

GEORGIA BOARD OF DENTISTRY
Board Meeting
2 Peachtree St., N.W., 36th Floor
Atlanta, GA 30303
August 11, 2017
10:00 a.m.

The following Board members were present:

Dr. Tom Godfrey, President
Ms. Becky Bynum
Dr. Tracy Gay
Dr. Steve Holcomb
Dr. Dale Mayfield
Dr. Logan Nalley
Dr. Bert Yeargan

Staff present:

Tanja Battle, Executive Director
Bryon Thernes, Assistant Attorney General
Ryan McNeil, Chief Investigator
Brandi Howell, Business Support Analyst I

Visitors:

Jesse Weathington, GSO
James E. Barron, GDS
Tina Titshaw, HCS
Kevin Frazier, DCGA
Betsi Choder, Vet Counsel
Alexis Shrager
Scott Lofranco, GDA
Ryan Loke, PDS
Becah Adamson, GDHA
Charles Craig, GDHA
John Watson, ADSO
Michelle Boyce

Dr. Godfrey established that a quorum was present and called the meeting to order at 10:11 a.m.

Open Session

Introduction of Visitors

Dr. Godfrey welcomed the visitors.

Approval of Minutes

Dr. Nalley made a motion to approve the Public Session minutes for the July 7, 2017 meeting as amended. Dr. Gay seconded and the Board voted unanimously in favor of the motion.

Dr. Nalley made a motion to approve the Executive Session minutes for the July 7, 2017 meeting. Dr. Yeargan seconded and the Board voted unanimously in favor of the motion.

Licenses to Ratify

Dr. Nalley made a motion to ratify the list of licenses issued. Dr. Holcomb seconded and the Board voted unanimously in favor of the motion.

Correspondence from Dr. Joseph E. Brown, III

The Board considered this correspondence regarding Board Rule 150-14-.04 Administration of Injectable Pharmacologics. Discussion was held regarding a letter previously sent by the Investigative Committee to licensees that provided guidelines for dentists in the use of injectable pharmacologics. Dr. Nalley made a

motion to direct staff to consult with Dr. Bennett, Chair of the Injectable Pharmacologics Committee, regarding the language in the letter sent by the Investigative Committee to see if it would be applicable and respond to Dr. Brown. Dr. Holcomb seconded and the Board voted unanimously in favor of the motion. Dr. Holcomb stated he would be happy to review the letter with Dr. Bennett.

Correspondence from Dr. Gary Bouloux, Emory University School of Medicine

The Board considered this correspondence requesting the Board's support in developing a mini fellowship within the Emory University School of Medicine Oral and Maxillofacial Surgery Program. Dr. Nalley made a motion to direct staff to respond to Dr. Bouloux by stating that a student would not need to apply for dental licensure in order to participate in the fellowship as long as the individual is enrolled as a student of Emory and supervised at the time he or she is treating patients. Dr. Gay seconded and the Board voted unanimously in favor of the motion.

Correspondence from Jessica Campbell, RDH

The Board considered this correspondence regarding whether or not a registered dental hygienist, who is also certified to work as a CNA, brush and floss teeth of nursing home patients and be paid for those services if hired by the family of the patient or indirectly hired by the facility as an onsite oral care specialist. Dr. Nalley made a motion to direct staff to respond by stating these services can be provided as there is no code section that would prohibit such. Ms. Bynum seconded and the Board voted unanimously in favor of the motion.

General – Dr. Tom Godfrey

No report.

CE Audit Committee Report – Dr. Richard Bennett

Ms. Battle asked that the agenda item regarding CE Zoom and CE Broker under the Executive Director's Report be tabled until Dr. Bennett can return to further discuss. Dr. Holcomb made a motion to table this information until such time that Dr. Bennett is present at the meeting.

Conscious Sedation/General Anesthesia Committee Report – Dr. Antwan Treadway

No report.

