayes called the nominated officers, LDA delegates and alternate delegates to the front of the meeting hall. (*See Appendix III*) Dr. Summerhayes installed the newly elected officers, delegates and alternate delegates.

Presentation of Past President's Plaque from ADA

Dr. Summerhayes presented the ADA's constituent past president plaque to Dr. Daly for his outstanding service for 2014-2015. She also presented him with a challenge coin.

ADDRESS OF NEWLY INSTALLED PRESIDENT

President L. King Scott thanked the delegation for the honor to serve as the LDA president for the 2015-2016 term. Dr. Scott thanked his wife, Kari, for her support as he dedicates time and effort to the LDA. He thanked Dr. Daly for working with him over the past year and looks forward to a productive year with incoming President-Elect Dr. Bob Barsley. He stated that his mentor is Dr. Peter Dawson. Dr. Scott began his leadership service with the LDA in 2005 when he was called upon, by then LDA President Dr. Tim Perry, to assist with coordinating the LDA Annual Session. He advised the delegates that dentistry has been recognized as the number one profession in the 2015 U.S. News and World Report and emphasized the many years and number of hours that each dentist has worked toward being very skilled in his/her training. Dr. Scott recognized that dentists are leaders and acknowledged the dentists who came before the current leadership who served the profession so well; many of those being recipients of the LDA's Distinguished Service Award over the years.

Dr. Scott showed a PowerPoint presentation that he has shared with the components at their local installation banquets. He recognized the efforts of the many volunteers in the LDA's first Mission of Mercy held February 27-28, 2015, in Baton Rouge, where \$1,008,389.10 of care was provided. In line with the LDA's Mission Statement to Promote – Advocate – Protect, Dr. Scott highlighted three issues that have saved Louisiana dentists up to \$6,500 annually. Those issues included the 1099 issue, the red flag issue, and the Lafayette Parish sales tax exemption. Dr. Scott advised that this year the LDA will continue work on repeal of the McCarron-Ferguson Act, as well as work on the medical device tax, and the Health Benefits Act of 2015. He also reminded the delegates of the savings offered by endorsed companies of Louisiana Dental Services, Inc. Dr. Scott highlighted the continuing education programs offered by the LDA, the Peer Review Program, and the availability to pre-pay dues in monthly payments instead of one lump sum. The House recognized President Scott with applause.

Dr. Scott presented Dr. Daly with the LDA past president pin and president's plaque for his dedicated service and outstanding leadership to the LDA for 2014-2015 and Dr. Daly was once again recognized by the House with applause.

CONSIDERATION OF 2014/2015 RESOLUTIONS

Dr. Ortego advised that in considering resolutions the delegates may ask for clarification of resolutions from resources available, such as LDA delegates to the ADA, LDA staff members and invited guests, including representatives to the Louisiana State Board of Dentistry and LSU School of Dentistry, as well as other dental community health care organizations. They can only come to the microphone at the invitation of a delegate and they can only provide information.

Dr. Ortego mentioned that all amendments to resolutions must be presented in writing, as far in advance as possible. He advised that two microphones were set up for addressing the House; one for "pros" and one for "cons" on a resolution. When stepping to the microphone, delegates need to state their name, the component they represent, and their intention in order to be recognized by the Speaker. He advised that no delegate will be allowed to speak to the same issue a second time until all other delegates who wish to speak have done so first, and that we will dispense with the resolutions presented before any new resolutions will be accepted from the floor.

PRESENTATION OF RESOLUTIONS (*See Resolutions – APPENDIX V*)

Dr. Robert E. Barsley, LDA Secretary-Treasurer, presented the resolutions to the delegates.

RESOLUTION #1. (*Passed unanimously.*)

ADOPTED

RESOLVED, to look into the credentialing issue in which even if the dentist is credentialed and contracted by an insurer at his own office location, the same insurer will require new credentialing at the other location before they will pay claims submitted there.

FINANCIAL IMPLICATION: – \$0 –

RESOLUTION #2. (*Passed unanimously.*)

ADOPTED

RESOLVED, to support pursuing discussions with the Department of Insurance regarding MEWA reserve provisions.

FINANCIAL IMPLICATION: – \$0 –

RESOLUTION #3. *(Passed unanimously.)*

ADOPTED

RESOLVED, that the LDA reiterates it's support for an advertising review program in lieu of the "two-strike" provision in current law, with the amendment to the LDA Council on Governmental Affairs' resolution of November 21, 2014, to provide that the effective sunset date for the two-strike language shall be at least one year after the effective date of the ad review program's initiation.

