

GEORGIA BOARD OF DENTISTRY
2 Peachtree St., N.W., 6th Floor
Atlanta, GA 30303
February 3, 2023
10:00 a.m.

The following Board members were present:

Dr. Glenn Maron, President (via Teams)
Ms. Misty Mattingly, Vice-President
Dr. Greg Goggans
Dr. Michael Knight
Dr. Larry Miles
Dr. Ami Patel
Dr. David Reznik
Mr. Mark Scheinfeld
Dr. Jeffrey Schultz
Ms. Lisa Selfe
Dr. Lisa Shilman
Dr. JC Shirley
Dr. Don Spillers
Dr. Debra Wilson
Dr. Nancy Young

Staff present:

Eric Lacefield, Executive Director
Max Changus, Senior Assistant Attorney General
Clint Joiner, Attorney
Brandi Howell, Business Support Analyst I

Visitors:

Catherine Como, CE Broker
Dr. Jerry Cooper, Promethean Dental Systems
Dr. Richard Callan, Promethean Dental Systems/SRTA
John Watson, ADSO
Lamara Moore, GDHA
Pam Cushenan, GDHA
Ethan James, GDHA
Lucy Brumbaugh, Pacific Dental Services
Theresa G. Robertson, GDA
Ashton Blackwood, Dental College of Georgia
Luke Ray, Dental College of Georgia
Dr. Alan Furness, Dental College of Georgia
Callie Michael, Georgia School of Orthodontics
Dr. Randy Kluender, Georgia School of Orthodontics

Open Session

Vice-President Mattingly established that a quorum was present and called the meeting to order at 10:10 a.m.

Introduction of Visitors

Vice-President Mattingly welcomed the visitors and new board member, Dr. Nancy Young.

Appearance

Appearance by Ms. Catherine Como, CE Broker: Ms. Como thanked the Board for the opportunity to speak to its members. She presented the Board with information regarding CE Broker, which is an electronic tracking and compliance system for continuing education.

Approval of Minutes

Dr. Knight made a motion to approve the December 22, 2022, Sleep Apnea Committee Conference Call minutes. Dr. Wilson seconded, and the Board voted unanimously in favor of the motion.

Dr. Knight made a motion to approve the Public Session minutes from the January 6, 2023, meeting. Dr. Reznik seconded, and the Board voted unanimously in favor of the motion.

Ms. Selfe made a motion to approve the Executive Session minutes from the January 6, 2023, meeting. Dr. Reznik seconded, and the Board voted unanimously in favor of the motion.

Report of Licenses Issued

Dr. Knight made a motion to ratify the list of licenses issued. Dr. Reznik seconded, and the Board voted unanimously in favor of the motion.

Vice-President Mattingly made a motion and Ms. Selfe seconded and the Board voted to enter into **Executive Session** for the purpose of receiving legal advice as authorized under O.C.G.A. §§ 50-14-1(e)(2)(c), 50-14-2(1). Voting in favor of the motion were those present who included Dr. Greg Goggans, Dr. Michael Knight, Dr. Glenn Maron, Ms. Misty Mattingly, Dr. Larry Miles, Dr. Ami Patel, Dr. David Reznik, Mr. Mark Scheinfeld, Dr. Jeffrey Schultz, Ms. Lisa Selfe, Dr. Lisa Shilman, Dr. JC Shirley, Dr. Don Spillers, Dr. Debra Wilson, and Dr. Nancy Young.

Executive Session

The Board requested legal advice.

No votes were taken in Executive Session. Vice-President Mattingly declared the meeting back in Open Session.

