

GEORGIA STATE BOARD OF DENTISTRY
Conference Call
March 15, 2013
Professional Licensing Boards
237 Coliseum Drive, Macon, GA
12:00 p.m.

The following Board members were present:

Dr. Barry Stacey
Dr. Richard Bennett
Ms. Becky Bynum
Dr. Randy Daniel
Ms. Connie Engel
Dr. Tracy Gay
Dr. Logan Nalley
Dr. Bert Yeargan

Staff present:

Tanja Battle, Executive Director
Reagan Dean, Board Attorney
Brandi Howell, Licensure Analyst

Visitors:

Melana McClatchey, GDA
Elizabeth Appley
Bernie Young

Open Session

Dr. Stacey established that a quorum was present and called the meeting to order at 12:03 p.m.

Introduction of Visitors

Dr. Stacey welcomed the visitors. Dr. Stacey stated that if any of the visitors had any questions or would like to participate in any of the discussions to please advise.

Approval of Minutes

Dr. Nalley made a motion to approve the Public and Executive Session minutes. Dr. Daniel seconded and the Board voted unanimously in favor of the motion.

Ratifications

Ms. Engel 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 – Elizabeth W. Kress

Dr. Nalley made a motion to deny the rule waiver petition and schedule Ms. Kress to meet with the Licensure Overview Committee upon receipt of additional information. Dr. Daniel seconded and the Board voted in favor of the motion.

Correspondence from Dr. Tom Felcher

The Board considered this correspondence and directed staff to respond to Dr. Felcher by stating that the custodian of records needs to confer with legal counsel in regards to HIPAA requirements. In addition, staff is to state that the Board is precluded from offering legal advice.

Correspondence from Cristina Kim

The Board considered this correspondence and directed staff to respond to Ms. Kim by thanking her for her inquiry, and state that the Board will take this matter under advisement.

General – Dr. Barry Stacey

Dr. Stacey stated that when reviewing the minutes from the February 8, 2013 meeting, there was correspondence concerning fee splitting. The Board voted to direct Mr. Dean to send a letter inquiring

as to how the company functions and operates. Dr. Stacey asked for a status regarding this matter. Mr. Dean responded that he sent a letter to the company requesting information regarding their structure and how they work with Georgia dentists. He has not received a response as of yet.

CE Audit Committee Report – Dr. Barry Stacey

No report.

Conscious Sedation/General Anesthesia Committee Report – Dr. Barry Stacey

No report.

Credentialing Committee Report – Dr. Becky Carlon

No report.

Dental Hygiene Committee Report – Ms. Rebecca Bynum

Dr. Stacey asked Ms. Appley if she had anything to report. Ms. Appley responded that she did not having anything to report at this time.

Examination Committee Report – Dr. Logan Nalley

No report.

Investigative Committee Report – Dr. Logan Nalley

No report.

Legislative Committee Report – Dr. Steve Holcomb

No report.

Licensure Overview Committee Report – Dr. Becky Carlon

No report.

Rules Committee Report – Dr. Barry Stacey

Dr. Stacey reported that the Board voted to post three rule amendments at its last meeting. The Board has not received the legal authority from the Attorney General's office concerning Board Rule 150-7-.04 Dental Provisional Licensure by Credentials as Mr. Dean had several issues with the amendment. Dr. Stacey suggested referring this matter back to the Rules Committee to discuss at its meeting on April 12, 2013.

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 he attended a Steering Committee meeting last weekend.

Injectable Pharmacologics Committee – Dr. Richard Bennett

No report.

Executive Director's Report – Open Session

Correspondence regarding Margaret Hopper, DH002110: The Board considered this correspondence presented by Ms. Battle. Dr. Bennett made a motion that the Board suspend Margaret Hopper's license

to practice as a Dental Hygienist, License #DH002110, effective 30 days from the date of the First Notice Letter of Suspension for nonpayment status or default or breach of repayment or service obligation for her federal educational loan, service conditional loan repayment program, or service conditional scholarship program. Dr. Bennett further motioned that such suspension shall be STAYED pending an appearance before the board if a request for an appearance is timely received and that this suspension shall be lifted upon receipt of a written release from the federal agency that Margaret Hopper is not the person at issue or is making payments on the loan, service conditional loan repayment program, or service conditional scholarship program satisfying the payment or service requirements in accordance with an agreement approved by the federal agency. Dr. Nalley seconded and the Board voted unanimously in favor of the motion.

Interested Parties List: Ms. Battle reported that the way people sign up for the Interested Parties list has changed. To ensure that nobody is excluded, all licensees would receive notices for new and amended rules initially. Along with these notices, licensees would be sent a link at which they could unsubscribe if they were not interested.

Attorney General's Report – Open Session

No report.

Dr. Stacey asked if any of the visitors had anything they wished to discuss with the Board. Mr. Young asked if he could address the Board concerning teeth whitening. Dr. Stacey responded by stating that the Board would be discussing his issue during Executive Session.

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. §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. Barry Stacey, Dr. Richard Bennett, Ms. Becky Bynum, Dr. Randy Daniel, Ms. Connie Engel, Dr. Tracy Gay, Dr. Logan Nalley and Dr. Bert Yeargan.

