

GEORGIA BOARD OF DENTISTRY
Board Meeting
July 18, 2014
2 Peachtree St., N.W., 36th Floor
Atlanta, GA
9:30 a.m.

The following Board members were present:

Dr. Logan Nalley
Dr. Stephen Holcomb
Dr. Richard Bennett
Ms. Becky Bynum
Dr. Randy Daniel
Dr. Tracy Gay
Dr. Tom Godfrey
Dr. Greg Goggans
Dr. Antwan Treadway
Dr. Bert Yeargan

Staff present:

Tanja Battle, Executive Director
Bryon Thernes, Asst Attorney General
Brandi Howell, Bus Operations Specialist

Visitors:

Sarah Sikkelee, Connect South
Dr. Carol Wooden, AGD
Greg Leathers
Thalia Maldonado
Alejandra Hernandez
Shannon Hardwick
T.J. Kaplan
Sarah Brandon
Danielle Morgan

Open Session

Dr. Nalley established that a quorum was present and called the meeting to order at 9:33 a.m.

Introduction of Visitors

Dr. Nalley welcomed the visitors.

Approval of Minutes

Dr. Yeargan made a motion to approve the Public and Executive Session minutes for the June 13, 2014 conference call. Ms. Bynum seconded and the Board voted unanimously in favor of the motion.

Ratifications

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

Petition for Rule Waiver – Mahtab Sadrameli

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

Petition for Rule Waiver – Matt Carpenter

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

Correspondence from Dr. Mohd M. Kachlan

The Board viewed this correspondence for informational purposes only.

Correspondence from Dr. Evan Rubenstein and Josh Friedman

The Board considered this correspondence requesting approval to be allowed to store continuing education certificates on behalf of licensees. Dr. Holcomb made a motion to direct staff to respond by stating that the Board is unable to approve requests of this nature. Dr. Godfrey seconded and the Board voted unanimously in favor of the motion.

Correspondence from Christine Wood, Executive Director, Association of State and Territorial Dental Directors

The Board considered this correspondence regarding a Pew Charitable Trusts Dental Sealant Survey. The survey is requesting to know, as of June 1, 2014, is a dentist's examination of a child required before a dental hygienist working in a school-based or school-linked sealant program can place sealants? Dr. Goggans made a motion to direct staff to respond by stating that the dentist's exam is sometimes required (e.g., certain classifications of dental hygienist like public health hygienists can place sealants without a dentist's prior exam). Dr. Gay seconded and the Board voted unanimously in favor of the motion.

Correspondence Regarding Spore Tests/Biological Monitoring

The Board considered this correspondence regarding how long dentists are required to maintain results from spore tests and results of biological monitoring. Dr. Bennett made a motion to direct staff to respond by stating that results should be maintained for one calendar year. Dr. Holcomb seconded and the Board voted unanimously in favor of the motion. Dr. Holcomb requested Dr. Gay develop this recommendation as a policy statement.

General – Dr. Logan Nalley

Dr. Yeargan made a motion to appoint Dr. Samuel T. Norris, Jr., and Dr. Ronald C. Smiley as consultants for the Investigative Committee. Dr. Bennett seconded and the Board voted unanimously in favor of the motion.

CE Audit Committee Report – Dr. Richard Bennett

No report.

Conscious Sedation/General Anesthesia Committee Report – Dr. Randy Daniel

Dr. Daniel reported that the Sedation Committee will be meeting in the next few months and would like to invite some consultants in to discuss several topics related to sedation. Dr. Daniel stated that the Committee will also discuss the correspondence from Drs. David Brantley and John Spratling that was tabled at the June meeting. The Committee will notify Ms. Battle once a date has been determined so that it can be posted in a timely manner.

Dr. Daniel reported that the Board did not receive authority from the Attorney General's office in time to have a public hearing and consider adoption of proposed amendments to Rule 150-13-.02 Deep Sedation/General Anesthesia Permits and Rule 150-13-.01 Conscious Sedation Permits.

