

GEORGIA BOARD OF DENTISTRY
2 MLK Jr. Drive, SE, 11th Floor, East Tower
Atlanta, GA 30334
February 2, 2024
10:00 a.m.

The following Board members were present:

Dr. Michael Knight, President
Dr. Don Spillers, Vice-President
Dr. Greg Goggans
Dr. Lacey Green
Dr. Glenn Maron
Ms. Misty Mattingly
Dr. Larry Miles
Dr. Ami Patel
Dr. David Reznik
Mr. Mark Scheinfeld
Dr. Jeffrey Schultz
Dr. Lisa Shilman
Dr. JC Shirley
Dr. Debra Wilson
Dr. Nancy Young

Staff present:

Eric Lacefield, Executive Director
Max Changus, Senior Assistant Attorney General
Tommy McNulty, Assistant Attorney General
Stacy Altman, Chief Investigator
Rodriguez Washington, Investigator
Clint Joiner, Attorney
Brandi Howell, Business Support Analyst I

Visitors:

Sam Dindaffer, Impact Public Affairs
Ashton Blackwood, Dental College of Georgia
Dr. Jerry Cooper, Promethean Dental Systems
Dr. Richard Callan, Promethean Dental Systems/SRTA
Elaine Kennedy, GDHA
Dr. Larry Parworth, OMFS
Callie Michael, Georgia School of Orthodontics
Will Hanna

Open Session

Dr. Knight established that a quorum was present and called the meeting to order at 10:03 a.m.

Introduction of Visitors

Dr. Knight welcomed the visitors.

Appearance

Dr. Henry Ferguson spoke to the Board regarding his local anesthesia course submission titled, “Pain Control and Local Anesthesia for the Dental Hygienist”. Discussion was held about the submission just being an outline, which meet the requirements; however, it did not provide any details about the course. The Board agreed it would need to see a detailed syllabus with more information prior to granting approval of the course. Dr. Maron made a motion to table consideration of the course until additional information was received. Dr. Reznik seconded, and the Board voted unanimously in favor of the motion.

Approval of Minutes

Dr. Maron made a motion to approve the Public and Executive Session minutes from the January 5, 2024, meeting. Dr. Goggans seconded, and the Board voted unanimously in favor of the motion.

Report of Licenses Issued

Dr. Goggans made a motion to ratify the list of licenses issued. Dr. Maron seconded, and the Board voted unanimously in favor of the motion.

Petitions for Rule Waiver or Variance

Rule Variance Petition from Dr. Edward J. Smith: The Board discussed this request for a variance of Rule 150-14-.04(d) and (f). Dr. Smith requested a refund of the \$100 Injectable Pharmacologics registry fee that was submitted in the form of a petition. Dr. Reznik made a motion to deny the request. Dr. Spillers seconded, and the Board voted unanimously in favor of the motion.

Correspondences

Correspondence from Laney Kay: The Board discussed this request for live, instructor led virtual courses or seminars be accepted as in-person or on-site. Dr. Goggans commented that the Board's temporary policy during the COVID-19 pandemic permitted the in-person or on-site portion of a licensee's CE hours be completed via live, instructor-led virtual courses or seminars. He stated that the policy has expired and the in-person on-site requirements of Rules 150-3-.09 and 150-5-.05 were in effect. Dr. Goggans stated that things have changed. He further stated that some of these courses can be done through a live webinar because a person is answering questions in real time. He continued by stating that the Board could make its policy permanent or go back to requiring half of the required hours be acquired in-person at an on-site course or seminar.

Dr. Maron commented that he gives lectures nationally and from the standpoint of someone who gives lectures for educational purposes, there is nothing like being able to see your audience. He stated that he has done online webinars and has an issue decreasing the amount of live in-person training now that the pandemic is over because the interaction is not the same. Dr. Goggans stated that if the Board agreed, it would not need to make any changes. Mr. Lacefield commented by stating that beginning with the 2024-2025 biennium, licensees are required to meet the on-site requirements of Rules 150-3-.09 and 150-5-.05, unless the Board were to consider changing its rules.

Dr. Shilman disagreed with Dr. Maron's comments and stated they are professional adults and if she wanted to learn, she would learn whether it be listening to someone give a virtual lecture or in person. She continued by stating that giving licensees an opportunity to learn virtually allows more access. She added that it would allow single moms to be able to access the information while still being able to work and take care of kids. She stated that she did not have an issue with allowing licensees the opportunity to learn virtually.

