

**GEORGIA BOARD OF DENTISTRY**  
**Board Meeting**  
**2 Peachtree St., N.W., 5<sup>th</sup> Floor**  
**Atlanta, GA 30303**  
**July 13, 2018**  
**10:00 a.m.**

**The following Board members were present:**

Dr. Greg Goggans, Vice-President  
Dr. Tracy Gay  
Dr. Tom Godfrey  
Dr. Steve Holcomb  
Ms. Wendy Johnson  
Dr. Logan Nalley  
Dr. Antwan Treadway  
Dr. Bert Yeargan

**Staff present:**

Tanja Battle, Executive Director  
Kirsten Daughdril, Senior Asst Attorney General  
Bryon Thernes, Assistant Attorney General  
Ryan McNeal, Chief Investigator  
Kimberly Emm, Attorney  
Brandi Howell, Business Support Analyst I

**Special Assistant Attorney General:**

Michael Caplan, Caplan & Cobb  
Ben Cheesbro, Caplan & Cobb

**Visitors:**

Pam Wilkes, Help A Child Smile  
Kevin Frazier, DCG  
Ryan Loke, PDS  
Charles Craig, GDHA

Dr. Goggans established that a quorum was present and called the meeting to order at 10:03 a.m.

Dr. Logan Nalley made a motion and Dr. Bert Yeargan seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. § 50-14-2, §43-1-19(h)(2), §43-11-47(h) and §43-1-2(k) to deliberate and receive the Special Assistant Attorney General's Report, 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. Tom Godfrey, Dr. Greg Goggans, Dr. Steve Holcomb, Ms. Wendy Johnson, Dr. Logan Nalley, Dr. Antwan Treadway and Dr. Bert Yeargan.

**Executive Session**

**Special Assistant Attorney General**

- Pending litigation

**Attorney General's Report – Mr. Bryon Thernes**

- Discussed list of non-compliant dentists as it relates to the PDMP requirements.

**Licensure Overview Committee Appointments/Discussion Cases**

- B.L.I.
- J.E.M.
- D.L.D.
- C.A.M.
- K.L.K.
- K.J.K.

- M.A.J.

### **Applications**

- T.F.F.
- K.L.C.
- M.D.B.
- P.L.P.
- C.D.R.
- J.F.M.
- J.P.G.
- A.B.
- K.D.
- S.K.G.

### **Correspondences**

- S.C.
- R.L.

### **Investigative Committee Report**

Report Presented:

- DENT180148
- DENT180252
- DENT180105
- DENT170087
- DENT180088
- DENT140102
- DENT140273
- DENT140295
- DENT140302
- DENT140312
- DENT150006
- DENT150053
- DENT150054
- DENT180089
- DENT160509
- DENT160146
- DENT170147
- DENT180290
- DENT180396
- DENT180230
- DENT170252
- DENT180372
- DENT150304
- DENT180017
- DENT150279
- DENT150292
- DENT150322

- DENT160238
- DENT160408
- DENT160514
- DENT170064
- DENT170160
- DENT170161
- DENT170178
- DENT170243
- DENT170244
- DENT170262
- DENT170264
- DENT170298
- DENT170314
- DENT170315
- DENT180048
- DENT180241
- DENT180303
- DENT180353
- DENT170299
- DENT180103
- DENT170077
- DENT180035
- DENT170026
- DENT180185

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

No report.

**Attorney General’s Report – Mr. Bryon Thernes**

Mr. Thernes discussed the following individual:

- A.J.D.

Mr. Thernes presented the following consent orders for acceptance:

- J.L.B.
- S.A.G.
- K.R.M.

Mr. Thernes provided legal advice regarding the rule petition for:

- S.C.H.

**Legal Services – Ms. Kimberly Emm**

No report.

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

**Introduction of Visitors**

Dr. Goggans welcomed the visitors. The Board recognized Dr. Tom Godfrey in appreciation of the job he did as Board President from July 1, 2017 – June 30, 2018.

**Approval of Minutes**

Dr. Nalley made a motion to approve the Public and Executive Session minutes for the June 15, 2018 meeting, the June 29, 2018 Conference Call minutes, and the Public and Executive Session minutes for the July 2, 2018 Conference Call. Dr. Treadway seconded and the Board voted unanimously in favor of the motion.