FINANCIAL IMPLICATION: – \$0 –

RESOLUTION #4. *(Passed unanimously.)*

ADOPTED

RESOLVED, that the fee range to be placed in statute for the advertising review program for which the Council expressed support in a resolution passed on November 21, 2014, be amended to a minimum of \$150 and a maximum of \$300.

FINANCIAL IMPLICATION: – \$0 –

RESOLUTION #5. *(Passed as amended.)*

Original RESOLUTION #5:

RESOLVED, that the LDA support the LSBDD's proposed revisions to sedation rules.

Dr. C.J. Richard, Jr., Greater Baton Rouge Dental Association, submitted an amendment to Resolution #5, as follows:

RESOLVED, that the LDA support the LSBDD's proposed revisions to the sedation rules with the exception of Section 1509.B, support for which shall be contingent upon negotiations between LDA and LSBDD resulting in the requirement therein to list the name(s) of the third party administering sedation being eliminated, replaced, or modified to the satisfaction of the LDA Board of Directors.

Note: Changes to original resolution are highlighted. Deletions are ~~struckthrough~~ and additions are underlined

Dr. Richard spoke in favor of the amendment and mentioned that in the event that an anesthetist is scheduled and cannot make it that day, the procedure may have to be rescheduled, causing undue burden on the dental office.

Dr. Ronnie Marks, LDA past president and member of the LSB, spoke in opposition to the amendment.

Dr. Ortego called for a vote on the amendment. The amendment passed with 10 votes opposed. Dr. Ortego called for a vote on the resolution as amended, which was passed with 6 votes opposed.

ADOPTED

RESOLVED, that the LDA support the LSB's proposed revisions to the sedation rules with the exception of Section 1509.B, support for which shall be contingent upon negotiations between LDA and LSB resulting in the requirement therein to list the name(s) of the third party administering sedation being eliminated, replaced, or modified to the satisfaction of the LDA Board of Directors.

FINANCIAL IMPLICATION: – \$0 –

RESOLUTION #6. *(Passed with 1 opposed.)*

Dr. Marks, LDA past president, spoke on behalf of the Louisiana State Board of Dentistry and acknowledged their appreciation of Dr. Daly and the LDA Board of Directors.

ADOPTED

RESOLVED, that the LDA support the amendment of the Dental Practice Act to modify the parts which will change the domicile of the Louisiana State Board of Dentistry from the City of New Orleans to the parish of East Baton Rouge, specifically La. R.S. 37:753 (1) as amended by Act 866 of the 2014 Regular Session of the Louisiana Legislature, by changing the effective date of the change of domicile from January 1, 2017 to August 31, 2019, and be it further...

RESOLVED, that the LDA support the amendment to The Dental Practice Act to modify the parts which change the appeal venue for decisions of the Louisiana State Board of Dentistry from the civil district court for the parish of East Baton Rouge, specifically La. R.S. 37:786:(A)(1) and La. R.S. 37:786(A) as amended by Act 866 of the 2014 Regular Session of the Louisiana Legislature, by changing the effective date of the change of the appeal venue from January 1, 2017 to August 31, 2019.

FINANCIAL IMPLICATION: – \$0 –

RESOLUTION #7. *(Passed as amended.)*

Original RESOLUTION #7:

RESOLVED, that the LDA's Legislative priorities for 2015 shall be:

- LSU School of Dentistry Funding.
- Prior Review of Dental Advertising for a Fee by the LSBD.
- Medicaid Funding/Issues.
- MEWA Legislation.
- Change Provider Credentialing so that it is No Longer Location Dependent.

Dr. Richard, Greater Baton Rouge Dental Association, submitted an amendment to Resolution #7 as follows:

RESOLVED, that the LDA's Legislative priorities for 2015 shall be:

- LSU School of Dentistry Funding.
- Prior Review of Dental Advertising for a Fee by the LSBD.
- Medicaid Funding/Issues.
- MEWA Legislation.
- Change Provider Credentialing so that it is No Longer Location Dependent.
- Support Funding for Louisiana Fluoridation Advisory Board at \$500,000.

*Note: Changes to the original resolution are **highlighted**. Deletions are ~~struckthrough~~ and additions are underlined.*

FINANCIAL IMPLICATION: – \$0 –

Dr. Richard spoke in favor of the amendment and mentioned that a law was passed several years ago that any community serving 500,000 connections has to fluoridate, but if they don't have the money to do so they are not held to that requirement.

Dr. Ortego called for a vote on the amendment. The amendment passed unanimously. Dr. Ortego called for a vote on the resolution as amended, which was passed unanimously.