Open Session

Petitions for Rule Waiver or Variance

Rule Variance Petition from Arjan Hayer: The Board discussed this request for a variance of Rule 150-3-.01. Mr. Lacefield noted that the board office has received the Certificate of Active Supervision from the Governor's office regarding this rule. He explained that the amendments have been filed with the Office of the Secretary of State and may be in effect prior to the next board meeting. Dr. Wilson made a motion to deny the petition in light of imminent changes to Rule 150-3-.01 that will render the variance moot. Additionally, the Board office cannot provide a specific date as to when the rule will be posted and become effective. It is suggested that Mr. Hayer check the Board's website on or before March 1, 2023, for updates to the rule. Dr. Reznik seconded, and the Board voted unanimously in favor of the motion.

Rule Variance Petition from Garland Johns: The Board discussed this request for a variance of Rule 150-3-.01. Dr. Reznik made a motion to deny the petition in light of imminent changes to Rule 150-3-.01 that will render the variance moot. Additionally, the Board office cannot provide a specific date as to when the rule will be posted and become effective. It is suggested that Mr. Johns check the Board's website on or before March 1, 2023, for updates to the rule. Dr. Shilman seconded, and the Board voted unanimously in favor of the motion.

Rule Variance Petition from Ian Hurley: The Board discussed this request for a variance of Rule 150-3-.01. Dr. Reznik made a motion to deny the petition in light of imminent changes to Rule 150-3-.01 that will render the variance moot. Additionally, the Board office cannot provide a specific date as to when the rule will be posted and become effective. It is suggested that Mr. Hurley check the Board's website on or before March 1, 2023 for updates to the rule. Dr. Wilson seconded, and the Board voted unanimously in favor of the motion.

Rule Variance Petition from Jamie Crowley: The Board discussed this request for a variance of Rule 150-3-.01. Dr. Reznik made a motion to deny the petition in light of imminent changes to Rule 150-3-.01 that will render the variance moot. Additionally, the Board office cannot provide a specific date as to when the rule will be posted and become effective. It is suggested that Mr. Crowley check the Board's website on

or before March 1, 2023, for updates to the rule. Dr. Wilson seconded, and the Board voted unanimously in favor of the motion.

Rule Waiver Petition from Dr. Ranvita P. Kolli: The Board discussed this request for a waiver of Rule 150-3-.01(7)(e). Dr. Reznik made a motion to deny the petition as the Board previously determined at its meeting on October 1, 2021, there have been no changes to the content of the ADEX examination since 2015, and as such, it would consider live patient ADEX examinations taken in 2015 or later without a rule petition. Dr. Wilson seconded, and the Board voted unanimously in favor of the motion.

Rule Waiver Petition from Dr. Robert K. McWhorter: The Board discussed this request for a waiver of Rule 150-3-.01. Dr. Reznik made a motion to deny the petition in light of imminent changes to Rule 150-3-.01 that will render the variance moot. Additionally, the Board office cannot provide a specific date as to when the rule will be posted and become effective. It is suggested that Dr. McWhorter check the Board's website on or before March 1, 2023, for updates to the rule. Dr. Wilson seconded, and the Board voted unanimously in favor of the motion.

Correspondences

Correspondence from Dr. Suzanne Mericle: The Board considered this request for the Board to amend its rules to state that "the taking of intraoral or extraoral photography, conventional or digital, is not a dental procedure, operation or service". The Board directed staff to respond to Dr. Mericle by stating that this matter is the subject of litigation that the Board is currently involved in and as such will take the request under advisement.

Correspondence from Dr. Joe Hair: The Board considered this correspondence requesting the Board's position as it pertains to "taking impressions" with an intraoral scanner. The Board directed staff to respond to Dr. Hair by stating the Board wishes to thank him for his letter and to be advised that the Board is working to address its rules related to this matter.

Vice-President Mattingly stated that Dr. Maron requested to appoint Dr. Spillers as Chair, along with Vice-President Mattingly and Dr. Young to serve on a committee to review Rule 150-9-.02 and report back to the Board.

Correspondence from American Association of Dental Boards: The Board considered this correspondence regarding the Dentist and Dental Hygiene Compact. Mr. Lacefield commented that this information is being provided as information. He added that a copy of the compact was available on Sharepoint for review by the board members.