Dr. Holcomb asked if it would be worthwhile to take a moment for Ms. Battle to explain the process of what occurs once the Board votes to post a rule. Ms. Battle responded that, typically, Anil Foreman, Legal Officer, forwards the request for authority to the Attorney General's office fairly quickly following the meeting. A notice is then created and under title 50-13-4 notice must be posted for thirty days prior to holding a public hearing for comments. Ms. Battle asked Ms. Foreman how long it takes to make the referral to the Attorney General's office. Ms. Foreman responded that she sends the referral to Mr. Thernes within two or three days following the meeting.

Mr. Thernes stated that if it is a more straight forward rule, he can get the authority back to Ms. Foreman fairly quickly; however, if the rule is more complex, he must speak with Janet Wray, Senior Assistant Attorney General, regarding the matter.

Dr. Holcomb stated that one of the Board's functions is to promulgate rules. He appreciates Mr. Thernes's response about getting the authority back quickly and having to speak with Ms. Wray; however, he would like to know some type of timeframe of when the Board will receive the authority for any proposed rules or amendments. Dr. Holcomb relayed that it is the Board's expectation that receiving such authority should happen within a week rather than within a month, if at all possible.

Credentialing Committee Report – Dr. Greg Goggans

No report.

Dental Hygiene Committee Report – Ms. Rebecca Bynum

Ms. Bynum discussed proposed amendments to Board Rule 150-5-.02 Qualifications for Dental Hygienists as the current rule does not address multiple failures for the clinical examination. The Dental Hygiene Committee has recommended proposed language to the Rules Committee. Dr. Godfrey added that the Rules Committee discussed those changes at its meeting earlier that morning and voted to approve it.

Examination Committee Report – Dr. Logan Nalley

Dr. Holcomb reported that the CRDTS Steering Committee is now meeting in June instead of April. He further reported that at the annual meeting there will be another vote by the General Assembly. Dr. Holcomb has submitted a letter for ERC Chair again. Dr. Holcomb explained that there is a bylaw stating that a member may serve six consecutive one year terms. The Steering Committee extended those terms because of inactivity of the Committee during the ADEX years. Dr. Holcomb has finished his sixth year now. He stated that both the dental hygiene and dental ERC chairs and members were extended because of that. If elected, Dr. Holcomb will serve one more term as ERC Chair. Ms. Bynum added that, in regards to the term limits, they were going to try and stagger them so that everyone was not going out at the same time.

Investigative Committee Report – Dr. Bert Yeargan

No report.

Legislative Committee Report – Dr. Greg Goggans

Dr. Goggans reported that he had the opportunity to have dinner with the Rules Chair of the Senate. Dr. Goggans stated that in his opinion, from the GDA level legislatively, the hot topic is looking at the future of mid-level providers. He thinks there has to be some alternatives when the Legislature says you have to make some changes here. Ms. Bynum added that those states that have tried to implement those changes have relayed that there have been some issues and it is not going smoothly for mid-level providers.

Licensure Overview Committee Report – Dr. Tracy Gay

No report.

Rules Committee Report – Dr. Tom Godfrey

Dr. Godfrey made a motion to post Rule 150-5-.02 Qualifications for Dental Hygienists. Dr. Holcomb seconded and the Board voted unanimously in favor of the motion.

150-5-.02 Qualifications for Dental Hygienists.

(1) No persons shall be issued a license to practice as a dental hygienist unless such person is a graduate of a school or college for dental hygienists recognized by the board and accredited by the Commission

on Dental Accreditation of the American Dental Association or its successor agency. Such school or college must conduct a course consisting of not less than two (2) academic years for dental hygiene graduation.

(2) All applicants must show passage of all sections with a score of 75 or higher on a clinical examination administered by the board or a testing agency designated and approved by the board. The board will only consider examination results from the Southern Regional Testing Agency (SRTA) that were attained between February 22, 1993 and December 31, 2005. SRTA retake examination results will be accepted until December 31, 2006. After December 31, 2005, the board will only consider the dental hygiene examination as uniformly administered by the Central Regional Dental Testing Service, Inc. (CRDTS) or any other testing agency designated and approved by the board. Applicants must also pass a jurisprudence examination on the laws and rules governing the practice of dental hygiene in the State of Georgia. Such examinations shall be administered in the English language. The Board may hold other examinations as may be required and necessary.

