

GEORGIA BOARD OF DENTISTRY
Rules Committee Meeting
2 Peachtree St., N.W., 36th Floor
Atlanta, GA 30303
March 3, 2017
9:00 a.m.

The following Committee members were present:

Dr. Tom Godfrey, Chair
Dr. Greg Goggans

Staff present:

Bryon Thernes, Assistant Attorney General
Brandi Howell, Business Support Analyst I

Visitors:

Joseph Rhodes, Help A Child Smile
Allison Cason, Help A Child Smile
Pam Wilkes, Help A Child Smile
Ryan Loke, PDS
John Watson, ADSO

Open Session

Dr. Godfrey established that a quorum was present and called the meeting to order at 9:12 a.m.

Approval of Minutes

Dr. Goggans made a motion to approve the Public and Executive Session minutes for the February 10, 2017 meeting. Dr. Godfrey seconded and the Committee voted unanimously in favor of the motion.

Discussion Topics

Rule 150-2-.02 Complaints: Dr. Goggans made a motion to refer the proposed amendments to the full Board. Dr. Godfrey seconded and the Committee voted unanimously in favor of the motion.

Rule 150-10-.01 Fraudulent, Misleading, or Deceptive Advertising: This rule was tabled at the March 2017 meeting. At that meeting, the Committee discussed proposed language for this rule and requested Mr. Watson and Mr. Loke's input.

Mr. Watson thanked the Committee for allowing them to review the suggested language in advance. He stated he did have a question about section (e), which reads: (e) Statements that assert or imply that a dentist has an ownership interest in a dental practice, facility, or clinic, when that dentist does not in fact have such an ownership interest. The listing of a dentist's full name in any sign, card, announcement, advertisement, or method used to state or imply that dentistry may or will be done by anyone at any place in this state, in compliance with in O.C.G.A. § 43-11-18, shall not in and of itself be construed as implying ownership in a dental practice, facility, or clinic for the purposes of this rule. Mr. Watson asked what the Board is looking to accomplish with this provision so that he can better understand the Board's perspective. Dr. Godfrey responded by stating that this provision touches on a number of things. Dr. Godfrey stated that this provision permits interested parties to learn the name of the owner of a practice and know that the practice owner is a licensed dentist.

At 9:21 a.m., the Committee took a recess.

At 9:24 a.m., the Committee meeting resumed.

The Committee resumed its discussion of Rule 150-10-.01 Fraudulent, Misleading, or Deceptive Advertising. Dr. Godfrey stated that the line regarding what is prohibited needs to change. Mr. Watson stated that he cannot understand the conduct that the provision is intended to sanction, without an example. He further stated that ADSO does not have an opinion as it does not understand what the Board's intention is. Mr. Thernes stated that if the Committee recommends that the full Board vote to post notice of intent to amend the rule, the public hearing on the rule would allow time for comments from the public. He also suggested that Mr. Watson propose a situation in which this rule would be unfairly implemented. After further discussion, Dr. Goggans made a motion to table the rule. Dr. Godfrey seconded and the Committee voted unanimously in favor of the motion.

Rule 150-3-.01 Examination for Dental Licensure: Dr. Godfrey commented that the proposed amendment to this rule, if adopted by the Board, would not allow for slot preparations. Dr. Goggans made a motion to refer the proposed amendments to the full Board. Dr. Godfrey seconded and the Committee voted unanimously in favor of the motion.

Rule 150-4-.01 Investigations: Dr. Goggans made a motion to table this rule and get further clarification from Ms. Foreman regarding the proposed language in section (3). Dr. Godfrey seconded and the Committee voted unanimously in favor of the motion.

Rule 150-7-.04 Dental Provisional Licensure by Credentials: Dr. Godfrey commented that the proposed amendment to this rule, if adopted by the Board, would not allow for slot preparations. Dr. Goggans made a motion to refer the proposed amendments to the full Board. Dr. Godfrey seconded and the Committee voted unanimously in favor of the motion.

Rule 150-8-.01 Unprofessional Conduct Defined: Dr. Goggans made a motion to refer the proposed amendments to the full Board with the changes discussed. Dr. Godfrey seconded and the Committee voted unanimously in favor of the motion.

A handout was provided to the Committee by the representatives from Help A Child Smile. Mr. Rhodes discussed suggested changes to proposed Rule 150-26-.03 Patient Notice Requirement. Dr. Godfrey stated that the Committee will look at the information presented and further discuss at a future meeting.

There being no further business to come before the Committee, the meeting was adjourned at 9:54 a.m.

The next scheduled meeting of the Rules Committee will be held on Friday, May 5, 2017 at 12:00 p.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 Support Analyst I
Minutes edited by Tanja D. Battle, Executive Director