

**GEORGIA BOARD OF DENTISTRY**  
**2 Peachtree St., N.W., 6<sup>th</sup> Floor**  
**Atlanta, GA 30303**  
**March 3, 2023**  
**10:00 a.m.**

**The following Board members were present:**

Dr. Glenn Maron, President  
Ms. Misty Mattingly, Vice-President  
Dr. Lacey Green  
Dr. Larry Miles  
Dr. Ami Patel  
Dr. David Reznik  
Dr. Jeffrey Schultz  
Ms. Lisa Selfe  
Dr. Lisa Shilman  
Dr. JC Shirley  
Dr. Brent Stiehl  
Dr. Debra Wilson  
Dr. Nancy Young

**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

**Visitors:**

Pam Cushenan, GDHA  
Dr. Richard Callan, Promethean Dental Systems/SRTA  
Ethan James, GDHA  
Luke Ray, Dental College of Georgia  
Theresa G. Robertson, GDA  
Ashton Blackwood, Dental College of Georgia  
Rhonda Banks, Dental College of Georgia  
Callie Michael, Georgia School of Orthodontics  
Dr. Randy Kluender, Georgia School of Orthodontics

**Open Session**

Dr. Maron established that a quorum was present and called the meeting to order at 10:03 a.m.

**Introduction of Visitors**

Dr. Maron welcomed the visitors.

**Appearance**

Appearance by Ms. Melissa Barbara, CE Zoom: Ms. Barbara thanked the Board for the opportunity to speak to its members. She presented the Board with information regarding CE Zoom, which is an electronic tracking and compliance system for continuing education.

**Approval of Minutes**

Dr. Reznik made a motion to approve the Public Session minutes from the February 3, 2023, meeting. Vice-President Mattingly seconded, and the Board voted unanimously in favor of the motion.

Vice-President Mattingly made a motion to approve the Executive Session minutes from the February 3, 2023, meeting. Dr. Reznik seconded, and the Board voted unanimously in favor of the motion.

**Report of Licenses Issued**

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

Vice-President Mattingly made a motion and Dr. Reznik seconded and the Board voted to enter into **Executive Session** for the purpose of receiving legal advice as authorized under O.C.G.A. §§ 50-14-1(e)(2)(c), 50-14-2(1). Voting in favor of the motion were those present who included Dr. Lacey Green, Dr. Glenn Maron, Ms. Misty Mattingly, Dr. Larry Miles, Dr. Ami Patel, Dr. David Reznik, Dr. Jeffrey Schultz, Ms. Lisa Selfe, Dr. Lisa Shilman, Dr. JC Shirley, Dr. Brent Stiehl, Dr. Debra Wilson, and Dr. Nancy Young.

### Executive Session

The Board requested legal advice.

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

### Open Session

#### **Petitions for Rule Waiver or Variance**

**Rule Variance Petition from Dr. Marta P. Canals:** The Board discussed this request for a variance of Rule 150-3-.01(7). Vice-President Mattingly made a motion to grant the petition based on the special circumstances related to the COVID-19 pandemic. The Board also finds that Dr. Canals provided adequate justification for the variance since she passed the ADEX manikin-based exam in 2020. Dr. Reznik seconded, and the Board voted unanimously in favor of the motion.

**Rule Waiver/Variance Petitions from Nidhi Patel, Dr. Jelani O. Brown, Amit Doshi, and Dr. Priyanka Patel:** Vice-President Mattingly made a motion to deny each petition in light of changes to Rule 150-3-.01 that render the petitions moot. Additionally, the Board has received the Certificate of Active Supervision noting the Governor's approval of the amendments to Rule 150-3-.01 adopted by the Board at its meeting on November 4, 2022. The amendments to the rule became effective February 20, 2023. Dr. Reznik seconded, and the Board voted unanimously in favor of the motion.

