

**GEORGIA BOARD OF DENTISTRY**  
**Emergency Conference Call**  
**2 Peachtree St., N.W., 6<sup>th</sup> Floor**  
**Atlanta, GA 30303**  
**July 24, 2020**  
**2:00 p.m.**

**The following Board members were present:**

Dr. Tracy Gay, President  
Dr. Brent Stiehl, Vice-President  
Dr. Richard Bennett  
Dr. Greg Goggans  
Dr. Glenn Maron  
Mr. Mark Scheinfeld  
Dr. Debra Wilson

**Staff present:**

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

**Visitors:**

Jin Han  
Ah Janice Chong  
Woong Jun Park  
Albert Lee  
Mary Ellen Murphy  
Matt Moree

**Open Session**

Dr. Gay established that a quorum was present and called the meeting to order at 2:06 p.m.

**Pathway to Licensure**

Dr. Gay read the following proposal regarding temporary dental licensure:

*Effective August 1, 2020, dental applicants may apply for a **temporary** dental license permit. This permit is **not** a provisional or an unrestricted dental license. No applications for a **temporary** dental license permit will be accepted or considered after **October 31, 2020**. The following requirements and restrictions (including but not limited to) will apply to those permits approved for temporary dental licensure:*

- *Only those applications from the 2020 graduates of accredited dental schools, accepted by the Board, that have been impacted by the SARS-CoV-2 (COVID) pandemic will be considered for a **temporary** dental license permit.*
- *All sections of the regular application for Licensure By Examination, as described in **Rules 150-3-.01 (1), (2), (8), 150-3-.02 and 150-3-.04** will apply with the exception of Rule 150-3-.04(1)(a).*
- *In place of Rule 150-3-.04(1)(a), the applicant will submit a letter from the Dean of the graduate's dental school stating that the applicant has attained a level of competency that would provide for the safe delivery of dental care to patients in the state of Georgia following the accepted, prevailing standards of care accepted by the Georgia Board of Dentistry and the graduate's dental school.*
- *In addition to the above requirements, the applicant will also submit a letter from a Georgia licensed supervising dentist that will accept responsibility for the applicant's dental care delivery and care of the patients under his/her supervision.*
- *Conditions, including but not limited to, for a supervising dentist shall be a Georgia Dental License, unencumbered, unrestricted and in good standing. The supervising dentist shall have no*

*history of sanctions that would reference quality of care, violations of moral turpitude or deviation from the standards of dental care as accepted by the Board.*

- *Dental graduates practicing under a **temporary** dental license permit shall be under the direct supervision of the supervising dentist whenever dental care is being provided in an office or facility setting.*
- *The supervising, licensed dentist shall maintain a log of all procedures provided by the temporary permit holder and be prepared to provide the information to Georgia Board of Dentistry upon request.*
- *The term of the **temporary** dental license permit will be determined at the discretion of the Georgia Board of Dentistry pending the resumed administration of the next available clinical licensure examination, approved and accepted by the Board.*
- *When the results of the successful performance on a clinical licensure examination, approved by the Board, has been received, an unrestricted dental license may be issued in place of the **temporary** dental license permit, utilizing the same dental license number. The **temporary** dental license permit would become null and void.*
- *The rules referencing the failure(s) of clinical licensure examination(s), as described in **Rule 150-3-.01 (3), (4) and (5)** shall be applied when the applicant seeks unrestricted dental licensure. Failure to pass the clinical licensure examination, approved by the Board, under the rules described shall result in voiding the **temporary** dental license permit.*

After reading the proposal, Dr. Gay called for discussion. He stated that there are items in the proposal that may need to be clarified. Dr. Maron stated that the draft sums up what the Board's intent is. Mr. Changus commented that currently, there is no statutory provision for temporary licensure for dentists. He stated that in anticipating an action by the Governor along these lines, this is a proposal of what the Board is looking to submit to the Governor to consider. Mr. Changus stated that there may be administrative concerns that Mr. Lacefield may have. Mr. Changus expressed his concern with the language stating "No applications for a temporary dental license permit will be accepted or considered after October 31, 2020". He stated that with this pandemic, the weeks go by quickly and it may be problematic including a specific date. Dr. Goggans stated that the Board is wanting to offer this as an avenue until the CRDTS exam can be offered in Georgia. Dr. Stiehl commented that the school has already delayed administering the exam twice. He asked what would keep the school from continuously finding reasons to delay it. Further, he questioned the reason behind the October deadline. Dr. Gay responded that he believes the intent of the date was to ensure this does not go on forever. He added that this is to take care of recent graduates who cannot get a license and have nowhere to practice during this time.