Dr. Reznik commented that he has provided many webinars. He stated that it really depends on the speaker. He further stated that he has had great attendance with virtual webinars, but also does them live. He stated that he was fine with making no changes to the rules. Dr. Wilson, Dr. Green and Ms. Mattingly agreed with making no changes at this time.

After further discussion, the Board agreed to make no changes to its rules and directed staff to post a statement on the website stating that the temporary continuing education policy expired and for the 2024-2025 biennium, the continuing education requirements have returned to the requirements of Rules 150-3-.09 and 150-5-.05. Additionally, live instructor-led virtual courses or seminars would not be accepted in lieu of that portion of the CE requirement required to be in-person and an on-site course or seminar. The Board also directed staff to respond to Ms. Kay with this information. Dr. Maron requested the associations, such as GDA and GDHA, disseminate this information in its monthly newsletter.

General – Dr. Michael Knight

No report.

External Committee Reports

Electronic Database Review Advisory Committee (PDMP) Report – Dr. Lisa Shilman: No report.

CRDTS Steering Committee Report – Dr. Brent Stiehl: No report.

CRDTS Examination Committee Report – Dr. Ami Patel: Dr. Patel reported that she attended a meeting in Kansas. She added that Dr. Stiehl attended a CRDTS Steering Committee meeting in Kansas as well. Dr. Goggans inquired if there was any discussion regarding the compacts. Dr. Patel responded by stating that there was no discussion at the meeting she attended.

Dental College of Georgia Liaison Report – Dr. Michael Knight: No report.

CDCA-WREB-CITA Steering Committee Report – Dr. Ami Patel, Dr. JC Shirley, Ms. Misty Mattingly, RDH: Dr. Shirley reported that he attended a virtual CDCA-WREB-CITA annual meeting in January. He also attended a steering committee meeting as well. He provided the Board with statistics concerning the exam, such as pass rates, for example. He stated that he would provide a written report to the Board regarding this information.

Dr. Shirley discussed a few of the highlights from the meeting. He stated there were only fourteen (14) patient-based exams given in 2023 for ADEX across the country. He added that there had been an increase in examiners. He stated that candidates must wait ten (10) calendar days in between retakes. Additionally, candidates will no longer know if they fail a section during the manikin-based exam.

Dr. Shirley stated that a presentation was provided regarding the compact. He further stated that CDCA-WREB-CITA has aligned with the AADB compact. He added that there was discussion about the two (2) different compacts.

Dr. Shirley stated that each state has steering committee members and for 2024 the caucus selected himself, Dr. Patel, and Ms. Mattingly as representatives. He continued by stating that there is an open spot for an alternate who has to be a former or current board member. He added that anyone who is a board examiner can also be an ADEX examiner.

Dr. Schultz inquired if there were certain states where the DLOSCE was the only requirement for licensure or was it just one component of the written exam. Dr. Shirley responded by stating that he was unsure if he could answer that question. He stated that he knows the DLOSCE is the ADA's version of the dental licensure OSCE that has nothing to do with CDCA-WREB-CITA. He added that CDCA-WREB-CITA has their own exam and he could not speak to which states accept the DLOSCE. Dr. Schultz commented by stating that was something he read in regards to compacts and that six (6) states only required the DLOSCE as a requirement for licensure. He inquired as to how would they get seven (7) states to agree with that. Dr. Goggans commented that it is the legislature that makes the determination. He explained that four (4) states have passed legislation regarding the compact and after this legislative session, there may be another three (3). Ms. Mattingly stated that they will get enough states on board this session.

GDHEA Liaison Report – Dr. David Reznik, Ms. Lisa Selfe, RDH: Dr. Reznik reported that he was contacted by a representative from the dental hygiene program at Clayton State University stating that requiring a dentist on site for the clinical portion of the local anesthesia course was causing an undue burden because of the inability to have dentists at the site. Ms. Mattingly commented that they reached out to her as well. She stated that Rule 150-5-.07 states that laboratory and clinical instruction shall be provided with a faculty to student ratio of no greater than 1:5 under the direct supervision of a dentist licensed in this state. She added that this is a CODA requirement. She added that they were saying it would be difficult to teach anesthesia at their school because they do not have a dentist on site all the time. Dr. Reznik stated that the Local Anesthesia Committee spent a lot of time on the rule. He stated that it may be something to consider further down the road when there are more faculty that can teach the courses that are dental hygienists; however, right now the Board was just trying to get the program started. Ms. Mattingly responded by

stating that the issue was that the ratio is a CODA requirement. She added that she understood there is a shortage of educators and dentists needed to work at dental hygiene schools, but that is a CODA rule and it would have to be changed by CODA.

