

GEORGIA BOARD OF DENTISTRY
Conference Call
December 6, 2013
2 Peachtree St., N.W., 36th Floor
Atlanta, GA
12:00 p.m.

The following Board members were present:

Dr. Richard Bennett
Ms. Becky Bynum
Dr. Randy Daniel
Ms. Connie Engel (*departed @ 2:04 p.m.*)
Dr. Tracy Gay
Dr. Tom Godfrey
Dr. Steve Holcomb
Dr. Logan Nalley
Dr. Barry Stacey
Dr. Bert Yeargan

Staff present:

Tanja Battle, Executive Director
Bryon Thernes, Asst Attorney General
Brandi Howell, Bus Operations Specialist

Visitors:

Gregory Leathers
James Erdmanczyk
Pam Cushenan, GDHA
Dr. Donald Brown, GDA
T.J. Kaplan, J.L. Morgan Company

Open Session

Dr. Bennett established that a quorum was present and called the meeting to order at 12:07 p.m.

Introduction of Visitors

Dr. Bennett welcomed the visitors.

Rule Hearing

Dr. Bennett called the Rules Hearing to order at 12:08 p.m.

Rule 150-3-.04 Applications.Amended

No comments or written responses were received.

The hearing was adjourned at 12:10 p.m.

Open Session

Dr. Bennett declared Open Session at 12:11 p.m.

Dr. Godfrey made a motion to adopt Rule 150-3-.04 Applications.Amended. Dr. Holcomb seconded and the Board voted unanimously in favor of the motion.

Approval of Minutes

Dr. Holcomb made a motion to approve the Public and Executive Session minutes for the November 1, 2013 full Board meeting. Ms. Bynum seconded and the Board voted unanimously in favor of the motion.

Dr. Godfrey made a motion to approve the Public and Executive Session minutes for the November 15, 2013 Conference Call. Dr. Yeargan seconded and the Board voted unanimously in favor of the motion.

Ratifications

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

Petition for Rule Variance – Inez E. Wright

Dr. Holcomb made a motion to grant the rule variance petition. Dr. Stacey seconded and the Board voted unanimously in favor of the motion.

Correspondence from Dr. Russell G. Eyman, Houston Co. Dental Society and Dr. Marshall Mann, GDA

The Board considered these correspondences regarding ownership of dental practices. Dr. Godfrey made a motion to refer this matter to the Attorney General's office for a response. Dr. Nalley seconded and the Board voted unanimously in favor of the motion. Dr. Holcomb stated that he would assist in preparing a response.

Correspondence from Anthem College

The Board considered the information submitted from Anthem College regarding its Dental Assistant Program. Dr. Godfrey made a motion to approve the program. Dr. Nalley seconded and the Board voted unanimously in favor of the motion.

Correspondence from Judy Van Wezel

The Board considered this correspondence regarding antibody testing and scope of practice allowances. The Board directed staff to request additional information from Ms. Van Wezel regarding what the test encompasses. Once that information is received, Georgia Regents University is to be contacted to find out what the benefits of the testing would be.

Correspondence from Dr. Barbara A. Jansen

The Board considered this correspondence regarding direct supervision. Dr. Godfrey made a motion to direct staff to respond to Dr. Jansen by stating that the requirement of direct supervision still stands. Dr. Holcomb seconded and the Board voted unanimously in favor of the motion.

CE Audit Committee Report – Dr. Barry Stacey

Dr. Stacey reported that the Committee is actively working audits. Dr. Bennett added that if any Board member is interested in assisting the Committee, they would welcome any assistance.

Conscious Sedation/General Anesthesia Committee Report – Dr. Barry Stacey

No report.

Credentialing Committee Report – Dr. Becky Carlon

No report.

Dental Hygiene Committee Report – Ms. Rebecca Bynum

No report.

Examination Committee Report – Dr. Logan Nalley

Dr. Nalley report that MCG held an examination last month.

Investigative Committee Report – Dr. Logan Nalley

No report.

