

GEORGIA BOARD OF DENTISTRY
2 MLK Jr. Drive, SE, 11th Floor, East Tower
Atlanta, GA 30334
June 2, 2023
10:00 a.m.

The following Board members were present:

Ms. Misty Mattingly, Vice-President
Dr. Greg Goggans (via Teams)
Dr. Lacey Green
Dr. Michael Knight
Dr. Larry Miles
Dr. Ami Patel
Dr. David Reznik (via Teams)
Mr. Mark Scheinfeld
Dr. Jeffrey Schultz
Ms. Lisa Selfe
Dr. Lisa Shilman
Dr. JC Shirley
Dr. Don Spillers (via Teams)
Dr. Brent Stiehl
Dr. Debra Wilson

Staff present:

Eric Lacefield, Executive Director
Max Changus, Senior Assistant Attorney General
Thomas McNulty, Assistant Attorney General
Stacy Altman, Chief Investigator
Clint Joiner, Attorney
Brandi Howell, Business Support Analyst I

Special Assistant Attorney General:

James Cobb, Caplan Cobb
Michael Eber, Caplan Cobb

Visitors:

John Watson, ADSO
Ethan James, GDHA
Lamara Moore, GDHA
Charden Virgil, DPH
Dr. Richard Callan, Promethean Dental Systems/SRTA
Dr. James Barron, GDS
Dr. Ricky Harrell, Georgia School of Orthodontics
Dr. Randy Kluender, Georgia School of Orthodontics
Charlotte Hall
Callie Michael, Georgia School of Orthodontics
Theresa Garcia Robertson, GDA

Public Hearing

Vice-President Mattingly called the public hearing to order at 10:03 a.m.

Rule 150-3-.09 Continuing Education for Dentists and Rule 150-5-.05 Requirements for Continuing Education for Dental Hygienists

Vice-President Mattingly stated that the purpose of these two (2) rule amendments is to increase dental and dental hygiene licensee education and training in the area of infection control and infection control practices.

Dr. Reznik commented that he wanted to make sure people understood this does not replace OSHA requirements.

No public comments were received. A written response was received from Dr. Kathleen Toomey, Commissioner of Georgia Department of Public Health.

Dr. Shirley made a motion to adopt Rule 150-3-.09 Continuing Education for Dentists and Rule 150-5-.05 Requirements for Continuing Education for Dental Hygienists. Ms. Selfe seconded, and the Board voted unanimously in favor of the motion.

Rule 150-8-.01 Unprofessional Conduct Undefined

Vice-President Mattingly stated that the purpose of this rule amendment is to further the Board’s aim of regulating the practice of dentistry to ensure the protection of the public, to clarify the requirements for termination of a dentist/patient relationship, and to amend the definition of unprofessional conduct to account for the Board’s adoption of Rule 150-5-.07.

No public comments or written responses were received.

Ms. Selfe made a motion to adopt Rule 150-8-.01 Unprofessional Conduct Undefined. Dr. Reznik seconded, and the Board voted unanimously in favor of the motion.

Rule 150-9-.01 General Duties of Dental Assistants

Vice-President Mattingly stated that the purpose of this rule amendment is to clarify the statutory basis of the rule and make reference to the Official Code of Georgia; to correct a reference to a now repealed regulation and amend the reference to a new regulation; to amend the rule to accord with O.C.G.A. § 43-11-23.

Ms. Selfe made a motion to adopt Rule 150-9-.01 General Duties of Dental Assistants. Dr. Wilson seconded, and the Board voted unanimously in favor of the motion.

The public hearing concluded at 10:08 a.m.

Open Session

Vice-President Mattingly called the meeting to order at 10:08 a.m.

Introduction of Visitors

Vice-President Mattingly welcomed the visitors.

Approval of Minutes

Dr. Wilson made a motion to approve the Public and Executive Session minutes from the May 5, 2023, meeting. Dr. Patel seconded, and the Board voted unanimously in favor of the motion.

Report of Licenses Issued

Dr. Knight made a motion to ratify the list of licenses issued. Dr. Wilson seconded, and the Board voted unanimously in favor of the motion.

