

GEORGIA BOARD OF DENTISTRY
Conference Call
2 Peachtree St., N.W., 6th Floor
Atlanta, GA 30303
February 4, 2022
10:00 a.m.

The following Board members were present:

Dr. Glenn Maron, President
Dr. Ami Patel, Vice-President
Dr. Greg Goggans
Dr. Michael Knight
Ms. Misty Mattingly
Dr. Larry Miles
Dr. David Reznik
Mr. Mark Scheinfeld
Dr. Don Spillers
Dr. Brent Stiehl
Dr. Debra Wilson

Staff present:

Eric Lacefield, Executive Director
Kirsten Daughdril, Senior Assistant Attorney General
Max Changus, Assistant Attorney General
Kimberly Emm, Attorney
Brandi Howell, Business Support Analyst I

Visitors:

Erin Boyleston
Sherie Williams Barbare, SRTA/PDS
Dr. Randy Kluender, GA School of Orthodontics
Dr. MaryJane Hanlon, Promethean Dental Systems
Renea Chapman, CITA

Open Session

Dr. Maron established that a quorum was present and called the meeting to order at 10:01 a.m.

Introduction of Visitors

Mr. Lacefield asked the visitors on the call to send an email via the “Contact Us” portal on the website if he/she would like his/her name reflected as being in attendance in the minutes.

Dr. Maron welcomed new board member, Dr. Spillers.

Approval of Minutes

Dr. Knight made a motion to approve the Public and Executive Session minutes from the January 7, 2021, Conference Call. Dr. Patel seconded, and the Board voted unanimously in favor of the motion.

Report of Licenses Issued

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

Petitions for Rule Waiver or Variance

Rule Variance Petition from Dr. Garrett Charette: Dr. Reznik made a motion to deny the rule variance petition as the Board determined at its meeting on October 1, 2021, that 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 variance petition. Dr. Wilson seconded and the Board voted unanimously in favor of the motion. In the same motion, the Board suggested Dr. Charette submit an application for licensure by examination for consideration.

Correspondences

Correspondence from Atlanta Academy of Dental Assisting: The Board considered this request for approval of Atlanta Academy of Dental Assisting's expanded duties program. Discussion was held regarding the hours required per topic. Ms. Emm explained that Rule 150-9-.02(1) states in part, "...An expanded duty dental assistant certificate may be issued by an accredited dental assisting program, a dental hygiene school, a dental school or a professional association recognized and approved by the Georgia Board of Dentistry to a candidate who has successfully completed the required certificate courses (each of which must be a minimum of four hours)." There being no further discussion, the Board stated that the program did not meet the requirements of Rule 150-9-.02 Expanded Duties of Dental Assistants and suggested Atlanta Academy of Dental Assisting adjust its curriculum to meet the requirements of the rule and resubmit its request to the Board.

Correspondence from Dr. Thomas Walker, SRTA: The Board considered this follow up correspondence from SRTA regarding its presentation to the Board at the January meeting. Dr. Maron stated that when Dr. Goggans was President of the Board, the Board started discussion on accepting the manikin examination and then COVID happened. Since the pandemic hit, the Governor has mandated acceptance of the manikin examination under the Executive Order. Dr. Maron stated that we are moving out of the pandemic and he thinks it is time for the Board to consider whether it will accept the manikin/haptic exam, or go back to accepting a live-patient exam only. He further stated that this is not something that needs to be decided today. Dr. Maron requested each member start thinking about this so in the next few months the Board can make a determination.

Dr. Goggans commented that he believed the letter from Dr. Walker was requesting the Board accept the SRTA exam. He stated the Board currently accepts CRDTS and ADEX for dental licensure. He further stated ADEX is accepted in 48 states, whereas SRTA is accepted in 38 states. Dr. Goggans stated that the Governor's Emergency Order states that the Board would accept results from the CRDTS or ADEX manikin-based exam taken on or after January 1, 2021. Dr. Goggans further stated that the Board determined it would go back and accept results from the ADEX exam from 2015 to present. He asked if the Board decides to accept the SRTA exam, what dates would it accept? He continued by asking if the Board would have to reconsider all of these licenses that it denied. He stated there could be a lot of ramifications in accepting SRTA. Dr. Maron responded that this was why he wanted to bring this matter up to the Board. Dr. Stiehl commented that the main reason he is in favor of accepting the SRTA exam is because of the Promethean System. He stated that he believed SRTA was the only one partnering with Promethean at this time. He continued to by stating that in order to use the haptic system, the Board would have to accept the SRTA examination.