(3) Any candidate who fails any clinical examination three times must take a remedial course of study designated and pre-approved by the board.

(a) Once the candidate shows written proof of successful completion of the approved course of study, the Board will grant the candidate one additional attempt at successful passage of a clinical licensing examination approved by the board.

(b) After a fourth failure of any clinical examination, no further attempts will be authorized or scores recognized by the board for licensure in Georgia.

~~(4)-(3)~~ The applicant must provide the board with a copy of his or her score showing passage of all sections with a score of 75 or higher on the National Board Examination.

~~(5)-(4)~~ An applicant for dental hygiene licensure must provide the board with the following items:

(a) An official transcript under seal showing the date of graduation and degree awarded from an accredited dental hygiene school certified by the appropriate officials;

(b) A certified copy of the results of the clinical examination given by the board or a testing agency designated and approved by the board;

(c) Copies of score of the National Board Examination;

(d) Proof of current CPR certification;

(e) Copies of any and all National Practitioner's Data Bank reports pertaining to the applicant;

(f) Furnish a criminal background check. The applicant shall be responsible for all fees associated with the performance of a background check; and

(g) Verification of licensure from all states where the applicant has ever held or currently holds a license to practice dental hygiene. All such licenses shall be unencumbered by any past or present disciplinary action.

~~(h) In accordance with O.C.G.A. §50-36-1, all applicants applying for licensure must submit an Affidavit Regarding Citizenship and submit a copy of secure and verifiable documentation supporting the Affidavit with his or her application.~~

Dr. Godfrey made a motion to post Rule 150-10-.01 Fraudulent, Misleading or Deceptive Advertising. Dr. Bennett seconded and the Board voted unanimously in favor of the motion.

150-10-.01 Fraudulent, Misleading or Deceptive Advertising.

(1) For purposes of O.C.G.A. § 43-11-47(a)(15), "advertising" shall include any information communicated in a manner designed to attract public attention to the practice of the licensee, including the use of a trade name or corporate name.

(2) A dentist may provide information regarding himself or herself, his or her practice, and fixed fees associated with routine dental services in a dignified manner in newspapers, magazines, yellow page directories, consumer directories, ~~or~~ comparable written publications, ~~or~~ broadcast advertising, or Internet advertising. The dentist shall have ultimate responsibility for all advertisements approved or placed by the dentist or his or her agents, employees, ~~or~~ associates, or contractors. The dentist shall retain a copy, recording, or specification of the advertisement for at least one year following the last

appearance or use of the advertisement, and shall provide a copy, recording, or specification to the Board within ten (10) days of any request by the Board.

(3) Advertising may include, but is not limited to, the following information:

(a) The dentist's title or degree;

(b) A designation of specialty dental practice, if said specialty is recognized by the Georgia Board of Dentistry pursuant to Rule 150- 11-.01 and the dentist has completed the educational requirements stated in the American Dental Association's specialty practice guidelines in existence at the time the advertisement is made;

(c) Office and telephone answering hours, office location, office telephone number, and residence address and telephone number;

(d) Fees for a specific, routine service. For purposes of this Rule, a dental service may be characterized as a "routine dental service" if it is performed frequently in the dentist's practice, is usually provided at a specific fee to substantially all patients receiving the service, and is provided with little or no variance in technique or materials. The following requirements shall be met when a dentist advertises a routine dental service:

1. If a range of fees is advertised (including use of words such as "from," "as low as," "starting at"), the minimum and maximum fees shall be fully disclosed;

2. Consultation, treatment planning, or treatment for any routine dental service advertised for a specific fee must be made available for a minimum of sixty (60) days following the date of the last publication or broadcast of that fee, unless another date is specified in the advertisement;

3. When a routine dental service is advertised as "free," "no charge," or like terms, such service must be made available at no cost for a minimum of sixty (60) days following the date of last publication or broadcast of that fee, unless another date is specified in the advertisement;

4. When a patient accepts the treatment planned for a routine dental service which was advertised by the dentist for a specific fee during the previous sixty (60) days (or other period specified in the advertisement), any subsequent dental service that is reasonably and ~~foreseeably~~ foreseeably related to the advertised routine service must be provided without additional charge, unless the advertisement for the routine dental service includes the following statement: "ADDITIONAL CHARGES MAY BE INCURRED FOR RELATED SERVICES WHICH MAY BE REQUIRED IN INDIVIDUAL CASES."

