

GEORGIA BOARD OF DENTISTRY
Board Meeting
February 20, 2015
2 Peachtree St., N.W., 36th Floor
Atlanta, GA 30303
9:30 a.m.

The following Board members were present:

Dr. Logan Nalley
Dr. Stephen Holcomb
Dr. Richard Bennett
Ms. Becky Bynum
Dr. Randy Daniel
Dr. Tom Godfrey (*arrived @ 10:39 a.m.*)
Dr. Greg Goggans
Dr. Antwan Treadway (*departed @ 1:15 p.m.*)

Staff present:

Tanja Battle, Executive Director
Bryon Thernes, Asst Attorney General
Anil Foreman, Legal Officer
Brandi Howell, Bus Operations Specialist

Visitors:

Donald Brown, GDA
Tina Titshaw, HCS
Erica Michell, GDHA
Wendy Blond, GDHA
Brandy Henderson, GDHA
Nancy DeMott, GDHA
Dr. Jennifer Wohlers
Jamie Cohen
Stephen Wohlers
Melana McClatchey, GDA
Erika Smith

Open Session

Dr. Nalley established that a quorum was present and called the meeting to order at 9:40 a.m.

Introduction of Visitors

Dr. Nalley welcomed the visitors.

Approval of Minutes

Dr. Treadway made a motion to approve the Public and Executive Session minutes for the January 9, 2015 meeting and the Public and Executive Session minutes for the January 30, 2015 conference call. Dr. Goggans seconded and the Board voted unanimously in favor of the motion.

Ratifications

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

Correspondence from Shane DeGarmo

The Board considered this correspondence from Mr. DeGarmo inquiring as to the Board's role in reviewing online dental hygiene degree programs offered by out-of-state colleges and universities. The Board directed staff to respond to Mr. DeGarmo by stating that the Board does not review and approve post-licensure dental hygiene programs as that is done by the Commission on Dental Accreditation (CODA).

Correspondence from Mariana Kouzmanova

The Board considered this correspondence from Ms. Kouzmanova, who is EFDA and CDA certified, regarding whether or not she is allowed to do coronal polishing with prophylaxis angle and prophylaxis paste to remove stains after the dentist has scaled the teeth. The Board directed staff to respond to Ms. Kouzmanova by referring her to Board Rule 150-9-.02.

Correspondence from Dr. Leslie J. Kicklighter

The Board considered this correspondence from Dr. Kicklighter regarding the parameters for treating sleep apnea patients with an oral appliance. Dr. Gay made a motion to release a memorandum from the Department of Law dated March 7, 2005 regarding prescribing sleep apnea appliances. Dr. Holcomb seconded and the Board voted in favor of the motion.

Correspondence from Dr. Sam Worthington

The Board considered this correspondence from Dr. Worthington regarding a colleague that is advertising that the office does not place “dangerous silver fillings”. The Board directed staff to respond by stating that additional information would need to be submitted before the Board could consider this matter.

Correspondence from William Carmichael, Snyder Dental Clinic

The Board considered this correspondence from Mr. Carmichael regarding referrals from a military clinic to a civilian dentist. Additionally, Mr. Carmichael asked if the off-post dentist can bill the insurance for a limited evaluation. The Board directed staff to respond to Mr. Carmichael by stating that a supervising dentist would still be responsible for reviewing the medical history and having access to radiographs. Also, how it gets billed is between the military clinic and the civilian dentist.

Correspondence from Brian Boyd

The Board considered this correspondence from Mr. Boyd requesting clarification as to the requirements for a foreign-trained dentist. The Board directed staff to respond to Mr. Boyd by referring him to the law and rules on the Board’s website.

Correspondence from Dr. Robert J. Grzybowski

The Board considered this correspondence from Dr. Grzybowski regarding a bid proposal to the Georgia Army National Guard and whether or not it is necessary for one of the owners to be a Georgia licensed dentist. The Board directed staff to respond to Dr. Grzybowski by referring him to O.C.G.A. § 43-11-47 for more information.

General – Dr. Logan Nalley

No report.

CE Audit Committee Report – Dr. Richard Bennett

No report.

Conscious Sedation/General Anesthesia Committee Report – Dr. Randy Daniel

Dr. Daniel discussed correspondence from Pediatric Dental Specialists. This correspondence had been discussed at previous meetings. The matter was tabled until written evidence that the doctor had staff privileges at the local hospital had been received. Dr. Daniel reported that this information has now been received.

Dr. Daniel stated that he feels that notifications regarding changes to the sedation rules need to be mailed via regular mail versus email to permit holders. Discussion was held regarding postage fees and the availability of staff to handle this matter.

Credentialing Committee Report – Dr. Greg Goggans

No report.