Mr. Lacefield stated that he has been in contact with the Governor's Office and his understanding is the Board is looking to put in some sort of framework of what it would agree to if the Governor grants the Board authority to issue temporary licenses. He further stated that the Governor has granted some boards the authority to issue temporary licenses; however, he is unsure if the Board would be able to extend a temporary license beyond the duration of the State of Emergency. Mr. Lacefield suggested the Board limit that as some other boards have done that includes a timeframe for after the duration of the emergency that would allow time for individuals to complete the required exam. Dr. Gay stated that the only concern is that it is unknown as to when the school would be able to give the exam again. Mr. Lacefield commented that those things are unknown and at this point, the Board has to make the best decision based on the information it has. Dr. Maron asked if the Board knows why the August exam was cancelled. Dr. Stiehl responded that The Dental College of Georgia (DCG) said it was installing equipment. Dr. Maron commented that it could not be for a fear of patients. He further stated that he could not imagine the rational reasons for them to not give it because the board members were seeing patients. Dr. Bennett asked if there was a representative from DCG on the phone that could offer some insight. Matt Moree responded that he is a 2020 graduate from DCG and one of the five students that

failed CRDTS this past spring. He continued by stating that his understanding is DCG wanted to install UV light filters to the ventilation system that would follow CDC guidelines. Dr. Moree explained when CDC released those guidelines, everyone tried to obtain the necessary equipment all at once. He stated that DCG had difficulty getting the UV lights and the construction is taking longer than anticipated.

Dr. Gay stated that the time to take the exam will depend on when it is offered. He added that it is not just offered at DCG. He stated that a student could take it in another state because there are students who are graduates from other colleges wanting to come back to Georgia.

Dr. Gay discussed being able to use same dental license number. Mr. Lacefield stated that temporary dental hygiene permits have a different number than the permanent license. Mr. Lacefield stated that he spoke to the vendor and it may take some time for the vendor to work it out since the system is not set up to issue temporary dental licenses. Dr. Gay asked Dr. Bennett why it was important to have the same dental license number. Dr. Bennett responded that with a license number, the dentist has to get a DEA and NPI number. He explained that if the dental license number changes, the dentist loses that DEA and NPI number and has to go back and request it again. Ms. Emm commented that there is no way this Board could guarantee the DEA would issue a license to a temporary licensee because the dentist would not have the full unrestricted license.

Dr. Maron discussed one of the parameters of proposal is the dentist issued a temporary permit will have to have a supervising dentist. He asked what do the people do that had planned on working by themselves and opening his/her own practice versus working with a supervising dentist. Mr. Changus responded that the Board is trying to allow more people to come in and at the same time it is trying to balance the protection of the public. He further stated that is the purpose of supervising someone who has not taken the clinical exam. Ms. Emm added that other boards have put that similar restrictions in place. Dr. Maron stated he understood. Dr. Stiehl commented that the Board is not the bottleneck. He stated that the Board is getting blamed for this, but it is the school that has delayed the exam twice now.

Discussion was held regarding the date of October 31, 2020. Dr. Goggans commented that the guidance should include that date, but it also needs to include an end date. Mr. Lacefield commented that the State of Emergency was the rule of thumb and some boards have added some time after the State of Emergency, which sets the date so that you are not trying to come up with some arbitrary date. He asked for Mr. Changus' thoughts. Mr. Changus referenced the Georgia Board of Nursing's rule, which granted a temporary permit to practice under these circumstances that would be valid for the duration of the State of Emergency, but it does not address the concern of when this exam would be offered again. He stated that he understands the thought of somewhat leaving it open ended, but it obviously is not the best case scenario. Mr. Changus explained that the point is to give the Governor's Office guidance in terms of what the Board would be comfortable with in terms of granting temporary licenses. He stated if the Board said through the Public Health State of Emergency may not be optimal. Dr. Goggans commented that if the Board were to say it would be through the State of Emergency, everyone would be worried about his/her job at that time. He stated that he believes the board exam becomes more of the end date. Dr. Gay commented that he does not see how the Board could put an end date at this time because it does not know how long the pandemic will last and how soon the Board exam will be offered after that. He suggested the Board revisiting the matter once it is over. Dr. Maron suggested leaving it open ended and the Board having an emergency meeting to decide at that time. Dr. Gay agreed.

