

**GEORGIA BOARD OF DENTISTRY**  
**Board Meeting**  
**2 Peachtree St., N.W., 6<sup>th</sup> Floor**  
**Atlanta, GA 30303**  
**January 10, 2020**  
**10:00 a.m.**

**The following Board members were present:**

Dr. Greg Goggans, President  
Dr. Tracy Gay, Vice-President  
Dr. Michael Knight  
Dr. Glenn Maron  
Dr. Ami Patel  
Mr. Mark Scheinfeld  
Dr. Debra Wilson  
Dr. Bert Yeargan

**Staff present:**

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

**Visitors:**

Thomas M. Knight  
Dr. Michael Knight  
Dr. Van Morgan  
John Watson, ADSO  
Brad Rightnowar, ADSO  
Marc Muncy, SRTA  
Hannah Weiss, Smile Direct Club  
Graham Segrest  
Scott Lofranco, GDA  
Alan Furness, DCG  
James E. Barron, GDS  
Pamela Wilkes, Help A Child Smile/Shurett Dental  
Kendra McKune, GDHA  
Peter Horkan, Smile Direct Club  
Kathryn Starr, GDHA  
Pam Cushenan, GDHA  
Representative Sharon Cooper

**Open Session**

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

**Introduction of Visitors**

Dr. Goggans welcomed the visitors. Dr. Goggans welcomed new board member, Dr. Debra Wilson.

**Approval of Minutes**

Dr. Yeargan made a motion to approve the Public and Executive Session minutes for the December 6, 2019 meeting. Dr. Patel seconded and the Board voted unanimously in favor of the motion.

**Report of Licenses Issued**

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

**Rule Variance Petition from Dr. James Todd, DN009598**

Dr. Gay made a motion to approve the rule variance petition and grant Dr. Todd ninety (90) days to obtain the required hours. Dr. Yeargan seconded and the Board voted unanimously in favor of the motion.

**Rule Waiver Petition from Dr. Desiree C. Lewis, DN012917**

Dr. Yeargan made a motion to deny the rule waiver petition. Dr. Gay seconded and the Board voted unanimously in favor of the motion.

**Rule Waiver Petition from Dr. Shannen M. Dalton**

The Board recommended tabling this matter for further discussion in Executive Session.

**General – Dr. Greg Goggans**

No report.

**Executive Director’s Report – Ms. Tanja Battle**

**Renewals:** Ms. Battle reported that 5,425 dental hygienists and 7,213 dentists have renewed in a timely manner.

**Osteo Science Clinical Observership Program:** Ms. Battle discussed correspondence received regarding an Osteo Science Clinical Observership Program. Ms. Battle stated that she did consult with Mr. Changus regarding this matter. She further stated that what they are asking is for individuals to be allowed to conduct this observership at various practices and if a temporary license could be issued in this setting. Based on her conversation with Mr. Changus, it did not appear to fall into a category that would allow the individuals to practice without a license. Dr. Maron responded by asking if it is an observership, why would a license be needed as it sounds as if they will be observing, with no hands on practice. He asked what the intent of the observership is. Ms. Battle responded by stating that the correspondence mentions hands on participation. Dr. Maron made a motion to direct staff to respond by stating that, based on the information provided, residents of the observership are free to observe and free to consult; however, no hands on practice is permitted. Dr. Yeargan seconded and the Board voted unanimously in favor of the motion.

**Attorney General’s Report – Mr. Max Changus**

No report.

**Legal Services – Ms. Kimberly Emm**

No report.

**Miscellaneous**

**IC Peer Reviewer:** Discussion was held by the Board regarding a curriculum vitae submitted from Dr. Kenneth Sellers, Jr. Dr. Yeargan stated that based on the information submitted, Dr. Sellers has only been practicing pediatrics for two years. Mr. Scheinfeld commented that Dr. Sellers is more than qualified to be a peer reviewer for IC. Dr. Yeargan stated that if Dr. Bennett recommended Dr. Sellers, and with Mr. Scheinfeld’s input, he is okay with it. Dr. Maron commented that he would like to hear from Dr. Bennett regarding this matter. He stated that legally speaking, one should be in practice for three of the last five years in order to qualify as an expert witness. He further stated that if Dr. Sellers has only been practicing pediatrics for two years, he would not qualify. Mr. Scheinfeld commented that he would defer to Dr. Maron. Dr. Yeargan made a motion to table any further discussion until the February meeting when Dr. Bennett would be in attendance to speak on the matter. Dr. Knight seconded and the Board voted unanimously in favor of the motion.

