

GEORGIA BOARD OF DENTISTRY
2 MLK Jr. Drive, SE, 11th Floor, East Tower
Atlanta, GA 30334
July 7, 2023
10:00 a.m.

The following Board members were present:

Dr. Michael Knight, President
Dr. Greg Goggans (via Teams)
Dr. Lacey Green
Dr. Glenn Maron
Ms. Misty Mattingly (via Teams)
Dr. David Reznik
Mr. Mark Scheinfeld
Dr. Jeffrey Schultz
Ms. Lisa Selfe
Dr. Lisa Shilman
Dr. JC Shirley
Dr. Brent Stiehl
Dr. Debra Wilson
Dr. Nancy Young

Staff present:

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

Visitors:

Lamara Moore, GDHA
Pam Cushenan, GDHA
Theresa G. Robertson, GDA
Dr. Randy Kluender, Georgia School of Orthodontics
Ashton Blackwood, Dental College of Georgia
Luke Ray, Dental College of Georgia
John Watson, ADSO

Open Session

President Knight called the meeting to order at 10:05 a.m.

Introduction of Visitors

President Knight welcomed the visitors.

Approval of Minutes

Dr. Maron made a motion to approve the Public and Executive Session minutes from the June 2, 2023, meeting. Ms. Selfe seconded, and the Board voted unanimously in favor of the motion.

Report of Licenses Issued

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

Dr. Shirley inquired as to how many licenses have been issued by examination since amendments to Rule 150-3-.01 and Rule 150-5-.02 became effective and how those numbers compared to the number of licenses issued in the years prior. Mr. Lacefield responded by stating that he could run a report reflecting the numbers from last year versus this year.

Dr. Shirley stated that in the law there is the requirement for an annual report. Mr. Lacefield responded by stating that there is an annual report submitted to the Department of Community Health. Dr. Goggans stated that an annual report is prepared for the President of the Board of Dentistry to present at the GDA annual meeting. Dr. Shirley commented that the members of the Board never see the report. He further stated that for oversight of the Board it should be looking at that information. He added that he has been on the Board for twelve (12) months and has never seen an annual report. Mr. Lacefield responded by stating

that he can provide that information. He added that the information was available on the Department of Community Health's website.

Dr. Reznik commented that he, Dr. Knight and Dr. Wilson have been reviewing the dental exam applications on Sharepoint. He requested more members be involved in the review process since two (2) board member recommendations of approval are required. He added that there are numerous applications for graduates coming in that need to be reviewed.

Petitions for Rule Waiver or Variance

Rule Variance Petition from Dr. Anita Afshari: The Board discussed this request for a variance of Rule 150-3-.01(7). Dr. Knight reminded the members that rule petitions are based off individual cases of hardships. Dr. Shirley stated that Dr. Afshari graduated in 2020 during the pandemic. He added that the only option at that time was for graduates to take the SRTA exam. Dr. Shirley commented that his point was the Board amended its rules to accept manikin-based exams on or after January 1, 2021. He stated that he previously asked about this and did not get a sufficient answer.

Dr. Maron explained that the Board had to choose a date. He provided background as to how the Board decided on January 1, 2021. He stated that Dr. Shirley inquired about numbers of licenses issued. He further stated that if the Board pushed the date back further, the numbers would go up even more. He explained that the Board had to choose a start date and chose January 1, 2021, as the date because that date aligned with the Governor's State of Emergency and it set the standard. Dr. Maron continued by stating that standards can have exceptions, thus there is the rule petition process. He stated that the Board cannot keep moving the date back. He further stated that those individuals who passed an exam prior to January 1, 2021, have the option of submitting a rule petition.

Dr. Shirley thanked Dr. Maron for the explanation. He stated that the pandemic came in March 2020 and most students in the class of 2020 had already taken an exam before the pandemic hit. He added that the rule was looking out for the class of 2021. He continued by stating that Dr. Afshari's petition notes that the only exam option was the SRTA exam. Dr. Shirley stated that he understood the Board had to choose a date; however, it still impacted others that took an exam during covid.

