

GEORGIA BOARD OF DENTISTRY
Board Meeting
2 Peachtree St., N.W., 5th Floor
Atlanta, GA 30303
March 2, 2018
10:00 a.m.

The following Board members were present:

Dr. Tom Godfrey, President
Dr. Richard Bennett
Ms. Becky Bynum
Dr. Tracy Gay
Ms. Wendy Johnson
Dr. Antwan Treadway

Staff present:

Tanja Battle, Executive Director
Bryon Thernes, Assistant Attorney General
Ryan McNeal, Chief Investigator
Kimberly Emm, Attorney
Brandi Howell, Business Support Analyst I

Visitors:

Joe Watson, ADSO
Joe MacLean, Great Expressions
Dennis LaGauza, ADSO
Valerie D. Ferro, GDHA
Charles Craig, GDHA
Ryan Loke, PDS
Carol Lefebvre, Dental College of GA
Emily Yone, GDA
Craig Woods, SDC
Scott Lofranco, GDA
Catharine Brannan, GDA, AAO
Robert Moss, GDA, AAO
Pam Cushenan, GDHA
Matt Coles
Denise Moore-Ebhohimen
Dr. Kim Turner
Pam Wilkes, Help A Child Smile
Dale Caldwell, Trust Dale Investigates
James E. Barron, GDS
Charles Ebhohimen

Dr. Godfrey established that a quorum was present and called the meeting to order at 10:12 a.m.

Introduction of Visitors

Dr. Godfrey welcomed the visitors.

Visitor D.C., T.D.I., interrupted the meeting and persisted in doing so despite repeated requests by board members to remain quiet so the board could continue its meeting. He was warned that he could not interrupt board proceedings.

Public Hearing

Dr. Godfrey called the public hearing to order at 10:15 a.m.

Rule 150-3-.09 Continuing Education for Dentists

No public comments were received.

A written response from Dr. Dale C. Madson was received.

Rule 150-4-.01 Investigations

No comments or written responses were received.

Ms. Bynum made a motion to adopt Rule 150-3-.09 Continuing Education for Dentists. Dr. Bennett seconded and the Board voted unanimously in favor of the motion.

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

The public hearing was concluded at 10:17 a.m.

Open Session

Approval of Minutes

Dr. Treadway made a motion to approve the Public Session minutes for the February 2, 2018 meeting. Ms. Bynum seconded and the Board voted unanimously in favor of the motion.

Dr. Bennett made a motion to approve the Executive Session minutes for the February 2, 2018 meeting. Dr. Treadway seconded and the Board voted unanimously in favor of the motion.

Licenses to Ratify

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

Petition for Rule Waiver from Dr. James M. Williams

The Board recommended tabling discussion of this item until later in the meeting.

Correspondence from Stacey Rak

The Board considered this correspondence requesting clarification regarding Rule 150-8-.02 Fee Splitting. Dr. Bennett made a motion to direct staff to respond by stating the Board is currently working on amendments to this rule that will provide additional guidance. Dr. Treadway seconded and the Board voted unanimously in favor of the motion.

Correspondence from Laura Austin

The Board viewed this correspondence for informational purposes only.

Ms. Becky Bynum 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. Richard Bennett, Ms. Becky Bynum, Dr. Tom Godfrey, Dr. Tracy Gay, Ms. Wendy Johnson, and Dr. Antwan Treadway.

Executive Session

Appearance

- D.C.M.E.

Miscellaneous

Requested and received legal advice regarding Rule 150-10-.01 Fraudulent, Misleading, or Deceptive Advertising and Rule 150-8-.02 Fee-Splitting.

Licensure Overview Committee Appointments/Discussion Cases

- J.C.C.A.
- A.T.
- W.H.A.
- J.G.S.
- R.K.
- A.J.D.
- H.O.G.
- A.S.Z.
- L.C.
- H.A.N.
- K.S.
- M.S.
- S.Q.I.
- J.G.

Applications

- R.F.B.
- T.L.M.
- F.O.A.A.
- C.H.H.
- D.L.W.
- D.K.C.
- G.E.K.
- J.J.Y.
- M.V.P.
- J.D.W.
- S.U.
- A.M.E.
- R.E.W.
- B.G.C.
- C.B.S.
- K.J.Z.
- M.J.P.
- S.M.B.
- T.H.F.
- T.J.L.
- W.K.S.
- F.I.Y.
- J.J.K.
- T.N.A.