## Appearances

Dr. Van Morgan and Dr. Marc Muncy, SRTA, were present and spoke to the Board regarding the SRTA licensure examination. Dr. Morgan thanked the Board for the opportunity to speak to its members. He stated that they would like the Board to consider the possibility of accepting the SRTA dental and dental hygiene examinations. The Board was provided with handouts regarding the licensure examinations. Dr. Muncy stated that SRTA tries to set itself apart from other testing agencies. He explained that SRTA has relationships with boards across the states. Dr. Muncy stated that the SRTA dental examination is accepted by 34 states and the dental hygiene examination is accepted by 29 states.

Dr. Morgan discussed the dental examination sections and format with the Board. He stated that, having been an examiner for CRDTS as well, SRTA is essentially the exact same exam. Dr. Morgan stated that the biggest difference is that SRTA took four grading components and condensed them to "Pass/Fail". Dr. Muncy stated that SRTA is acquainted with the various requirements for each state. He explained that SRTA steers the candidate in the direction on what the state requires.

Dr. Muncy discussed the SRTA dental hygiene examination with the Board. He discussed pre-examination preparation and selection of eligible patients. Dr. Muncy explained that in order to earn the maximum number of points, the case must include at least 12 surfaces of moderate to heavy, easily detectable calculus. In addition to that, SRTA is offering the option of taking a computerized intra/extra oral examination that includes detecting diseases of the oral cavity to dental hygiene candidates. He stated that the dental hygiene examination is not a "Pass/Fail" as the candidate must accumulate 75 points in order to pass.

Dr. Muncy discussed examiners for the SRTA examination. He stated that all examiners are experienced practitioners and the bulk of SRTA examiners are either current or formal board members of member states. Dr. Muncy stated that other examination personnel will involve some educators. He explained that examiners are required to take an online test and on the day of the exam there is a calibration test. Questions were asked by the board members regarding when and how manikins are graded. Dr. Muncy responded that there are examiners on site to test live patients and when the clinic gets slow, during that time they will bring in manikins and the examiners will grade them. He stated that the exam is usually a two-three day event.

Dr. Muncy stated that SRTA is experienced and innovative. He stated that SRTA was the first testing agency to go completely paperless. Dr. Muncy stated that SRTA is committed to its clinical skills assessment and its passage by candidates. He further stated that SRTA is able to adapt quickly and appropriately to modern clinical dental practice and is committed to the cutting edge of dental practice and examination technology. With no further discussion, Dr. Goggans thanked Dr. Muncy and Dr. Van Morgan for the information.

Ms. Cushenan commented that she is a SRTA licensed dental hygienist. She added that she has been teaching CRDTS methods in the university at which she works. She stated that the exams are totally comparable in the outcomes. Lastly, she stated that if SRTA was accepted by Georgia, it would be wonderful for increased portability.

Representative Sharon Cooper was present and spoke to the Board regarding House Bill 154. Ms. Cooper stated that two-three years ago, she moved a bill to allow dental hygienists to work without a dentist in the building. She stated that the clinics and mobile clinics that were opening to work with poor children needed dental hygienists to work without a supervising dentist. She stated that patients do not get to see a dentist in rural areas. Representative Cooper stated that if there is a dental assistant with at least two years' experience, the dentist may let them go out and practice general dentistry, but if the dentist did not want to let them do it, they could not go do it. Representative Cooper stated that if her dentist is sick and not in the

office, she does not have to have her dental hygienist cancel her appointment as she is a long term patient. She stated that she trusts the dental hygienists that are highly trained.