Petitions for Rule Waiver or Variance

Rule Waiver Petition from Dr. Norma J. Coleman: The Board discussed this request for a waiver of Rule 150-3-.01(7). Dr. Knight made a motion to deny the rule waiver petition as there was no substantial hardship demonstrated. Ms. Selfe seconded, and the Board voted unanimously in favor of the motion.

Rule Waiver Petition from Dr. Tarnjit Sangha: The Board discussed this request for a waiver of Rule 150-3-.01(7). Dr. Knight made a motion to deny the rule waiver petition as there was no substantial hardship demonstrated. Ms. Selfe seconded. Discussion was held regarding the Board not accepting slot preparations. There being no further discussion, the Board voted unanimously in favor of the motion.

General – Vice-President Mattingly

No report.

Attorney General's Report – Mr. Max Changus

No report.

Executive Director's Report - Mr. Eric Lacefield

Mr. Lacefield reported that Rule 150-5-.07 Administration of Local Anesthetic by Dental Hygienist became effective June 1st. He stated that the board office has received a lot of inquiries from schools regarding the training requirement. He further stated that he would like to add a statement to the Board's website to curb those calls. Mr. Lacefield added that he would like to work with Vice-President Mattingly and Dr. Maron regarding a statement for the website so that schools that are CODA accredited understand that their program does not require approval by the Board. He stated that the school would need to provide a program that meets the requirements of the rule. Vice-President Matting commented that as long as the program is CODA accredited it should be sufficient. She continued by stating that if GDA or GDHA wanted to provide a local anesthesia course, their course would have to be approved by the Board. The Board agreed to add a statement to its website regarding this matter.

Miscellaneous

Expanded Duties Course Submission: Dr. Knight made a motion to approve the submission from DenBeck Dental Academy of Tucker. Ms. Selfe seconded, and the Board voted unanimously in favor of the motion.

Election of Officers: Vice-President Mattingly stated that she would like to thank Dr. Maron for what he has accomplished over the last two (2) years. She further stated that she has had a lot of history with the Board over the last ten (10) years and this is the most forward thinking, diverse board she has ever seen. She thanked Dr. Maron for his leadership and stated it was an honor to be Vice-President.

Vice-President Mattingly asked if there were any nominations. Dr. Shirley suggested holding the elections in July when Dr. Maron would be present. He added that last year the elections were held in July. Mr. Lacefield responded by stating that the Board typically holds officer elections in June. He explained that the President and Vice-President serve from July 1st to June 30th. He added that there is no reason why the Board could not delay the elections if it chooses to.

Dr. Shirley made a motion to table the elections until its July meeting so that the current President could be present and preside over the elections process. Mr. Scheinfeld seconded. Ms. Selfe, Dr. Green, Dr. Reznik, Dr. Shilman, Dr. Goggans, and Dr. Wilson opposed the motion. The motion failed.

Dr. Reznik nominated Dr. Knight as President. Dr. Wilson nominated Vice-President Mattingly as President. Both nominees voluntarily stepped out so the Board could vote on the matter. Those in favor of voting Vice-President Mattingly as President were Ms. Selfe, Dr. Green, and Dr. Wilson. Those in favor of voting Dr. Knight as President were Dr. Shirley, Dr. Stiehl, Dr. Patel, Dr. Shilman, Dr. Miles, Dr. Schultz, Mr. Scheinfeld, Dr. Reznik, Dr. Spillers, and Dr. Goggans.

At this time Vice-President Mattingly and Dr. Knight rejoined the meeting. Dr. Patel stated that Dr. Knight was voted as President.

Ms. Selfe nominated Vice-President Mattingly to serve again as Vice-President. Dr. Shilman nominated Dr. Patel as Vice-President. Dr. Knight nominated Dr. Spillers as Vice-President. The nominees voluntarily stepped out so the Board could vote on the matter. Those in favor of voting Vice-President Mattingly as Vice-President were Ms. Selfe, Dr. Shirley, and Dr. Reznik. Those in favor of voting Dr. Patel

as Vice-President were Dr. Wilson and Dr. Shilman. Those in favor of voting Dr. Spillers as Vice-President were Dr. Stiehl, Dr. Miles, Dr. Schultz, Mr. Scheinfeld, and Dr. Goggans.

At this time Vice-President Mattingly, Dr. Patel and Dr. Spillers rejoined the meeting. Dr. Knight stated that Dr. Spillers was voted as Vice-President.

