

GEORGIA BOARD OF DENTISTRY
Board Meeting
2 Peachtree St., N.W., 5th Floor
Atlanta, GA 30303
January 12, 2018
10:00 a.m.

The following Board members were present:

Dr. Tom Godfrey, President (*arrived @ 10:24 a.m.*)
Dr. Richard Bennett
Ms. Becky Bynum
Dr. Tracy Gay
Dr. Steve Holcomb
Ms. Wendy Johnson
Dr. Dale Mayfield
Dr. Logan Nalley
Dr. Antwan Treadway
Dr. Bert Yeorgan

Staff present:

Tanja Battle, Executive Director
Bryon Thernes, Assistant Attorney General
Ryan McNeil, Chief Investigator
Kimberly Emm, Attorney

Visitors:

Wendy Blond, GDHA
Charles Craig, GDHA
Carol Smith, DPH
Dr. Adam Barefoot, DPH
Michelle Boyce
Kim Turner, FCBOH
Jorge Bernal, DPH
Pam Wilkes, Help A Child Smile
Dr. Carol Lefebvre, Dental College of GA
Dixianne Parker
Scott Lofranco, GDA
Misty Mattingly
Melanie Porter
Steve Cartin
Dr. James E. Barron, GDS

Dr. Holcomb established that a quorum was present and called the meeting to order at 10:06 a.m.

Dr. Holcomb welcomed the visitors.

Public Hearing

Dr. Holcomb called the public hearing to order at 10:08 a.m.

Rule 150-7-.04 Dental Provisional License by Credentials

Public comments were received from Dr. Carol Lefebvre, Dental College of Georgia (DCG). Dr. Lefebvre had a question about protocol. Specifically, she commented when this rule was posted in September, DCG sent a letter about the impact of the proposed amendments on the program and at a subsequent meeting the Board had rejected the rule at that time. She stated in December there was no Rules Committee meeting. Dr. Holcomb responded that the Board will ensure that the letter has been reviewed for consideration.

Rule 150-8-.01 Unprofessional Conduct

No comments or written responses were received.

Rule 150-9-.01 General Duties of Dental Assistants

Public comments were received from Wendy Blond, GDHA. Ms. Blond commented that with the proposed changes there are two parts to consider. One is how it will look when it effects the consumer. Will this be a D1120 or D1110? She stated both require scaling, but a rubber cup prophylaxis does not involve scaling. She commented that the Board received a lot of testimony regarding the need for scaling on pediatric patients, and maybe it should consider different language between rubber cup prophylaxis and prophylaxis, so consumers are aware and billing is appropriate. She stated the second part is related to who is providing the service. Rubber cup prophylaxis is a term specific to Georgia term thanks to the bill. She asked what it looks like in other states. If it does not involve scaling it is coronal polishing. She stated the GDHA requests the proposed rule for dental assistants be moved from 150-9-.01 General Duties of Dental Assistants to 150-9-.02 Expanded Duties of Dental Assistants. She commented that the on the job training is not sufficient. She stated she understands the Board is looking to expand what assistants can do, but they want to make sure the assistants know what they are doing.

Dr. Holcomb, in an effort to ensure the Board's understanding, stated that he believed Ms. Blond is looking for is (1) clarification of coronal polishing versus rubber cup prophylaxis, (2) how it is billed, and (3) the necessary training. Ms. Blond indicated that those were her concerns.

Dr. Nalley commented that this should be under expanded duties. He indicated that "rubber cup prophylaxis" is not the ideal terminology and that dentists should remove calculus. He commented that part of the service may be completed by a dentist or dental hygienist.

Public comments were received from Michelle Boyce, RDH. Ms. Boyce commented that in regards to the definition of primary dentition, they look at primary teeth only. She stated when other teeth emerge, they are in transition. She stated this needs to be included in the language. She added that a dentist is going to check this, but asked if the dentist going to do the exam before the polishing. She commented that she would like to see this in the language.

Public comments were received from Misty Mattingly, RDH. Ms. Mattingly commented that when the exam would be from the dentist is important. She stated typically the dentist checks the patient after the cleaning. She stated depending on the education of the assistant, we would want the exam to be before the cleaning.

Written responses were received from Julie Pyle, Dena Kimbrel, Amanda Haddix, Jennifer Miles, Fran Shaddix, Justin Jerome, Jessica J. Phillips, Nancy H. DeMott, Heidi Adams, Tiffany Crowe, Kathryn Zotter, Meredith Fryar, Kathy Matthews, Brandy Henderson, Kristen Rochester, Donna Shewbert, Jessica NeSmith, Kelli R. Garrett, Suzanne Newkirk, Wendy Blond, Pam Cushenan, Denise Landon, Margaret L. Conrad, Rebecca Goodwin, Telisa Prinsen, T. Githina, Valerie Dangler, Katherine Landsberg, Natalie Kaweckyj, Holly Litt, Belinda R. Land, Cara Ferguson, Alicia Mims, Cindy Lemos, Kristen Hill, Jessica Byrd, Daniella Hernandez, and Elizabeth A. Parker.

