

House - 1937

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THE FIFTY*THIRD ANNUAL REPORT
OF THE
MINNESOTA STATE BOARD OF DENTAL EXAMINERS FOR THE YEAR
1937

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TO THE HOUSE OF DELEGATES OF THE MINNESOTA STATE DENTAL ASSOCIATION:-

GREETINGS:-

On January 28, 1938 Governor Elmer A. Benson announced the new appointments to succeed the expired terms of Dr. Charles Nelson of Fergus Falls and Dr. F. A. Amundson of Duluth whose terms expired on October 1, 1937, so am pleased to give the new personnel of the Board.

Dr. J. B. Towey, President-----Minneapolis, Minn.
Dr. Frank J. Pexa-----Montgomery, Minn.
Dr. Elmer J. Sundby-----Duluth, Minn.
Dr. Charles A. McGuiggan-----Marshall, Minn.
Dr. Paul Hagen, Secretary-Treasurer-----Crockston, Minn.

In giving you the Financial Report of E. J. Perlove, Comptroller of Currency, as of his Audit of Oct. 28, 1937 by his Examiner, A. Schanfield, you must note that it represents thirteen months instead of twelve and this is due to the fact that the June 1937 vouchers were paid on June 30 of that month instead of out in July eight or ten days so accordingly the amounts are somewhat higher than they really should be for the period. The New Classification of Expenditures went into effect July 1, 1937 so that is why the vouchers were wanted to be paid early. The item Salaries Special should be broken down to Per Diem for Board Members--\$3250.00, Per Diem for Attorney--\$2075.00 and Other Examination Expense at University--\$210.00 making the total of \$5535.00. Travel & Subsistence should be broken down to Travel & Subsistence of Board Members--\$1158.51 and of the Attorney and Detectives of \$90.69 making the total of \$1249.20. Special Investigations should be broken down to \$1084.59 for the Investigations and \$25.00 Dues Paid to the National Association of Dental Examiners. Otherwise the amounts need no further explanations. Before giving the financial statement, may I state that under the New Classification of Abstracts of Expenditures the Dental Budget has been reduced from sixteen items to thirteen and our present Budget Commissioner deserves praise for his work in this simplification. Accordingly a few items are grouped. Personal Services are classified as I-01-a, Permanent-Secretary's Salary; I-01-b, Temporary-Detective Service & Court Expense and I-01-c, Other, which pays the Board Members and Attorney. Printing & Binding includes Engrossing in one classification of I-08. The Classification of Communication Service, I-05, includes Postage, Telephone and Telegraph. The Classification of Miscellaneous, I-13, includes Bond Premium and Dues to National Association of Dental Examiners.

May I also report that for nearly a year a plan has been worked out so that a Summary of Finances is sent out to every member of the Board every month. Along with the Summary, which gives the receipts, disbursements and balance for month, is included the Abstracts of Expenditures as O.Ked by the Department of Administration & Finance, so every member is posted each month as to the finances of the Board.

"Receipts and Disbursements"

Fiscal Year Ended June 30, 1937.

<u>Receipts.</u>		
Balance July 1, 1936		\$ 24,287.60
Dentists' annual fees	\$ 5,224.00	
Hygienists "	287.00	
Delinquent dentists	22.00	
" Hygienists	1.00	
Penalties	60.00	
Duplicate licenses	4.00	
Dentists' examination fees	1,550.00	
Hygienists' examination fees	270.00	
Exchange collected on Checks	2.60	
	7,420.60	\$ 31,708.20

Disbursements

Warrants issued:

Salaries-

Secretary-Treasurer	\$ 1,300.00	
Special	5,535.00	
Travel and subsistence	1,249.20	
Stationery and office supplies	53.54	
Printing and Binding	184.24	
Postage	306.61	
Telephone and Telegraph	131.43	
Freight, express and drayage	18.08	
Repairs to equipment	7.75	
Furniture and furnishings	73.64	
Rents and leases	130.00	
Bond and insurance premiums	65.15	
Refunds	35.75	
Special investigations	1,109.59	
Engrossing expense	41.00	\$10,240.98
Balance June 30, 1937		21,467.22 \$31,708.20

Receipts and Disbursements

Current Period
-July 1, 1937 to October 27, 1937-

<u>Receipts</u>	
Balance July 1, 1937	\$ 21,467.22
Receipts-all sources	165.00 \$21,632.22

<u>Disbursements</u>	
Warrants issued	\$ 2,845.18
Balance October 27, 1937	18,787.04 21,632.22

Verification of Balance
-October 27, 1937-

Office Balance	\$18,787.04
State auditor's Balance	\$18,787.04

For your further information am herewith giving you the financial report for the calendar year of 1937 as reported to the Governor as of Jan. 15, 1938.

Receipts

Balance on hand December 31, 1936		\$19,015.54
Registration Fees from Dentists	5226.60	
" " " Hygienists	287.00	
Fees from Delinquent Dentists	45.00	
" " " Hygienists	1.00	
Examination Fees From Dentists	1750.00	
" " " Hygienists	270.00	
Penalties from Dentists and Hygienists	110.00	
Reciprocity Fees	100.00	
Duplicate License Fees	2.00	7,791.60
Total Receipts		26,807.14

Disbursements

Salary of Secretary	1200.00	
Detective Service, Operatives and Court Expense	1226.14	
Per Diem of Board Members and Examination Exp.	2780.00	
Per Diem of Attorney for Board	2375.00	
Stationery and Office Supplies	81.26	
Postage, Telephone and Telegraph	422.82	
Travel Expense Detective and Attorney	157.95	
" " Board Members	979.86	
Freight Express and Drayage	10.73	
Printing and Binding	234.86	
Rent	120.00	
Repairs	2.25	
Bond Premiums and Dues to National Assn Dent Exs	72.90	
Furnishing and Fixtures	39.81	
Refunds	10.00	
	9713.58	
Balance on Hand December 31, 1937		\$17,093.56

The following report of our attorney will give you a detailed report of the legal work done during the year.