General – Dr. Glenn Maron

Dr. Maron stated that he takes what Dr. Goggans and Dr. Stiehl mentioned very seriously. He stated the Board will be tasked with making a decision on what examination it would move forward with following the expiration of the State of Emergency. Dr. Maron stated that the Board has gathered information; however, there are new members on the Board and it is not fair for them to be thrown into this without having as much information as possible. He requested staff provide an outline or packet that provides information on what examinations the Board accepts now and why, what companies have approached the Board, etc. Dr. MaryJane Hanlon, was on the call and spoke to the Board. She stated that she was aware there are new board members. She further stated that Promethean Dental Systems would love for the new members to visit its site in Athens to see what the haptic technology is about and why it is so innovative. Dr. Maron thanked Dr. Hanlon for the invitation.

Dr. Maron stated that the Board needs to understand the ramifications of accepting an exam now and would need to think about the retroactive aspects of accepting the exam.

Executive Director's Report – Mr. Eric Lacefield

Correspondence from Dr. Alan Furness, Dental College of Georgia (DCG): Mr. Lacefield stated that the correspondence was a simple question in regard to the timeframe for accepting applications for the current class graduating in May. Specially, when can the students start submitting his/her application to the Board. Mr. Lacefield stated that the students would like to go ahead and submit his/her application in an effort to lock in the manikin exam. Mr. Lacefield explained that the manikin exam is currently allowed through the Governor's Executive Order, which is set to expire February 28, 2022. He further explained that once the Executive Order terminates, results from the manikin exam would no longer be accepted for licensure in Georgia. Mr. Lacefield stated that the students that are set to graduate in May would like to take the upcoming manikin exam and want to make sure that the exam and the application would be accepted by the Board. He continued by stating that if the student submits and application now, he/she is four (4) months from graduation. He asked for the Board's thoughts on the matter. Dr. Maron stated his personal opinion was that he did not understand how one could apply for licensure until all the aspects of what is required have been met. He stated that, as much as the Board wants to assist those coming out of school, he does not understand how the person could apply without having the appropriate credentials. Dr. Maron asked if there were any comments from the Board. Dr. Goggans commented that if an individual submits an application for a test that is in place right now, such as the manikin, if the individual applies during that time, would it be fair to allow the individual to take the manikin. Dr. Maron responded by stating that it was his understanding that the individual submits an application for licensure to the Board after passing the examination. Dr. Goggans stated that he thought this was concerning applying to take manikin board. Dr. Maron responded that was not correct and this matter was regarding an individual submitting an application for dental licensure.

Dr. Alan Furness, Dental College of Georgia, was on the call and spoke to the Board. Dr. Furness stated that 90% of the seniors have passed the second part of the manikin exam. He stated the concern is if the State of Emergency expires prior to the individual graduating in May, he/she would not be able to apply for licensure based on the window for taking the manikin exam being closed. He further stated there is concern over the technicalities of the Executive Order, and would the Board accept the application after the State of Emergency has ended. Dr. Maron stated that this matter would be an issue where the Board should receive advice from its attorneys as it was his understanding that an individual could not apply for licensure if he/she has not graduated from dental school. Dr. Maron inquired if Mr. Changus or Ms. Daughdril needed more time to digest this, or could it weigh in on the issue. Ms. Daughdril responded that the Attorney General's office would need time to further review the concerns and get back to the Board. Ms. Emm explained that the emergency rule cited in Dr. Furness's correspondence was inactive under the previous Executive Order, which expired July 2021. She stated that the 120 days after the expiration of that order would have been 10/29/2021 and as such, the emergency rule was not in effect because it expired. Dr. Furness stated that on the Georgia.gov website, there is information on how the Executive Order continues various regulatory provisions from the Public Health State of Emergency into the new State of Emergency. Ms. Emm responded by stating that she does not believe that has the ability to extend an emergency rule that is limited by law. She continued by stating the Executive Order the emergency rule was instituted under had already expired and the Board would have had to enact another emergency rule under the current Executive Order.