Rule 150-9-.02 Expanded Duties of Dental Assistants

No public comments were received. Written responses were received from Justin Adler and Julia Kinsler.

The public hearing was concluded at 10:21 a.m.

Open Session

Approval of Minutes

Dr. Holcomb made a motion to approve the Public Session minutes for the December 1, 2017 meeting with the changes noted. Dr. Nalley seconded and the Board voted unanimously in favor of the motion.

Dr. Nalley made a motion to approve the Executive Session minutes for the December 1, 2017 meeting. Dr. Mayfield seconded and the Board voted unanimously in favor of the motion.

Dr. Nalley made a motion to approve the minutes for the December 4, 2017 conference call. Dr. Treadway seconded and the Board voted unanimously in favor of the motion.

Licenses to Ratify

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

Correspondence from Tracy Jacobs

The Board considered this correspondence regarding interpreting radiographs and recommended tabling this matter until it receives legal advice from Mr. Thernes in Executive Session.

Correspondence from Scott Lofranco, GDA

The Board considered this correspondence regarding x-ray requirements for dental assistants. Mr. Lofranco, who was present at the meeting, stated the Dental Board's rules cross reference another rule and he is trying to get some guidance. Ms. Battle stated that she will reach out to someone in the Healthcare Facility Registration Division of the Department of Community Health for clarification regarding this matter.

General – Dr. Tom Godfrey

No report.

CE Audit Committee Report – Dr. Richard Bennett

No report.

Conscious Sedation/General Anesthesia Committee Report – Dr. Antwan Treadway

No report.

Credentials Committee Report – Dr. Greg Goggans

No report.

Dental Hygiene Committee Report – Ms. Rebecca Bynum

No report.

Examination Committee Report – Dr. Bert Yeargan

Dr. Yeargan reported that he attended his first committee meeting this past week. He reminded the board members to sign up and do his/her duties to assist with the examination.

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

Dr. Holcomb reported that he went to Austin, Texas and spoke with the Texas State Board of Dental Examiners Committee regarding exam content and requirements for CRDTS. He stated a major concern is testing agencies are abbreviating the exams and the state boards who are looking for an accurate assessment on competency are equally concerned. He stated that one of the Texas exam vendors has an optional prosthodontic section but discourages its use due to "cost and necessity". He commented that Georgia rules specify procedures based on DN 0-10 years Occupational Analysis results and several states are decertifying exams for not covering the necessary components to ensure competency. CRDTS is collaborating on a new occupational analysis and wants to be certain the components that need to be assessed are appropriate. CRDTS anticipates that the analysis will be completed by the end of 2018.

CRDTS Steering Committee – Dr. Dale Mayfield

Dr. Mayfield reported that he will be attending his first meeting next Saturday.

IP Committee Report – Dr. Richard Bennett

No report.

EDDA Review Committee – Dr. Greg Goggans

No report.

Executive Director’s Report – Ms. Tanja Battle

Ms. Battle reported that we have just finished the renewal cycle. She stated that there are 554 dentists and 542 dental hygienists in lapsed late renewal status. Ms. Battle reminded the association members present to please note that any deficiencies on an “Active – Renewal Pending” status is important to cure before the end of late renewal or else the license will lapse.

Ms. Battle reported that both she and Ms. Emm participated in Georgia’s Strategic Planning session regarding the Opioid crisis and as soon as something is published, she will be happy to share it.

Attorney General’s Report – Mr. Bryon Thernes

No report.

Dr. Logan Nalley made a motion and Dr. Steve Holcomb 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. Tom Godfrey, Dr. Steve Holcomb, Ms. Wendy Johnson, Dr. Dale Mayfield, Dr. Logan Nalley, Dr. Antwan Treadway and Dr. Bert Yeargan.

Executive Session

Licensure Overview Committee Appointments/Discussion Cases

- B.T.S.
- J.I.G.
- K.A.C.
- S.J.D.
- F.N.Y.

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

Applications

- A.N.J.
- D.D.W.
- J.G.G.
- J.C.K.
- Y.R.
- X.G.
- A.M.C.
- S.J.K.
- P.C.S.
- T.T.J.
- A.M.Z.
- M.C.W.
- R.A.B.
- S.N.C.
- P.W.D.
- S.O.D.
- C.E.W.
- J.F.Z.
- M.A.N.B.
- C.G.S.
- S.N.P.
- J.A.S.
- B.P.H.
- D.J.S.
- V.K.P.