**Licenses to Ratify**

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

**Petition for Rule Waiver from Dr. Kerwin V. Donaldson**

Dr. Nalley made a motion to grant the rule waiver petition based on the Board’s finding that Dr. Donaldson has demonstrated evidence of a substantial hardship as his test scores are no longer available. Additionally, based on the special circumstances noted in his petition, the Board also finds that he has provided adequate justification for the waiver based on his thirty-eight (38) years of service without disciplinary action. Dr. Holcomb seconded and the Board voted unanimously in favor of the motion.

**Petition for Rule Waiver from Dr. Jean-Max Jean-Pierre**

Dr. Nalley made a motion to grant the rule waiver petition based on the Board’s finding that Dr. Jean-Pierre has demonstrated evidence of a substantial hardship. Additionally, based on the special circumstances noted in the petition, the Board also finds that Dr. Jean-Pierre has provided adequate justification for the waiver as he is a Board-Certified Periodontist. Dr. Treadway seconded and the Board voted unanimously in favor of the motion.

**Petition for Rule Waiver from Dr. Scott C. Hudson**

Dr. Godfrey made a motion to table discussion on this matter until later in the meeting. Dr. Holcomb seconded and the Board voted unanimously in favor of the motion.

**Correspondence from Scott Lofranco, GDA**

The Board considered this correspondence regarding the Board of Dentistry Policy for Coronal Polishing. Dr. Holcomb made a motion to direct staff to respond by stating before a dental assistant can begin providing rubber cup prophies, he/she is required to have (1) one year chairside experience or be a graduate of an approved dental assistant program and complete eight (8) hours of on-the-job training as outlined in the policy whether that training takes place in a private office or school setting. Dr. Godfrey seconded and the Board voted unanimously in favor of the motion.

**Correspondence from Suzanne Newkirk, GDHA**

The Board considered the Coronal Polishing and Fluoride Powerpoint, along with the Ethics and Jurisprudence Exam for Dental Assistants information provided by Ms. Newkirk. The Board requested Ms. Newkirk provide this information at its June 2018 meeting. Dr. Holcomb stated that Ms. Newkirk did an excellent, thorough job at providing the information. He stated that he did have some questions about where some of the information comes from and whether or not it is the absolute prevailing standard. Dr. Nalley made a motion to table this matter until the August meeting to give additional time

for the Board to review and to make any necessary suggestions. Dr. Holcomb seconded and the Board voted unanimously in favor of the motion.

**Correspondence from Dr. Stanley Halpern**

The Board viewed this correspondence for informational purposes only.

In regards to general supervision as it pertains to code 4910, Dr. Godfrey stated that the Rules Committee will discuss that matter further at its next scheduled meeting.

**General – Dr. Richard Bennett**

No report.

**CE Audit Committee Report – Dr. Richard Bennett**

No report.

**General Anesthesia Committee Report – Dr. Antwan Treadway**

No report.

**Conscious Sedation Committee Report – Dr. Richard Bennett**

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 reminded the members to sign up for testing. Dr. Holcomb stated this information is online.

**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**

Dr. Godfrey made a motion for the Board to adopt a policy to state that other than an interim prosthesis, a removable prosthesis shall have the first initial and last name. Dr. Holcomb seconded and the Board voted unanimously in favor of the motion.

**Education Committee Report – Dr. Tom Godfrey**

No report.

**Long Range Planning Committee Report – Dr. Steve Holcomb**

Dr. Holcomb stated that at the last meeting he reported that the Long Range Planning Committee would resubmit an updated list to the Rules Committee. He stated he submitted some recommendations but did not know if the list was maintained or not. He added that there was also a recommendation that the

Committee obtain definitions on rules for teledentistry from surrounding states. Dr. Godfrey indicated that some research had already been conducted.

### **CRDTS Steering Committee – Dr. Logan Nalley**

Dr. Yeargan reminded the Board that the Annual Meeting is August 24-25 in Kansas City.