Mr. Changus commented that the Attorney General's office would review the matter. He stated that there are various administrative concerns that Mr. Lacefield has. Mr. Changus stated that if this was permissible under the law, the Board may need to contemplate what that would look like. He further stated that with the law and the rules, the Attorney General's office does have some information to look through. The Board agreed to refer the matter to the Attorney General's office for advice.

Dr. Goggans inquired if the Board passed a rule accepting the manikin exam, would this discussion be a moot point. Dr. Maron responded affirmatively. Mr. Scheinfeld commented that it would be a moot point

with the exception that the applicant would still have to graduate from an accredited dental school. Dr. Maron agreed with Mr. Scheinfeld.

Dr. Carol Lefebvre, Dental College of Georgia, was on the call and spoke to the Board. Dr. Lefebvre stated the next exam is scheduled for March. As such, she stated this was important timing for DCG's students. Dr. Maron responded that he understood, but it is not the Board's job to worry about the students graduating from DCG. He stated that it was the Board's job to take care of the citizens of Georgia, not just the graduates. He further stated that the Board just received this inquiry and it is trying to determine the appropriate avenue to take. Dr. Lefebvre inquired if there would be an opportunity to get a decision from the Board in response to Dr. Furness's correspondence prior to the next board meeting scheduled for March 4th. Dr. Wilson inquired as to what type of exam is scheduled in March. Dr. Furness responded that it was a hybrid exam. Dr. Maron requested clarification on what "hybrid" meant. Dr. Furness stated that some students will be taking a patient-based exam and some will be taking the manikin. Dr. Lefebvre commented that this does not concern just DCG students as there are many students that go to other dental schools. She stated that it does have far reaching ramifications.

Dr. Furness stated that the only reason someone is taking a patient based exam is because of what is in limbo right now. He further stated that DCG students were advised by the licensing analyst for the Georgia Board of Dentistry to submit an incomplete application. Dr. Furness stated that the students were advised that he/she would have a year to complete the application and were told he/she could submit an application this month. Mr. Lacefield commented that there is language on the application that states the application is valid for one (1) year. He continued by stating that applications come in incomplete often. He stated that the application may come in incomplete, not because the individual has not graduated, but because the board office has not received supporting documents for the application such as a national practitioner data bank query, license verification, or receipt of the official transcript from the school. Mr. Lacefield explained that in those cases, staff sends the applicant a deficiency letter. Dr. Maron stated that he believes that is one of the loopholes where the Board needs to receive legal advice on what an incomplete application means. He continued by stating that, as much as he would like to help prior to March, he suggested the student take the patient based examination to be on the safe side. Dr. Maron stated that it is his personal opinion if someone wants to practice in Georgia, he/she should review the law and rules currently in place. Dr. Reznik agreed and stated that was the logical perspective. Dr. Lefebvre stated that she does not disagree; however, we are currently in a pandemic which makes it difficult to accomplish things such as screening patients. Dr. Maron stated that he understood, but everyone is having to find new ways of doing things. He further stated that the Board does not have the power to change things right now as it needs input from the Attorney General's office before proceeding. Dr. Knight commented that the Board has to give fifteen days (15) for notice if it were to hold a meeting. He inquired if that would be sufficient time for the Attorney General's office to review the matter and report back to the Board so that the Board could give DCG an answer prior to March. Dr. Maron asked when the next examination was scheduled. Dr. Furness responded by stating it was scheduled for March 12th. Dr. Maron stated that the Board's next meeting is scheduled for March 4th. Dr. Furness commented that if the student cancels the exam based on the decision provided by the Board, the student will still have to give the testing agency adequate notice or the student may lose money. Dr. Knight made a motion for the Board to schedule a conference call on February 18th to discuss the early application process. Dr. Wilson seconded, and the Board voted unanimously in favor of the motion.