Correspondences

- J.C.H.
- T.G.L.

- T.A.N.

Investigative Committee Report – Dr. Bert Yeargan

No report.

Executive Director’s Report – Ms. Tanja Battle

- B.G./N.G.

Attorney General’s Report – Mr. Bryon Thernes

Mr. Thernes presented the following consent orders for acceptance:

- J.J.
- S.K.
- J.B.

Legal Services – Ms. Kimberly Emm

Ms. Emm presented the following consent order for acceptance:

- C.A.F.

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

Open Session

Petition for Rule Waiver from Dr. James M. Williams

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

General – Dr. Tom Godfrey

No report.

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. Bert Yeargan

Dr. Bennett reported that the CRDTS exam will be held in Augusta next weekend.

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

Dr. Godfrey reported that the Rules Committee met earlier that morning. Dr. Godfrey discussed teeth whitening and intrinsic vs. extrinsic stain removal. Dr. Godfrey asked if any members of the public had any comments regarding teeth whitening. The Board discussed the importance of infection control, tooth whitening in mobile versus stationary settings, and the need for documentation of documentation in the form of dental records. No additional comments from the public were received. After further discussion, Dr. Bennett made a motion to request legal advice from the Department of Law regarding this matter. Dr. Gay seconded and the Board voted unanimously in favor of the motion.

Rule 150-5-.03 Supervision of Dental Hygienists: Dr. Godfrey reported that the Committee needs to define two years' experience as mentioned in section (6) of the rule. The Committee has proposed to mirror the qualifications for credentials establishment of practice of 1000 hours. Dr. Godfrey requested Ms. Emm draft the proposed amendment to be presented at the next scheduled meeting.

Dr. Godfrey reported that the Committee discussed amendments to Rules 150-8-.02 Fee Splitting and 150-10-.01 Fraudulent, Misleading, or Deceptive Advertising and received some good feedback from members of the public regarding these two rules. He stated the ADSOs voiced their concerns and the Committee is working on language to address those concerns.

Dr. Godfrey discussed Rule 150-7-.03 Volunteers in Dentistry and stated the hope is to streamline the process so someone who holds an active license can move to a volunteer license without having to submit the application in its entirety. Ms. Emm commented that there will be different qualifications for a Georgia licensed dentist and for an out of state dentist.

Dr. Godfrey commented that Chapter 150-26 Mobile Dentistry and Rule 150-14-.02 Fabrication of Dental Appliances, Caps, Coverings, Prostheses and Cosmetic Coverings Is Practice of Dentistry remain tabled.

Education Committee Report – Dr. Tom Godfrey

Dr. Godfrey stated the CRDTS exam is coming up shortly. He stated he had a brief conversation with the Dean, Dr. Carol Lefebvre, concerning the difficulty with students obtaining periodontal patients. He asked Dr. Lefebvre, who was present at the meeting, if she could discern what was different this year compared to others. She responded that it is not different this year and that it has been difficult for the students to get patients that satisfy the requirements. Dr. Godfrey suggested the school consider free clinics. Dr. Lefebvre identified travel as a contributing factor. She stated that Dr. De Stefano has been working with students to help identify patients. Dr. Godfrey asked if anyone else had suggestions for the school? There were none.

Long Range Planning Committee Report – Dr. Steve Holcomb

No report.

CRDTS Steering Committee

No report.

IP Committee Report – Dr. Richard Bennett

No report.

EDDA Review Committee – Dr. Greg Goggans

No report.

Executive Director’s Report – Ms. Tanja Battle

Ms. Battle reported that the office is continuing to work with the Department of Public Health (DPH) to ensure compliance with the Prescription Drug Monitoring Program. She commented that 150 licensees have registered within the last 24 hours after she sent out a communication regarding the mandated requirement. She also noted that she heard back from some licensees who indicated that they were indeed registered and she notified DPH of such. As such, it appeared that another analysis of the number of non-compliant licensees would have to be conducted.

Attorney General’s Report – Mr. Bryon Thernes

No report.