Dental Hygiene Committee Report – Ms. Rebecca Bynum

Ms. Bynum reported that House Bill 350 regarding dental hygienists being allowed to administer local anesthesia under direct supervision of a dentist had been proposed and asked if anyone from the associations present would like to discuss with the Board. Wendy Blond, GDHA, responded by stating that GDHA would welcome any discussion on this matter with the Board and requested to provide some additional information to the Board. Dr. Bennett responded that the Board appreciates the information; however, he stated that it may be more appropriate to follow the legislation in the General Assembly. He stated that, if the bill passes, the Board would welcome any feedback at that particular juncture given the Board would then need to promulgate rules to address the change.

Examination Committee Report – Dr. Steve Holcomb

Dr. Holcomb reported that the clinical licensure exams have started. He stated the first one was held in Colorado and there is one going on now in Alabama. He reported that the examination in Georgia will be held on March 13th.

Dr. Holcomb discussed a request that had been received from a dental hygiene school requesting information related to the clinical exam. He stated that there is a program that CRDTS puts on at the Hinman, which is held prior to any clinical examination and thinks the hygiene community utilizes the Hinman meeting as a forum for questions. He stated the same thing is also done prior to the dental exams.

Dr. Holcomb reported that there will be a dental exam review meeting held in April. He stated they will finalize the 2016 format at that time and the manuals will print in the summer and be sent out to the schools.

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

No report.

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.

Executive Director's Report – Ms. Tanja Battle

Ms. Battle reported that she received an invoice from the Southern Conference of Dental Deans and Examiners for 2014 and 2015. Ms. Battle stated that she did not believe this is a conference that the Board voted to pay for and attend. Dr. Holcomb stated that he only attended as the Examination Review Chair for CRDTS and feels as though utilizing the Board's funds for other expenses would be more prudent at this time. Ms. Battle indicated that she would not pay for membership at this juncture based on the Board's direction. The Board may revisit this matter at any time.

Ms. Battle stated that the Board office has received several requests for verification that the licensee has taken a clinical examination. She stated that due to retention schedules, our office no longer has that information. Discussion was held regarding the Board administering an independent examination prior to accepting the SRTA examination in February 1993. Dr. Holcomb made a motion to respond to requests of this nature by stating that the licensee successfully completed an independent state examination consisting of multiple sections administered and scored by the Georgia Board of Dentistry. Additionally, prior to February 22, 1993 candidates were required to obtain a minimum score of seventy-five (75) or better. If this individual had not passed, he/she would not have received a license to practice dentistry. Dr. Bennett seconded and the Board voted unanimously in favor of the motion.

Attorney General's Report Open Session – Mr. Bryon Thernes

No report.

Dr. Antwan Treadway made a motion and Dr. Randy Daniel 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. Logan Nalley, Dr. Steve Holcomb, Dr. Richard Bennett, Ms. Becky Bynum, Dr. Randy Daniel, Dr. Greg Goggans and Dr. Antwan Treadway.

Executive Session

Appearances

- M.V.B.
- E.J.S.

Licensure Overview Committee Appointments/Discussion Cases

- J.B.R.
- L.C.
- B.L.V.
- T.J.R.
- D.F.V.
- K.J.L.
- N.M.B.
- T.M.B.
- K.E.C.

Applications

- R.M.A.
- C.A.R.
- T.L.W.
- J.B.M.
- J.H.W.

- J.W.S.
- N.V.
- R.D.P.
- J.E.M.
- P.S.J.O.
- K.N.T.
- C.J.S.
- J.P.J.
- S.M.T.

Investigative Committee Report

Report presented:

- DENT110167
- DENT110121
- DENT140089
- DENT120048
- DENT130204
- DENT140111
- DENT140170
- DENT140225
- DENT150164
- DENT100252
- DENT130076
- DENT140069
- DENT150138
- DENT150153
- DENT150185
- DENT150194
- DENT150196
- DENT150203
- DENT150205
- S.B.M.
- DENT120032

Correspondences

- Correspondence from J.T.H.
- Correspondence from R.C.K.

Executive Director's Report – Ms. Tanja Battle

- S.S.
- Correspondence from R.M.S.
- Correspondence from L.B.

Attorney General's Report – Mr. Bryon Thernes

- Dental Service Organizations and ownership of dental practices
- Correspondence to S.C.C.

Mr. Thernes discussed the following cases:

- G.A.
- D.J.
- M.W.
- R.L.
- T.F.

Legal Services – Ms. Anil Foreman

Ms. Foreman presented the following consent order for acceptance:

- J.E.T.

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

Open Session

Dr. Godfrey made a motion for Ms. Battle to accept service on behalf of all of the board members Dr. Bennett seconded and the Board voted unanimously in favor of the motion.