Legislative Committee Report – Dr. Steve Holcomb

Dr. Bennett asked the representatives from the various associations present at the meeting if they were aware of any pending legislative matters. No comments were received.

Licensure Overview Committee Report – Dr. Becky Carlon

No report.

Rules Committee Report – Dr. Tom Godfrey

Dr. Godfrey reported that the Committee will meet again in January. He stated that the Committee is continuing to work on a rule pertaining to pets in the office.

Dr. Holcomb commented that Dr. Godfrey is doing an excellent job. Ms. Battle commended Ms. Anil Foreman for a job well done with assisting the Committee.

Education Committee Report – Dr. Tom Godfrey

Dr. Godfrey reported that faculty members have been pleased with the ease and efficiency of the online renewal process. He further reported on the Dental Clinic opened by GRU in Peru. The idea behind such is to allow all GRU dental students the opportunity to rotate through the clinic. Additionally, he reported that there is naming opportunity for the clinic currently available.

Long Range Planning Committee – Dr. Steve Holcomb

Dr. Holcomb stated that he submitted a list of items at the last meeting to be taken into consideration in the future. Dr. Bennett responded by stating that the Board can have a discussion on these items at its January meeting.

Those items are:

1. Teledentistry
 - a. initially reconstruct the prior definition for review
 - b. surrounding states position
2. Update of Policy Manual
 - a. Review by Board members
 - b. Consolidation by ad hoc committee
3. Ownership of dental practice
 - a. Review of current Laws & Rules
 - b. What additional is needed to support the protection of the public
4. Educate Board members on the impact of Midlevel Providers
 - a. Minnesota Programs
 - b. Canadian Model
 - c. New Mexico Therapist
 - d. Alaska DHAT
 - e. Pending states – WA, CT, OR, KS
5. Review of Expanded Duties Rule
 - a. Does rule include the current procedures taught in the approved courses
 - b. As the practices expand are additional procedures needed to be included in training and rule

CRDTS Steering Committee – Dr. Logan Nalley

Dr. Nalley reported that the Committee met last week.

IP Committee Report – Dr. Richard Bennett

No report.

Executive Director's Report – Ms. Tanja Battle

Inactive Status Applications: Ms. Battle discussed inactive status applications and asked if the Board would still want to see all of the applications for such given that the rule has changed regarding the conditions for placing an active license on inactive status. Dr. Holcomb expressed his concerns regarding this matter and after further discussion, made a motion to table this matter until the January meeting for definitive action. Dr. Nalley seconded the motion and the Board voted unanimously in favor of the motion.

Request from Dena Boykin, DH006015: Ms. Battle read Ms. Boykin's letter to the Board requesting removal of the Public Order from her record. Dr. Nalley made a motion to deny this request. Dr. Godfrey seconded and the Board voted unanimously in favor of the motion.

Ms. Battle reported that staff is currently focused on processing the huge influx of renewal applications. She reiterated that licensees mailing in copies of their renewal documentation (i.e. census, SVD and affidavit), are experiencing longer processing times than those who have uploaded the documents online. Additionally, Ms. Battle stated that everyone who has initiated the renewal by paying prior to the expiration date will have a status of "active-renewal pending." This status will allow practitioners to continue working and billing.

Attorney General's Report – Mr. Bryon Thernes

Mr. Thernes stated that at the November 1, 2013 meeting the Board asked him to draft language in response to Dr. Clever Silva concerning whether or not a maxillofacial radiologist licensed in another state report on radiographs and scans for a Georgia licensed dentist treating a patient who lives in Georgia. Mr. Thernes will email the language to Ms. Howell and she will draft the letter and sent to Dr. Bennett for review.

Miscellaneous

Ms. Pam Cushenan, GDHA, provided a rough draft of revisions to the Board's policy manual, based on discussion regarding this at the November Board meeting.

Dr. Tom Godfrey made a motion and Dr. Logan Nalley 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. Becky Bynum, Dr. Randy Daniel, Ms. Connie Engel, Dr. Tracy Gay, Dr. Tom Godfrey, Dr. Steve Holcomb, Dr. Logan Nalley, Dr. Barry Stacey and Dr. Bert Yeargan.