Dr. Goggans discussed a scenario of a new dentist applying for a temporary permit and how would the dentist be able to verify the supervising dentist had no disciplinary action. Mr. Lacefield responded that he/she can do a license verification from the board website to verify whether or not that person had any public board orders. Dr. Wilson inquired as to whether or not the supervising dentist needed to be in practice for a specific number of years. Dr. Bennett responded that was a good point and asked Dr.

Wilson what she was comfortable with. Dr. Wilson suggested a minimum of five years. The Board agreed to change the language to read in part, “5 years of full-time active practice immediately preceding the date of application.” Dr. Stiehl suggested putting a timeframe on board sanctions such as anything older than 20 years. Dr. Bennett disagreed and stated that a sanction on a license is a sanction. He added that the Board wants the best of the best supervising and would not want someone who has not always been that way. He stated that the supervising dentist needs to have a clean license. Mr. Changus commented that it would be best to not make it overly cumbersome.

Mr. Scheinfeld shared his suggested changes/additions with the Board. After discussion, the Board agreed to add the following:

- *If the temporary licensee has a change of employment, he/she must immediately notify the Board and upon new employment must submit a letter from his/her new supervising dentist(s).*
- *A temporary dental license shall be revoked upon failure to follow any of the above listed provisions.*

Dr. Gay requested clarification on the following bullet item:

- *The rules referencing the failure(s) of clinical licensure examination(s), as described in **Rule 150-3-.01 (3), (4) and (5)** shall be applied when the applicant seeks unrestricted dental licensure. Failure to pass the clinical licensure examination, approved by the Board, under the rules described shall result in voiding the **temporary** dental license permit.*

After discussion, the Board recommended changing the wording of the above bullet to read:

- *Failure to pass the clinical licensure examination, approved by the Board, shall result in voiding the temporary dental license.*

Dr. Maron made a motion to direct staff to submit the Board’s intent regarding temporary dental licensure to the Governor’s Office. Mr. Scheinfeld seconded and the Board voted unanimously in favor of the motion.

### **New Graduate Temporary Dental Licensure**

*Effective August 1, 2020, dental applicants may apply for a **temporary** dental license. This is **not** a provisional or an unrestricted dental license. No applications for a **temporary** dental license will be accepted or considered after **October 31, 2020**. The following requirements and restrictions, including but not limited to, will apply to those approved for temporary dental licensure:*

- *Only those applications from the 2020 graduates of accredited dental schools, accepted by the Board, that have been impacted by the **SARS-CoV-2 (COVID)** pandemic will be considered for a **temporary** dental license.*
- *All sections of the regular application for Licensure by Examination, as described in Rules **150-3-.01 (1), (2), (8), 150-3-.02 and 150-3-.04** will apply with the exception of Rule 150-3-.04(1)(a).*
- *In place of Rule 150-3-.04(1)(a), the applicant will submit a letter from the Dean of the graduate's dental school stating that the applicant has attained a level of competency that would provide for the safe delivery of dental care to patients in the state of Georgia following the accepted, prevailing standards of care accepted by the Georgia Board of Dentistry and the graduate's dental school as well as proof that the applicant was previously registered to take the CRDTS exam and that the scheduled exam has been postponed.*

- *In addition to the above requirements, the applicant will also submit a letter from a Georgia licensed supervising dentist(s) who will accept responsibility for the applicant's dental care delivery and care of the patients under his/her supervision.*
- *Required qualifications for a supervising dentist shall include, but not be limited to, an unencumbered, unrestricted Georgia dental license in good standing with 5 years of full-time active practice immediately preceding the date of application. The supervising dentist shall have no history of sanctions that would reference quality of care, violations of moral turpitude or deviation from the standards of dental care as accepted by the Board.*
- *Dental graduates practicing under a temporary dental license shall be under the direct supervision of the supervising dentist whenever dental care is being provided in an office or facility setting.*
- *The supervising dentist shall maintain a log of all procedures provided by the temporary licensee and be prepared to provide the information to Georgia Board of Dentistry upon request.*
- *If the temporary licensee has a change of employment, he/she must immediately notify the Board and upon new employment must submit a letter from his/her new supervising dentist(s).*
- *The term of the temporary dental license will be determined at the discretion of the Georgia Board of Dentistry pending the resumed administration of the next available clinical licensure examination, approved, and accepted by the Board.*
- *When the results of the successful performance on a clinical licensure examination, approved by the Board, has been received, an unrestricted dental license may be issued in place of the temporary dental license, utilizing the same dental license number. The temporary dental license would be superceded by the unrestricted license.*
- *Failure to pass the clinical licensure examination, approved by the Board, shall result in voiding the temporary dental license.*
- *A temporary dental license shall be revoked upon failure to follow any of the above listed provisions.*

Dr. Greg Goggans made a motion and Dr. Debra Wilson 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 investigative reports. Voting in favor of the motion were those present who included Dr. Richard Bennett, Dr. Tracy Gay, Dr. Greg Goggans, Dr. Brent Stiehl, Dr. Debra Wilson and

#### Executive Session

- D.M.R.