### **IP Committee Report – Dr. Richard Bennett**

No report.

### **EDDA Review Committee – Dr. Greg Goggans**

No report.

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

No report.

### **Attorney General’s Report – Mr. Bryon Thernes**

No report.

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

No report.

### **Miscellaneous**

Dental Screening Request from Brandon L. Maze: Dr. Nalley made a motion to approve the request. Dr. Holcomb seconded and the Board voted unanimously in favor of the motion.

### **Executive Session Recommendations**

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

### **Special Assistant Attorney General**

- Pending litigation. Update provided.

### **Attorney General’s Report – Mr. Bryon Thernes**

- Discussed list of non-compliant dentists as it relates to the PDMP requirements.

### **Licensure Overview Committee Appointments/Discussion Cases**

- |          |                                    |  |
|----------|------------------------------------|--|
| • B.L.I. | Renewal Pending                    | Grant extension for an additional 7 days                             |
| • J.E.M. | Renewal Pending                    | The Board viewed this correspondence for informational purposes only |
| • D.L.D. | Renewal Pending                    | Approved for renewal   |
| • C.A.M. | Renewal Pending                    | Table pending receipt of additional information                      |
| • K.L.K. | Request for extension to take LEAP | Grant extension until the end of December                            |
| • K.J.K. | Renewal Pending                    | Refer to the Department of Law                                       |
| • M.A.J. | Request to terminate probation     | Approved request   |

### **Applications**

- |          |                              |                                |
|----------|------------------------------|--------------------------------|
| • T.F.F. | Dental Reinstatement         | Refer to the Department of Law |
| • K.L.C. | Dental Hygiene Reinstatement | Approved application           |

- M.D.B. Dental Hygiene Reinstatement Approved pending receipt of additional information
- P.L.P. Dental Hygiene Reinstatement Schedule to meet with the Licensure Overview Committee
- C.D.R. Volunteer Applicant Approved application
- J.F.M. Volunteer Applicant Approved application
- J.P.G. Conscious Sedation Applicant Approved for provisional permit
- A.B. General Anesthesia Applicant Approved evaluation
- K.D. General Anesthesia Applicant Approved evaluation
- S.K.G. General Anesthesia Applicant Approved for provisional permit

### Correspondences

- S.C. Correspondence regarding credentials licensure Board directed staff to respond by stating that based on the information provided, the individual would not be eligible until August 2020.
- R.L. Correspondence regarding credentials licensure Board directed staff to respond by stating that if the individual successfully completes a restorative clinical exam that includes a class II posterior preparation and restoration component, then he/she may qualify with other portions of his/her ADEX examination.

### Investigative Committee Report

Report Presented:

Complaint Number	Allegations	Recommendation
DENT180148	Abandonment	Refer to Dept of Law
DENT180252	Abandonment	See DENT180148
DENT180105	Quality of Care/Substandard Practice	Close No Action
DENT170087	Quality of Care/Substandard Practice	Close with Letter of Concern
DENT180088	Quality of Care/Substandard Practice	Close No Action
DENT140102	Quality of Care/Substandard Practice	Close No Action
DENT140273	Quality of Care/Substandard Practice	Close No Action
DENT140295	Fraud	Close No Action
DENT140302	Fraud	Close No Action
DENT140312	Billing	Close No Action
DENT150006	Quality of Care/Substandard Practice	Close No Action
DENT150053	Quality of Care/Substandard Practice	Close No Action
DENT150054	Quality of Care/Substandard Practice	Close No Action
DENT180089	Quality of Care/Substandard Practice	Close No Action
DENT160509	Quality of Care/Substandard Practice	Close No Action
DENT160146	Fraud	Close No Action
DENT170147	Quality of Care/Substandard Practice	Close No Action
DENT180290	Quality of Care/Substandard Practice	Close No Action
DENT180396	Quality of Care/Substandard Practice	Close No Action
DENT180230	Unlicensed Practice	Accept Cease & Desist
DENT170252	Unlicensed Practice	Accept Cease & Desist