Dr. Maron commented that another issue at the time is the Board was not accepting other exams and the Board was in the process of revising its rules to accept a manikin-based exam which is why it took this long to get resolution.

Dr. Shirley made a motion to grant the petition based on the special circumstances related to the COVID-19 pandemic, as noted in Dr. Afshari's petition. The Board also finds that Dr. Afshari provided adequate justification for the variance since she passed the SRTA manikin-based exam in 2020. Dr. Wilson seconded. Discussion was held by Dr. Goggans. Dr. Goggans stated that the Board was opening a can of worms by granting the petition. He further stated that the Board will begin to receive numerous petitions and suggested the Board stick to the parameters outlined in its rules.

Mr. Changus stated that the points made by Dr. Maron and Dr. Knight were that these rules will impact a certain population of individuals. He added that the purpose of the rule petition process is to determinate if the individual has a substantial hardship and if the rule should be waived. He continued by stating that Dr. Afshari articulated what the issue was in her petition. He added that it is a determination of whether or not she demonstrated a substantial hardship. Mr. Changus stated, to Dr. Goggans' point, in the future focusing on that question will be more helpful for the Board. There being no further discussion, the Board voted in favor of the motion, with the exception of Dr. Goggans who opposed.

Rule Variance Petition from Dr. Evan M. Joseph: The Board discussed this request for a variance of Rule 150-3-.01(7). Dr. Maron made a motion to grant the petition based on the special circumstances related to the COVID-19 pandemic, as noted in Dr. Joseph's petition. The Board also finds that Dr. Joseph provided adequate justification for the variance since he passed the ADEX manikin-based exam in 2020. Dr. Wilson seconded, and the Board voted in favor of the motion, with the exception of Dr. Goggans who opposed.

Rule Waiver Petition from Dr. Soo-Keun Sean Kim: The Board discussed this request for a waiver of Rule 150-3-.01(7). Dr. Shirley noted that this petition is different from the others discussed as the pandemic was not an issue in this case. He inquired as to why the Board does not accept the WREB examination. Dr. Maron responded by stating that it is not accepted because of slot preparations. Dr. Shirley commented that the Board recently observed the ADEX exam and the candidate can do a slot preparation. Mr. Lacefield responded to Dr. Shirley by stating that doing a slot preparation is optional, and if the candidate completes a slot preparation, it does not meet the requirements of the Board's rule. Dr. Young commented that the candidate can do a slot preparation with CRDTS as well, but it is optional. Dr. Wilson stated that it is the student's responsibility to check with the Board to see if a slot preparation is accepted.

Dr. Shirley inquired as to why the Board does not accept WREB. Mr. Changus commented that when considering amendments to its rules, the Board received presentations from ADEX, CRDTS, SRTA, etc. He stated that he did not recall WREB doing a presentation. He continued by stating that the point is whether or not a hardship has been identified and this individual did not demonstrate such.

Dr. Maron made a motion to deny the rule waiver petition as there was no substantial hardship demonstrated. Dr. Wilson seconded, and the Board voted unanimously in favor of the motion.

General – Dr. Michael Knight

Updated Committee Listing: Dr. Knight commented that when revising the list of committees he tried to make sure each member was involved. He stated that each member is on at least three (3) to four (4) committees. He further stated that the only exception was if there was a committee that has been running smoothly, he did not want to make changes to it. He added that Dr. Maron remains the Chair of Sedation and Dr. Stiehl remains the Chair of the Investigative Committee. Dr. Knight stated that he appreciated everyone serving on the committees.

Ms. Selfe made a motion to approve Dr. Shilman as the board representative for the Electronic Database Review Advisory Committee (PDMP) and Dr. Knight as the Dental College of Georgia liaison. Dr. Young seconded. Discussion was held by Dr. Shirley who inquired as to what the PDMP representative does. Dr. Knight responded by stating that the Committee meets every other month. He added that it is in regards to helping fight the opioid crisis.