**Rule Variance Petition from Dr. Teny Matavoosi:** The Board discussed this request for a variance of Rule 150-3-.01. Dr. Matavoosi's petition requested the Board accept her 2019 WREB scores. Dr. Shirley inquired as to why the Board would not accept WREB scores. Dr. Wilson responded by stating that WREB allows the candidate the option to choose a slot prep, which is not accepted by the Board. Dr. Stiehl made a motion to deny the petition as there was no substantial hardship demonstrated. Vice-President Mattingly seconded. Discussion was held by Dr. Schultz who inquired as to how long Dr. Matavoosi has been in private practice. Vice-President Mattingly responded by stating that the petition did not provide that information. Dr. Maron stated that the timeframe for which the individual passed the exam is not accepted by the Board. He further stated that the Board has amended its rules that would allow for acceptance of a manikin examination. Additionally, Dr. Maron stated that there was no unique hardship demonstrated. There being no further discussion, the Board voted in favor of the motion, with the exception of Dr. Wilson and Dr. Schultz, who opposed.

**Rule Variance Petition from Dr. Danielle Outlaw-Peterson:** The Board discussed this request for a variance of Rule 150-7-.04(1)(c). Vice-President Mattingly made a motion to grant the petition based on the special circumstances related to the COVID-19 pandemic. The Board also finds that Dr. Outlaw-Peterson provided adequate justification for the variance since she accumulated approximately 7,000 full time clinical practice hours over the last five years. Dr. Reznik seconded, and the Board voted unanimously in favor of the motion.

## Correspondences

**Correspondence from Dr. Mitchell Levine, American Academy of Dental Sleep Medicine:** The Board viewed this correspondence for informational purposes only.

### General – Dr. Glenn Maron

Dr. Maron thanked the board members for the hard work done over the last few years. He provided the following summary of items the Board has worked on and the status of each:

**Rule 150-3-.01 Examination for Dental Licensure:** Rule is effective as of February 20, 2023.

**Rule 150-8-.01 Unprofessional Conduct Defined:** Rule was referred to the Infection Control Committee for amendment. This amendment has not yet been considered by the Committee. Dr. Maron stated that there was not anything put in the rule concerning maintaining sterilization records. Dr. Reznik responded by stating that three years is the standard. Mr. Joiner stated that there had been concern expressed by the Board regarding the number and type of sterilization records. He added that the Board considered the language that is currently drafted too strenuous and the Infection Control Committee was going to re-evaluate it.

**Rule 150-5-.07 Administration of Local Anesthetic by Dental Hygienists:** Sent to Governor's office for approval on November 21, 2022. Expect return from Governor no later than April 4, 2023 (90 business days).

**Rule 150-10-.01 Fraudulent, Misleading or Deceptive Advertising:** This rule needs further deliberation and editing by the Board in light of the memo from the Attorney General's office regarding professional specialties and what the Board considers a specialty and what is considered false advertising. Dr. Maron appointed Ms. Selfe, Dr. Young and Dr. Green to review this matter.

**Rule 150-13-.01 Conscious Sedation Permits:** Sent to Governor's office for approval on December 27, 2022. Expect return from Governor no later than May 8, 2023 (90 business days).

**Rule 150-13-.02 Deep Sedation/General Anesthesia Permits:** Sent to Governor's office for approval on December 27, 2022. Expect return from Governor no later than May 8, 2023 (90 business days).

**Rule 150-5-.03 Supervision of Dental Hygienists:** Previously tabled by for changes to be made by the Sedation Committee. During its February 10, 2023 meeting, the Sedation Committee approved draft revisions to the rule. These draft amendments have been uploaded to Sharepoint for the March 3, 2023 meeting for Board consideration.

**Rule 150-9-.01 General Duties of Dental Assistants:** Previously tabled by for changes to be made by the Sedation Committee. During its February 10, 2023 meeting, the Sedation Committee approved draft revisions to the rule. These draft amendments have been uploaded to Sharepoint for the March 3, 2023 meeting for Board consideration.