(4) A dentist may use or participate in the use of professional cards, appointment slips or cards, letterhead, office signs, or similar professional notices, provided they are not false, misleading, or deceptive.

(5) Advertising shall not reveal a patient's personally identifiable facts, data or information obtained in a professional capacity, without the patient's written consent.

(6) The following statements in advertising shall be deemed to be misleading to the public for purposes of this Rule:

(a) Statements claiming or implying the superiority of a method of treatment, material, drug or appliance;

(b) Statements that assert or allude that a certain dentist is a specialist or specializes in any branch of dentistry, unless that specialty is recognized by the Georgia Board of Dentistry pursuant to Rule 150-11-.01 and the dentist has completed the educational requirements for that specialty as stated in the American Dental Association's specialty practice guidelines in existence at the time the advertisement is made;

(c) Statements that assert or allude that a certain dentist practices at a location, if the dentist does not regularly provide dental treatment to patients at said location;

(d) Statements that assert or allude that a dentist has an ownership interest in a dental practice, facility, or clinic when the dentist does not possess an equity stake, the ability to sell one's interest in a practice, and/or other rights of ownership common to partnerships or corporations.

~~(d)~~(e) Statements offering or announcing "quality dentistry," "quality work," "staff of skilled dentists," "skilled employees," or other like terms, and statements indicating that uncertified persons perform functions requiring a license under O.C.G.A. § 43-11-1, *et seq.*;

- (e)(f) Statements indicating the availability of superior facilities at a certain office, including statements that an office is “scientifically equipped” or has the “latest modern equipment,” statements making reference to a “modern office ,” “modern methods ,” “modern devices,” or any similar expressions;
- ~~(f)(g)~~ Statements that a dental operation or treatment can be performed without causing any pain; ~~and~~
- ~~(g)(h)~~ Use of a trade name or corporate name that is confusingly similar to a trade name or corporate name already in use by a dental practice in this state-; and
- (i) Statements that contain other representations or implications that in reasonable probability will cause an ordinarily prudent person to misunderstand or be deceived.

Dr. Godfrey made a motion to post Rule 150-4-.01 Investigations. Amended. Dr. Bennett seconded and the Board voted unanimously in favor of the motion.

150-4-.01 Investigations. Amended.

- (1) The Board shall promptly conduct investigations to determine whether violations of the rules and laws governing the practice of dentistry or dental hygiene have occurred. Disciplinary proceedings may be initiated by the Board upon its own motion or upon receipt of a ~~signed~~, written complaint.
- (2) Any matter pertaining to an investigation shall be kept in confidence by the Board until such matter is made part of a public document, ~~or is~~ introduced as evidence at a hearing, or is provided to a law enforcement agency or another lawful licensing authority of this state or any other state upon inquiry by said agency or authority under to O.C.G.A. §§ 43-1-19(h)(2), 43-1-21. Upon the revocation or suspension of a license to practice dentistry or dental hygiene, notice may be released to the press and other news media.
- (3) The Board, in its discretion, may schedule an interview with a licensee as a part of its investigation of a matter. Notice of the date, time and location of the interview shall be provided to the dentist or hygienist along with information apprising him or her of the subject matter of the allegations to be discussed.

A motion was made by Dr. Godfrey, seconded by Dr. Bennett, and the Board voted that the formulation and adoption of these new rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the relevant code sections.

In the same motion, the Board voted that it is not legal or feasible to meet the objectives of the relevant code sections to adopt or implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, owned and operated and dominant in the field of Dentistry.