ADOPTED

RESOLVED, that the LDA's Legislative priorities for 2015 shall be:

- LSU School of Dentistry Funding.
- Prior Review of Dental Advertising for a Fee by the LSBD.
- Medicaid Funding/Issues.
- MEWA Legislation.
- Change Provider Credentialing so that it is No Longer Location Dependent.
- Support Funding for Louisiana Fluoridation Advisory Board at \$500,000.

FINANCIAL IMPLICATION: – \$0 –

RESOLUTION #8. (*Passed unanimously.*)

ADOPTED

RESOLVED, that the section titled Rules of the House of Delegates in the LDA *Manual of*

the House of Delegates be amended as follows:

RULES OF THE HOUSE OF DELEGATES

Seating of Delegates:

[No changes.]

Rules of Order:

The latest edition of Sturgis² The current edition of the American Institute of Parliamentarians Standard Code of Parliamentary Procedure shall govern the House of Delegates on all procedures not covered by the Articles of Incorporation and Bylaws or the Manual of the LDA House of Delegates.

Note: Changes to existing text are highlighted. Deletions are ~~struckthrough~~ and additions are underlined

FINANCIAL IMPLICATION: – \$0 –

RESOLUTION #9. (*Passed unanimously.*)

ADOPTED

RESOLVED, that the section titled General Information in the *LDA Manual of the House of Delegates* be amended as follows:

GENERAL INFORMATION

Credentials and Registration:

[No changes.]

Admission Cards for Delegates:

[No changes.]

Seating of Alternate Delegates:

[No changes.]

Access to Floor:

[No changes.]

Privilege of the Floor:

Privilege of the floor shall mean the right to speak on debatable questions. Privilege of the floor shall be limited to officers and members of the House of Delegates, elected and appointed officers of the association, members of the LDA board of directors, the editor of the LDA Journal, and the past-presidents of the association. ~~Privilege of the floor shall mean the right to speak on debatable questions.~~ The right to present motions while the House is in session, and to vote shall be reserved solely for the members of the House of Delegates. Chairmen of committees, LDA delegates to ADA, and members of the board of directors, invited guests, and members of the executive office staff shall act solely as resource persons to report and to supply information to the House as an aid in their deliberations. Every delegate has the right to request information from these resource persons at any time during debate on the relevant question before the House. Accordingly, the Speaker shall verbally recognize their presence as "Consideration of Resolutions" begins and remind the delegates of their right to request information from them.

Note: Changes to existing text are highlighted. Deletions are ~~struckthrough~~ and additions are underlined

FINANCIAL IMPLICATION: – \$0 –

RESOLUTION #9.5. (*Ruled out of order and not considered at the 2015 HOD.*)

The Speaker ruled this resolution out of order, since it had not met the requirement for bylaws amendments to be sent to the delegates at least 30 days prior to the annual meeting.

RESOLVED, that Chapter I, Section 50, Subsection J of the *Bylaws of the Louisiana Dental Association* be amended as follows:

Loss of Membership and Reinstatement

- a. [No changes]
- b. Reinstatement of active, life, retired or student membership may be secured on payment of all dues and/or assessments of this Association for the entire period of lapsed current membership year by a former active member in accordance with Chapter I, Section 50A, by a former life member in accordance with Chapter I, Section 50-B (a), by a former retired member in accordance with Chapter I, Section 50-C, and by a former student member in accordance with Chapter I, Section 50-D, and on compliance by a former active, life or retired member with the pertinent bylaws and regulations of the component society involved.

Note: Changes to existing text are highlighted. New language is also underlined; language to be deleted is ~~struck through~~.

FINANCIAL IMPLICATION: - \$0 –

(Note: Financial implication is calculated for the current budget year only. Accordingly, it is estimated that the number of reinstatements that will occur in 2015 due to the bylaws change that would not have otherwise occurred will roughly equal the number amount of back dues no longer being recovered. However, as this change IS expected to lead to a small increase in members, it

should have a positive financial impact over time.)

RESOLUTION #10. *(Passed unanimously.)*

ADOPTED

RESOLVED, that Chapter V, Section 40 of the *Bylaws of the Louisiana Dental Association* be amended as follows as follows:

Chapter V- House of Delegates

Section 40 - Regular Meetings:

A. The House of Delegates shall meet once during the annual session of the Louisiana Dental Association. Resolutions to be voted on at the Annual Session should be studied by the individual district associations prior to the Annual Meeting.

B. All motions and resolutions shall be ~~mailed~~ disseminated to the Delegate Body at least thirty (30) days prior to the opening of the Annual Session, unless submitted by the Board of Directors. New Business or resolutions may be introduced during the session only by the affirmative vote of three-fourths of the delegates present and voting. The term "Majority Vote" shall mean the majority of Delegates present and voting.