Temporary Continuing Education Policy: Mr. Lacefield stated that the board office has received numerous emails inquiring if the Board would extend its Temporary Continuing Education Policy. He added that the policy was only for the 2020-2021 biennium. Dr. Goggans made a motion to extend the Temporary Continuing Education Policy for the 2022-2023 biennium. Dr. Reznik seconded, and the Board voted unanimously in favor of the motion.

Attorney General's Report – Mr. Max Changus

Mr. Changus welcomed Dr. Spillers. Mr. Changus introduced himself and Ms. Daughdril. He suggested Dr. Spillers review the Dental Practice Act and the rules. Mr. Changus also suggested Dr. Spillers forward any inquiries he may receive about board matters to Mr. Lacefield.

Rules Discussion

Prescribing and Fabrication of Sleep Apnea Appliances: Dr. Maron inquired as to the status of this item in terms of promulgating a rule. Ms. Emm responded that Ms. Mattingly and Dr. Stiehl were going to research the matter. Ms. Mattingly stated that she did send some information to Dr. Maron and Dr. Stiehl to review. Ms. Mattingly stated that, with the Board's permission, she could begin drafting a rule and asked if Dr. Maron would appoint members to a committee to assist. Dr. Maron appointed Dr. Stiehl, Dr. Reznik, Dr. Knight and Ms. Mattingly to the committee. Dr. Maron stated this matter would be tabled until the March meeting.

Licensing Examination: Dr. Maron stated that the Board will need to discuss how it would like to move forward with accepting other examinations for licensure and whether it would like to proceed with accepting a manikin/haptic examination. He appointed Dr. Goggans, Dr. Stiehl, and Dr. Wilson to a committee to review this matter, with Dr. Goggans as Chair. Ms. Mattingly requested the Committee address the same matter for hygiene. Dr. Maron added Ms. Mattingly to the Committee.

Appearance

Kimber Cobb, RDH, Director of Dental Hygiene Exam, CDCA/WREB, spoke to the Board regarding acceptance of the ADEX simulated patient dental hygiene exam. Ms. Cobb thanked the Board for its time. Ms. Cobb explained that the formal merger of CDCA, WREB, and CITA will be effective August 1, 2022. She explained that as of 2023 exam season, all three (3) agencies will uniformly administer the ADEX. It will be one uniform organization. Ms. Cobb provided the Board with information on the registration process, portability, and the licensure exam.

Dr. Maron commented that he was aware the Board accepted ADEX for dentists, but not for dental hygienists. Ms. Mattingly affirmed that was correct and stated that she has brought that topic up with the Board numerous times. Ms. Emm stated that under the Board's previous composition, it stated that CRDTS was more widely available and accepted for dental hygienists than dentists. She added that the Board did not see a need at that time to accept ADEX for hygienists. Ms. Mattingly stated that she has supported adding ADEX for dental hygienists since she joined the Board. She added that it is more widely accepted and utilized across the country compared to what the Board currently allows. She stated that it would allow more access into the state of Georgia.

Dr. Stiehl commented that, in his opinion, it seems as though previous board members were trying to keep certain exams out of Georgia. He stated that if this was about accessibility, and if the exam meets the Board's criteria, what is the downside to accepting multiple testing agencies. He further stated that the kids keep getting lost in the shuffle. Dr. Stiehl stated the Board should figure out what should be acceptable. Dr. Maron agreed and stated that he feels the Board would make great strides in the coming months.

Ms. Cobb provided the Board with information regarding the patient and simulated patient examination.

Ms. Mattingly commented that she took a manikin exam this year and her results were similar to the slide presented. She stated that with the patient based examination, the candidate picks his/her patient, whereas with the manikin exam, the candidate does not know what he/she is being given. She further stated that from her personal experience, the exams were similar; however, the manikin did test out her skill set in a manner she could not prepare for. She stated that she felt they did a good job with putting it together.