Dr. Shirley inquired as to what the Dental College of Georgia liaison does. Dr. Knight responded by stating that the liaison meets with the Dean and discusses how the school is doing and what the Board can do to help, especially since COVID. Dr. Goggans noted, that for history purposes, the Board and the school has not always agreed on certain issues and this allows a representative of the Board and the school to work together.

Ms. Pam Cushenan requested the Board appoint a dental hygiene program liaison to pursue the same interactions. The Board agreed to the request. Dr. Maron made a motion to appoint Dr. Reznik as the liaison for the GDHA. Dr. Wilson seconded. Discussion was held by Dr. Shirley who suggested the individual be a liaison with the group of dental hygiene program directors, instead of a single organization. Dr. Maron agreed. Discussion was held by Dr. Goggans who suggested including a dental hygiene member as a representative. The Board agreed.

Dr. Maron amended his previous motion to appoint Dr. Reznik and Ms. Selfe as the liaisons for the GDHEA. Dr. Wilson seconded, and the Board voted unanimously in favor of the motion.

Dr. Wilson inquired as to what the Scanning Committee's duties are. Dr. Maron responded by stating that the Committee would look at what is considered appropriate for taking scans, what is considered a scan, etc.

Dr. Schultz inquired if the liaisons are required to present a report to the Board on the meetings with these offsite organizations. He added that he thinks it would be important for the Board to receive a report. Dr. Knight suggested the representatives provide a report at the year's end once they have attended a full year of committee meetings. Dr. Schultz responded by stating that if he was the representative for one of those committees, he would like to report to the Board soon after the meeting while the information was fresh on his mind. Mr. Scheinfeld suggested adding those committees to the monthly agenda. The Board agreed.

Attorney General's Report – Mr. Max Changus

No report.

Executive Director's Report – Mr. Eric Lacefield

No report.

Legal Services – Mr. Clint Joiner

No report.

Miscellaneous

Correspondence from Dr. Louis Malcmacher, American Academy of Facial Esthetics: The Board considered this request to change the delivery of the didactic portion of the American Academy of Facial Esthetics injectable course to an on demand format. Dr. Maron commented that he lectures across the country. He added there are certain subjects that he has no issue with being online. He stated that for the Board to begin certifying individuals based on online courses would be a troublesome situation. There being no further discussion, Dr. Maron made a motion to deny the request and continue to require the course be in person for individuals in Georgia who wish to complete the course. Dr. Reznik seconded, and the Board voted unanimously in favor of the motion.

Sedation Evaluators: Dr. Maron made a motion to approve Dr. David N. Faircloth and Dr. Tamas K. Szakal as evaluators for the Sedation Committee. Dr. Schultz seconded, and the Board voted unanimously in favor of the motion. In the same motion, the Board voted to table requests from Dr. Lee Whitesides and Dr. Larry Parworth until its next meeting.

Expanded Duties Course Submissions: Ms. Selfe made a motion to approve the course submission from Central Georgia Technical College and table the submission from Dental Assistant School of Atlanta pending receipt of a revised syllabus containing information regarding the number of credit hours for the classroom, along with contact hours. Dr. Stiehl seconded, and the Board voted unanimously in favor of the motion.

Sedation Course Submission: The Board discussed the IV Sedation Training for Dentists LLC course submitted by Dr. William Moorhead. Dr. Maron commented that he felt no physician should be certified in sedation based on an online course. He added that it would be permissible for recertification, but not for an initial certification especially now that the pandemic is over. He continued by stating that he sees no reason the course could not be attended in person. Ms. Selfe commented that they were doing 44.5 hours in two (2) days all online. There being no further discussion, Dr. Maron made a motion to deny the course submission. Ms. Selfe seconded, and the Board voted unanimously in favor of the motion.