Attorney General's Report – Mr. Max Changus

Mr. Changus discussed Dr. Schultz's inquiry regarding the compact. He stated that the resolution establishing a study committee was still pending in the House of Representatives as of March of 2023 and has not moved forward for the establishment of that committee.

Dr. Goggans inquired as to what GDA's stance was on the compact. There was not a representative from GDA in the audience to respond.

Executive Director's Report – Mr. Eric Lacefield

Mr. Lacefield stated that as bills are introduced, they get assigned to the Board and as of right now, he has not seen any bills relating to the Board of Dentistry. He added that if something was received, he would report it to the Board.

Dr. Reznik discussed House Bill 82, which is a bill that offers a \$5000 tax break to dentists who choose to practice in a rural county of Georgia. Dr. Knight commented by stating that has been there for physicians, but dentists were added on to the bill.

Legal Services – Mr. Clint Joiner

Rule 150-13-.01 Conscious Sedation Permits: Mr. Joiner stated that the Board would need to decide on an effective date that is mentioned in the proposed language in section (11). Dr. Maron commented that he had additional language to provide as an addendum. Mr. Joiner responded by stating that there was nothing further from Legal Services and the Board could have discussion of the rule that is listed under "Miscellaneous".

Miscellaneous

Rule 150-13-.01 Conscious Sedation Permits: Dr. Knight commented that clarification was needed for staff in regards to the proposed language requiring documentation of training on the use of additional drugs, such as precedex, for example. He inquired if staff handles the notification of training, or would the documentation be sent to the Board or the Sedation Committee. Dr. Maron responded by stating that the documentation of training would go to the Sedation Committee. He continued by stating that an effective date was not included because it was his understanding the proposed rule amendment would not be effective until approved by the Governor.

Dr. Maron requested the following language be added to section (11):

"The addition of new or different medication will require evidence of continuing education training in the use of those medications. If the dentist utilizes a CRNA, this will not affect the use of medications by the CRNA".

Dr. Maron commented that the Board was not trying to limit a CRNA who was trained on utilizing certain medications, such as ketamine or precedex. He added that this would not affect the CRNA's ability to use those medications. Dr. Maron explained that this language would clarify who needs to have the training. Dr. Spillers commented that if a permit holder uses a new drug, he/she would provide documentation to the Board that they were qualified to utilize the drug. He inquired if the documentation goes into the permit holder's file or does it go to the Sedation Committee. Dr. Maron corrected his previous statement and responded by stating that as long as the licensee took an approved course, it would go into his/her file. Dr. Knight inquired if staff would approve it. Mr. Lacefield responded by stating that staff would not approve it

but rather only add the documentation to the permit holder's file. Mr. Joiner requested Dr. Maron send him the new language provided.

Mr. Lacefield suggested directing staff to make the appropriate changes and bring the rule back to the Board in March for consideration since this is the first time the Board has heard the additional language. Dr. Knight agreed and stated that doing so would allow time for the board members to review it.

Discussion was held regarding removal of the language referencing an effective date. Mr. Lacefield inquired if there was a date the Board wished to include or did the Board want to remove the reference to a date entirely. The Board agreed to remove the language referencing an effective date.

Senate Bill 419: Mr. Changus discussed Senate Bill 419 and read the following:

"In any case where it is lawful for a duly licensed physician practicing medicine under the laws of this state to administer anesthesia, such anesthesia may be administered by a certified registered nurse anesthetist, provided that such anesthesia is administered ~~under the direction and responsibility of~~ pursuant to an order by a duly licensed physician, dentist, or podiatrist."

Mr. Changus stated that since there has been discussion about a CRNA's independent practice in the area of anesthesia he wanted to bring that to Dr. Maron's attention. Dr. Maron inquired if the bill had passed. Mr. Changus responded by stating that it just dropped. He added that the bill shifts it from direction and responsibility to just an order from one of the practitioners mentioned.

Dr. Spillers made a motion and Dr. Maron seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. § 43-1-19(h), § 43-11-47(h), and § 43-1-2(h), to deliberate and receive information on applications. Voting in favor of the motion were those present who included Dr. Greg Goggans, Dr. Lacey Green, Dr. Michael Knight, Dr. Glenn Maron, Ms. Misty Mattingly, Dr. Larry Miles, Dr. Ami Patel, Dr. David Reznik, Mr. Mark Scheinfeld, Dr. Jeffrey Schultz, Dr. Lisa Shilman, Dr. JC Shirley, Dr. Don Spillers, Dr. Debra Wilson, and Dr. Nancy Young.

