

GEORGIA BOARD OF DENTISTRY
Board Meeting
2 Peachtree St., N.W., 36th Floor
Atlanta, GA 30303
July 22, 2016
10:00 a.m.

The following Board members were present:

Dr. Bert Yeargan, President
Dr. Richard Bennett
Ms. Becky Bynum
Dr. Tracy Gay
Dr. Greg Goggans
Dr. Steve Holcomb
Ms. Wendy Johnson
Dr. Dale Mayfield
Dr. Logan Nalley
Dr. Antwan Treadway (*departed @ 12:46 p.m.*)

Staff present:

Tanja Battle, Executive Director
Bryon Thernes, Assistant Attorney General
Anil Foreman, Legal Officer
Brandi Howell, Business Operations Specialist

Visitors:

Stephanie Lotti, GDA
Ryan Loke, PDS
Jorge Bernal, OH DPH
Kimberly Ramseur, MAG
Frances Senko, RDH
Alex Roh, DMD

Open Session

Dr. Yeargan established that a quorum was present and called the meeting to order at 10:08 a.m.

Introduction of Visitors

Dr. Yeargan welcomed the visitors. The Board recognized Dr. Steve Holcomb in appreciation of the job he did as Board President from July 1, 2015-June 30, 2016.

Dr. Yeargan offered condolences to Dr. Bennett, on behalf of the Board, regarding the passing of his father.

Approval of Minutes

Dr. Nalley made a motion to approve the Public and Executive Session minutes for the June 10, 2016 meeting, the Public and Executive Session minutes for the June 24, 2016 conference call, and the Public Session minutes for the July 7, 2016 conference call.

Licenses to Ratify

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

Correspondence from Doug Prince

The Board considered this correspondence asking if Georgia law requires dentists or oral surgeons to send human tissues removed during oral surgery performed in a private practice office setting to a pathology lab for histological examination. The Board directed staff to respond by stating there is nothing in the statute that requires dentists or oral surgeons to send human tissues removed during oral surgery performed in a private practice office setting to a pathology lab for histological examination. It would be a clinical judgment for each doctor to make.

Correspondence from Carolyn Clark and Harper Lawson

The Board tabled these two correspondences for Executive Session so that it may receive legal advice from Mr. Thernes.

Correspondence from Carol C. Smith

The Board considered this correspondence requesting to know if the Board would consider yearly IC (OSHA) updates for licensed dental professionals. The Board directed staff to respond to Ms. Smith by stating the Board does not require yearly OSHA updates as this is a federal requirement.

Correspondence from Jonathan Sakhaee

The Board considered this correspondence regarding whether or not the Board will require residents of the Georgia School of Orthodontics to obtain a dental license. The Board directed staff to resend its letter dated March 1, 2016 to Dr. Randy Kluender, Chairman, Georgia School of Orthodontics.

Correspondence from Tammy Bailey

The Board considered this correspondence from Ms. Bailey, who is a Health Service Administrator at Riverbend Correctional Facility, asking if a part-time dentist and part-time dental hygienist can work on different days or does the dentist have to be present for the hygienist to work. The Board tabled this correspondence and request additional information from Ms. Bailey before a determination can be made.

Correspondence from Richard Waddell

The Board considered this correspondence regarding House Bill 821 Military Spouses and Veterans Licensure Act. The Board directed staff to respond to Dr. Waddell by stating that HB 821 was recently passed and the Board has not yet adopted rules regarding such. Additionally, the Board has until July 1, 2017 to do so. At this particular juncture, Dr. Waddell would need to apply for licensure by examination or licensure by credentials and submit the application and fee for such.

Correspondence from Cristina Kim

The Board considered this correspondence requesting verification from the Board that Ms. Kim is certified as a Dental Assistant in the state of Georgia. The Board directed staff to respond to send a letter to the Tennessee Board of Dentistry stating that the holder of the certificates (Ms. Kim) would be allowed to perform the duties listed on the certificates within the state of Georgia.

General – Dr. Bert Yeargan

Dr. Yeargan thanked board staff for a job well done.

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. Steve Holcomb

Dr. Holcomb reminded the board members that they each should have received availability forms for dental examinations and to make sure the forms have been completed if they have not done so already.

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

No report.

