

GEORGIA BOARD OF DENTISTRY
Board Meeting
2 Peachtree St., N.W., 36th Floor
Atlanta, GA 30303
August 12, 2016
10:00 a.m.

The following Board members were present:

Dr. Bert Yeargan, President
Dr. Tom Godfrey, Vice-President (*departed @ 12:26 p.m.*)
Dr. Richard Bennett
Ms. Becky Bynum
Dr. Tracy Gay
Dr. Greg Goggans
Ms. Wendy Johnson
Dr. Dale Mayfield
Dr. Antwan Treadway (*departed @ 12:29 p.m.*)

Staff present:

Tanja Battle, Executive Director
Bryon Thernes, Assistant Attorney General
Ryan McNeil, Chief Investigator
Anil Foreman, Legal Officer
Brandi Howell, Business Operations Specialist

Visitors:

Margie Miller, DCG
Carol Lefebvre, DCG
James E. Barron, GDS
Lasa Joiner, GAGD
Travis Lindley, CSG
Ryan Loke, PDS
Arianna Afshari, GAGD
Ken Gilbert, GAGD
Benjamin Hayes, MAG
Stephanie Lotti, GDA
Kevin Hardy

Open Session

Dr. Yeargan established that a quorum was present and called the meeting to order at 10:05 a.m.

Introduction of Visitors

Dr. Yeargan welcomed the visitors.

Approval of Minutes

Dr. Godfrey made a motion to approve the Public and Executive Session minutes for the July 22, 2016 meeting and the Public and Executive Session minutes for the August 4, 2016 conference call. Dr. Treadway seconded and the Board voted unanimously in favor of the motion.

Licenses to Ratify

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

Petition for Rule Waiver – Johanna Yopez

Dr. Godfrey made a motion to deny the rule waiver petition. Dr. Bennett seconded and the Board voted unanimously in favor of the motion.

Correspondence from Dr. David Boag

The Board considered this correspondence requesting advice on how to proceed with an insurance policy change concerning coverage of periodontal maintenance procedures. Dr. Godfrey made a motion to direct staff to respond to Dr. Boag by stating that this matter is not under the purview of the Board.

Correspondence from Tammy Bailey

At its July 22, 2016 meeting, the Board reviewed correspondence from Ms. Bailey, who is a Health Service Administrator at Riverbend Correctional Facility, asking if a part-time dentist and part-time dental hygienist can work on different days or if the dentist has to be present for the hygienist to work. The Board tabled this correspondence and requested additional information from Ms. Bailey. The Board considered the additional information received from Ms. Bailey and determined that Riverbend Correctional Facility is an approved dental facility of the Department of Corrections. Dr. Goggans made a motion to direct staff to respond to Ms. Bailey by requesting the facility submit for approval its written protocol which identifies how duties are delegated to dental hygienists as per Board Rule 150-5-.03. Dr. Mayfield seconded and the Board voted unanimously in favor of the motion.

General – Dr. Bert Yeargan

Dr. Yeargan discussed an email received from Rick Allen, Director, Georgia Drugs and Narcotics Agency, regarding a press release concerning PDMP patient data. Director Allen is requesting the Board consider placing the press release on its website. The Board had no objections to placing the press release on its website.

CE Audit Committee Report – Dr. Richard Bennett

No report.

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

No report.

Credentials Committee Report – Dr. Greg Goggans

No report.

Dental Hygiene Committee Report – Ms. Rebecca Bynum

No report.

Examination Committee Report – Dr. Steve Holcomb

No report.

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 reported that the Rules Committee has been directed to have an expedited or alternate pathway for licensure for military spouses by next summer. He stated that the Committee will be working on this matter, but asked for direction from the Board. Dr. Godfrey discussed both creating an expedited pathway that is consistent with the current rule as well as possibly creating a separate new rule that would

not be similar to the current rule. When asked by Dr. Godfrey, the Board commented the directive is to have something substantially similar to what is currently in place. Additionally, the consensus of the Board was the expedited pathway to be chosen, whatever it is, must be reasonable for staff resources to accomplish. Dr. Godfrey stated the Committee will work in the direction requested by the Board.

Education Committee Report – Dr. Tom Godfrey

No report.

Long Range Planning Committee Report – Dr. Steve Holcomb

No report.

CRDTS Steering Committee – Dr. Logan Nalley

No report.

IP Committee Report – Dr. Richard Bennett

No report.

EDDA Review Committee – Dr. Greg Goggans

Dr. Goggans reported that EDDA met earlier that morning. He stated that questionnaires have been mailed to the associations for their input regarding expanded duties. He added the Committee has received numerous questions pertaining to expanded duties that he would like to share with the Board. The first question asked if a list of approved programs and the date on which each program was approved would be maintained online. Dr. Bennett responded that this is regarding a matter for which the Board does not have a license and that the resources for maintaining such a list are not available at this juncture. Dr. Goggans agreed.

