

GEORGIA BOARD OF DENTISTRY
Conference Call
2 Peachtree St., N.W., 6th Floor
Atlanta, GA 30303
January 8, 2021
10:00 a.m.

The following Board members were present:

Dr. Brent Stiehl, Vice-President
Dr. Richard Bennett
Dr. Greg Goggans
Dr. Michael Knight
Dr. Glenn Maron
Ms. Misty Mattingly
Dr. Ami Patel
Mr. Mark Scheinfeld
Dr. Debra Wilson
Dr. Bert Yeargan

Staff present:

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

Visitors:

Kathryn Starr
Emily Yona, Impact Public Affairs and ADSO

Open Session

Dr. Stiehl established that a quorum was present and called the meeting to order at 10:04 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.

Appearance

Dr. Bruce Horn, Director of Dental Exams, WREB, provided information to the Board concerning the WREB dental and dental hygiene exam.

Approval of Minutes

Ms. Mattingly made a motion to approve the Public and Executive Session minutes from the December 4, 2020 Conference Call. Dr. Goggans 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. Ms. Mattingly seconded and the Board voted unanimously in favor of the motion.

Petitions for Rule Waiver or Variance

Rule Variance Petition from Dr. Ghazal Sadeghi: The Board discussed this rule petition that was denied at the Board’s November meeting. At the Board’s December meeting, Dr. Sadeghi requested the Board reconsider her petition. At that meeting, the Board voted to table its decision pending receipt of proof from ADEX that Dr. Sadeghi completed a traditional posterior class II. Dr. Stiehl commented that Dr. Sadeghi has provided proof of completing ADEX. Dr. Bennett added that she did not receive the required score. Ms. Howell asked which set of scores were being discussed as Ms. Sadeghi passed CRDTS and ADEX. Dr. Sadeghi, who was on the call, stated that she provided proof that she did two traditional preparations on the ADEX exam and on the CRDTS exam, she scored above 75 on the crown preparation. Dr. Bennett explained that each component had to be a score of 75 or higher and the CRDTS ceramic portion of the

exam she completed is below 75. There being no further discussion, Dr. Patel made a motion to uphold the denial. Dr. Bennett seconded and the Board voted unanimously in favor of the motion.

Rule Variance Petition from Dr. Daniela Vargas: Ms. Emm commented that it appears this individual is still in school and has not graduated yet. Dr. Goggans made a motion to deny the variance as there was no substantial hardship demonstrated. The Board noted that it has previously stated that students who obtained passing results from the first portion of the ADEX exam taken in his/her junior year (2019-2020), and completed and passed the second portion of the exam after January 1, 2021 in his/her senior year, would meet the exam requirements. Mr. Scheinfeld seconded and the Board voted unanimously in favor of the motion.

Rule Variance Petition from Dr. Jerren M. Alcalde: Dr. Bennett made a motion to deny the variance as there was no substantial hardship demonstrated. Dr. Wilson seconded and the Board voted unanimously in favor of the motion.

Rule Variance Petition from Dr. Kanan Talati: Dr. Patel made a motion to deny the variance as there was no substantial hardship demonstrated. Discussion was held by Mr. Changus, who asked if this would be a situation where the Board would grant the petition with conditions. Dr. Bennett agreed and stated he felt that would be the appropriate pathway in this case. The previous motion was withdrawn. Dr. Bennett made a motion to grant the variance based on the special circumstances related to the cancellation of the CRDTS examination (due to the COVID-19 pandemic), and a new date for the examination has not been rescheduled. The Board also finds that Dr. Talati provided adequate justification for the variance since she successfully passed the ADEX clinical examination, which involved a live patient. The variance is granted with the condition that Dr. Talati agrees to take and successfully negotiate CRDTS or another Board recognized exam once these exams are administered again. Dr. Wilson seconded and the Board voted unanimously in favor of the motion. Dr. Patel inquired as to whether or not this would be a temporary or full license. Dr. Bennett responded that it is a full license with no supervision because the Board feels the individual has already navigated an exam. He explained that the pathway for 2020 graduates who have not taken an examination would be a temporary license under the direct supervision of a Georgia licensed dentist. Mr. Changus added that a consent order has been sent to 10-20 applicants who were granted a license with the condition that he/she agrees to take CRDTS or another board approved exam. He stated there is language in the order that says the individual must send the Board the results of the examination with three days of receipt of the results. Mr. Changus continued by stating that if the individual fails to pass or take the exam, the applicant agrees that the license is subject to revocation.