Frequently Asked Questions on Local Anesthesia: Dr. Maron discussed the FAQ document put together on behalf of the Board by Ms. Mattingly. He commended her for doing an excellent job. Dr. Maron made a motion to direct staff to post the Frequently Asked Questions on Local Anesthesia to the Board's website. Dr. Wilson seconded, and the Board voted unanimously in favor of the motion.

Dr. Green made a motion and Ms. Selfe 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, Dr. David Reznik, Mr. Mark Scheinfeld, Dr. Jeffrey Schultz, Ms. Lisa Selfe, Dr. Lisa Shilman, Dr. JC Shirley, Dr. Brent Stiehl, Dr. Debra Wilson, and Dr. Nancy Young.

Executive Session

Appearances

- B.S.F.
- V.S.Y.
- O.B.A.

Applications

- S.K.S.K.
- R.V.C.
- H.E.K.
- L.E.B.
- S.A.
- K.M.B.
- A.P.S.
- S.G.W.
- C.M.N.
- K.M.F.
- R.L.A.
- V.A.T.
- L.B.T.
- J.Z.S.
- A.B.S.
- K.R.L.
- R.T.B.

Investigative Committee Report – Dr. Brent Stiehl

Dr. Stiehl provided the Board with an update regarding the cases discussed by the Investigative Committee earlier that morning.

Report presented:

- DENT190480
- DENT200272
- DENT200412
- DENT200437
- DENT200472
- DENT200487

- DENT200497
- DENT200509
- DENT210032
- DENT210043
- DENT210089
- DENT210091
- DENT210153
- DENT210170
- DENT210174
- DENT210180
- DENT210192
- DENT210215
- DENT210225
- DENT210232
- DENT210262
- DENT210263
- DENT210301
- DENT210304
- DENT210306
- DENT210326
- DENT210353
- DENT210355
- DENT210377
- DENT210391
- DENT210398
- DENT210426
- DENT210431
- DENT210457
- DENT210477
- DENT210478
- DENT200501

Attorney General's Report – Mr. Max Changus

Mr. Changus provided legal advice regarding board member recusals.

Mr. Changus presented the following consent orders for acceptance:

- B.V.
- T.H.

Mr. Changus provided legal advice regarding Rule 150-13-.01 Conscious Sedation Permits.

Executive Director's Report – Mr. Eric Lacefield

No report.

Legal Services – Mr. Clint Joiner

No report.

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

Miscellaneous

Frequently Asked Questions on Local Anesthesia: Mr. Lacefield pointed out that the response to the question on the FAQ that asks, “*What do I need to do to provide a continuing education course to meet Board requirements for administration of local anesthetic by dental hygienists?*” states that a course syllabus must be submitted to the Board for review. He explained that at the Board’s June meeting it stated that schools that are CODA accredited do not have to submit their program to the Board and the program would need to meet the requirements of the rule. Mr. Lacefield stated that staff would work with Ms. Mattingly to rephrase the answer and then post the document to the website.

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

Appearances

- | | | |
|--|--------------------------------|--|
| <ul style="list-style-type: none"> • B.S.F. | Denied Credentials Applicant | Overturn denial and refer to the Department of Law |
| <ul style="list-style-type: none"> • V.S.Y. | Denied Credentials Applicant | Denial upheld |
| <ul style="list-style-type: none"> • O.B.A. | Denied Reinstatement Applicant | Denial upheld |