The next question shared with the Board concerned testing: Is the written test okay to be administered by the dental assistant, and the clinical exam administered by the dentist? Dr. Goggans stated that the dentist is not teaching the course. The dentist will do a final check off on the clinical portion. Dr. Bennett responded by stating that part of the check off is a clinical based exercise that would have to be done in presence of dentist. He stated the didactic portion does not need to be in the presence of a dentist.

The last question asked if the Board anticipates technical schools in other states be acceptable providers. Ms. Battle stated that this question comes up regularly. The language in the rule states “board approved”. She inquired if the Board would be open to developing a policy to further define “board approved” so it is not in a position where it has to review each certificate from each state. Dr. Bennett responded that a state sponsored technical program would be regulated by that state and therefore, should be acceptable. The Committee will review this matter further once the responses from the questionnaires have been received and then will refer it to Rules Committee.

Executive Director’s Report – Ms. Tanja Battle

Ms. Battle reported that the office receives numerous sales calls from different vendors for various services. She has been communicating with a company called CE Broker based on the recommendation from another licensing board’s executive director. Ms. Battle explained that CE Broker is a tracking system for continuing education. She stated that the use of such does not have to be mandatory and that there is no cost to the licensee. There is a free version as well as elevated statuses which will include additional services for the licensee. Ms. Battle indicated that CE Broker will do a post renewal audit. The company will send out communications directly to the individuals who are audited. The tracking system is designed based on the rules and policies of the Board. She stated that it appears to be an efficient way to conduct continuing education audits. The company will come and present to the full board if it is

interested. The Board recommended the CE Committee review this information and report back to the Board.

Attorney General's Report – Mr. Bryon Thernes

No report.

Dr. Tracy Gay made a motion and Dr. Antwan Treadway 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 Dr. Richard Bennett, Ms. Bynum, Dr. Tracy Gay, Dr. Tom Godfrey, Dr. Greg Goggans, Ms. Wendy Johnson, Dr. Dale Mayfield, Dr. Antwan Treadway and Dr. Bert Yeargan.

Executive Session

Appearances

- S.B.
- K.E.H.

Licensure Overview Committee Appointments/Discussion Cases

- P.S.
- A.B.R.
- K.A.G.
- K.J.L.
- C.O.N.
- A.M.U.
- K.J.

Applications

- J.M.B.
- F.A.S.
- K.K.C.
- C.H.W.
- H.J.
- J.R.C.
- E.S.T.
- J.I.J.
- D.A.

Correspondence

- M.H.S.

Investigative Committee Report

Report presented:

- DENT150387
- DENT160324
- DENT160335
- DENT120023

- DENT150144
- DENT160252
- DENT160261
- DENT160347
- DENT160052
- DENT160215
- DENT160528
- DENT150101
- DENT150263
- DENT160011
- DENT160194
- DENT160212
- DENT160226
- DENT160268
- DENT160269
- DENT160300
- DENT160306
- DENT160309
- DENT160326
- DENT160357
- DENT160365
- DENT160412
- DENT160427
- DENT160443
- DENT160448
- DENT160451
- DENT160454
- DENT160465
- DENT160468
- DENT160470
- DENT160473
- DENT160474
- DENT160476
- DENT160477
- DENT160478
- DENT160480
- DENT160481
- DENT160484
- DENT160485
- DENT160488
- DENT160489
- DENT160496
- DENT160519
- DENT160394
- DENT160184
- Docket #2014-0048
- DENT150217

- DENT150332
- DENT160490
- DENT160491
- DENT160492
- DENT160498
- DENT160440
- DENT160377
- DENT160341
- DENT170033

Executive Director’s Report – Ms. Tanja Battle

- Y.P.

Attorney General’s Report – Mr. Bryon Thernes

Mr. Thernes discussed the following case:

- Colindres vs. Battle

Chief Investigator’s Report – Mr. Ryan McNeil

Chief Investigator McNeil discussed statistics on resolutions for complaint cases with the Board.

Legal Services – Ms. Anil Foreman

Ms. Foreman presented the following consent order for acceptance:

- F.Q.H.

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

Open Session

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

Appearances

- | | | |
|----------|------------------------------|---|
| • S.B. | Denied Credentials Applicant | Overturn denial and approve application |
| • K.E.H. | Denied Credentials Applicant | Uphold denial |

Licensure Overview Committee Appointments/Discussion Cases

- | | | |
|----------|---------------------------------|----------------------|
| • P.S. | Dental Credentials Applicant | Approved application |
| • A.B.R. | Request to terminate probation | Approved request |
| • K.A.G. | Dental Credentials Applicant | Denied application |
| • K.J.L. | Request to terminate probation | Approved request |
| • C.O.N. | Dental Exam Applicant | Approved application |
| • A.M.U. | Request to terminate probation | Approved request |
| • K.J. | Denied DH Credentials Applicant | Uphold denial |

Applications

- | | | |
|----------|-----------------------|----------------------|
| • J.M.B. | Dental Exam Applicant | Approved application |
| • F.A.S. | Dental Exam Applicant | Approved application |
| • K.K.C. | Dental Exam Applicant | Approved application |
| • C.H.W. | Dental Exam Applicant | Approved application |