Education Committee Report – Dr. Tom Godfrey

Dr. Godfrey reported on the death of Dr. Connie L. Drisko, former Dean at Georgia Regents University.

Ms. Battle asked Dr. Godfrey to go back to the Rules Committee Report to address Rules 150-8-.01 Unprofessional Conduct and 150-8-.02 Fee Splitting. Ms. Foreman stated that the Rules Committee was looking for additional input from the Board concerning these two items. Dr. Godfrey explained that, at this time, Rules does not have anything to put forward, but would welcome any suggestions from the Board. Dr. Bennett asked Ms. Foreman to resend the two rules to the board members for further consideration.

Long Range Planning Committee Report – Dr. Steve Holcomb

Dr. Holcomb reiterated that he sent a list of long range planning points for the Board to consider. He further stated that the Committee does need to meet to address these issues. At this time the members of this committee are himself and Dr. Nalley. Dr. Nalley suggested adding Dr. Bennett to the Committee.

Dr. Holcomb stated that if the Board has the funding, it would be good for some members to attend the national meetings. He intends to put a list of meetings together so the Board can look at representation at those.

Dr. Steve Holcomb made a motion and Dr. Richard Bennett 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. Logan Nalley, Dr. Steve Holcomb, Dr. Richard Bennett, Ms. Becky Bynum, Dr. Randy Daniel, Dr. Tracy Gay, Dr. Tom Godfrey, Dr. Greg Goggans, Dr. Antwan Treadway and Dr. Bert Yeargan.

Executive Session

Appearances

- A.M.T.
- S.T.F.
- S.B.A.

Licensure Overview Committee Appointments/Discussion Cases

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

Applications

- M.I.S.
- F.E.H.
- D.J.B.
- M.P.G.P.

Investigative Committee Report

Report presented:

- DENT140313
- DENT130098
- DENT140091
- DENT140315
- DENT140314
- DENT140316
- DENT140317
- DENT140321
- DENT140027
- DENT120058
- DENT120185
- DENT130201
- DENT140311

- DENT090198
- DENT140217
- Correspondence from G.S.

Correspondences

- Correspondence from M.S.
- Correspondence from S.C.
- Correspondence from J.S.
- Correspondence from D.R.
- Correspondence from E.J.

Executive Director’s Report – Ms. Tanja Battle

- B.L.H.
- G.P.

Attorney General’s Report – Mr. Bryon Thernes

Mr. Thernes discussed the following individuals:

- J.C.
- N.V.C.
- A.G.
- K.S.

Mr. Thernes presented the following consent orders for acceptance:

- D.E.T.
- F.F.
- T.S.

Mr. Thernes presented the following Voluntary Surrender for acceptance:

- S.C.

Miscellaneous

- A.R.R.

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

Open Session

IP Committee Report – Dr. Richard Bennett

IP Course Submission – DentaSpa: The Board recommended tabling discussion on this matter until the Committee’s next scheduled meeting.

Dr. Bennett reported that he and Ms. Battle have been cordially invited to attend a meeting with the Georgia Composite Medical Board to discuss injectable pharmacologics. Dr. Bennett will let Ms. Battle know his availability so that she can communicate such with her counterpart with that board.

Executive Director’s Report – Ms. Tanja Battle

Ms. Battle reported that we have officially completed the renewal cycle. The online renewal portal has been disabled. All licenses have been lapsed for those that did not initiate payment. Those licenses that are currently in “active-renewal pending” status have been notified of deficiencies and if those deficiencies have not been addressed by the end of the month, the licenses will be lapsed.

Ms. Battle reported that we have surpassed the one year anniversary of the Board transitioning from the Secretary of State’s Office to the Department of Community Health. Ms. Battle reported that she was pleased with the progress and stability that has been established following such a huge transition. She commented that Ryan McNeal is able to average a quick turnaround on cases and has cleared out the backlog of peer review cases that were carried over. Ms. Battle gave kudos to Mr. McNeal for his efforts.