Credentials Committee Report – Dr. Greg Goggans

Dr. Holcomb updated the Board regarding significant changes happening with the context of examinations. He stated the Committee will need to be more vigilant when reviewing the clinical examinations submitted by credentials applicants to make sure all components required by board rule have been completed.

Dental Hygiene Committee Report – Ms. Rebecca Bynum

No report.

Examination Committee Report – Dr. Bert Yeargan

Dr. Yeargan advised that he had not attended a meeting yet. Dr. Holcomb reported that the last ERC meeting was in April. He advised that ERC will be meeting again in August.

Investigative Committee Report – Dr. Bert Yeargan

No report.

Legislative Committee Report – Dr. Greg Goggans

No report.

Licensure Overview Committee Report – Dr. Tracy Gay

No report.

Rules Committee Report – Dr. Tom Godfrey

Dr. Godfrey discussed the process of rules having to be posted on the website for thirty (30) before a public hearing can be scheduled. He stated the September 8th meeting would need to be rescheduled in order to meet the legal requirement for posting. Dr. Holcomb made a motion to reschedule the September 8, 2017 meeting to September 15, 2017. Dr. Nalley seconded and the Board voted unanimously in favor of the motion.

Education Committee Report – Dr. Tom Godfrey

No report.

Long Range Planning Committee Report – Dr. Steve Holcomb

Dr. Holcomb reported that he has some information regarding teledentistry that he would like to provide to the Rules Committee as GDA has done some research on this subject and they have information the Committee needs to review.

Dr. Holcomb stated that on the horizon is licensure changes through the American Dental Association (ADA), the national organization that represents dentists, and its push to form an alternative to clinical licensure exams. He asked that each board member make every effort to attend the AADB meetings to ensure that state boards are represented.

CRDTS Steering Committee – Dr. Logan Nalley

Dr. Nalley briefly discussed the licensure changes previously reported by Dr. Holcomb. Dr. Nalley stated that CRDTS will be requesting information on each state's licensure requirements and asked Ms. Battle to provide this information along with the standard statistics prior to the annual meeting. Ms. Battle stated she would be happy to forward the rules, code sections and general report in time for such.

Dr. Nalley reported that the Annual CRDTS Meeting will be held later in the month and it is important that each board member attend the meeting and also important that each member turns in his/her availability for examination on time.

IP Committee Report – Dr. Richard Bennett

No report.

EDDA Review Committee – Dr. Greg Goggans

No report.

Executive Director's Report – Ms. Tanja Battle

Correspondence from Danica Collins, ADA: Ms. Battle discussed this correspondence requesting temporary dental licensure in Georgia for two dentists to lead a live patient educational session at the annual ADA meeting. Ms. Battle stated that the Board does not offer a temporary dental license and requested the Board's input. Dr. Holcomb responded by stating that the dentists would need to be properly vetted before coming in to Georgia. He stated that additional information would be required such as verification that each license is in good standing in his/her state; a brief content of the course; what procedures will be performed. Dr. Nalley made a motion to table discussion of this matter pending legal advice from Mr. Thernes in Executive Session. Dr. Holcomb seconded and the Board voted unanimously in favor of the motion.

Attorney General’s Report – Mr. Bryon Thernes

No report.

Dr. Logan Nalley made a motion and Ms. Becky Bynum seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. § 43-1-19(h)(2), §43-11-47(h) and §43-1-2(k) to deliberate and receive information on applications, investigative reports, and the Assistant Attorney General’s report. Voting in favor of the motion were those present who included Ms. Becky Bynum, Dr. Tracy Gay, Dr. Tom Godfrey, Dr. Steve Holcomb, Dr. Dale Mayfield, Dr. Logan Nalley, and Dr. Bert Yeargan.

Executive Session

Appearance

- A.A.S.

Licensure Overview Committee Appointments/Discussion Cases:

- G.F.R.
- D.E.H.
- D.B.

Applications

- L.P.P.
- S.L.R.
- M.J.C.
- D.B.D.
- R.L.H.
- J.A.M.

Correspondences

- R.M.
- P.H.P.
- H.P.R.