Dr. Goggans stated that this is something the Board needs to review as it is rapidly approaching. He explained that it is model legislation and there are about 25 state legislators that will take up the bill. He continued by stating that as soon as they get 10 states to pass it, it comes into play. He stated that he was not saying it is a good or bad thing. Dr. Goggans further stated that the compact establishes a pathway for a dentist and dental hygienist licensed in a participating state to obtain privileges that authorizes them to practice in another participating state in which they are not licensed. He stated that the individual would need to provide proof of continuing education and pass the jurisprudence examination. He added that the compact would create reciprocity among participant states and reduce barriers to license portability. Dr. Goggans stated that it is being funded by the Department of Defense. He continued by stating that many are in favor of this compact and there are 44 states that have some type of compact. He stated that there has been some pushback from states in that it does make you accept the DLOSCE. He explained that the Board recently adopted rules stating it accepts all clinical exams except the DLOSCE, which is the non-psychomotor exam developed by the ADA.

Dr. Shirley commented that this is rapidly approaching and it is important for the Board to review. He added that if it happens, it will require the Board to change its rules and some of its processes in order to adapt.

General – Dr. Glenn Maron

No report.

Infection Control Committee Report – Dr. David Reznik

Dr. Reznik reported that the Infection Control Committee had its first meeting recently. He stated the Committee covered a lot of background. He continued by stating that Dr. Shirley provided a presentation on an incident that occurred in 2015 in Georgia involving dental unit water lines and what happened to several children. He added that information was provided concerning an outbreak in California that was also related to dental unit water lines and micro bacteria. Dr. Reznik reported that there has been another outbreak in Georgia. He stated that the Center for Disease Control (CDC) did send out an advisory notice regarding dental unit water lines.

Dr. Shirley provided a brief overview of the 2015 incident that occurred in Georgia. He explained that patients from one dental practice in Georgia all had similar procedures and ended up having serious mycobacterium abscessus infections that required hospitalization and it was related to the organism in the water line at one specific practice. He stated that a health advisory was issued due to another cluster of patients from another location with the suspicion being mycobacterium abscessus.

Dr. Reznik stated that the Infection Control Committee recommended Chief Investigator Altman using a checklist if a complaint about unsanitary conditions is received. He further stated that Chief Investigator Altman recently attended OSAP's bootcamp about infection control and dental unit water lines.

Dr. Reznik reported that the Infection Control Committee recommended two hours of the existing continuing education requirements for dentists and dental hygienists be taken in infection control, with one of those hours on dental unit water lines. He stated that Georgia is the only state to have two outbreaks. He further stated that the alternative would be continuing education inclusive on dental unit water lines. He added that the Infection Control Committee had previously not discussed that, but he felt that should be offered as an alternative. Dr. Reznik stated that this is about protecting the public, which is what this Board is charged to do.

Dr. Spillers suggested that the two hours of continuing education be inclusive of dental unit water lines as it is a very important topic. Dr. Reznik agreed and stated that people do not know how or when to test. He continued by stating that this is not the end game, but rather the beginning. He stated that this is getting people educated on what they need to know on how to maintain a safe practice.

The Board directed staff to draft an amendment to the rules that require two hours of continuing education for dentists and dental hygienists inclusive of dental unit water lines and bring back to the Board for consideration.

Attorney General's Report – Mr. Max Changus

Mr. Changus welcomed Dr. Young to the Board.

Executive Director's Report – Mr. Eric Lacefield

Georgia Representation for CDCA-WREB-CITA Steering Committee & 2023 CDCA-WREB-CITA Annual Meeting Update: Mr. Lacefield reported that he received an email regarding vacancies for Georgia representation on the CDCA-WREB-CITA Steering Committee. He explained that the Board could submit three names. Dr. Reznik made a motion to submit Dr. Patel, Dr. Shirley and Vice-President

Mattingly as the representatives. Dr. Goggans seconded, the Board voted unanimously in favor of the motion.