Applications

- | | | |
|--|--|--|
| <ul style="list-style-type: none"> • S.K.S.K. | Dental Examination Applicant | Denied application |
| <ul style="list-style-type: none"> • R.V.C. | Dental Examination Applicant | Denied application |
| <ul style="list-style-type: none"> • H.E.K. | Dental Examination Applicant | Denied application |
| <ul style="list-style-type: none"> • L.E.B. | Dental Credentials Applicant | Denied application |
| <ul style="list-style-type: none"> • S.A. | Dental Credentials Applicant | Denied application |
| <ul style="list-style-type: none"> • K.M.B. | Dental Hygiene Credentials Applicant | Denied application |
| <ul style="list-style-type: none"> • A.P.S. | Dental Reinstatement Applicant | Schedule to meet with the Licensure Overview Committee |
| <ul style="list-style-type: none"> • S.G.W. | Dental Hygiene Reinstatement Applicant | Approved application |
| <ul style="list-style-type: none"> • C.M.N. | Dental Hygiene Reinstatement Applicant | Approved application |
| <ul style="list-style-type: none"> • K.M.F. | Dental Hygiene Reinstatement Applicant | Approved application |
| <ul style="list-style-type: none"> • R.L.A. | Dental Hygiene Reinstatement Applicant | Approved application |
| <ul style="list-style-type: none"> • V.A.T. | Dental Hygiene Reinstatement Applicant | Approved application |
| <ul style="list-style-type: none"> • L.B.T. | Dental Hygiene Reinstatement Applicant | Refer to Legal Services |
| <ul style="list-style-type: none"> • J.Z.S. | Dental Volunteer Applicant | Approved application |
| <ul style="list-style-type: none"> • A.B.S. | Inactive Status Applicant | Approved application |
| <ul style="list-style-type: none"> • K.R.L. | Inactive Status Applicant | Approved application |
| <ul style="list-style-type: none"> • R.T.B. | Injectable Pharmacologics Applicant | Table pending receipt of additional information |

Investigative Committee Report – Dr. Brent Stiehl

Dr. Stiehl provided the Board with an update regarding the cases discussed by the Investigative Committee earlier that morning.

Report presented:

Complaint Number	Allegations	Recommendation
DENT190480	Billing	Close No Action
DENT200272	Billing	Close No Action
DENT200412	Billing	Close No Action
DENT200437	Billing	Close No Action
DENT200472	Quality of Care	Close No Action
DENT200487	Billing	Close No Action
DENT200497	Billing	Close No Action
DENT200509	Billing	Close No Action
DENT210032	Billing	Close No Action
DENT210043	Billing	Close No Action
DENT210089	Billing	Close No Action
DENT210091	Billing	Close No Action
DENT210153	Billing	Close No Action
DENT210170	Billing	Close No Action
DENT210174	Billing	Close No Action
DENT210180	Billing	Close No Action
DENT210192	Billing	Close No Action
DENT210215	Billing	Close No Action
DENT210225	Unprofessional Conduct	Close No Action
DENT210232	Billing	Close No Action
DENT210262	Billing	Close No Action
DENT210263	Billing	Close No Action
DENT210301	Billing	Close No Action
DENT210304	Billing	Close No Action
DENT210306	Billing	Close No Action
DENT210326	Billing	Close No Action
DENT210353	Billing	Close No Action
DENT210355	Billing	Close No Action
DENT210377	Billing	Close No Action
DENT210391	Billing	Close No Action
DENT210398	Billing	Close No Action
DENT210426	Billing	Close No Action
DENT210431	Billing	Close No Action
DENT210457	Billing	Close No Action
DENT210477	Billing	Close No Action
DENT210478	Billing	Close No Action
DENT200501	CO/Indefinite Suspension	Approve request regarding evaluation

Attorney General’s Report – Mr. Max Changus

Mr. Changus provided legal advice regarding board member recusals.

Mr. Changus presented the following consent orders for acceptance:

- B.V. Private Consent Order accepted
- T.H. Private Consent Order accepted

Mr. Changus provided legal advice regarding Rule 150-13-.01 Conscious Sedation Permits.

Executive Director's Report – Mr. Eric Lacefield

No report.

Legal Services – Mr. Clint Joiner

No report.

Dr. Reznik seconded, and the Board voted in favor of the motion, with the exception of Dr. Shirley, Dr. Stiehl, and Mr. Scheinfeld who opposed the motion regarding B.S.F. In the same motion, Dr. Wilson and Dr. Shilman abstained from the vote regarding O.B.A.

With no further business, the Board meeting adjourned at 12:45 p.m.

The next scheduled meeting of the Georgia Board of Dentistry will be held on Friday, August 4, 2023, 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