**Rule 150-5-.02 Qualifications for Dental Hygienists:** Rule is effective as of February 20, 2023.

**Rule 150-3-.09 Continuing Education for Dentists:** Rule is effective as of February 20, 2023.

**Rule 150-5-.05 Requirements for Continuing Education for Dental Hygienists:** Sent to Governor's office for approval on November 21, 2022. Expect return from Governor no later than April 4, 2023 (90 business days).

**Rule 150-5-.05 Requirements for Continuing Education for Dental Hygienists (Infection Control Committee amendment):** Infection Control Committee voted to recommend an amendment to this rule requiring two out of the 22 hours of continuing education be in the area of infection control. The Board approved the Committee's recommendation during its full board meeting on February 3, 2023. The draft amendments have been uploaded to Sharepoint for the March 3, 2023, meeting for Board consideration.

**Rule 150-3-.09 Continuing Education for Dentists (Infection Control Committee amendment):** Infection Control Committee voted to recommend an amendment to this rule requiring two out of the 40 hours of continuing education be in the area of infection control. The Board approved the Committee's recommendation during its full board meeting on February 3, 2023. The draft amendments have been uploaded to Sharepoint for the March 3, 2023, meeting for Board consideration.

Dr. Shirley requested clarification on the process of how the rule becomes effective once it has been voted on by the Board. He inquired as to why the process takes so long. Dr. Shilman commented that the Governor has 90 business days to make a decision regarding whether to approve or deny the proposed rule. Dr. Shirley stated that the Board votes to post the rule, then there is a hearing, and then the rule goes to the Governor's office. He added that it seems to be a long process and he was just trying to understand more about the process.

Mr. Changus stated there was a rules process that previously existed; however, there was a case involving the North Carolina Dental Board. He explained that, as a result of that case, the Georgia General Assembly, in an attempt to shield boards from anti-trust concerns, created the Professional Reform Regulation Act. He continued by stating that O.C.G.A. § 43-1C states that any rule that is adopted by a professional licensing board must be submitted to the Governor's office for review. Mr. Changus added that the Governor has 90 business days to review any proposed rules. Mr. Changus stated that the Governor has the opportunity to either approve or veto the rule as suggested. He further stated that once the proposed rule(s) goes to the Governor, it is within their control and they get to these measures when they can. Mr. Changus continued by stating that the Governor's office is reviewing rules from all 45 professional licensing boards. He stated that the Board is asking the Governor's office to discern whether the rule should be approved or vetoed. He added that it is a complex process.

Dr. Maron commented that the Governor can approve or veto the rule. Dr. Maron further stated that what the Board sends to the Governor's office are the Board's recommendations, but at the end of the day, the Governor is the one responsible and the Board serves at the pleasure of the Governor. Dr. Shirley responded by stating that board members receive many questions from members of the public. He stated that he wanted the minutes to reflect what the rules process was.

Vice-President Mattingly inquired as to what documentation is sent to the Governor with the rule. Mr. Joiner responded by stating that the package that is sent to the Governor consists of a memo which provides a brief overview of what the rule is, a form requesting approval of the rule, copies of all written comments from the public hearing, minutes from the public hearing, along with the notice posted that contains the draft rule with the proposed changes either underlined or stricken.

**Attorney General's Report – Mr. Max Changus**

No report.

**Executive Director's Report – Mr. Eric Lacefield**

**Correspondence from Tracey Littlefield, CDCA-WREB-CITA:** Mr. Lacefield stated that he emailed the members correspondence from Tracey Littlefield welcoming the board members. He reminded the Board that at a previous meeting, board members were appointed to the CDCA-WREB-CITA Steering Committee.