Ms. Battle stated that, during the past year, she has seen areas where additional staff are needed and has received approval for two additional staff members to primarily help with intake of applications and documents and the large volume of calls. The office is also going to implement a decision tree that will give some options on the front end of telephone calls while still allowing customers to speak with a person.

At the beginning of the transition, Ms. Battle thought that an additional investigator may be needed; however, given Mr. McNeal’s ability to handle the Board’s cases in a timely manner, that position has been reallocated to a mid-management supervisor position which has now been filled. His primary responsibility will be to manage the in-house staff and assess business processes to gain efficiencies.

In terms of the budget, Ms. Battle reported that the retained revenue total is \$17, 211.75. This revenue comes from administrative fees, pocket cards, wall certificates, etc.

Petition for Rule Waiver – Anuradha R. Rewatkar

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

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

Appearances

- A.M.T. Denial upheld
- S.T.F. Overturn denial and approve with public consent order
- S.B.A. Denial upheld

Licensure Overview Committee Appointments/Discussion Cases

- | | | |
|----------|--|-----------------------------------|
| • L.C.A. | Dental Reinstatement | Approved application |
| • C.T.E. | Request to petition changes to consent order | Request denied |
| • S.S. | Dental Exam Applicant | Approved application |
| • S.M. | Dental Exam Applicant | Approved application |
| • A.J.P. | Dental Hygiene Reinstatement | Approve with public consent order |
| • A.K. | Dental Exam Applicant | Approved application |
| • W.D.K. | Request to terminate probation | Request approved |
| • R.H.J. | Request to terminate probation | Request approved |

Applications

- M.I.S. Dental Reinstatement Approve with public consent order
- F.E.H. Sedation Applicant Schedule to meet with the Sedation Committee
- D.J.B. Dental Hygiene Exam Applicant Schedule to meet with the Licensure Overview Committee pending receipt of additional information
- M.P.G.P. Dental Faculty Approved application

Investigative Committee Report

Report presented:

Complaint number	Allegations	Recommendations
DENT140313	ULP	C & D
DENT130098	Quality of Care	Close
DENT140091	Unprofessional Conduct	Close
DENT140315	Aiding & Abetting ULP	Close w/LOC
DENT140314	Aiding & Abetting ULP	Close w/LOC
DENT140316	Aiding & Abetting ULP	Close w/LOC
DENT140317	Other	Close
DENT140321	Other	Close - No Action
DENT140027	Practicing beyond scope of practice	Refer to AG Office
DENT120058	Quality of Care	Close
DENT120185	Over Treatment	Close - No Action
DENT130201	Unprofessional Conduct	Close - No Action
DENT140311	Unprofessional Conduct	Close
DENT090198	Other	Close
DENT140217	Advertising Violation	Close
Correspondence from G.S.	Advertising Violation	Close - No Action

Correspondences

- Correspondence from M.S.: Denied request for waiver of late renewal fee.
- Correspondence from S.C.: Directed staff to respond by stating that it is not in a position to say whether or not the individual can take the CRDTS examination.
- Correspondence from J.S.: Denied request to accept SRTA results from April 2007.
- Correspondence from D.R.: Directed staff to respond by stating that the individual does meet the requirements for licensure by examination.
- Correspondence from E.J.: Directed staff to respond by stating that the facility mentioned does not meet the requirements of a public health facility. Additionally, the individual will need to sit for the CRDTS examination in order to qualify for licensure by exam.

Executive Director's Report – Ms. Tanja Battle

- B.L.H. No action taken
- G.P. Renewal Pending Schedule to meet with the Investigative Committee

Attorney General's Report – Mr. Bryon Thernes

Mr. Thernes discussed the following individuals:

- J.C. Overturn denial and approve for licensure
- N.V.C. Directed staff to respond that individual's monitoring agreement was acceptable

- A.G. Refer to the Attorney General's office
- K.S. No action taken

Mr. Thernes presented the following consent orders for acceptance:

- D.E.T. Public Consent Order accepted
- F.F. Private Consent Order accepted
- T.S. Private Consent Order accepted

Mr. Thernes presented the following Voluntary Surrender for acceptance:

- S.C. Voluntary Surrender to be accepted and signed with express permission upon receipt

Miscellaneous

- A.R.R. Refer to the Attorney General's office

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

Public Hearing

Dr. Nalley called the Public Hearing to order at 2:55 p.m.