Note: Changes to existing text are highlighted. New language is also underlined; language to be deleted is struck through.

FINANCIAL IMPLICATION: – +\$446.60 –

RESOLUTION #11. *(Passed unanimously.)*

ADOPTED

RESOLVED, that Chapter V- House of Delegates, Section 10.A of the *LDA Bylaws* be amended as follows:

CHAPTER V - HOUSE OF DELEGATES

Section 10 - Composition and Certification of Delegates:

A. Composition: The House of Delegates shall be limited to 75 voting members from the 9 component districts, 2 student members of the LDA and the Speaker of the House. Any Active, Active Life, Retired, or Retired Life member of the Louisiana Dental Association in good standing shall be eligible for election as a delegate. The number of component delegates shall be based on the proportionate percentage of the total number of Active, Active Life, Retired, and Retired Life members listed in good standing in each component as determined in the executive office as of ~~September 30th~~ October 31st of the preceding year. The elected officers, members of the Board of Directors, the Editor and the Past-Presidents

shall be ex-officio members of the House of Delegates with all privileges except the power to vote or present motions unless certified as delegates. Two pre-doctoral student members of the Louisiana Dental Association, one voting and one non-voting, shall be seated with the delegates. Both students shall be LSU School of Dentistry representatives to the American Student Dental Association (ASDA) as elected by the LSUSD student body, one of these representatives being LSUSD's First Delegate to ASDA and the other being LSUSD's Legislative Liaison to the LDA. In the event one of the student representatives is unable to serve, he or she will be replaced by either LSUSD's ASDA Second Delegate or LSUSD's ASDA alternate representative.

*Note: Changes to existing text are **highlighted**. Deletions are **struckthrough** and additions are **underlined***

FINANCIAL IMPLICATION: – \$0 –

RESOLUTION #12. *(Passed with 48 in favor and 21 opposed.)*

Dr. Barsley spoke to the resolution. He presented a slide of a graph showing Budget vs. Actuals. Dr. Barsley stated that he has come to the House three other times requesting smaller rate increases, with only one being approved, the eighteen dollars to help fund the *LDA Journal*. With deficit budgets being presented and approved for the past six years, the budget committee has looked at every possible way to reduce expenses. He advised that the LDA has been fortunate to have done well with investments and most years we either did not end the year with a deficit or did better than expected. In 2011, the deficit was caused by the Council on Insurance having to repay thousands of dollars back when insurance companies were changed. Dr. Barsley presented a slide showing dues over the past twenty years. He stated that this dues increase would not assist in actuals for 2015, as this would take place for the 2016 dues, but it would help with deficits in future years.

Dr. Edward Hebert, Southwest delegate and past LDA secretary-treasurer 2007-2009, asked for point of information on how this dues increase would affect the LDA funds in reserves as far as getting near the fifty percent level and will it target an assessment which is in our Bylaws to help raise funds to keep reserves at that level. Dr. Barsley advised that the possibility of doing an assessment for this current year was discussed which would take care of the deficit this year. However, since dues notices for the current year have already been sent and most processed, it would be difficult to enforce for 2015. Dr. Barsley reminded the delegates that Attachment #3 in the packets is a long-term deficit projection report, showing that if a dues increase doesn't occur that reserves as of January 1, 2018, would be at just over thirty-one percent. Dr. Hebert inquired if this proposed dues increase would be a temporary fix or will this issue have to be addressed each year over the next few years. Dr. Barsley stated that there might still be slight deficits projected, even if this proposed increase is passed, however if we continue to not spend the money budgeted as in prior years, we would probably be very close to being even. He reiterated that 2015 will end in a deficit regardless of action taken today.

Dr. Richard, Greater Baton Rouge delegate, spoke in favor of the amendment. He mentioned the need for organized dentistry to have a strong presence and encouraged the HOD to provide funding as needed to do so.

Dr. James Hargrove, Greater Baton Rouge delegate, expressed concern over staff base salary increases over the past five years and lobbyist retainer expense increase over the past three or four years. He asked for point of information to justify these two category increases. Dr. Barsley advised that part of the lobbyist's retainer had been paid through LADPAC and is now paid through the LDA, with our lobbyist Mr. Johnny Koch being one of the most well respected and effective lobbyists. The board has reviewed retainer increases requested by Mr. Koch and not approved all increases. Dr. Barsley advised that the small LDA staff works very hard and has received cost of living pay increases and a small bonus as goals are met. He reported that through no fault of the LDA staff, the NODC conference fell short of funds. Mr. Blackwell advised that he polled other associations on salary bases and LDA staff is actually paid lower than other associations.