Correspondence from Wanda Hill, GDHA and Dr. Michael Monopoli:

The Board considered these letters of support from GDHA and Dr. Monopoli regarding delegating COVID-19 testing to dental hygienists at the discretion of the dentist. Ms. Emm stated that COVID testing would be a diagnostic tool. She asked the Board if there was there a reason not to allow a hygienist to do a mouth swab or fingerstick test. Ms. Mattingly responded that she believes the Board should allow dental hygienists to have the ability to test for COVID-19. She stated that it can be the point of care oral swab or the nasal swab. Ms. Mattingly stated that the type of testing utilized will be determined by the dentist who is authorizing the dental hygienist to do so. She explained that healthcare workers are exhausted and dental hygienists can help provide relief with a trained workforce. She stated that dental hygienists are educated and equipped to swab the mouth or nose. Ms. Mattingly discussed the extensive training done by hygienists on the head, neck and anatomy. She continued by stating that at its June 2018 meeting, the Board unanimously voted to allow a dental hygienist to do a fingerstick for glucose testing under direct supervision. She stated that a fingerstick is more invasive than an oral or nasal swab. Ms. Mattingly stated that she has looked at this issue with a very open mind and has done research on this matter. She stated that at the Board's meeting last month, it was mentioned that a dental hygienist cannot diagnose. She explained that with either test, a hygienist would not be diagnosing. Ms. Mattingly stated this is no

different than a dental hygienist taking x-rays and the dentist coming in to review them and giving the proper diagnosis. She asked the Board to be a part of the solution by allowing dental hygienists to help during these unprecedented times.

Dr. Stiehl asked if there was any discussion on this matter. Dr. Bennett responded that he appreciates Ms. Mattingly's passion. He stated that he understands these are unprecedented times and as such, the Board has to proceed cautiously. He further stated that there are very few dentists that will offer this. Dr. Bennett stated the Board needs to give it a little bit of time to see how this plays out moving forward. He stated that he understand many people are looking for the opportunity and ability to bill for these services. He stated that he personally feel it is pushing the boundaries of the scope from his perspective.

Ms. Mattingly stated that Dr. Bennett was on the Board at the time it voted unanimously to allow a dental hygienist do a fingerstick for glucose testing under direct supervision. She asked what the difference was with fingerstick testing and taking a swab of the mouth for COVID testing. Ms. Mattingly stated that these two things are similar and are helping the doctor treat the patient. She stated that GDHA has done extensive research as well as Mr. Lofranco, GDA, who previously spoke on the matter. She continued by stating that in order to really limit the community spread of the virus and with the dental professionals that are being asked to see the patients, this point of care test will help with that. Ms. Mattingly stated that it would be extremely difficult for the dentist to do all these tests and that dental hygienists could assist as they are very well equipped to do an oral swab with the dentist supervising. Dr. Wilson inquired what percentage of dentists are administering the tests themselves. She stated it was her understanding the dentist would need to obtain a CLIA waiver if he/she is going to be reading and interpreting the tests. Ms. Mattingly responded that Mr. Lofranco previously spoke to the Board regarding the point of care testing and hygienists were excluded from that. She stated that as far as how many dentists are administering the test, she does not have that information. Ms. Mattingly commented that she thinks if the Board approves for a dental hygienist to do the swab, she believes more offices would do it.

