

Re: link about Chet and the CA Dental Board

Source: <http://sci.tech--archive.net/Archive/sci.med.dentistry/2005-05/msg01150.html>

- *From:* clintonz@xxxxxxxxxxx
 - *Date:* 24 May 2005 10:15:44 -0700
-

Bill wrote:

> ClintZ wrote:

>

> > Was Chet Y fired from his post?

> If by "post" you mean his Board position, the answer is no.

>

> As "chair" of the two-person committee, he completed his committee
> work. His proposal was not acceptable to the larger board, which then
> appointed a larger committee, with a new chair.

Well, it seems to me that if the committee objected to Chet's scientific statements on amalgam and wanted to promote a different, more amalgam friendly version they would also do the same thing. Why was the fact sheet "unacceptable", I would definitely like to see a copy of it.

>

> If he considers this a "firing," he has to remember that ALL such
> committees are merely temporary creations of the larger Board, and
ALL
> such committee members might consider themselves "fired" when the
> specific committee work is done.
>

He seems to imply that he was given no notice that his work was "unacceptable". Also the implication is that an alternate fact sheet "suddenly" appeared with no scientific basis for rejecting his sheet.

> By that reasoning, we should consider ALL the members of the larger
> committee to have "fired" themselves too -- as the committee work was
> finished a year ago.

I don't really know what is typical or lawful when it comes to state committees. Usually though congress does take the recommendations of its subcommittees. It doesn't reject say the findings of a certain committee on and appoint a new one

Re: link about Chet and the CA Dental Board

until the committee produces the desired result.

Key here is WHY the board rejected Chet's sheet. If it is because they didn't "like" what was on it that is a political not a scientific motive.

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- >> Was the dental board subsequently sued for illegally
- >> taking over the fact sheet committee?
- >
- > I don't know. Since the board has the full legal power to appoint
- > committees, and to dismiss and reorganize its own creations
- > (committees) as it sees fit, how can anyone claim that it "illegally
- > took over" its own fully-owned committee?
- >

On the link it implies that what the board did is illegal. It said something about a quorum law.

- > That would be nonsense. All temporary committees created by the Board
- > are fully under the control of the Board anyway.
- >
- > Probably any lawsuit which is based solely upon a contention that a
- > duly-appointed Board cannot reorganize its own committees is doomed
- > to
- > failure. Is this "lawsuit" going anywhere? What can you tell me about
- > its current disposition?
- >

Just what I see on the link.

- >
- >
- >> Did the CDA bring in an "expert" to testify for amalgam?
- >
- > As far as I could tell at the public meeting, quite a number of
- > groups
- > brought in people to testify regarding the content of the DMFS. This
- > included anti-amalgam groups.
- >

Kind of odd to have members of a profession taking testimony from their own professional organization in the form of expert testimony and claiming no influence, especially, since that organization probably is not legally bound to make its board testimony accurate and is giving its opinion. I assume this supposedly "separate" entity is also free to consult with lawyers before giving its "testimony" on what the fact sheet should say and identify itself as the "official organization

Re: link about Chet and the CA Dental Board

for dental professionals". Can't the dentists on the board form their own committees and do their own scientific investigation? Having over half the committee dental professionals isn't enough? Suppose the board had NO dentists? I think Chet was also concerned that the "expert" brought in by the CDA had no published papers and this kind of testimony would be difficult to admit if the dentist on the board had brought him in themselves.

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- >
- >>Did this or previous dental boards take any illegal action to stop
- >>distribution of a fact sheet
- >
- >
- > No.
- >
- > This board worked harder and faster than any other previous board to
- > produce and allow the distribution of a new DMFS.

Well when was the first board fired. Now how long until the new fact sheet came out a couple years? How come it takes years to publish a fact sheet?

- >
- > (An important note --- the Board does NOT distribute the fact sheet!
- > Dentists have to print and pay for any fact sheets themselves, without
- > a penny's worth of help from anyone. This is just another expensive,
- > unfunded mandate from big government.)

Unfunded Mandate. Spending a few dollars to warn a pregnant mother that amalgam can expose her and her child to Hg is just an expensive mandate from "Big government"

- >
- > Previous boards worked more slowly and found it impossible to reconcile
- > the positions of the different groups who fought endlessly over each
- > proposed item of content in the first DMFS. No "illegal action" was
- > taken as far as I remember. Is somebody claiming illegal action was
- > taken? What action was that, and when?
- >
- >

The claim on TT.net is that the previous dental board had not complied with law (prop 65) and had refused for many year to publish a fact sheet on amalgam that complied with the law. Or it may have been that no fact sheet at all was published that listed amalgam.

Re: link about Chet and the CA Dental Board

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- >>and are many of the appointees holdovers
- >>from the previous pro-amalgam law defying dental board.
- >
- >
- > The previous dental board was NOT "law-defying" and was not
- > "pro-amalgam." This statement alone casts grave doubt upon the
- > credibility of the writer.

So the previous dental board had published a fact sheet that complied with the law in a timely manner? Why was the board disbanded and why was it sued if it did nothing wrong?

- >
- > And there can be no "holdovers" as the former Gov. Gray Davis had
- > terminated the entire dental board, at the behest of one noisy
- > anti-amalgam legislator who was a member of the governor's political
- > party.

Obviously I was not there. The link implies that Gov Davis reappointed many of the same members, the only difference being a few appointes such a Chet Yokoyama to appease this legislator. Therefore, this "new" board would not be a fresh "new", "neutral" and completely objective board as you implied before. Especially since the same members would be responsible for the current circumstances of the dental board.

Maybe this is incorrect but lets be clear, and not get caught up with the term holdover. Where any of the same members from the fired board on the new board?

- > All the members of the NEW board were later appointed by Gov. Davis.
- >

Where they the same members that had been on the last dental board?

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• **References:**

- ◆ **[link about Chet and the CA Dental Board](#)**
 ◇ From: clintonz
- ◆ **[Re: link about Chet and the CA Dental Board](#)**
 ◇ From: clintonz
- ◆ **[Re: link about Chet and the CA Dental Board](#)**
 ◇ From: Steven Fawks

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◇ From: Bill

- Prev by Date: **Re: link about Chet and the CA Dental Board**
- Next by Date: **Re: Please help, I am in pain**
- Previous by thread: **Re: link about Chet and the CA Dental Board**
- Next by thread: **Re: link about Chet and the CA Dental Board**
- Index(es):
 - ◆ **Date**
 - ◆ **Thread**