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

Appearance

- D.C.M.E. Denied Dental Reinstatement Denial Upheld

Miscellaneous

Requested and received legal advice regarding Rule 150-10-.01 Fraudulent, Misleading, or Deceptive Advertising and Rule 150-8-.02 Fee-Splitting.

The Board recommended requesting advice from the Department of Law asking if the Louisiana Board of Dentistry rule would be authorized under Georgia law.

Licensure Overview Committee Appointments/Discussion Cases

- J.C.C.A. Dental Exam Applicant Approved application
- A.T. Renewal Pending Licensee Approved for renewal
- W.H.A. Renewal Pending Licensee Approved for renewal
- J.G.S. Renewal Pending Licensee Refer to the Department of Law
- R.K. Renewal Pending Licensee Approved for renewal
- A.J.D. Renewal Pending Licensee Refer to the Department of Law
- H.O.G. Dental Credentials Applicant Approved application
- A.S.Z. Request to terminate probation Approved request
- L.C. Renewal Pending Licensee Refer to the Department of Law
- H.A.N. Renewal Pending Licensee Refer to Legal Services
- K.S. Renewal Pending Licensee Refer to Legal Services
- M.S. Renewal Pending Licensee Refer to Legal Services
- S.Q.I. Renewal Pending Licensee Allow individual to take Risk Management Course
- J.G. Renewal Pending Licensee Directed staff to send correspondence

Applications

- R.F.B. Dental Exam Applicant Approved application
- T.L.M. Dental Exam Applicant Approved application
- F.O.A.A. Dental Exam Applicant Approved application and request for refund
- C.H.H. Dental Credentials Applicant Schedule to meet with the Licensure Overview Committee
- D.L.W. Dental Credentials Applicant Denied application
- D.K.C. Dental Credentials Applicant Approved application

- G.E.K. Dental Credentials Applicant Table pending receipt of additional information
- J.J.Y. Dental Credentials Applicant Approved application
- M.V.P. Dental Credentials Applicant Denied application
- J.D.W. Dental Hygiene Credentials Approved application
- S.U. Dental Hygiene Credentials Approved application
- A.M.E. Dental Credentials Applicant Denied request regarding clinical exam
- R.E.W. Dental Reinstatement Applicant Table pending receipt of additional information
- B.G.C. Conscious Sedation Applicant Approve for provisional permit
- C.B.S. General Anesthesia Applicant Approved evaluation
- K.J.Z. General Anesthesia Applicant Approved evaluation
- M.J.P. Enteral/Inhalation Applicant Table pending receipt of additional information
- S.M.B. Enteral/Inhalation Applicant Approved application
- T.H.F. General Anesthesia Applicant Approved evaluation
- T.J.L. Enteral/Inhalation Applicant Approved application
- W.K.S. General Anesthesia Applicant Approved evaluation
- F.I.Y. Inactive Status Applicant Approved application
- J.J.K. Injectable Pharmacologics Approved application
- T.N.A. Injectable Pharmacologics Approved application

Correspondences

- J.C.H. Request for refund of renewal fee Denied request
- T.G.L. Request for waiver of late renewal fee Denied request
- T.A.N. Request for waiver of late renewal fee Denied request

Investigative Committee Report – Dr. Bert Yeargan

No report.

Executive Director’s Report – Ms. Tanja Battle

- B.G./N.G. Request regarding credentials licensure Uphold original determination

Attorney General’s Report – Mr. Bryon Thernes

Mr. Thernes presented the following consent orders for acceptance:

- J.J. Private Consent Order accepted
- S.K. Private Consent Order to be accepted and signed with express permission upon receipt of the original
- J.B. Private Consent Order to be accepted and signed with express permission upon receipt of the original

Legal Services – Ms. Kimberly Emm

Ms. Emm presented the following consent order for acceptance:

- C.A.F. Public Consent Order accepted

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

With no further business, the Board meeting adjourned at 12:04 p.m.

The next scheduled meeting of the Georgia Board of Dentistry will be held on Friday, April 13, 2018, at 10:00 a.m. at the Department of Community Health's office located at 2 Peachtree Street, N.W., 5th Floor, Atlanta, GA 30303.

Minutes recorded by Brandi Howell, Business Support Analyst I

Minutes edited by Tanja D. Battle, Executive Director