Representative Cooper stated that the Dental Association initially agreed to the bill, but later reneged on it. She stated that when she comes to an agreement with someone about moving a bill forward, she expects them to agree to it. She stated that she finally managed to get the bill passed the next time around. She stated that once it was passed, the dental board started proposing rules requiring hours. Representative Cooper stated that the law requires two years' experience; it does not specify any number of hours. She stated that she does not understand the Board's thinking. Representative Cooper stated that she was hoping with new board members and new ideas, it would not have the attitude. She stated that the law was passed to treat the children of this state and only two years' experience is required. She asked the Board if she needs to amend the law in this session or go to the Governor and tell him that the Board is not abiding by the law. She stated that dental hygienists cannot treat cavities. She further stated that she cares about our people and is asking for the Board's help in telling the dentists that it is okay to let their hygienists work in a voluntary situation. Representative Cooper stated that as of January 1<sup>st</sup>, if a dental hygienist cleans the teeth of a person with Medicaid, the dentist can collect the fee. She asked do we have to take our most fragile patients, such as the elderly, and transport them to an office so they can pay the dentist to see their teeth? She stated that she is asking the Board to not make her go back and open up the law because they may get something they may not like. She further stated that legislature is getting tired of boards not doing what is asked of them. Dr. Goggans responded to Representative Cooper by stating that the Board appreciates her speaking about this matter. He stated that there are some great people on this Board. He stated to Representative Cooper that she must let the Board do its job. He commented that he is frustrated by this approach. Representative Cooper responded by stating that nothing else has worked. Dr. Goggans stated that he does not appreciate that and if she wants to amend the law, that is her choice. He further stated that, the Board has to do what it feels is right for the citizens of Georgia and their safety. Representative Cooper responded that she feels there is no other choice. Dr. Goggans stated that threatening the Board is not the way to do it. He stated that Representative Cooper has not had any conversations with him regarding this matter. Representative Cooper responded that she is trying to tell the Board to do what is right and what the legislature intended and that she is sorry it hurts his ego. Dr. Goggans stated that he appreciates Representative Cooper's passion and appreciated her speaking to the Board. No further discussion was held.

Dr. Alan Furness, Dental College of Georgia, spoke to the Board regarding the remedial course offered by the Dental College of Georgia (DCG). He stated that DCG has been offering the course for over 30 years. He explained that they try to customize the course based on the recommendations it receives from the Board as it relates to the participants. Dr. Furness stated that in November, DCG had a course and had three participants. He asked how can DCG be of better service to the Board. He stated that when they receive information about an issue, they look at the issue and get the course instructors together to provide assessment and feedback, which is then submitted Board for consideration. Dr. Furness stated that he is aware that the cost of the course has been a concern from board members. He explained that costs are fixed based on 40 hours and that has not changed over time. He further explained that the cost is also based on salaries of those instructors and the materials. He stated that whether there is one participant or three, the cost will be the same. Dr. Furness stated there is not a lot they can do to relieve those costs. Dr. Goggans asked if this was on an as needed basis. Dr. Furness responded by stating that he provides a basic outline. He stated that a plan is put together for the candidate and it is then submitted to the Board, and if Board accepts the plan, then they go from there. He stated that instructors have to pull double duty and sacrifice their time. He added that it is a burden in a sense for the school to do this, but they see this as a service to the state of Georgia. Dr. Furness stated that if the Board would like to continue using DCG for this type of assessment/evaluation, he would like to draft a Memorandum of Understanding (MOU) outlining what the Board's expectations are of the school, and what the school is able to provide. He stated

that with the Board's permission, he would like to draft the MOU and submit it to the Board. Dr. Goggans responded by stating that would be very fair for the Board to look at. He thanked Dr. Furness for coming.

Mr. Mark Scheinfeld made a motion and Dr. Ami Patel 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. Tracy Gay, Dr. Greg Goggans, Dr. Michael Knight, Dr. Glenn Maron, Dr. Ami Patel, Mr. Mark Scheinfeld, Dr. Debra Wilson and Dr. Bert Yeargan.

## Executive Session

### Licensure Overview Committee Appointments/Discussion Cases

- V.G.
- B.D.M.
- L.D.B.
- J.H.P.
- K.O.A.
- B.C.M.
- J.L.S.
- I.B.L.
- M.D.B.
- G.A.M.
- P.N.M.
- D.C.M.
- J.C.M.
- W.H.A.
- H.R.C.
- R.M.M.
- C.H.W.
- S.J.P.
- C.M.W.
- S.S.
- J.M.
- D.L.E.