Correspondences

- D.R.M.
- E.J.B.
- C.C.S.
- L.M.
- T.J.

Investigative Committee Report

Report presented:

- DENT160169
- DENT170191
- DENT170319
- DENT170320
- DENT170327
- DENT180021
- DENT180024
- DENT180039
- DENT180046
- DENT180061
- DENT180100
- DENT180106
- DENT180119
- DENT180125
- DENT180130
- DENT180127
- DENT170026
- DENT150079
- S.S.
- J.J.
- R.A.
- T.J.
- A.L.
- D.L.

Executive Director's Report – Ms. Tanja Battle

- D.S.
- M.W.

Attorney General's Report – Mr. Bryon Thernes

- Legal advice regarding dental assistant students taking alginate impressions, placing/removing rubber dams and facebows.

Mr. Thernes presented the following order for acceptance:

- K.L.K.

Legal Services – Ms. Kimberly Emm

No report.

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

Open Session

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

Licensure Overview Committee Appointments/Discussion Cases

- | | | |
|----------|--------------------------------|--|
| • B.T.S. | Dental Hygiene Exam Applicant | Approved application |
| • J.I.G. | Renewal Pending Licensee | Offer Inactive Status |
| • K.A.C. | Request to terminate probation | Approved request |
| • S.J.D. | Renewal Pending Licensee | Schedule to meet with the Licensure Overview Committee |
| • F.N.Y. | Renewal Pending Licensee | Schedule to meet with the Licensure Overview Committee |
| • J.G.S. | Renewal Pending Licensee | Schedule to meet with the Licensure Overview Committee |
| • E.A.S. | Renewal Pending Licensee | Schedule to meet with the Licensure Overview Committee |
| • M.S.T. | Renewal Pending Licensee | Approved for renewal |
| • A.J.D. | Renewal Pending Licensee | Schedule to meet with the Licensure Overview Committee |
| • B.L.I. | Renewal Pending Licensee | Schedule to meet with the Licensure Overview Committee |
| • R.K. | Renewal Pending Licensee | Schedule to meet with the Licensure Overview Committee |
| • R.E.S. | Renewal Pending Licensee | Approved for renewal |
| • W.H.A. | Renewal Pending Licensee | Schedule to meet with the Licensure Overview Committee |
| • C.D.W. | Renewal Pending Licensee | Approved for renewal |
| • A.P.T. | Renewal Pending Licensee | Approved for renewal |
| • J.M.B. | Renewal Pending Licensee | Renew upon receipt of additional information |
| • M.P. | Renewal Pending Licensee | Renew with letter stating the Board has not concluded its consideration of the matter. |
| • R.B.M. | Renewal Pending Licensee | Renew with letter stating the Board has not concluded its consideration of the matter. |
| • T.L.J. | Renewal Pending Licensee | Renew with letter stating the Board has not concluded its consideration of the matter. |
| • D.E.H. | Renewal Pending Licensee | Renew with letter stating the Board has not concluded its consideration of the matter. |
| • M.J.S. | Renewal Pending Licensee | Renew with letter stating the Board has not concluded its consideration of |

- W.D.C. Renewal Pending Licensee the matter.
Renew with letter stating the Board has not concluded its consideration of the matter.
- T.J.K. Renewal Pending Licensee Renew with letter stating the Board has not concluded its consideration of the matter.
- D.C.W. Renewal Pending Licensee Renew with letter stating the Board has not concluded its consideration of the matter.

Applications

- A.N.J. Dental Hygiene Exam Applicant Approved application
- D.D.W. Dental Exam Applicant Approved application
- J.G.G. Dental Exam Applicant Approved application
- J.C.K. Dental Exam Applicant Approved application
- Y.R. Dental Exam Applicant Approved application
- X.G. Dental Exam Applicant Approved application
- A.M.C. Dental Hygiene Credentials Applicant Approved applicant
- S.J.K. Dental Hygiene Credentials Applicant Approved applicant
- P.C.S. Dental Credentials Applicant Schedule to meet with the Licensure Overview Committee
- T.T.J. Dental Credentials Applicant Approved applicant
- A.M.Z. Dental Hygiene Credentials Applicant Schedule to meet with the Licensure Overview Committee
- M.C.W. Dental Faculty Applicant Approved application
- R.A.B. Public Health Approved application
- S.N.C. Dental Hygiene Reinstatement Approved application
- P.W.D. Dental Hygiene Reinstatement Approved application
- S.O.D. Dental Hygiene Reinstatement Approved application
- C.E.W. Dental Hygiene Reinstatement Refer to Legal Services
- J.F.Z. Dental Hygiene Reinstatement Refer to Legal Services
- M.A.N.B. Dental Hygiene Reinstatement Refer to Legal Services
- C.G.S. Dental Hygiene Reinstatement Refer to Legal Services
- S.N.P. Dental Hygiene Reinstatement Refer to Legal Services
- J.A.S. Dental Hygiene Reinstatement Table pending receipt of additional information
- B.P.H. Initial General Anesthesia Applicant Approve for provisional permit
- D.J.S. Initial General Anesthesia Applicant Approved evaluation
- V.K.P. Initial Conscious Sedation Applicant Approve for provisional permit