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

Appearances

- M.V.B. Uphold denial of credentials application
- E.J.S. Uphold denial of credentials application

Licensure Overview Committee Appointments/Discussion Cases

- | | | |
|----------|--------------------------------|---|
| • J.B.R. | Request to terminate probation | Request approved |
| • L.C. | Dental licensee | Directed staff to respond to licensee by referring the individual to O.C.G.A. § 43-11-47. |
| • B.L.V. | Request to terminate probation | Request approved |
| • T.J.R. | Dental Reinstatement Applicant | Refer to the Board’s Legal Officer for discipline |
| • D.F.V. | Request to terminate probation | Request approved |
| • K.J.L. | Request to terminate probation | Request denied |
| • N.M.B. | Request to terminate probation | Request approved |
| • T.M.B. | Request to terminate probation | Request approved |
| • K.E.C. | Request to terminate probation | Request approved |

Applications

- | | | |
|----------|------------------------------|---|
| • R.M.A. | Dental Exam Applicant | Approved application |
| • C.A.R. | Dental Exam Applicant | Approved application |
| • T.L.W. | Dental Exam Applicant | Denied application |
| • J.B.M. | Dental Credentials Applicant | Approved application |
| • J.H.W. | Dental Credentials Applicant | Denied application |
| • J.W.S. | Dental Credentials Applicant | Approved application |
| • N.V. | Dental Credentials Applicant | Approved application |
| • R.D.P. | Dental Hygiene Reinstatement | Refer to the Board’s Legal Officer for discipline |

- J.E.M. Dental Reinstatement Applicant Approved application with a private letter of concern
- P.S.J.O. Dental Reinstatement Applicant Approved application
- K.N.T. Dental Hygiene Reinstatement Schedule to meet with the Licensure Overview Committee
- C.J.S. Inactive Status Applicant Application approved
- J.P.J. Inactive Status Applicant Application approved
- S.M.T. Dental Faculty Applicant Application approved

Investigative Committee Report

Report presented:

Complaint number	Allegations	Recommendations
DENT110167	Quality of Care/Substandard Practice	Close
DENT110121	Quality of Care/Substandard Practice	Close
DENT140089	Quality of Care/Substandard Practice	Close
DENT120048	Over Prescribing and Treatment Plan	Close
DENT130204	Quality of Care/Substandard Practice	Close
DENT140111	Quality of Care/Substandard Practice	Close
DENT140170	Other	Close
DENT140225	Quality of Care/Substandard Practice	Close
DENT150164	Unlicensed Practice	Letter of Concern
DENT100252	Quality of Care/Substandard Practice	Close
DENT130076	Quality of Care/Substandard Practice	Close
DENT140069	Malpractice Report	Close
DENT150138	Malpractice Report	Close
DENT150153	Malpractice Report	Close
DENT150185	Unethical Conduct	Close w/Letter of Concern
DENT150194	Unsanitary Conditions	Letter of Concern
DENT150196	Billing	Close
DENT150203	Billing	Close
DENT150205	Quality of Care/Substandard Practice	Close
S.B.M.	Prescribing Violations	Close
DENT120032	Unlicensed Practice	Close - but Flag

Correspondences

- Correspondence from J.T.H.: Denied request for waiver of the reinstatement fee.
- Correspondence from R.C.K.: Schedule to meet with the Licensure Overview Committee.

Executive Director's Report – Ms. Tanja Battle

- S.S.: Approved the course pending a favorable audit conducted by a member of the Board.
- Correspondence from R.M.S.: Approved request to terminate the restriction on prescribing Schedule II controlled substances.
- Correspondence from L.B.: Close with no action.

Attorney General's Report – Mr. Bryon Thernes

- The Board received advice from Mr. Thernes regarding Dental Service Organizations and ownership of dental practices.

- Correspondence to S.C.C.: Directed staff to send correspondence drafted by the Attorney General's office.

Mr. Thernes discussed the following cases:

- G.A. No action taken
- D.J. No action taken
- M.W. No action taken
- R.L. No action taken
- T.F. No action taken

Legal Services – Ms. Anil Foreman

Ms. Foreman presented the following consent order for acceptance:

- J.E.T. Public consent order accepted

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

Dr. Bennett moved that the Board suspend Paula Pruitt Heard's license to practice as a Dentist, License #DN011195, effective 30 days from the date of the *First Notice Letter of Suspension*, for nonpayment status or default or breach of repayment or service obligation for her federal educational loan, service conditional loan repayment program, or service conditional scholarship program. Dr. Bennett further moved that such suspension shall be STAYED pending an appearance before the board if a request for an appearance is timely received and that this suspension shall be lifted upon receipt of a written release from the federal agency that Paul Pruitt Heard is not the person at issue or is making payments on the loan, service conditional loan repayment program, or service conditional scholarship program satisfying the payment or service requirements in accordance with an agreement approved by the federal agency. 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, March 20, 2015, 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 2:21 p.m.

Minutes recorded by Brandi P. Howell, Business Operations Specialist
Minutes edited by Tanja D. Battle, Executive Director