### Applications

- S.V.Y.U.
- S.M.D.
- M.O.D.
- S.B.A.
- M.G.L.
- M.B.Y.
- E.D.H.
- M.H.C.
- S.G.S.
- S.A.S.
- D.C.T.
- G.C.J.

- H.H.S.

### **Correspondences**

- M.C.M.
- T.D.W.

### **Investigative Committee Report – Dr. Bert Yeargan**

No report.

### **Executive Director’s Report – Ms. Tanja Battle**

- J.H.J.
- K.N.H.
- S.L.M.
- N.D.K.
- J.M.D.
- M.G.F.
- S.K.R.

Ms. Battle requested guidance as it relates to investigative cases.

### **Attorney General’s Report – Mr. Max Changus**

Mr. Changus provided an update on pending litigation.

Mr. Changus discussed peer reviews and referrals to the Attorney General’s office.

Mr. Changus presented the following consent orders for acceptance:

- C.M.
- D.H.
- A.J.
- J.G.
- M.P.
- I.L.
- S.M.

### **Legal Services – Ms. Kimberly Emm**

- J.B.M.

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

## **Open Session**

### **Rule Waiver Petition from Dr. Desiree C. Lewis, DN012917**

Mr. Changus discussed the petition from Dr. Lewis that was discussed earlier by the Board. He stated that Dr. Lewis’ request asked for the Board to waive Rule 150-3-.09. Mr. Changus stated that Dr. Lewis identified a financial hardship and the Board engaged in a short discussion on whether or not it wished to waive the rule for purposes other than a financial hardship. Ms. Emm stated that Dr. Lewis’ situation related to continuing education and in Dr. Lewis’ petition she stated she had multiple surgeries, she was only working part time and for financial reasons, she was not able to participate in any onsite continuing education courses due to the costs. Dr. Lewis’ petition stated that she did participate in some courses through the Navy Dental Corp, which were offered at no cost. Ms. Emm continued by stating that the

petition is asking for the Board to waive the continuing education requirements. Mr. Changus stated that in order to waive or grant a variance the person must demonstrate a significant hardship, defined as not only significant, but unique. He stated that the purpose of the rule is for licensees to obtain continuing education in order to renew his/her license. He stated that the question is whether or not Dr. Lewis presented a unique circumstance? Dr. Goggans stated that everyone can present a financial hardship, but how does the Board go about determining that there is one as so many people can say that. Mr. Changus responded by stating that she can say that is a hardship, but to say whether it is a significant and unique hardship is the question. He stated that it is not just unique to that person. This is a rule that applies to all licensees. He stated that each licensee has two years to obtain the required continuing education and each licensee has to bear the cost of such. It is an imposition for everyone. Dr. Yeargan added that the licensee has two full years to obtain the continuing education and that local dental societies make it easy to get the total number of hours required. Mr. Changus stated that this was the decision that was reached by the Board earlier. He added that this is a discussion of that for purposes of the record.

**Rule Waiver Petition from Dr. Shannen M. Dalton**

Discussion was held by the Board regarding the petition from Dr. Dalton that was tabled earlier that morning. Ms. Emm stated that Dr. Dalton is requesting a waiver of Rule 150-3-.01(3) by asking the Board to accept her WREB scores. Dr. Goggans stated that the WREB exam is a different examination and not comparable to CRDTS. Dr. Yeargan stated that there are available CRDTS examinations for Dr. Dalton to take. Dr. Maron made a motion to deny the rule waiver petition. Dr. Yeargan seconded and the Board voted unanimously in favor of the motion.