Investigative Committee Report

Report presented:

- DENT140245
- DENT170111
- DENT170191
- DENT170199
- DENT170234
- DENT170271
- DENT170276
- DENT110117
- DENT160482
- DENT140134
- DENT150278
- DENT160055
- DENT160334

- DENT160475
- DENT170210
- DENT170229
- DENT170235
- DENT170236
- DENT170237
- DENT170246
- DENT170260
- DENT170261
- DENT170277
- DENT170286
- DENT170287
- DENT170302
- DENT170304
- DENT170310
- DENT170313
- DENT180004
- DENT100220
- DENT110146
- DENT160049
- DENT160083
- DENT170040
- DENT170089
- DENT170048
- DENT150183
- DENT160520
- DENT170042
- DENT160354
- DENT170070
- DENT140110
- DENT160169

Executive Director’s Report – Ms. Tanja Battle

- J.B.M.
- DENT150273
- DENT170048

Attorney General’s Report – Mr. Bryon Thernes

- Legal advice regarding the Board’s authority over Dental Assistants.
- Legal advice regarding Rule 150-5-.03 Supervision of Dental Hygienists

Mr. Thernes presented the following consent order for acceptance:

- C.R.

Mr. Thernes discussed the following individual:

- J.W.D.

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

Miscellaneous

Dr. Godfrey discussed an email received from Laura S. Vieth, Nonpublic Postsecondary Education Commission (GNPEC), regarding dental assisting. He stated that staff has responded by referring Ms. Vieth to the rules regarding delegated duties. He went on to say that one school notified GNPEC that it had been rejected by the Board because they were unaccredited, but pointed out a competing institution had been approved by the Board. GNPEC is asking what guidelines are used to determine whether or not a program is approved by the Board. Discussion held. Dr. Holcomb made a motion to direct staff to request additional information from GNPEC regarding this matter. Specifically, request information on which school was rejected and which was approved. Dr. Yeargan seconded and the Board voted unanimously in favor of the motion.

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

Appearance

- A.A.S. Denied Credentials Applicant Uphold denial

Licensure Overview Committee Appointments/Discussion Cases:

- G.F.R. Request to terminate probation Approved request
- D.E.H. Dental Exam Applicant Approved application
- D.B. Request to terminate probation Approved request

Applications

- L.P.P. Dental Credentials Applicant Approved application
- S.L.R. Dental Hygiene Reinstatement Approved application
- M.J.C. Dental Reinstatement Approved application; denied request for waiver/reduction of reinstatement fee
- D.B.D. Dental Faculty Applicant Approved application
- R.L.H. Dental Faculty Applicant Approved application
- J.A.M. Inactive Status Applicant Approved application

Correspondences

- R.M. Request regarding reinstatement Approved request
- P.H.P. Request to extend volunteer license Approved request
- H.P.R. Request to take CRDTS exam Denied request

Investigative Committee Report

Report presented:

| Complaint Number | Allegations | Recommendation |
|-------------------------|--------------------------------------|--------------------------------------|
| DENT140245 | Quality of Care/Substandard Practice | Close with no action |
| DENT170111 | Quality of Care/Substandard Practice | Schedule for Investigative Interview |
| DENT170191 | Quality of Care/Substandard Practice | Close with no action |
| DENT170199 | Quality of Care/Substandard Practice | Close with no action |
| DENT170234 | Unprofessional Conduct | Close with no action |
| DENT170271 | Unprofessional Conduct | Close with no action |
| DENT170276 | Malpractice | Close with no action |