Dr. Darrell Bourg, NODA delegate, inquired about the deficit increase from 2014 to 2015, referring to Dr. Barsley's slide. Dr. Barsley stated that the information from 2014 and prior years are actual dollars received after the end of the year, including our interest income; the 2015 numbers are our projections of what we will receive at the end of the year, projecting a modest interest income. Dr. Bourg expressed concern of expenses increasing over twenty percent in the past three years by his calculations, while income has remained relatively flat. His opinion is that the LDA board hasn't shown any effort at reducing expenses; continues to set high committee budgets, in which funds have generally not been used; and, has allowed for rising administrative costs. Dr. Bourg recommended the need to hold the board accountable for presenting a balanced budget, have a cap on the percentage of the budget devoted to administrative costs, and no future raises or benefit increases are to be given to any LDA staff unless the budget is balanced and administrative costs are under the proposed cap.

Dr. Bill Hadlock, LDA past president and current LDS treasurer, clarified several concerns. He advised that some of the staff salary increases were not just raises for everyone. In the last couple of years the LDS brought staffing services in-house, with Mr. Blackwell serving as CEO of LDS, and the LDS essentially funding the director of conference services position, which was needed to allow for Mr. Blackwell to dedicate his efforts toward LDS work in addition to his LDA work load. Dr. Hadlock stated that the LDS board continues efforts on future endorsements to be proactive in providing funding to the LDA through revenue received from the membership's use of endorsed services. He spoke in favor of the amendment and his opinion is that the board has done its due diligence in preparing the budget.

Dr. David Kestel, LDA past president, spoke in favor of the amendment. Dr. Richard called the question.

The Speaker asked for a vote on whether to vote immediately. The Committee on Credentials counted the votes with the results being 47 votes to vote immediately, and 27 votes against voting immediately; it passed with the simple majority requirement.

The Speaker called for an immediate vote on Resolution #12. The Committee on Credentials counted the votes with the results being 48 votes in favor, and 21 votes against; it passed with the 2/3 vote requirement for a Bylaws change.

ADOPTED

RESOLVED, that Chapter I *Membership and Dues*, Section 50 *Assessments, Dues and Reinstatement*, Paragraph A of the *Bylaws of the Louisiana Dental Association* be amended as follows:

Section 50: Assessments, Dues and Reinstatement:

A. Active Members: The dues of active members shall be ~~three hundred forty two dollars (\$342.00)~~ four hundred seventeen dollars (\$417) due January 1st of each year except that any dentist, who satisfies the eligibility requirements for active membership under Chapter 1, Section 20-A, of these Bylaws and who satisfies any of the following conditions shall be entitled to pay the reduced active member dues and assessments listed under such satisfied condition so long as such dentist maintains continuous membership, subject to the further reductions permitted under the provisions of Chapter 1, Section 50-H, of these Bylaws.

Note: Changes to existing text are highlighted. New language is also underlined; language to be deleted is struck through.

FINANCIAL IMPLICATION: – +\$98,177 –

RESOLUTION #13. *(Passed with 1 opposed.)*

Dr. Barsley presented Resolution #13. (see Appendix VI) He reminded the delegates that the dues increase just passed has no impact on the current budget as it will not be realized until the next fiscal year. Dr. Maria Burmaster, NODA delegate, expressed her concern that the HOD is presented with a deficit budget and the need for a balanced budget to be presented in the future, with possibly eliminating programs to help do so.

Dr. Bourg, NODA delegate, concurred with Dr. Burmaster that a balanced budget should be presented and that the HOD consider making this mandatory within the next couple of years, with emphasis on cutting expenses and keeping administrative costs in check.

ADOPTED

RESOLVED, that the 2015 LDA Operating Budget is approved as presented.

FINANCIAL IMPLICATION: – \$845,248.63 –

NEW BUSINESS

No new business.

ANNOUNCEMENTS

The Speaker announced that the LDA board of directors will convene their quarterly meeting in twenty minutes in meeting room Blaine Kern Ballrooms A & B.

Dr. Ortego asked delegates to return their name badges to the LDA registration desk for use at the next meeting.

The Speaker thanked the delegates for their participation.

ADJOURNMENT

Dr. Brittany House, Northwest first time delegate, made a motion to adjourn.

ADOPTED

RESOLVED, to adjourn the 2015 LDA House of Delegates; meeting adjourned at 11:39 a.m.



Approved: _____
Dr. Daniel A. Weaver, LDA Secretary/Treasurer

Date