Executive Session

Applications

- R.A.
- J.S.W.
- J.C.P.
- K.V.R.
- J.M.P.
- K.D.W.
- M.C.Y.
- M.P.W.
- K.T.G.
- E.A.
- A.A.N.
- M.D.T.
- E.J.D.

Correspondences

- M.H.
- B.Y.

Investigative Committee Report

Report presented:

- DENT120126
- DENT120186
- DENT130079
- DENT130082
- DENT100265
- DENT130045
- DENT130026
- DENT130051
- DENT120080
- DENT120160
- DENT120162
- DENT120103
- DENT120082
- M.N.E.

Attorney General's Report – Mr. Reagan Dean

Mr. Dean discussed the following cases:

- DENT100262
- DENT130025
- DENT130045

Mr. Dean presented the following consent orders for acceptance:

- M.L.G.
- B.R.P.
- A.N.
- C.C.C.

Mr. Dean discussed the following individuals:

- A.B.M.
- K.R.B.

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

Open Session

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

Applications

- R.A. Enteral/Inhalation Conscious Sedation Applicant and Injectable Pharmacologics Applicant: Table until outcome of open complaint.
- J.S.W. Dental Credentials Applicant: Approved application.
- J.C.P. Dental Hygiene Credentials Applicant: Denied application.
- K.V.R. Dental Hygiene Credentials Applicant: Denied application.
- J.M.P. Dental Hygiene Reinstatement Applicant: Reinstate under standard consent order for unlicensed practice.

- K.D.W. Dental Hygiene Reinstatement Applicant: Reinstate under standard consent order for unlicensed practice.
- M.C.Y. Dental Hygiene Reinstatement Applicant: Approved application.
- M.P.W. Dental Reinstatement Applicant: Approved to meet with Licensure Overview Committee.
- K.T.G. Dental Credentials Applicant: Approved application.
- E.A. Dental Credentials Applicant: Denied application.
- A.A.N. Dental Credentials Applicant: Denied application.
- M.D.T. Injectable Pharmacologics Applicant: Table until outcome of open complaints.
- E.J.D. Dental Credentials Applicant: Send letter requesting additional information. If information is not received by April 12, 2013 meeting, deny application.

Correspondences

- M.H. Dental Hygiene Licensee: Send additional letter stating that a license must be in an active status before applying for inactive status. If the licensee would like to apply for inactive status, the individual would need to apply for reinstatement first since the license has lapsed.
- B.Y. Send letter granting an appearance before the Board in Open Session at its next meeting on April 12, 2013.

Investigative Committee Report

Recommendations made by the Investigative Committee on February 15, 2013:

Complaint	Allegations	Recommendations
DENT120126	Aiding and abetting ULP	Revocation
DENT120186	Quality of Care	Mit letter
DENT130079	Records Abandonment	Referral to AG for C.O. offering Inactive Status under conditions
DENT130082	Drug Diversion	Voluntary suspension
DENT100265	Relapse of alcohol abuse	Refer to AG office for Amended C.O. for licensure suspension
DENT130045	Aiding and abetting ULP	Refer to AG office for Public C.O.
DENT130026	Drug Diversion	Refer to AG for OMPE pending suspension of license
DENT130051	Drug Diversion	Refer to AG for OMPE pending disposition of criminal charges or offer surrender of license
DENT120080	Unprofessional conduct-improper dispensing of Rx	Suspension pending OMPE
DENT120160	ULP	Refer to AG office for referral to local DA
DENT120162	Quality of Care	Closure
DENT120103	Financial Matter	Closure

Recommendation made by the Investigative Committee on March 15, 2013:

DENT120082 Quality of Care Mit letter

- M.N.E. Dental Credentials Applicant: Approved application.

Attorney General's Report – Executive Session

Mr. Dean discussed the following cases:

- DENT100262: The Board recommended releasing the investigative file to Bibb County D.A.
- DENT130025: The Board recommended releasing the investigative files to Paulding County D.A.
- DENT130045: The Board recommended releasing the investigative files to Paulding County D.A.

Mr. Dean presented the following consent orders for acceptance:

- M.L.G. - Public Consent Order to be accepted and signed with express permission upon receipt.
- B.R.P. - Public Consent Order to be accepted and signed with express permission upon receipt.
- A.N. - Public Consent Order to be accepted and signed with express permission upon receipt.
- C.C.C. - Public Consent Order to be accepted and signed with express permission upon receipt.

Mr. Dean discussed the following individuals:

- T.L.R. - No action taken.
- A.B.M. - Dental Credentials Applicant: Approved application.
- K.R.B. - Dental Hygiene Exam Applicant: Approved application.

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

The next scheduled meeting of the Georgia Board of Dentistry will be held on Friday, April 12, 2013 at 9:30 a.m. at the Office of the Secretary of State's Professional Licensing Boards Division at 237 Coliseum Drive, Macon, Georgia 31217.

The Board meeting adjourned at 2:04 p.m.

Minutes recorded by Brandi P. Howell, Licensure Analyst

Minutes edited by Tanja D. Battle, Executive Director