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

#### Open Session

Dr. Wilson made a motion to accept the Voluntary Cease and Desist Order on D.M.R. Dr. Maron seconded and the Board voted unanimously in favor of the motion.

Dr. Goggans stated that the Board's decision regarding temporary dental licensure due to the COVID-19 pandemic is only pertaining to this point in time, and no decision made shall serve to set any precedence for future deliberation or decision on licensure.

Dr. Gay stated that the Board previously failed to discuss temporary hygiene licensure. The Board discussed substituting language in the document discussed earlier with language that applies to hygiene.

Mr. Scheinfeld made a motion to direct staff to submit the Board's intent regarding temporary dental hygiene licensure to the Governor's Office. Dr. Wilson seconded and the Board voted unanimously in favor of the motion.

### **New Graduate Temporary Dental Hygiene Licensure**

Effective August 1, 2020, dental hygiene applicants may apply for a **temporary** dental hygiene license. This is **not** a provisional or an unrestricted dental hygiene license. No applications for a **temporary** dental hygiene license will be accepted or considered after **October 31, 2020**. The following requirements and restrictions, including but not limited to, will apply to those approved for temporary dental hygiene licensure:

- Only those applications from the 2020 graduates of accredited dental hygiene schools, accepted by the Board, that have been impacted by the SARS-CoV-2 (COVID) pandemic will be considered for a **temporary** dental hygiene license.
- All sections of the regular application for Licensure by Examination, as described in Rule 150-5-.02 will apply with the exception of Rule 150-5-.02(2) and (5)(a).
- In place of Rule 150-5-.02(5)(a), the applicant will submit a letter from the Dean of the graduate's dental hygiene school stating that the applicant has attained a level of competency that would provide for the safe delivery of dental hygiene care to patients in the state of Georgia following the accepted, prevailing standards of care accepted by the Georgia Board of Dentistry and the graduate's dental hygiene school as well as proof that the applicant was previously registered to take the CRDTS exam and that the scheduled exam has been postponed.
- In addition to the above requirements, the applicant will also submit a letter from a Georgia licensed supervising dentist(s) who will accept responsibility for the applicant's dental hygiene care delivery and care of the patients under his/her supervision.
- Required qualifications for a supervising dentist shall include, but not be limited to, an unencumbered, unrestricted Georgia dental license in good standing with 5 years of full-time active practice immediately preceding the date of application. The supervising dentist shall have no history of sanctions that would reference quality of care, violations of moral turpitude or deviation from the standards of dental care as accepted by the Board.
- Dental hygiene graduates practicing under a temporary dental hygiene license shall be under the direct supervision of the supervising dentist whenever dental hygiene care is being provided in an office or facility setting.
- If the temporary licensee has a change of employment, he/she must immediately notify the Board and upon new employment must submit a letter from his/her new supervising dentist(s).
- The term of the **temporary** dental hygiene license will be determined at the discretion of the Georgia Board of Dentistry pending the resumed administration of the next available clinical licensure examination, approved, and accepted by the Board.
- When the results of the successful performance on a clinical licensure examination, approved by the Board, has been received, an unrestricted dental hygiene license may be issued in place of the **temporary** dental hygiene license, utilizing the same dental hygiene license number. The **temporary** dental hygiene license would be superceded by the unrestricted license.
- Failure to pass the clinical licensure examination, approved by the Board, shall result in voiding the temporary dental hygiene license.
- A temporary dental hygiene license shall be revoked upon failure to follow any of the above listed provisions.

Pursuant to O.C.G.A. § 50-14-1(3), the Board declares that special circumstances exist warranting the holding of this meeting on less than 24 hours' notice, those circumstances being the COVID-19 pandemic.

With no further business, the Board meeting adjourned at 3:06 p.m.

The next scheduled meeting of the Georgia Board of Dentistry will be held via conference call on Friday, August 14, 2020, 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