Ms. Emm addressed Dr. Wilson's comment about the CLIA waiver. Ms. Emm stated that if the dentist was giving a point of care test where the results would be given in his/her office, a CLIA waiver is required. Ms. Emm further stated that if the test is sent out to a lab, a CLIA waiver would not be required. Dr. Maron stated that he agrees with Ms. Mattingly on this matter. He stated that if the Board approved a dental hygienist to give a fingerstick for glucose testing, then a dental hygienist is certainly able to do a nasal swab. He further stated that he does not see a down side to this. Dr. Goggans commented that he thinks Ms. Mattingly has done a great job on her research. He further stated that the dental hygienist will work under the direct supervision of the dentist. Dr. Goggans stated that he agrees with Dr. Maron as he does not see a downside. Dr. Yeargan agreed. There being no further discussion, Ms. Mattingly made a motion for the Board to authorize a dentist, at his/her discretion, to delegate COVID-19 testing to a dental hygienist under the direct supervision of a licensed dentist. Dr. Wilson seconded and the Board voted in favor of the motion, with the exception of Dr. Bennett, who opposed. In the same motion, the Board directed Ms. Emm to update the Opinion on COVID-19 Testing on the Board's website.

Correspondence from Dr. Matthew Dunford

The Board considered this correspondence asking if dentists and support personnel are allowed to renew CPR certification online instead of in-person. Additionally, Dr. Dunford's inquiry requests a list of board-approved organizations that offer CPR certification. Ms. Emm had provided an initial response to Dr. Dunford's inquiry by stating that certification must be onsite and that Rule 150-3-.08 CPR Requirements for Dentists and Rule 150-5-.04 CPR Requirements for Dental Hygienists list the following board-approved providers: American Heart Association, the American Red Cross, the American Safety and Health Institute, the National Safety Council, and EMS Safety Services. The Board directed staff to send Dr. Dunford the same information previously provided by Ms. Emm.

General – Dr. Brent Stiehl

No report.

Attorney General’s Report – Mr. Max Changus

No report.

Executive Director’s Report – Mr. Eric Lacefield

Guidelines for Temporary Licensure: Mr. Lacefield reported that the New Graduate Temporary Dental and Dental Hygiene Licensure Guidelines and Requirements have expired. He asked the Board to confirm whether or not it wished to extend the guidelines. Mr. Lacefield noted that the guidelines have been extended once already for the 2020 graduates. Discussion was held by the Board. Dr. Bennett suggested adding language that states “or until the next examination becomes available”. Dr. Yeargan commented that there is an exam in February in Alabama. Mr. Lofranco commented that even though testing may be available, he imagines there will be a pretty severe bottleneck and limited slots available. Dr. Maron made a motion to extend the guidelines for one month and have the Board re-evaluate the matter on a month to month basis. Dr. Yeargan seconded and the Board voted unanimously in favor of the motion.

Administration of COVID-19 Vaccine: Mr. Lacefield reported that a request has been sent to the Governor’s Office regarding such. Mr. Lacefield stated the information is currently being reviewed by the Governor’s Legal Team and he will keep the Board informed as to when additional information is provided.

Legal Services – Ms. Kimberly Emm

Continuing Education Required for Reinstatement: Ms. Emm stated that currently the Board will accept credit for dental coursework done during a residency program. The question that has arisen is whether the residency program has to have been completed for it to count as continuing education. In other words, can an individual submit hours for reinstatement if the residency program is ongoing. Ms. Emm stated that Rule 150-3-.09(7)(1) reads, “*Submission of a copy of the certificate of completion of program showing dates of completion is sufficient proof of coursework.*” She stated that the individual cannot provide a certificate of completion because the residency is still in progress. Dr. Maron responded that residents receive continuing education in terms of going to courses and meetings. He does not see there being an issue for this person to be unable to provide documentation that they are receiving continuing education during the residency. Ms. Emm asked if the applicant can produce proof of documentation of the courses taken and completed credit hours, those hours be applied towards the hours required for reinstatement. The Board agreed.