Procedural Rules

No written responses were received.

Dr. Godfrey made a motion to adopt the following chapters:

CHAPTER 150-15, GENERAL INFORMATION

- 150-15-.01 Scope and Application of These Rules.
- 150-15-.02 Docket
- 150-15-.03 Office Hours
- 150-15-.04 Communications
- 150-15-.05 Date of Filing.
- 150-15-.06 Computation of Time
- 150-15-.07 Extension of Times
- 150-15-.08 Signatures
- 150-15-.09 Ex-parte Communication
- 150-15-.10 Petition for Promulgation, Amendment, or Repeal of Rules

CHAPTER 150-16, PLEADINGS

- 150-16-.01 Initial Pleading
- 150-16-.02 Answer
- 150-16-.03 Replies
- 150-16-.04 Amendments

CHAPTER 150-17, MOTIONS AND PRE-HEARING PROCEDURES

- 150-17-.01 Motions: Written and Oral
- 150-17-.02 More Definite Statement
- 150-17-.03 General Procedures.
- 150-17-.04 Witness Lists and Respondent Statements.

150-17-.05 Pre-Hearing Discovery

CHAPTER 150-18, SERVICE

150-18-.02 Service On All Parties.

150-18-.03 To Party's Attorney

150-18-.04 Filing of Pleading

CHAPTER 150-19, INTERVENTION

150-19-.01 Intervention

CHAPTER 150-20, EVIDENCE; SUBPOENAS

150-20-.01 Evidence on Hearings

150-20-.02 Evidence on Motions

150-20-.03 Objections and Exceptions

150-20-.04 Subpoena.

CHAPTER 150-21, TAKING OF TESTIMONY BY DEPOSITION OR INTERROGATORY

150-21-.01 Taking of Testimony by Deposition

150-21-.02 Conduct of the Deposition

150-21-.03 Taking of Testimony by Interrogatory

150-21-.04 Taking of Testimony by Telephone

CHAPTER 150-22, HEARINGS

150-22-.01 Notice of Hearing

150-22-.02 Conduct of the Hearing

CHAPTER 150-23, CONSOLIDATION

150-23-.01 Consolidation

CHAPTER 150-24, BRIEFS AND POST-HEARING PROCEDURE

150-24-.01 Briefs

150-24-.02 Filing of Documents Subsequent to Hearing

150-24-.03 Motion to Reopen Hearing

150-24-.04 Review of Initial Decision

150-24-.05 Rehearing

150-24-.06 Appeals of Final Decisions

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

Dr. Godfrey made a motion to adopt Rule 150-18-.01. Ms. Bynum seconded and the Board voted unanimously in favor of the motion.

150-18-.01 By the Board

(1) Service of the notice of hearing, initial decision and final order shall be served personally upon the licensee or applicant or served by certified mail or statutory overnight delivery, return receipt requested, to the last known address of record with the Board.

(2) All other notices, pleadings, orders, motions and other documents shall be personally served upon the licensee or applicant or served by certified mail or statutory overnight delivery, return receipt requested, to the last known address of record with the Board.

(3) If such materials are served by certified mail or statutory overnight delivery and are returned marked "unclaimed" or "refused" or is otherwise undeliverable, and if the licensee or applicant cannot, after diligent effort, be located, the Executive Director or his or her designee, shall be deemed the agent of

service for such licensee or applicant, and service upon the Executive Director or his or her designee shall be deemed service upon the licensee or applicant.

The next scheduled meeting of the Georgia Board of Dentistry will be held via conference call on Friday, August 15, 2014, at 12:00 p.m. at the Department of Community Health's office located at 2 Peachtree Street, N.W., 36th Floor, Atlanta, GA 30303.

The Board meeting adjourned at 2:57 p.m.

Minutes recorded by Brandi P. Howell, Business Operations Specialist

Minutes edited by Tanja D. Battle, Executive Director