Dr. Maron asked Ms. Cobb if there was a cost difference in the exams. Ms. Cobb responded affirmatively and stated that CDCA/WREB does its best to keep the expense at a level that it will not impact candidates exponentially. She stated that the current fee is \$995 for both the patient based examination and the OSCE (objective structured clinical evaluation). Dr. Goggans commented that there was a lot of consolidation going on now. He stated the ADA has its own OSCE now and is pushing for nationalism. He inquired if there was a lot of competition and if regional examinations were going to fade out. Ms. Cobb responded that dentistry has been the only true health profession that does not have one (1) standard uniform licensure examination. She stated that the pandemic has highlighted this. She further stated that at one point, there were eighteen (18) different exams across the country. Ms. Cobb stated there were five (5) testing agencies, but three (3) of those five (5), CITA, CDCA and WREB, have now merged. She explained that where there has been an additional shift is the ADA. She added that there are some historic concerns about patient based examinations, but the great news is that the simulated examinations for dentists and dental hygienists solves the ethical dilemmas of historical exams. Ms. Cobb stated that the dental product ADA is administering is being accepted in six (6) states. She explained there is no psycho-motor portion, but rather a computer-based exam only. She added that it does not test clinical judgment. Ms. Cobb stated there is a dental hygiene version in development with a target date of 2023. She suggested the Board go to the ADA's website to confirm this information. Ms. Cobb stated that at CDCA/WREB, the OSCE has been in place since 1971 and is the oldest and continuously administered OSCE in existence. She stated that it is her understanding there is no plan to go in with ADA. Dr. Goggans commented that he just wanted to bring this up to the Board as there will be pressure by the ADA for the boards to accept their exam.

Dr. Reznik made a motion and Dr. Stiehl 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, Dr. Glenn Maron, Ms. Misty Mattingly, Dr. Larry Miles, Dr. Ami Patel, Dr. David Reznik, Mr. Mark Scheinfeld, Dr. Don Spillers, Dr. Brent Stiehl, and Dr. Debra Wilson.

Executive Session

Licensure Overview Committee Appointments/Discussion Cases

- J.C.C.
- D.L.B.
- T.A.C.
- A.A.C.
- D.R.C.
- J.P.P.
- S.L.N.
- V.C.F.
- M.D.
- K.D.S.
- H.Z.
- C.O.R.
- K.A.C.
- U.C.P.
- J.W.T.
- J.Z.H.
- J.H.
- R.D.S.
- S.L.S.

- R.H.N.
- D.R.
- J.C.C.A.
- S.W.S.

Applications

- R.E.B.
- J.A.L.
- P.T.T.N.
- Z.M.K.
- B.L.S.
- D.S.H.
- J.E.C.
- J.T.E.
- M.A.K.
- M.M.M.
- E.K.C.
- S.T.H.
- G.M.B.
- D.M.H.

Correspondence

- A.H.

Appearance

- A.V.

Investigative Committee Report – Dr. Brent Stiehl

No report.

Attorney General’s Report – Mr. Max Changus

Mr. Changus presented the following consent orders for acceptance:

- N.P.
- G.C.J.

The Board received legal advice regarding Rules 150-3-.01 and 150-8-.01.

Executive Director’s Report – Mr. Eric Lacefield

No report.

Legal Services – Ms. Kimberly Emm

- S.C.S.