Miscellaneous

CRDTS 2020 Annual Report: The Board viewed this correspondence for informational purposes only.

Dr. Bert Yeargan made a motion and Ms. Misty Mattingly 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, the Assistant Attorney General’s report. Voting in favor of the motion were those present who included Dr. Richard Bennett, Dr. Greg Goggans, Dr. Michael Knight, Dr. Glenn Maron, Ms. Misty Mattingly, Dr. Ami Patel, Mr. Mark Scheinfeld, Dr. Brent Stiehl, Dr. Debra Wilson, and Dr. Bert Yeargan.

Executive Session

Licensure Overview Committee Appointments/Discussion Cases

- T.N.P.
- J.Z.

- R.A.B.
- J.W.S.
- P.E.G.

Applications

- G.S.
- D.T.
- C.T.Q.
- R.P.K.
- D.A.S.
- M.W.P.
- P.E.S.
- T.A.C.
- R.G.W.
- A.K.
- O.W.
- C.M.B.
- C.M.M.
- O.B.A.

Investigative Committee Report – Dr. Bert Yeargan

No report.

Attorney General’s Report – Mr. Max Changus

Mr. Changus presented the following consent orders for ratification:

- B.P.
- K.C.
- D.R.

Executive Director’s Report – Mr. Eric Lacefield

No report.

Legal Services – Ms. Kimberly Emm

No report.

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

| |
|---------------------|
| Open Session |
|---------------------|

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

Licensure Overview Committee Appointments/Discussion Cases

- | | | |
|----------|----------------------------------------|------------------------------------------------|
| • T.N.P. | Renewal Pending Applicant | Refer to the Department of Law |
| • J.Z. | Request to terminate probation | Request approved effective January 19, 2021 |
| • R.A.B. | Request to terminate probation | Approved request |
| • J.W.S. | Moderate Enteral Conscious Sedation | Approved application |
| • P.E.G. | Moderate Parenteral Conscious Sedation | Approved for provisional permit |

Applications

- | | | |
|----------|----------------------------------------|--------------------------------------------------|
| • G.S. | Dental Exam Applicant | Approved application |
| • D.T. | Dental Exam Applicant | Refer to the Department of Law |
| • C.T.Q. | General Anesthesia Applicant | Approved for provisional permit |
| • R.P.K. | General Anesthesia Applicant | Approved application |
| • D.A.S. | Moderate Enteral Conscious Sedation | Schedule to meet with LOC |
| • M.W.P. | Moderate Enteral Conscious Sedation | Schedule to meet with LOC |
| • P.E.S. | Moderate Enteral Conscious Sedation | Approved application |
| • T.A.C. | Moderate Parenteral Conscious Sedation | Schedule to meet with LOC |
| • R.G.W. | Moderate Parenteral Conscious Sedation | Approved evaluation |
| • A.K. | Moderate Parenteral Conscious Sedation | Tabled pending receipt of additional information |
| • O.W. | Moderate Parenteral Conscious Sedation | Tabled pending receipt of additional information |
| • C.M.B. | Dental Hygiene Reinstatement | Approved application |
| • C.M.M. | Dental Hygiene Reinstatement | Approved application |
| • O.B.A. | Dental Reinstatement Applicant | Denied application |

Investigative Committee Report – Dr. Bert Yeargan

No report.

Attorney General’s Report – Mr. Max Changus

Mr. Changus presented the following consent orders for ratification:

- | | |
|--------|----------------------|
| • B.P. | Public Consent Order |
| • K.C. | Public Consent Order |
| • D.R. | Public Consent Order |

Executive Director’s Report – Mr. Eric Lacefield

No report.

Legal Services – Ms. Kimberly Emm

No report.

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

With no further business, the Board meeting adjourned at 11:34 a.m.

The next scheduled meeting of the Georgia Board of Dentistry will be held via conference call on Friday, February 5, 2021, 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