Executive Session

Applications

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

Correspondences

- Correspondence from S.F.
- Correspondence from J.M.

Investigative Committee Report

Report presented:

- DENT130093
 - DENT130081
 - DENT130055
 - DENT130023
 - DENT130136
 - DENT140055
 - DENT130071
 - DENT130125
 - DENT130126
 - J.C.H.
 - DENT120098
 - DENT100144
 - DENT120032
 - DENT130094
 - DENT130134
 - DENT110206
 - DENT110163
 - DENT120043
 - DENT120082
 - P.J.M.
 - DENT120040
 - DENT080006
-
- T.M.R.

Conscious Sedation/General Anesthesia Committee Report – Dr. Barry Stacey

- Request from J.Z.R.
- A.J.L.
- DENT130123

Executive Director’s Report – Ms. Tanja Battle

- M.T.M.

Attorney General’s Report – Mr. Bryon Thernes

Mr. Thernes discussed the following case:

- DENT130111

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

Open Session

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

Applications

- C.S.G. Inactive Status Approved application
- H.M.A. Inactive Status Approved application
- M.M.M. Inactive Status Approved application
- V.L.H. Inactive Status Approved application
- J.T.B. DH Reinstatement Approved application
- K.M.D. Dental Credentials Denied application
- D.F.B. Dental Renewal Refer to the Investigative Committee
- S.E.W. Dental Renewal Refer to the Attorney General's office
- R.K.S. Dental Renewal Approved renewal

Correspondences

- Correspondence from S.F.: Denied request to place license on inactive status.
- Correspondence from J.M.: Respond to applicant by stating that he will not qualify for credentials licensure in the timeframe specified in his letter.

Investigative Committee Report

Recommendations made by the Investigative Committee on November 15, 2013:

Complaint Number	Allegations	Recommendations
DENT130093	Standard of Care	Close
DENT130081	Patient Abuse	Close
DENT130055	Other	Close
DENT130023	Over Px & Tx Plan	Close with Letter of Concern
DENT130136	Standard of Care	Close
DENT140055	Other	Refer to AG
DENT130071	Standard of Care	Close
DENT130125	Standard of Care	Refer to AG
DENT130126	Standard of Care	Close
J.C.H.	Licensure Issue	Close
DENT120098	Standard of Care	Close
DENT100144	Standard of Care	Close
DENT120032	ULP	Refer to local DA
DENT130094	Standard of Care	Close
DENT130134	Over Px & Tx Plan	Close
DENT110206	Standard of Care	Close
DENT110163	Standard of Care	Close
DENT120043	Standard of Care	Close
DENT120082	Standard of Care	Close
P.J.M.	Advertising	Letter of Concern
DENT120040	Standard of Care	Close
DENT080006	Standard of Care	Close

- T.M.R. Refer to Attorney General's office for discipline. Public Consent Order to be accepted and signed with express permission upon receipt.

Conscious Sedation/General Anesthesia Committee Report – Dr. Barry Stacey

- Request from J.Z.R.: Denied request for a waiver of the application fees for a change in site.

- A.J.L.: Denied enteral/inhalation conscious sedation application.
- DENT130123: No action taken.

Executive Director's Report – Ms. Tanja Battle

- M.T.M. Dental Renewal Approved renewal

Attorney General's Report – Mr. Bryon Thernes

Mr. Thernes discussed the following case:

- DENT130111: No action taken.

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

The next scheduled meeting of the Georgia Board of Dentistry will be held on Friday, January 17, 2014, at 9:30 a.m. at the Department of Community Health's office located at 2 Peachtree Street, N.W., 36th Floor, Atlanta, GA 30303.

The Board meeting adjourned at 2:15 p.m.

Minutes recorded by Brandi P. Howell, Business Operations Specialist

Minutes edited by Tanja D. Battle, Executive Director