Legal Services – Mr. Clint Joiner

Mr. Joiner provided the Board with an update on the following rules, along with the effective date:

Rule	Title	Effective Date
150-13-.01	Conscious Sedation Permits	May 25, 2023
150-5-.05	Requirements for Continuing Education for Dental Hygienists	June 1, 2023
150-5-.07	Administration of Local Anesthetic by Dental Hygienist	June 1, 2023

Dr. Shirley inquired as to the status of Rule 150-11-.01 Specialties. He stated that the public hearing was held on May 6, 2022, meeting and the Board voted to adopt the amendments; however, the website reflects the old version. He inquired if it had been reviewed by the Governor’s office. Mr. Joiner responded by stating that the Governor’s office should be sending the Certificate of Active Supervision and once it is received, it will go to the Secretary of State’s office.

Dr. Shirley inquired if there were other rules that have not been updated that the Board is not aware of. Mr. Joiner responded by stating that Rule 150-11-.01 Specialties was the only one pending.

Dr. Green made a motion and Ms. Selfe seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. § 43-1-19(h), § 43-11-47(h), and § 43-1-2(h), to deliberate and receive information on applications. Voting in favor of the motion were those present who included Dr. Greg Goggans, Dr. Lacey Green, Dr. Michael Knight, Ms. Misty Mattingly, Dr. Larry Miles, Dr. Ami Patel, Dr. David Reznik, Mr. Mark Scheinfeld, Dr. Jeffrey Schultz, Ms. Lisa Selfe, Dr. Lisa Shilman, Dr. JC Shirley, Dr. Don Spillers, Dr. Brent Stiehl, and Dr. Debra Wilson.

Executive Session

Licensure Overview Committee Appointments/Discussion Cases

- I.E.
- T.C.

Applications

- N.J.C.
- J.L.
- A.V.P.
- B.S.F.

No votes were taken in Executive Session. Vice-President Mattingly declared the meeting back in Open Session.

Open Session

Appearance

Appearance by Intelligence Analyst Stephanie M. Smith and Supervisory Special Agent Sean Mullis, FBI Atlanta Field Office: Special Agent Mullis spoke to the Board regarding healthcare fraud. He explained that the FBI is going to different state agencies and speaking with them concerning this matter

and are looking for a collaborative effort for these investigations. He stated that the FBI could assist the Board with certain cases, offer resources, and be a clearinghouse as well.

Dr. Patel made a motion and Dr. Green seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. § 43-1-19(h), § 43-11-47(h), and § 43-1-2(h), 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. Greg Goggans, Dr. Lacey Green, Dr. Michael Knight, Ms. Misty Mattingly, Dr. Larry Miles, Dr. Ami Patel, Dr. David Reznik, Mr. Mark Scheinfeld, Dr. Jeffrey Schultz, Ms. Lisa Selfe, Dr. Lisa Shilman, Dr. JC Shirley, Dr. Don Spillers, Dr. Brent Stiehl, and Dr. Debra Wilson.

Executive Session

Appearances

- R.C.R.
- T.S.

Special Assistant Attorney General

- Pending litigation

Applications

- C.B.A.
- G.W.C.
- S.F.H.
- J.S.C.
- M.M.
- H.H.E.
- T.M.M.
- S.H.B.
- A.M.M.
- C.C.M.
- H.M.S.
- J.E.B.
- L.H.L.
- A.A.V.

Correspondences

- P.O.
- A.A.
- N.R.

Investigative Committee Report – Dr. Brent Stiehl

Dr. Stiehl reported that the June recommendation would be posted for consideration at the July meeting.

Attorney General's Report – Mr. Max Changus

Mr. Changus presented the following consent orders for acceptance:

- G.J.K.
- S.H.

Executive Director’s Report – Mr. Eric Lacefield

No report.

Legal Services – Mr. Clint Joiner

No report.

No votes were taken in Executive Session. Vice-President Mattingly declared the meeting back in Open Session.