"Dear Doctor Hagen:

Pursuant to your request of recent date I herewith make my report of work done by me as attorney for the State Board of Dental Examiners.

Court Proceedings.

Gullings v. State Board of Dental Examiners.

In the Supreme Court of Minnesota. Action by Gullings et al, for declaratory judgment construing law so as to permit advertising which had been declared as illegal by the Board of Dental Examiners. The Supreme Court sustained the position of the State Board of Dental Examiners. The decision of the Supreme Court is reported in 273 N. W. 703.

State v. Osfar.

In the District Court of Hennepin County. Defendant charged with practicing dentistry without a license. Pled guilty. Sentenced to one year in workhouse. Sentence suspended.

State v. York.

In the District Court of Goodhue County, York charged with practicing dentistry without license. Sentence suspended.

State Board of Dental Examiners v. York.

In the District Court of Goodhue County. Injunction proceedings against defendant restraining him from practice of dentistry without a license. Permanent injunction granted.

Hearings before Board.

Dr. W. L. Medalie, Chisholm, Minnesota, charged with advertising falsely, fraudulently and contrary to law. Board found Dr. Medalie had so advertised and suspended his license for a period of thirty days.

Dr. A. Barr, Minneapolis, Minnesota, charged with assisting an unlicensed person to practice dentistry in the State. The Board found that Dr. Barr was assisting Joe Osfar to practice dentistry but only because he was ignorant of the law. Matter dismissed.

Dr. F.H. Thompson, Minneapolis, Minnesota, charged with claiming superiority over other practitioners and with advertising in a manner other than that provided by law. Board found such advertising to be unlawful but further found that the same was done without intent to violate the law and under a mistake of law as to what was permitted. Matter dismissed.

Drs. I. C. Gullings, M. E. Lawler, A. H. Russell, A.G. Anderson and D. H. Brown, associates in the practice of dentistry, were cited before the Board for illegal advertising and for employing "cappers and steerers" in violation of law. After a hearing before the Board the matter was dismissed as to Drs. Lawler, Russell, Anderson and Brown in that they were merely employees of Dr. Gullings, had no control over the affairs of the business there and did not do any of the work complained of. Dr. Gullings was found guilty of the charges and his license to practice dentistry was suspended for a period of ninety days.

During the year nine dentists were summoned before the Board to explain the issuance of prescriptions for liquor in dry counties. A severe reprimand was made by the Board to the above named dentists and upon promises from each to desist from such practices the matters were dismissed.

The following is a summary of other work by me in my duties:

Conferences with Board members	20
Conferences with investigator	8
Attendances at Board meetings	5
Opinions to Board	8
Reports to Board	4
Investigations of illegal practitioners	18
Days in Court	7
Interviewing witnesses and complaints	7
Notices sent to practitioners	19
Letters	37

Time was also spent in preparing cases for trial, working on briefs and preparing cases for hearing before the Dental Board.

I feel that we have been fairly successful in eradicating many evils

which have sprung up during the past year and that those who have violated the dental law have been summarily dealt with.

I have enjoyed very much my association with the Board members and wish to express my sincere appreciation for the cooperation given to me by the members of the Board and by those members of the profession with whom I have come in contact. The overwhelming number of dentists who strictly conform to the law is very pleasing to the eye of one not in the profession and I shall make it my duty to see that those who besmirch the profession as a whole by illegal or unprofessional conduct are strictly dealt with, so that the goal towards which the dental profession has pointed will not be missed.

Yours very Truly,

Joseph M. Donahue "

Three Special Meetings were held to hear Violators of the Law; otherwise all business was done during June and December Examinations.

The June Examination was given with four members present as Dr. Frank J. Pexa was confined in a hospital with a very bad infected finger Likewise the December Examination was conducted with only four members present as Dr. F. C. Amundson thought that he waw through when his term expired on Oct. 1, 1937.

The matter of the signing the licenses was brought to the attention of the Attorney General's Office. An opinion was rendered by Attorney General that Dr. Amundson was still a member of the Board and that the licenses must be signed by all members of the Board; so accordingly the licenses have been signed and will be issued in due form. To resign one must resign to the officer appointing you and this resignation must be accepted by the one appointing you; otherwise there has been no resignation so accordingly the hold-over provisions of the 1935 Law are effective.

The number of licenses granted Dentists by Examination	65
" " " " " Hygienists" "	27
" " " " of Dentists revoked account deceased	10
" " " " " " " " request	3
" " " " " " " " "non-pay reg	16
" " " " "Hygienists" " " Deceased	1
" " " " " " " " request	1
" " " " " " " " "non-pay reg	4
" " " " " Dentists Reinstated	1
" " " " " " in good standing	2694
" " " " " " in-state	2242
" " " " " " out-of-state	435
" " " " " " foreign	17

There are 279 In-State Hygienists and 39 Out-of-State ,making total of 318.

Respectfully submitted,

Paul Hagen
Secretary-Treasurer.

Crookston, Minn.
Jan. 31, 1938.