| | | |
|------------|--------------------------------------|---|
| DENT110117 | Quality of Care/Substandard Practice | Table |
| DENT160482 | Quality of Care/Substandard Practice | Close with letter of concern |
| DENT140134 | Quality of Care/Substandard Practice | Table pending receipt of additional information |
| DENT150278 | Quality of Care/Substandard Practice | Keep original sanction and include additional admin fee and fine |
| DENT160055 | Quality of Care/Substandard Practice | Close with no action |
| DENT160334 | Malpractice | Refer to the Department of Law |
| DENT160475 | Quality of Care/Substandard Practice | Send to Peer Reviewer |
| DENT170210 | Malpractice | Close with no action |
| DENT170229 | Quality of Care/Substandard Practice | Close with no action |
| DENT170235 | Quality of Care/Substandard Practice | Close with letter of concern |
| DENT170236 | Quality of Care/Substandard Practice | Close with letter of concern |
| DENT170237 | Quality of Care/Substandard Practice | Close with no action |
| DENT170246 | Quality of Care/Substandard Practice | Close with letter of concern |
| DENT170260 | Malpractice | Close with no action |
| DENT170261 | Malpractice | Close with no action |
| DENT170277 | Malpractice | Close with no action |
| DENT170286 | Quality of Care/Substandard Practice | Close with no action |
| DENT170287 | Unprofessional Conduct | Close with no action |
| DENT170302 | Billing | Close with no action |
| DENT170304 | Unprofessional Conduct | Close with no action |
| DENT170310 | Malpractice | Close with no action |
| DENT170313 | Unprofessional Conduct | Close with letter of concern |
| DENT180004 | Unprofessional Conduct | Send investigator to interview respondent |
| DENT100220 | Quality of Care/Substandard Practice | Close with no action |
| DENT110146 | Quality of Care/Substandard Practice | Accept mitigating circumstances letter results and close case |
| DENT160049 | Quality of Care/Substandard Practice | Accept CE and close |
| DENT160083 | Quality of Care/Substandard Practice | Table |
| DENT170040 | Quality of Care/Substandard Practice | Accept mitigating circumstances letter results and close case |
| DENT170089 | Quality of Care/Substandard Practice | Table |
| DENT170048 | Quality of Care/Substandard Practice | Release only the medical records to include the dentist's narrative of treatment to the Governor's office |
| DENT150183 | Other State/Federal Agency | Close with letter of concern |
| DENT160520 | Quality of Care/Substandard Practice | Close with mitigating circumstances letter |
| DENT170042 | Quality of Care/Substandard Practice | Refer to the Department of Law |
| DENT160354 | Quality of Care/Substandard Practice | Refer to the Department of Law |
| DENT170070 | Quality of Care/Substandard Practice | Refer to the Department of Law |
| DENT140110 | Quality of Care/Substandard Practice | Close with no action |
| DENT160169 | Quality of Care/Substandard Practice | Close with no action |

Attorney General's Report – Mr. Bryon Thernes

- Legal advice regarding the Board's authority over Dental Assistants.
- Legal advice regarding Rule 150-5-.03 Supervision of Dental Hygienists

Mr. Thernes presented the following consent order for acceptance:

- C.R. Public Consent Order accepted

Mr. Thernes discussed the following individual:

- J.W.D. Approved Inactive Status Application

Dr. Nalley seconded and the Board voted unanimously in favor of the motion.

Dr. Yeargan made a motion to approve the Application for Inactive Status on J.W.D.

Dr. Holcomb updated the Board regarding his attendance at the annual GDA meeting. He reported that he met informally with Chairman Sharon Cooper regarding concerns over Board Rule 150-5-.03 Supervision of Dental Hygienists. He further indicated that he expressed his inability to speak on behalf of the Board, but would be happy to bring Chairman Cooper's concerns. These were specifically regarding the age definition of primary dentition along with the specific training requirements for rubber cup prophies. Additionally, she suggested the Board consider including one or two hours of CE regarding drug addiction and impairment.

With no further business, the Board meeting adjourned at 1:16 p.m.

The next scheduled meeting of the Georgia Board of Dentistry will be held on Friday, September 15, 2017, at 10:00 a.m. at the Department of Community Health's office located at 2 Peachtree Street, N.W., 36th Floor, Atlanta, GA 30303.

Minutes recorded by Brandi Howell, Business Support Analyst I

Minutes edited by Tanja D. Battle, Executive Director