Open Session

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

Licensure Overview Committee Appointments/Discussion Cases

- | | | |
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| <ul style="list-style-type: none"> • I.E. • T.C. | <p>Request to terminate consent order</p> <p>Request regarding provider</p> | <p>Refer to the Department of Law</p> <p>Approved request</p> |
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Applications

- | | | |
|--|------------------------------|--|
| <ul style="list-style-type: none"> • N.J.C. | <p>Dental Exam Applicant</p> | <p>Table pending receipt of additional information</p> |
| <ul style="list-style-type: none"> • J.L. | <p>Dental Exam Applicant</p> | <p>Approved application</p> |
| <ul style="list-style-type: none"> • A.V.P. | <p>Dental Exam Applicant</p> | <p>Denied application</p> |
| <ul style="list-style-type: none"> • B.S.F. | <p>Dental Exam Applicant</p> | <p>Denied application</p> |

Appearances

- | | | |
|--|--|---|
| <ul style="list-style-type: none"> • R.C.R. • T.S. | <p>Denied Reinstatement Applicant</p> <p>Denied Exam Applicant</p> | <p>Denial upheld</p> <p>Denial upheld</p> |
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Special Assistant Attorney General

- | | |
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| <ul style="list-style-type: none"> • Pending litigation | <p>Update provided</p> |
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Applications

- | | | |
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| <ul style="list-style-type: none"> • C.B.A. | <p>Initial Moderate Enteral CS</p> | <p>Approved for provisional permit</p> |
| <ul style="list-style-type: none"> • G.W.C. | <p>Initial Moderate Parenteral CS</p> | <p>Approved for provisional permit</p> |
| <ul style="list-style-type: none"> • S.F.H. | <p>Initial Moderate Parenteral CS</p> | <p>Approved evaluation</p> |
| <ul style="list-style-type: none"> • J.S.C. | <p>General Anesthesia-Additional Location</p> | <p>Approved application</p> |
| <ul style="list-style-type: none"> • M.M. | <p>General Anesthesia-Additional Location</p> | <p>Approved application</p> |
| <ul style="list-style-type: none"> • H.H.E. | <p>Dental Hygiene Reinstatement</p> | <p>Approved application</p> |
| <ul style="list-style-type: none"> • T.M.M. | <p>Dental Hygiene Reinstatement</p> | <p>Approved application</p> |
| <ul style="list-style-type: none"> • S.H.B. | <p>Dental Hygiene Reinstatement</p> | <p>Denied application</p> |
| <ul style="list-style-type: none"> • A.M.M. | <p>Volunteer Applicant</p> | <p>Approved application</p> |
| <ul style="list-style-type: none"> • C.C.M. | <p>Volunteer Applicant</p> | <p>Approved application</p> |
| <ul style="list-style-type: none"> • H.M.S. | <p>Volunteer Applicant</p> | <p>Approved application</p> |
| <ul style="list-style-type: none"> • J.E.B. | <p>Volunteer Applicant</p> | <p>Approved application</p> |
| <ul style="list-style-type: none"> • L.H.L. | <p>Volunteer Applicant</p> | <p>Approved application</p> |
| <ul style="list-style-type: none"> • A.A.V. | <p>Dental Faculty Applicant</p> | <p>Approved application</p> |

Correspondences

- | | | |
|---|---|---|
| <ul style="list-style-type: none">• P.O. | Correspondence regarding exam | Board directed staff to respond by stating that remediation was not required. |
| <ul style="list-style-type: none">• A.A.• N.R. | Request for refund of application fee
Correspondence regarding remediation | Denied request
Board directed staff to respond by stating that remediation, including reassessment of hygiene skills, and passing the clinical exam were required. |

Investigative Committee Report – Dr. Brent Stiehl

Dr. Stiehl reported that the June recommendation would be posted for consideration at the July meeting.

Attorney General’s Report – Mr. Max Changus

Mr. Changus presented the following consent orders for acceptance:

- G.J.K. Private Consent Order accepted
- S.H. Private Consent Order accepted

Executive Director’s Report – Mr. Eric Lacefield

No report.

Legal Services – Mr. Clint Joiner

No report.

Ms. Selfe seconded, and the Board voted unanimously in favor of the motion.

With no further business, the Board meeting adjourned at 1:53 p.m.

The next scheduled meeting of the Georgia Board of Dentistry will be held on Friday, July 7, 2023, at 10:00 a.m. at 2 MLK Jr. Drive, SE, 11th Floor, East Tower, Atlanta, GA 30334.

Minutes recorded by Brandi Howell, Business Support Analyst I

Minutes edited by Eric R. Lacefield, Executive Director