

Narrative Information—DA 400

Division of the Budget

State of Kansas

Agency Kansas Dental Board (167)

Program August 23, 2023

August 23, 2023

Adam Proffitt, Director of the Budget
Division of the Budget
Landon State Office Building
900 SW Jackson, Room 504
Topeka, KS 66612

Dear Mr. Proffitt:

As the Executive Director of the Kansas Dental Board, I hereby submit for your consideration the Fiscal Years 2024 and 2025 budget document for the agency. It has been prepared in accordance with the budget instructions. To the best of my knowledge and belief, the information and explanation included in this budget request are correct and complete. If you or your team has any questions, please do not hesitate to contact me. Thank you.

Sincerely,

s/ B. Lane Hemsley

B. Lane Hemsley
Executive Director

cc: Director
Legislative Research Department
Room 68-West, State Capitol Building
300 SW Tenth Avenue
Topeka, KS 66612-1504

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Mission. The mission of the Kansas Dental Board is to protect the public health, safety, and welfare through licensure, regulation, inspection, investigation, and professional enforcement of the dental and dental hygiene professions. The Dental Board is charged with performing its duties with the highest standard of ethics and professional accountability, regulating effectively and efficiently, and investigating aggressively, but fairly, to balance the interests of the public and dental professionals.

Operations. The Board is entirely funded by licensees through licensing, renewals, and permit fees. The agency retains 90% of all revenues received. The remaining 10% and all fines are paid directly to the State General Fund (SGF). In FY 23, the Board paid over \$60,000 to the SGF.

The Board grants licenses, specialty licenses, sedation permits, and mobile dentistry permits to dentists. The Board also grants licenses and extended care permits to hygienists. All the licenses and permits are issued in accordance with Kansas statutes and regulations. The Board requires certain qualifications at the time of initial licensure and renewal. A jurisprudence examination pertaining to the Dental Practices Act is administered to qualified candidates who, upon successful completion, are licensed to practice dentistry or dental hygiene in the state. Licensed dentists and dental hygienists in Kansas must renew biennially with the Board and meet mandatory continuing education requirements. A percentage of the renewals are audited to ensure compliance with the continuing education requirements.

The Board investigates complaints regarding negligent, incompetent, fraudulent, or unethical dental and dental hygiene practice. After investigations and findings of violations under the Dental Practices Act, the Board may discipline the licensee to revoke, suspend, or restrict a license. Additionally, the Board may grant a period of probation or assess an administrative fine. Licensees who may be impaired by physical, mental, or substance abuse issues may be referred to, or ordered into, the dental impaired provider program.

The Board employs a staff of three: (1) Executive Director; (2) Senior Administrative Specialist; and (3) Senior Administrative Assistant. The staff issue new licenses, process renewals, complete verifications to other state boards, respond to public records requests, answer practice questions from licensees, process complaints, organize board meetings, respond to correspondence, and perform other administrative functions for the Board. A contract dentist investigates complaints and performs sanitation inspections of dental offices throughout the state.

Statutory History. In 1943, the Kansas Legislature passed the Dental Practices Act, K.S.A. 65-1421 *et seq.* The Kansas Dental Board was established to enforce the Act, K.S.A. 74-1404 *et seq.* The first dentist was licensed in 1885 and the first dental hygienist was licensed in 1936. In 1998, the Kansas Legislature amended the statute to expand the Board from five to nine members. The Board is composed of six dentists, two dental hygienists, and one public member, all of whom are appointed to four-year terms by the Governor. No member may be appointed for more than two consecutive four-year terms. No one is eligible to serve on the Board who is also an officer of the Kansas Dental Association or the Kansas Dental Hygiene Association. The Board meets approximately four times a year.

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AGENCY OVERVIEW OF BUDGET YEAR ESTIMATE

The Proposed Budget for Fiscal Years 2024 and 2025 will allow the agency to operate at a much more efficient, secure level than in the past. At the advice and direction of OITS, the state's IT department, the Board is in the early stages of decommissioning an antiquated licensing system for purposes of a necessary migration to a cloud-based licensing software system. In order to accomplish this pertinent objective, the Board has explored licensing software options with third-party vendors, which are already accessible through preexisting state-approved contracts overseen by the Department of Administration, Office of Procurement and Contracts. With the oversight and assistance of OITS, the Board is currently in the final stages of the vetting process required for vendor selection, establishment of a migration timeline, and ultimate deployment.

PROGRAM GOALS

The duty of the board is to protect the public health, safety, and welfare by regulation of the dental and dental hygiene professions in Kansas. The following is data on the performance of the board:

Performance Measures:

	<u>CY 20</u>	<u>CY 21</u>	<u>CY 22</u>	<u>CY 23</u>	<u>CY 24</u>	<u>CY 25</u>
	Actual	Actual	Actual	Estimated	Estimated	Estimated
Total number of dentist licensees	2364	2239	2270	2275	2275	2275
Total number of dental hygienist licensees	3215	3109	3231	3150	3150	3200
Number of new dentists licensed	137	130	140	125	125	125
Number of new dental hygienists licensed	147	146	157	150	150	150
Number of complaints	66	86	75	100	100	100
Number of disciplinary actions	4	3	6	5	5	5
Number of disciplinary actions set for hearing	2	1	2	2	2	2
Number of sanitation inspections for dentists	246	360	360	360	360	360
Cost per sanitation inspection	\$100	\$110	\$110	\$110	\$110	\$110
Average cost of dentist's voluntary correction	\$125	\$125	\$125	\$125	\$125	\$125
Average cost of Board ordered correction	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000

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Expenditure Justification:

FY 2024 requested budget is \$569,069.

FY 2025 requested budget is \$574,069.

Salaries and Wages. The agency has 3.0 FTE described above.

Current Year FY 2024: \$232,679 represents the amount needed to maintain existing staff. This amount accounts for the Legislature's 5% salary enhancement for state employees during the 2023 legislative session.

Future Resources FY 2025. \$232,758 represents the amount needed to maintain existing staff. This amount accounts for the Legislature's 5% salary enhancement for state employees during the 2023 legislative session.

Contractual Services. The main expenses under contractual services are: (1) A dentist sanitation inspector and complaint investigator; (2) a contract attorney; and (3) office rent with additional storage space in the LSOB. A cloud-based licensing system will become another expense.

Current Year FY 2024: \$336,390 represents the amount needed to maintain existing services. The amount remains stable for FY 2024.

Future Resources FY 2025. \$341,311 represents the amount needed to maintain existing services. This amount contemplates the completion of the migration project and daily use of the cloud-based licensing system.

Commodities. This category includes office supplies and equipment. The budget for this category remains stable.

Capital Outlay. The main expenses in capital outlay include computer systems and support equipment.

Current Year FY 2024: No major purchases are anticipated.

Future Resources FY 2025: No major purchases are anticipated.

Hospitality Fund.

Current Year FY 2024: \$1,000 represents the amount needed to maintain existing services.

Future Resources FY 2025: \$1,000 represents the amount needed to maintain existing services.

Special Litigation Reserve Fund. In FY 11, the special litigation fund was established. The fund was created so that adequate resources would be available in the event of significant legal actions against licensees, such as those that occurred in FY 14. The Dental Board does not currently anticipate the need to make transfers into the special litigation reserve fund for FY 2024 or 2025. All fund expenditures are subject to approval of the Budget Director, who must determine that any delay would be detrimental to the Board.