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

Open Session

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

Licensure Overview Committee Appointments/Discussion Cases

- J.C.C. Correspondence Schedule to meet with the Licensure Overview Committee
- D.L.B. Renewal Pending Renew with letter stating the Board has not concluded its consideration of the matter.
- T.A.C. Renewal Pending Renew with letter stating the Board has not concluded its consideration of the matter.
- A.A.C. Renewal Pending Renew with letter stating the Board has not concluded its consideration of the matter.
- D.R.C. Renewal Pending Renew with letter stating the Board has not concluded its consideration of the matter.
- J.P.P. Renewal Pending Renew with letter stating the Board has not concluded its consideration of the matter.
- S.L.N. Renewal Pending Schedule to meet with the Licensure Overview Committee
- V.C.F. Renewal Pending Renew with letter stating the Board has not concluded its consideration of the matter.
- M.D. Renewal Pending Renew with letter stating the Board has not concluded its consideration of the matter.
- K.D.S. Renewal Pending Approved for renewal
- H.Z. Renewal Pending Renew with letter stating the Board has not concluded its consideration of the matter.
- C.O.R. Renewal Pending Renew with letter stating the Board has not concluded its consideration of the matter.
- K.A.C. Renewal Pending Renew with letter stating the Board has not concluded its consideration of the matter.
- U.C.P. Renewal Pending Approved for renewal
- J.W.T. Renewal Pending Renew with letter stating the Board has not concluded its consideration of the matter.
- J.Z.H. Renewal Pending Renew with letter stating the Board has not concluded its consideration of the matter.
- J.H. Renewal Pending Renew with letter stating the Board has not concluded its consideration of the matter.
- R.D.S. Renewal Pending Renew with letter stating the Board has not concluded its consideration of the matter.
- S.L.S. Dental Licensee Table pending receipt of additional

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| • R.H.N. | Dental Credentials Applicant | information |
| • D.R. | Dental Credentials Applicant | Approved application |
| • J.C.C.A. | Renewal Pending | Approved application |
| | | Renew with letter stating the Board has not concluded its consideration of the matter. |
| • S.W.S. | Request to Terminate Probation | Approved request |

Applications

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| • R.E.B. | Dental Exam Applicant | Approved application |
| • J.A.L. | Dental Exam Applicant | Table pending receipt of additional information |
| • P.T.T.N. | Initial Moderate Parenteral CS | Approved evaluation |
| • Z.M.K. | Initial Moderate Parenteral CS | Approved evaluation |
| • B.L.S. | Initial General Anesthesia | Approved evaluation |
| • D.S.H. | Initial Moderate Enteral CS | Approved for provisional permit |
| • J.E.C. | Initial Moderate Enteral CS | Approved for provisional permit |
| • J.T.E. | Initial Moderate Enteral CS | Approved for provisional permit |
| • M.A.K. | Initial Moderate Parenteral CS | Approved for provisional permit |
| • M.M.M. | Initial Moderate Parenteral CS | Approved for provisional permit |
| • E.K.C. | Initial General Anesthesia | Approved for provisional permit |
| • S.T.H. | Dental Reinstatement Applicant | Table pending receipt of additional information |
| • G.M.B. | Dental Reinstatement Applicant | Table pending receipt of additional information |
| • D.M.H. | Dental Hygiene Reinstatement | Table pending receipt of additional information |

Correspondence

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| • A.H. | Correspondence regarding additional sites | Board directed staff to respond by stating the licensee agreed to limit the number of sites to five (5). If the licensee did not include the site, that is a matter that is between the facility and the dentist. |
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Appearance

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| • A.V. | Denied Public Health Applicant | Denial upheld |
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Investigative Committee Report – Dr. Brent Stiehl

No report.

Attorney General’s Report – Mr. Max Changus

Mr. Changus presented the following consent orders for acceptance:

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| • N.P. | Public Consent Order accepted |
| • G.C.J. | Public Consent Order accepted |

The Board received legal advice regarding Rules 150-3-.01 and 150-8-.01.

Executive Director’s Report – Mr. Eric Lacefield

No report.

Legal Services – Ms. Kimberly Emm

- S.C.S. Open records request Denied request

Ms. Mattingly seconded and the Board voted unanimously in favor of the motion.

Miscellaneous

February and March Meetings: Dr. Maron stated that the February meeting would be held virtually. In regard to the March meeting, Dr. Maron stated he would like for the Board to possibly meet in person.

With no further business, the Board meeting adjourned at 12:58 p.m.

The next scheduled meeting of the Georgia Board of Dentistry will be held via conference call on Friday, February 18, 2022, at 2:00 p.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