Executive Session

Appearance

- G.A.H.

Licensure Overview Committee Discussion Cases

- K.L.H.
- J.E.R.
- J.T.H.
- F.B.M.
- L.C.D.
- N.M.E.
- R.D.S.
- M.D.
- M.S.T.
- B.J.H.
- R.R.V.

Applications

- M.M.D.
- C.S.B.

- A.J.R.
- R.M.B.
- C.E.H.
- F.D.L.
- J.P.M.
- B.J.H.
- C.M.
- E.M.F.
- W.E.H.
- J.G.W.

Correspondences

- H.W.F.
- B.C.

Investigative Committee Report – Dr. Glenn Maron

No report.

Attorney General’s Report – Mr. Max Changus

Mr. Changus discussed the following:

- L.B.W.
- K.K.J.

Mr. McNulty discussed the following:

- M.P.

Mr. Changus presented the following order for acceptance:

- M.M.D.

Legal Services – Mr. Clint Joiner

No report.

No votes were taken in Executive Session. Dr. Knight declared the meeting back in Open Session.

Open Session

Dr. Reznik made a motion to approve all recommendations based on deliberations made in Executive Session as follows:

Appearance

- | | | |
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| • G.A.H. | Denied Dental Exam Applicant | Upheld denial |
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Licensure Overview Committee Discussion Cases

- | | | |
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| • K.L.H. | Renewal Pending | Renew with letter stating the Board has not concluded its consideration of the matter. |
| • J.E.R. | Renewal Pending | Renew with letter stating the Board has not concluded its consideration of the matter. |
| • J.T.H. | Renewal Pending | Renew with letter stating the |

- F.B.M. Renewal Pending
- L.C.D. Renewal Pending
- N.M.E. Renewal Pending

- R.D.S. Renewal Pending

- M.D. Renewal Pending
- M.S.T. Renewal Pending
- B.J.H. Dental Hygiene Reinstatement
- R.R.V. Dental Exam Applicant

Board has not concluded its consideration of the matter.
 Approved for renewal
 Refer to the Department of Law
 Approved for renewal with letter of concern
 Renew with letter stating the Board has not concluded its consideration of the matter.
 Approved for renewal
 Approved for renewal
 Approved application
 Approved

Applications

- M.M.D. Dental Hygiene Exam

- C.S.B. Initial Moderate Enteral CS
- A.J.R. Initial Moderate Enteral CS
- R.M.B. Initial Moderate Parenteral CS
- C.E.H. Initial Moderate Parenteral CS
- F.D.L. Initial General Anesthesia
- J.P.M. Initial General Anesthesia

- B.J.H. Notification for Change in Location
- C.M. Dental Hygiene Reinstatement
- E.M.F. Dental Hygiene Reinstatement
- W.E.H. Dental Hygiene Reinstatement
- J.G.W. Inactive Status

Schedule to meet with the Licensure Overview Committee
 Approved for provisional permit
 Approved evaluation
 Denied application
 Approved evaluation
 Approved for provisional permit
 Schedule to meet with the Sedation Committee
 Approved request
 Refer to the Department of Law
 Table until March meeting
 Denied application
 Approved application

Correspondences

- H.W.F. Request for refund
- B.C. Correspondence

Denied request
 Administratively revoked

Investigative Committee Report – Dr. Glenn Maron

No report.

Attorney General’s Report – Mr. Max Changus

Mr. Changus discussed the following:

- L.B.W. Update provided
- K.K.J. Close case with no action

Mr. McNulty discussed the following:

- M.P. Update provided

Mr. Changus presented the following order for acceptance:

- M.M.D. Private Consent Order accepted

Legal Services – Mr. Clint Joiner

No report.

Dr. Green seconded, and the Board voted in favor of the motion, with the exception of Mr. Scheinfeld who abstained from the vote regarding W.E.H., and Dr. Maron who abstained from the vote regarding M.M.D.

There being no further business to come before the Board, the meeting was adjourned at 12:40 p.m.

The next scheduled meeting of the Georgia Board of Dentistry will be held on Friday, March 1, 2024, at 10:00 a.m. at 2 MLK Jr. Drive, SE, 11th Floor, East Tower, Atlanta, GA 30334.

Minutes recorded by Brandi Howell, Business Support Analyst I

Minutes edited by Eric R. Lacefield, Executive Director