CRDTS Steering Committee – Dr. Logan Nalley

Dr. Nalley reported that the CRDTS Steering Committee met in June. Dr. Nalley stated that Dr. Holcomb has been the Examination Review Committee (ERC) Chair for the past eight (8) years. He stated that Dr. Holcomb's time as Chair has come to an end and he will be stepping down. Dr. Nalley stated that the Nominating Committee will present its recommendation for ERC Chair to the Steering Committee. He stated that there would be a Georgia Caucus Saturday morning. One vote per state is allowed. Dr. Nalley stated he is assuming the President will get to cast that vote. Dr. Yeargan that Dr. Mayfield, as the Board's newest members, would be a fitting choice to cast the vote.

Dr. Nalley reported that the Annual CRDTS Meeting is August 26-27 in Kansas City. Dr. Nalley stated Ms. Battle has been approved to attend the meeting. He stated that one item of business that will come up at the meeting is recommending a new ERC member to take Dr. Nalley's place. Dr. Nalley stated that it has been his pleasure to serve as a steering member. He further stated that the Board may wish consider a replacement for him. Dr. Holcomb stated that Steering is basically the Board of Directors and that Dr. Nalley has been one of the respected voices of reason. He further stated that if Dr. Nalley is willing to continue serving that it would be much appreciated. Dr. Nalley stated the Board needs to address one item in Executive Session and that is concerning a request from Minnesota relating to examinations.

IP Committee Report – Dr. Richard Bennett

No report.

EDDA Review Committee – Dr. Greg Goggans

Dr. Goggans reported that EDDA met earlier that morning and it is moving forward with evaluating if there are any other expanded duties that need to be included in the rule. He added that there is one item he needs to address with the Board in Executive Session.

Executive Director's Report – Ms. Tanja Battle

No report.

Attorney General's Report – Mr. Bryon Thernes

No report.

Dr. Richard Bennett 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. Bynum, Dr. Tracy Gay, Dr. Greg Goggans, Dr. Steve Holcomb, Ms. Wendy Johnson, Dr. Dale Mayfield, Dr. Logan Nalley, Dr. Antwan Treadway and Dr. Bert Yeargan.

Executive Session

Appearances

- F.M.S.
- A.K.R.

Licensure Overview Committee Appointments/Discussion Cases

- P.S.M.
- S.W.S.
- R.S.C.
- B.M.W.

Applications

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

Correspondences

- H.M.

Continuing Education Audits

- B.L.P.
- D.B.F.

Investigative Committee Report

Report presented:

- DENT160084
- DENT160012
- DENT160043

- DENT160046
- DENT160123
- DENT160479
- DENT160499
- DENT150345
- DENT140013
- DENT150405
- DENT160399
- Docket #2014-0026
- Docket #2015-0005
- DENT140154
- DENT160313
- DENT160438
- DENT140194
- DENT150400
- DENT150143
- T.B.

Executive Director’s Report – Ms. Tanja Battle

No report.

Attorney General’s Report – Mr. Bryon Thernes

- J.H.
- The Board received legal advice regarding who may legally collect fees from patients.

Mr. Thernes presented the following consent order for acceptance:

- J.E.T.

Mr. Thernes discussed the following case:

- Colindres vs Battle

Legal Services – Ms. Anil Foreman

Ms. Foreman presented the following consent order for acceptance:

- D.R.W.

Miscellaneous

- M.A.J.

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

Open Session

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

Appearances

- | | | |
|----------|--------------------------------------|-------------------------------------|
| • F.M.S. | Denied Hygiene Credentials Applicant | Uphold denial |
| • A.K.R. | Denied Dental Credentials Applicant | Table pending receipt of additional |

information

Licensure Overview Committee Appointments/Discussion Cases

- P.S.M. Dental Hygiene Exam Applicant Approved application
- S.W.S. Request to lift current suspension Approved request
- R.S.C. Dental Credentials Applicant Approved application
- B.M.W. Dental Hygiene Exam Applicant Approved application