- H.J. Dental Exam Applicant Approved application
- J.R.C. Dental Credentials Applicant Denied application
- E.S.T. Dental Reinstatement Refer to Legal Officer
- J.I.J. Dental Public Health Approved application
- D.A. Dental Faculty Applicant Approved pending receipt of additional information

Correspondence

- M.H.S. Request for the Board to accept current NERB/CDCA scores Denied request

Investigative Committee Report

Report presented:

Complaint

Number

Allegations

Recommendation

DENT150387	Quality of care/substandard practice	Close with no action
DENT160324	Quality of care/substandard practice	Close with no action
DENT160335	Malpractice	Close with no action
DENT120023	Quality of care/substandard practice	Close with no action
DENT150144	Quality of care/substandard practice	Close if s/d is no longer practicing; flag license in case individual tries to reinstate
DENT160252	Quality of care/substandard practice	Close with no action
DENT160261	Quality of care/substandard practice	Close with no action
DENT160347	Abandonment	Close with a letter of concern
DENT160052	Quality of care/substandard practice	Close with no action
DENT160215	Unprofessional conduct	Close with no action
DENT160528	Other	Close with no action
DENT150101	Quality of care/substandard practice	Close with no action
DENT150263	Quality of care/substandard practice	Close with no action
DENT160011	Quality of care/substandard practice	Close with no action
DENT160194	Quality of care/substandard practice	Close with no action
DENT160212	Quality of care/substandard practice	Close with no action
DENT160226	Quality of care/substandard practice	Close with no action
DENT160268	Quality of care/substandard practice	Close with no action
DENT160269	Quality of care/substandard practice	Close with no action
DENT160300	Morbidity and mortality	Close with no action
DENT160306	Quality of care/substandard practice	Close with no action
DENT160309	Quality of care/substandard practice	Close with a letter of concern
DENT160326	Quality of care/substandard practice	Close with no action
DENT160357	Quality of care/substandard practice	Close with no action
DENT160365	Billing	Close with no action
DENT160412	Quality of care/substandard practice	Close with no action
DENT160427	Billing	Close with no action
DENT160443	Quality of care/substandard practice	Close with no action
DENT160448	Quality of care/substandard practice	Close with no action
DENT160451	Quality of care/substandard practice	Close with no action

DENT160454	Malpractice	Close with no action
DENT160465	Quality of care/substandard practice	Close with no action
DENT160468	Billing	Close with no action
DENT160470	Quality of care/substandard practice	Close with no action
DENT160473	Quality of care/substandard practice	Close with no action
DENT160474	Billing	Close with no action
DENT160476	Quality of care/substandard practice	Close with a letter of concern
DENT160477	Quality of care/substandard practice	Close with no action
DENT160478	Other	Close with no action
DENT160480	Billing	Close with no action
DENT160481	Quality of care/substandard practice	Close with no action
DENT160484	Billing	Close with no action
DENT160485	Quality of care/substandard practice	Close with no action
DENT160488	Quality of care/substandard practice	Close with no action
DENT160489	Unprofessional conduct	Close with no action
DENT160496	Billing	Close with no action
DENT160519	Quality of care/substandard practice	Close with no action
DENT160394	Quality of care/substandard practice	Close with no action
DENT160184	Quality of care/substandard practice	Close with no action
Docket #2014-0048	Compliance with consent order	Request proof of CE required for license renewal for past biennium
DENT150217	Malpractice	Close with a letter of concern
DENT150332	Quality of care/substandard practice	Close with no action
DENT160490	Quality of care/substandard practice	Close with no action
DENT160491	Quality of care/substandard practice	Close with no action
DENT160492	Quality of care/substandard practice	Close with no action
DENT160498	Quality of care/substandard practice	Close with no action
DENT160440	Unlicensed practice	Accept voluntary C&D; refer case to the local DA for prosecution
DENT160377	Quality of care/substandard practice	Close with no action
DENT160341	Quality of care/substandard practice	Close with no action
DENT170033	Billing	Close with no action

Executive Director’s Report – Ms. Tanja Battle

- Y.P. No action taken

Attorney General’s Report – Mr. Bryon Thernes

Mr. Thernes discussed the following case:

- Colindres vs. Battle Update provided

Chief Investigator’s Report – Mr. Ryan McNeil

Chief Investigator McNeil discussed statistics on resolutions for complaint cases with the Board. Provided as information only.

Legal Services – Ms. Anil Foreman

Ms. Foreman presented the following consent order for acceptance:

- F.Q.H. Public consent order to be accepted and signed with express permission upon

receipt of the original

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

With no further business, the Board meeting adjourned at 12:32 p.m.

The next scheduled meeting of the Georgia Board of Dentistry will be held on Friday, September 16, 2016, 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 Operations Specialist

Minutes edited by Tanja D. Battle, Executive Director