DENT180372	Unlicensed Practice	Accept Cease & Desist
DENT150304	Unsanitary Conditions	Accept MIT Results; Close No Action
DENT180017	Malpractice	Accept MIT Results; Close No Action
DENT150279	Unprofessional Conduct	Close - No Action
DENT150292	Quality of Care/Substandard Practice	Close - No Action
DENT150322	Quality of Care/Substandard Practice	Close - No Action
DENT160238	Unsanitary Conditions	Close with Letter of Concern
DENT160408	Fraud	Close - No Action
DENT160514	Billing	Close - No Action
DENT170064	Malpractice	Close - No Action
DENT170160	Unlicensed Practice	Close - No Action
DENT170161	Quality of Care/Substandard Practice	Close - No Action
DENT170178	Quality of Care/Substandard Practice	Close - No Action
DENT170243	Quality of Care/Substandard Practice	Close with Letter of Concern
DENT170244	Quality of Care/Substandard Practice	Close - No Action
DENT170262	Quality of Care/Substandard Practice	Close - No Action
DENT170264	Quality of Care/Substandard Practice	Close - No Action
DENT170298	Quality of Care/Substandard Practice	Close - No Action
DENT170314	Quality of Care/Substandard Practice	Close - No Action
DENT170315	Quality of Care/Substandard Practice	Close - No Action
DENT180048	Prescribing Violation	Close - No Action
DENT180241	Other	Close - No Action
DENT180303	Morbidity and Mortality	Close - No Action
DENT180353	Morbidity and Mortality	Close - No Action
DENT170299	Quality of Care/Substandard Practice	Close - No Action
DENT180103	Unsanitary Conditions	Accept MIT results/Close - No Action
DENT170077	Quality of Care/Substandard Practice	Accept MIT results/Close - No Action
DENT180035	Quality of Care/Substandard Practice	Accept MIT results/Close - No Action
DENT170026	Quality of Care/Substandard Practice	Accept MIT results/Close - No Action
DENT180185	Fraud	Close - No Action

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

No report.

**Attorney General's Report – Mr. Bryon Thernes**

Mr. Thernes discussed the following individual:

- A.J.D. Amend referral to the Department of Law

Mr. Thernes presented the following consent orders for acceptance:

- J.L.B. Public Consent Order accepted
- S.A.G. Private Consent Order to be accepted and signed with express permission upon receipt of the original
- K.R.M. Public Consent Order to be accepted and signed with express permission upon receipt of the original

Mr. Thernes provided legal advice regarding the rule petition for:

- S.C.H.



**Legal Services – Ms. Kimberly Emm**

No report.

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

Dr. Logan Nalley made a motion and Dr. Tracy Gay 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. Voting in favor of the motion were those present who included Dr. Tracy Gay, Dr. Tom Godfrey, Dr. Greg Goggans, Dr. Steve Holcomb, Ms. Wendy Johnson, Dr. Logan Nalley, Dr. Antwan Treadway and Dr. Bert Yeargan.

**Executive Session**

**Application**

- S.C.H.

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

**Open Session**

**Petition for Rule Waiver from Dr. Scott C. Hudson**

Dr. Godfrey made a motion to deny the rule waiver petition. There was no second. The motion died.

Dr. Nalley made a motion to grant the rule waiver petition based on the Board's finding that there was no exam component that would have applied because it was not offered at the time of licensure.

Additionally, the Board also finds that Dr. Hudson has provided adequate justification for the waiver based on his thirty-five (35) years of service. Dr. Godfrey seconded and the Board voted unanimously in favor of the motion.

Dr. Goggans requested the Board give direction to the Rules Committee regarding factors to consider for an applicant for licensure by credentials that is missing an exam component. The Board discussed years in practice, number of disciplinary actions, specialty status, etc. Dr. Holcomb suggested sending any comments to Ms. Howell, who will forward the information to the Rules Committee. Mr. Thernes stated he had previously drafted a proposed policy on credentials applicants that listed all kinds of factors. He stated will forward this information to the Board.

With no further business, the Board meeting adjourned at 1:41 p.m.

The next scheduled meeting of the Georgia Board of Dentistry will be held on Friday, August 3, 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 Brandi Howell, Business Support Analyst I

Minutes edited by Tanja D. Battle, Executive Director