Legal Services – Mr. Clint Joiner

No report.

Miscellaneous

Phlebotomy/Venipuncture Course Submission: Dr. Reznik made a motion to approve the Phlebotomy and IV Access for the Dentist and Dental Auxiliary course provided by the Georgia Dental Association. Ms. Selfe seconded, and the Board voted unanimously in favor of the motion.

Ms. Lamara Moore stated that Rule 150-5-.07 Administration of Local Anesthetic by Dental Hygienist was adopted by the Board in November. She inquired as to when it would be finalized. Mr. Lacefield responded by stating that the Governor’s office has up to 90 business days to review the rule.

Dr. Reznik made a motion and Dr. Schultz seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. § 43-1-19(h), § 43-11-47(h), and § 43-1-2(h), 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. Greg Goggans, Dr. Michael Knight, Ms. Misty Mattingly, Dr. Larry Miles, Dr. Ami Patel, Dr. David Reznik, Mr. Mark Scheinfeld, Dr. Jeffrey Schultz, Ms. Lisa Selfe, Dr. Lisa Shilman, Dr. JC Shirley, Dr. Don Spillers, Dr. Debra Wilson, and Dr. Nancy Young.

Executive Session

Appearance

- R.R.

Licensure Overview Committee Discussion Case

- K.R.M.

Applications

- R.K.M.
- P.R.S.
- N.M.
- D.M.R.
- C.A.T.
- P.C.
- A.L.D.
- S.B.O.

Investigative Committee Report – Dr. Brent Stiehl

Report presented:

- DENT230139

Attorney General’s Report – Mr. Max Changus

Mr. Changus presented the following consent order for acceptance:

- G.Z.

Executive Director’s Report – Mr. Eric Lacefield

- No report.

Legal Services – Mr. Clint Joiner

- No report.

No votes were taken in Executive Session. Vice-President Mattingly declared the meeting back in Open Session.

Open Session

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

Appearance

- | | | |
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| • R.R. | Denied Credentials Applicant | Overturn denial and approve |
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Licensure Overview Committee Discussion Case

- | | | |
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| • K.R.M. | Request to Terminate Probation | Approved request |
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Applications

- | | | |
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| • R.K.M. | Dental Exam Applicant | Table pending receipt of additional information |
| • P.R.S. | Dental Exam Applicant | Table pending receipt of additional information |
| • N.M. | Denied Dental Credentials Applicant | Overturn denial and approve |
| • D.M.R. | Dental Credentials Applicant | Approved application |
| • C.A.T. | Initial Moderate Parenteral CS | Table for discussion at 02/10/2023 Sedation Committee Meeting |
| • P.C. | Initial General Anesthesia Applicant | Approved evaluation |
| • A.L.D. | Dental Hygiene Reinstatement Applicant | Approved application |
| • S.B.O. | Dental Hygiene Reinstatement Applicant | Approved application |

Investigative Committee Report – Dr. Brent Stiehl

Report presented:

Complaint Number	Allegations	Recommendation
DENT230139	Quality of Care	Close with no action

Attorney General’s Report – Mr. Max Changus

Mr. Changus presented the following consent order for acceptance:

- | | |
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| • G.Z. | Accept Private Consent Order |
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Executive Director’s Report – Mr. Eric Lacefield

- No report.

Legal Services – Mr. Clint Joiner

- No report.

Dr. Wilson seconded, and the Board voted in favor of the motion, with the exception of Dr. Young, who abstained from the vote regarding R.R.

With no further business, the Board meeting adjourned at 12:34 p.m.

The next scheduled meeting of the Georgia Board of Dentistry will be held on Friday, March 3, 2023, at 10:00 a.m. at the Department of Community Health's office located at 2 Peachtree Street, N.W., 6th Floor, Atlanta, GA 30303.

Minutes recorded by Brandi Howell, Business Support Analyst I

Minutes edited by Eric R. Lacefield, Executive Director