

GEORGIA BOARD OF DENTISTRY
Rules Committee Meeting
2 Peachtree St., N.W., 5th Floor
Atlanta, GA 30303
December 1, 2017
9:00 a.m.

The following Committee members were present:

Dr. Tom Godfrey, Chair
Dr. Greg Goggans

Staff present:

Tanja Battle, Executive Director
Bryon Thernes, Assistant Attorney General
Kimberly Emm, Attorney
Brandi Howell, Business Support Analyst I

Visitors:

John Watson, ADSO
Ryan Loke, PDS
Scott, Lofranco, GDA
Charles Craig, GDHA
Valerie Ferro, GDHA
Bekah Adamson, GDHA
Marjorie M. Cabell, NGDS
Dawn Lipfert
Richard Lipfert, DMD
Summer Grisamore
James E. Barron, GDS
Kevin Frazier, DCG
Eunice Chay, Grady
Terrisha Scott
Felicia Williams
Sid Barrett, Public Health
Mark Willis
Kim Willis
Martin Krieger, GA Academy of Ped Dentists
Pam Wilkes, Help A Child Smile/Shurett
Dental

Dr. Godfrey established that a quorum was present and called the meeting to order at 9:14 a.m.

Approval of Minutes

Dr. Goggans made a motion to approve the minutes for the July 7, 2017 meeting. Dr. Godfrey seconded and the Committee voted unanimously in favor of the motion.

Rules Discussion

Rule 150-3-.09 Continuing Education for Dentists: Dr. Godfrey stated that, at Dr. Holcomb's suggestion, the Board may want to require licensees to complete an opioid education course. He asked is the definition of diversion broad enough? He stated diversion in a legal sense is limited, the Board may want to be more broad in its definition. Dr. Goggans responded by stating that Georgia is not the only state doing this and suggested Ms. Emm researching other states. Dr. Godfrey responded by stating that he felt the Committee could suggest the appropriate language in this room and asked if anyone had any

suggestions. The Committee discussed language stating effective in the 2019 renewal year one hour of the minimal requirement shall include the impact of opioid abuse and/or the proper prescription writing and use of opioids in dental practice. Mr. Lofranco asked if the Committee wanted to include guidelines for opioid prescription writing guidelines. Dr. Goggans stated that guidelines on the use of opioids in use of a dental practice also needed to be included. Mr. Thernes stated that there may not be a source. Mr. Lofranco responded by stating there is a guideline from the Center for Disease Control (CDC) regarding prescribing opioids for chronic pain. Dr. Godfrey responded to Mr. Lofranco that limiting the Board by incorporating another body's guidelines was not ideal. Dr. Goggans made a motion to refer the proposed amendments to the full Board. Dr. Godfrey seconded and the Committee voted unanimously in favor of the motion.

Rule 150-4-.01 Investigations: Dr. Goggans made a motion to refer the proposed amendments to the full Board. Dr. Godfrey seconded and the Committee voted unanimously in favor of the motion.

Rule 150-7-.04 Dental Provisional Licensure by Credentials: Dr. Goggans made a motion to refer the proposed amendments to the full Board. Dr. Godfrey seconded and the Committee voted unanimously in favor of the motion.

Rule 150-8-.01 Unprofessional Conduct. Defined: The Committee discussed update to the language. Ms. Battle discussed subparagraph (s) which states "Failing to notify the Board of a change in physical or electronic address within sixty (60) business days". The Committee discussed removing this subparagraph as there was no legal authority to require such. Dr. Goggans motion to refer the proposed amendments to the full Board. Dr. Godfrey seconded and the Committee voted unanimously in favor of the motion.

Rule 150-8-.02 Fee-Splitting: Mr. John Watson commented that ADSO's concern is around the language defining professional services between a licensed and unlicensed party. In terms of moving forward, its concern is that it will create ambiguity regard billing collection. Dr. Goggans asked Mr. Watson if he had any language prepared. Mr. Watson responded by stating if you would like us to present language we can prepare that, but he does not have that today. He added that if there is an invitation to provide language to the Committee, they would welcome that. Mr. Watson stated they are trying to understand what is being prohibited or restrained. He asked the Committee if they are referring to legal, billing, collections, etc. Dr. Godfrey responded by stating that the Committee needs to move the rule forward. Mr. Thernes asked Mr. Watson if they are focused on section (2)(c) and the definition of fees? He stated the Board does not want to infringe on commerce or business relationships but that the Board's concern is that the doctor not be influenced by outside sources. He added that the Board is trying to avoid an arrangement where ADSO hires a hygienist and \$5 of every procedure gets paid back to the corporation. He stated the Board is trying to bring clarity to the rule. The Committee recommended tabling discussion of this rule until its next meeting.

Rule 150-9-.01 General Duties of Dental Assistants: Dr. Goggans asked if there is anywhere in the Board's law or rules that defines rubber cup prophylaxis. Mr. Thernes responded by stating that he is not aware that it is given a specific definition. Ms. Ferro stated that it is defined as coronal polish and shall not be prophylaxis. Mr. Scott Lofranco commented that GDA has received numerous calls from pediatric dentists asking for clarification of that particular nuance of the law, which says the dental assistant may use rubber cup prophylaxis on primary dentition. Dr. Goggans made a motion to refer the proposed amendments to the full Board. Dr. Godfrey seconded and the Committee voted unanimously in favor of the motion.

Rule 150-9-.02 Expanded Duties of Dental Assistants: Dr. Goggans made a motion to refer the proposed amendments to the full Board. Dr. Godfrey seconded and the Committee voted unanimously in favor of the motion.

There being no further business to come before the Committee, the meeting was adjourned at 9:58 a.m.

The next scheduled meeting of the Rules Committee will be held on Friday, March 2, 2018 at 9:00 a.m. at the Department of Community Health's office located at 2 Peachtree Street, N.W., 5th Floor, Atlanta, GA 30303.

Minutes recorded by Brandi Howell, Business Support Analyst I
Minutes edited by Tanja D. Battle, Executive Director