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

**Licensure Overview Committee Appointments/Discussion Cases**

- |          |                 |  |
|----------|-----------------|--|
| • V.G.   | Renewal Pending | Renew with letter stating the Board has not concluded its consideration of the matter. |
| • B.D.M. | Renewal Pending | Renew with letter stating the Board has not concluded its consideration of the matter. |
| • L.D.B. | Renewal Pending | Renew with letter stating the Board has not concluded its consideration of the matter. |
| • J.H.P. | Renewal Pending | Table pending receipt of additional information  |
| • K.O.A. | Renewal Pending | Table pending receipt of additional information  |
| • B.C.M. | Renewal Pending | Schedule to meet with the Licensure Overview Committee                                 |
| • J.L.S. | Renewal Pending | Approved renewal pending receipt of additional information                             |
| • I.B.L. | Renewal Pending | Approved renewal pending receipt of additional information                             |
| • M.D.B. | Renewal Pending | Table pending receipt of additional information  |
| • G.A.M. | Renewal Pending | Schedule to meet with the Licensure Overview Committee                                 |
| • P.N.M. | Renewal Pending | Approved renewal pending receipt of additional information                             |
| • D.C.M. | Renewal Pending | Renew with letter stating the Board has not concluded its consideration of the matter. |
| • J.C.M. | Renewal Pending | Table pending receipt of additional information  |
| • W.H.A. | Renewal Pending | Approve renewal with a letter of concern   |
| • H.R.C. | Renewal Pending | Table pending receipt of additional information  |

- R.M.M. Renewal Pending Approved for renewal
- C.H.W. Renewal Pending Approved for renewal
- S.J.P. Renewal Pending Renew with letter stating the Board has not concluded its consideration of the matter.
- C.M.W. Renewal Pending Refer to the Department of Law
- S.S. Correspondence The Board viewed this correspondence for informational purposes only
- J.M. Renewal Pending Approve renewal with a letter of concern
- D.L.E. Renewal Pending Approved for renewal

### **Applications**

- S.V.Y.U. Dental Exam Applicant Approved application
- S.M.D. Dental Exam Applicant Table pending receipt of additional information
- M.O.D. Dental Exam Applicant Approved application
- S.B.A. Dental Credentials Applicant Schedule to meet with the Licensure Overview Committee
- M.G.L. Parenteral Conscious Sedation Approved extension request
- M.B.Y. Parenteral Conscious Sedation Approved for provisional permit
- E.D.H. Enteral Conscious Sedation Approved application
- M.H.C. Enteral Conscious Sedation Approved application
- S.G.S. Enteral Conscious Sedation Approved application
- S.A.S. Parenteral Conscious Sedation Approved evaluation
- D.C.T. General Anesthesia Applicant Approved evaluation
- G.C.J. Renewal Pending Refer to the Department of Law
- H.H.S. Dental Hygiene Reinstatement Approved application

### **Correspondences**

- M.C.M. Request regarding course Approved request
- T.D.W. Request regarding CITA scores Board directed staff to respond by notifying the individual that he must submit a rule petition for the request.

### **Investigative Committee Report – Dr. Bert Yeargan**

No report.

### **Executive Director’s Report – Ms. Tanja Battle**

- J.H.J. Correspondence Schedule to meet with the Licensure Overview Committee
- K.N.H. Appearance request Denied request
- S.L.M. Request for refund of late renewal fee Denied request
- N.D.K. Request for refund of late renewal fee Denied request
- J.M.D. Request for refund of late renewal fee Denied request
- M.G.F. Request for refund of late renewal fee Denied request
- S.K.R. Request for refund of late renewal fee Denied request



Ms. Battle requested guidance as it relates to investigative cases.

**Attorney General's Report – Mr. Max Changus**

Mr. Changus provided an update on pending litigation.

Mr. Changus discussed peer reviews and referrals to the Attorney General's office.

Mr. Changus presented the following consent orders for acceptance:

- C.M.            Public Consent Order accepted
- D.H.            Public Consent Order accepted
- A.J.            Public Consent Order accepted
- J.G.            Public Consent Order accepted
- M.P.            Public Consent Order accepted
- I.L.            Public Consent Order accepted
- S.M.            Public Consent Order to be accepted and signed with express permission upon receipt of the original

**Legal Services – Ms. Kimberly Emm**

- J.B.M.            Request regarding consent order            Approved to issue letter of compliance

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

With no further business, the Board meeting adjourned at 12:31 p.m.

The next scheduled meeting of the Georgia Board of Dentistry will be held on Friday, February 7, 2020, 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 Tanja D. Battle, Executive Director