Correspondences

- D.R.M. Correspondence regarding credentials licensure Board directed staff to respond by stating absent any other disqualifying factors, the application would not be denied solely on the basis of the individual's exam.
- E.J.B. Request regarding exam Board directed staff to respond with the information provided.

- C.C.S. Legal advice requested and received regarding House Bill 154.
- L.M. Legal advice requested and received regarding House Bill 154.
- T.J. Legal advice requested and received regarding House Bill 154.

Investigative Committee Report

Report presented:

Complaint Number	Allegation	Recommendation
DENT160169	Quality of Care/Substandard Practice	Close No Action
DENT170191	Quality of Care/Substandard Practice	Deny request to reopen; Case remains Closed no action
DENT170319	Quality of Care/Substandard Practice	Close No Action
DENT170320	Unprofessional Conduct	Close No Action
DENT170327	Quality of Care/Substandard Practice	Close No Action
DENT180021	Quality of Care/Substandard Practice	Close No Action
DENT180024	Quality of Care/Substandard Practice	Close No Action
DENT180039	Quality of Care/Substandard Practice	Close No Action
DENT180046	Unlicensed Practice	Mitigating Circumstances Letter
DENT180061	Quality of Care/Substandard Practice	Close No Action Investigator McNeal to obtain records; Schedule II once obtained
DENT180100	Arrest, Conviction & Pleas	Close No Action
DENT180106	Records Release	Close No Action
DENT180119	Arrest, Conviction & Pleas	Close No Action Investigator McNeal to obtain records and dentist's statement
DENT180125	Quality of Care/Substandard Practice	
DENT180130	Morbidity and Mortality	Investigator McNeal to obtain records and send to oral surgeon for Peer Review
DENT180127	Arrest, Conviction & Pleas	Investigator McNeal to obtain additional records from Respondent's attorney
DENT170026	Quality of Care/Substandard Practice	Mitigating Circumstances Letter
DENT150079	Quality of Care/Substandard Practice	Close No Action
S.S.	Impairment/Substance abuse	Investigator McNeal to obtain records
J.J.	Impairment/Substance abuse	Refer to the Department of Law
R.A.	Report of Patient Hospitalization	Send correspondence acknowledging receipt of letter and that no case will be opened
T.J.	Email Correspondence	Send correspondence that Clinical and Scientific are interchangeable for CE purposes & CPR is clinical
A.L.	Email Correspondence	Send correspondence that the online CPR is not acceptable & have until 12/31/17 to complete an approved course.
D.L.	Email Correspondence	Refer to Supervision rule 150-5-.03

Executive Director's Report – Ms. Tanja Battle

- D.S. Request for refund of late renewal fee. Approved request
- M.W. Request regarding SRTA patient-based exam. Approved request

Attorney General's Report – Mr. Bryon Thernes

- Legal advice regarding dental assistant students taking alginate impressions, placing/removing rubber dams and facebows. The Board directed staff to respond by stating students cannot perform these procedures without the presence of a licensed dentist.

Mr. Thernes presented the following order for acceptance:

- K.L.K. Public Consent Order accepted

Legal Services – Ms. Kimberly Emm

No report.

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

Dr. Nalley made a motion to direct staff to respond to correspondences regarding House Bill 154 submitted by Tracy Jacobs, Carol Smith and Linn Madden by stating that the Board is in the process of creating a policy that will clarify the issues based on comments provided by the public. Dr. Mayfield seconded and the Board voted unanimously in favor of the motion.

With no further business, the Board meeting adjourned at 12:48 p.m.

The next scheduled meeting of the Georgia Board of Dentistry will be held on Friday, February 2, 2018, at 10:00 a.m. at the Department of Community Health's office located at 2 Peachtree Street, N.W., 5th Floor, Atlanta, GA 30303.

Minutes recorded by Kimberly Emm, Attorney
Minutes edited by Tanja D. Battle, Executive Director