Applications

- V.A.R. Dental Exam Applicant Approved application
- A.R.N. Dental Exam Applicant Approved application
- A.C.H. Dental Hygiene Exam Applicant Approved application
- A.T.S. Dental Exam Applicant Approved application
- A.C. Dental Hygiene Exam Applicant Approved application
- K.A.J. Dental Hygiene Credentials Applicant Denied application
- S.J.B. Dental Credentials Applicant Denied application
- K.E.H. Dental Credentials Applicant Denied application
- A.R.T. Dental Credentials Applicant Approved application
- A.L.C. Dental Hygiene Reinstatement Approved application
- J.D. Dental Hygiene Reinstatement Approved application
- K.A.T. Dental Hygiene Reinstatement Approved application
- V.W.G. Dental Reinstatement Refer to Legal Officer
- C.D.B.V. Dental Faculty Applicant Approved application
- H.J.P. Dental Volunteer Applicant Approved application

Correspondences

- H.M. Request to meet with the Board Denied request

Continuing Education Audits

- B.L.P. Request additional information and if licensee cannot provide it, refer to Legal Officer for public consent order.
- D.B.F. Refer to Legal Officer for public consent order

Investigative Committee Report

Report presented:

Complaint Number	Allegations	Recommendation
DENT160084	Quality of care/substandard practice	Close with no action
DENT160012	Unlicensed practice	Close with no action
DENT160043	Records release	Close with no action
DENT160046	Discipline in another jurisdiction	Close with no action
DENT160123	Abandonment	Close with no action
DENT160479	Quality of care/substandard practice	Close with no action
DENT160499	Unlicensed practice	Close with no action
DENT150345	Quality of care/substandard practice	Close with no action
DENT140013	Quality of care/substandard practice	Close with no action
DENT150405	Quality of care/substandard practice	Close with no action
DENT160399	Quality of care/substandard practice	Close with no action

Docket #2014-0026	Unlicensed practice after failure to renew license	Grant extension of time, but require individual to take the course with Dr. Callan
Docket #2015-0005	Quality of care/substandard practice and failure to obtain continuing education required for renewal of license	Send correspondence stating that the courses are acceptable to go towards the requirements under the consent order, but individual still has not completed all of the requirements
DENT140154	Malpractice	Refer to the Department of Law for sanctions
DENT160313	Quality of care or substandard practice	Close with no action
DENT160438	Unprofessional conduct	Close with no action
DENT140194	Quality of care or substandard practice	Refer to the Department of Law
DENT150400	Quality of care or substandard practice	Close with no action
DENT150143	Quality of care or substandard practice	Send correspondence to the complainant stating that the matter is closed
T.B.	False or misleading advertising	Open a complaint and schedule an investigative interview with Respondent

Executive Director’s Report – Ms. Tanja Battle

No report.

Attorney General’s Report – Mr. Bryon Thernes

- J.H. Request for production of documents Request denied
- The Board received legal advice regarding who may legally collect fees from patients. The Board directed staff send a response stating it declines to answer the correspondence as written based on the limited information provided. However, if the individual would like to rephrase his/her question and/or provide additional information, he/she may resubmit it to the board office for reconsideration.
- Colindres vs Battle Update provided

Mr. Thernes presented the following consent order for acceptance:

- J.E.T. Public consent order accepted

Legal Services – Ms. Anil Foreman

Ms. Foreman presented the following consent order for acceptance:

- D.R.W. Private consent order accepted

Miscellaneous

- M.A.J. Request for extension to complete LEAP course Request approved

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

Miscellaneous

After consideration, the EDDA matter was not considered in Executive. Dr. Goggans discussed the review of two courses and made a motion to approve Everest College and Fortis College as providers of EDDA courses. Dr. Holcomb seconded and the Board voted unanimously in favor of the motion.

Ms. Bynum made a motion to amend the Public Session minutes for the June 10, 2016 meeting to read *“Dr. Godfrey made a motion to include the letter that the Attorney General’s office wrote on behalf of the Board dated May 10, 2016 to Mr. Mel Goldstein in the meeting minutes.”* Dr. Gay seconded and the Board voted unanimously in favor of the motion.

With no further business, the Board meeting adjourned at 1:24 p.m.

The next scheduled meeting of the Georgia Board of Dentistry will be held on Friday, August 12, 2016, at 10:00 a.m. at the Department of Community Health’s office located at 2 Peachtree Street, N.W., 36th Floor, Atlanta, GA 30303.

Minutes recorded by Brandi Howell, Business Operations Specialist

Minutes edited by Tanja D. Battle, Executive Director