**April Meeting:** Mr. Lacefield reported that the board office will be moving to the Sloppy Floyd Building during the week of April 10<sup>th</sup>. He stated that during that week staff will not have access to the 2 Peachtree Street building or Twin Towers. He added that the issue is there is a board meeting scheduled that same week on Friday, April 14<sup>th</sup> and there will be no access to any rooms at 2 Peachtree Street or the new office location at Twin Towers. Mr. Lacefield requested the Board consider meeting virtually on the 14<sup>th</sup> or reschedule the meeting to another date. Dr. Maron inquired as to what the deadline would be to move the meeting to another date. Mr. Lacefield responded by stating that Georgia law requires the Board to provide 15 days' notice in writing advertising the location and date of the meeting. Dr. Maron asked if he could find another location. Mr. Lacefield responded by stating that would be fine as long as the Board meets the required 15 days' notice. He added that coordination would have to be done with the other location. He added that he knows the Board does not like holding virtual meetings, but that would be a simple solution to the problem. Mr. Lacefield stated that he had inquired with other agencies in the building about a possible meeting space as an alternative, but he was not sure when he would hear back about that. After further discussion, Dr. Maron stated he would look to see if Emory Midtown had any available space. Mr. Lacefield commented to keep in mind that the public will have to have access to the meeting.

### **Legal Services – Mr. Clint Joiner**

No report.

### **Rules Discussion**

**Rule 150-3-.09 Continuing Education for Dentists:** Discussion was held regarding the proposed language of “Effective on and after January 1, 2024, two (2) hours of the minimum requirement shall include education and training regarding infection control in the practice of dentistry, at least one (1) hour of which shall include education and training regarding dental unit water lines;”. Dr. Maron suggested removing the requirement that specifies one hour shall include training regarding dental unit water lines. He stated that there are dentists who do not use dental unit water lines.

Dr. Reznik commented that he does not mind substituting language, but stated that oral surgeons are the ones that see the consequences of these infections. He stated that he understands they are using sterile saline, but thinks there should be a compromise which would be to include something regarding dental unit water lines. He further stated that he understands oral surgeons do not use dental unit water lines, but everyone else does. Dr. Maron stated that infection control would indicate proper maintenance and management of dental unit water lines. Dr. Reznik responded by stating that Georgia has a specific problem going on. He added that there have been two outbreaks. He continued by stating that Georgia is the only state in United States to have two outbreaks of mycobacterium. Dr. Shilman commented that what Dr. Reznik was requesting makes sense and is not going to hurt anyone to take one hour of training concerning dental unit water lines.

Dr. Maron commented that the Board is responsible for approving courses and any course the Board approves would need to include discussion of dental unit water lines. He stated that he was opposed to requiring one hour of the continuing education be dedicated to dental unit water lines. Mr. Lacefield responded by stating that the Board does not approve individual continuing education courses for renewal. He stated that the Board approves the organizations that provide the continuing education courses, not the individual classes.

Dr. Maron suggested striking the language that states, “at least one (1) hour of” and have the proposed language read as follows: “Effective on and after January 1, 2024, two (2) hours of the minimum requirement shall include education and training regarding infection control in the practice of dentistry, which shall include education and training regarding dental unit water lines;” Dr. Reznik agreed that would be sufficient.

Discussion was held by Dr. Shirley. He inquired if the Board licensed specialists. Dr. Maron responded by stating the Board does not license specialists. Dr. Shirley commented that this is suggested continuing education for someone holding a dental license. He stated that he has seen patients from the 2015 outbreak that had the infections from the mycobacterium. He further stated those patients ended up in the hospital and were treated by oral surgeons. Dr. Shirley continued by stating that it makes no sense to say oral surgeons do not need the suggested continuing education because they do not deal with dental unit water lines. He stated that oral surgeons are the ones that end up seeing the patient in the hospital. Dr. Shirley added that the Board licenses dentists, not specialists. He stated that he was against changing the language and felt the Board needed to keep the original suggestion of one hour shall include education and training of dental unit water lines because it would help address the issue.

Dr. Maron commented that he is a dentist too, but oral surgeons are trained in infection control and managing these infections. He stated that he is opposed to requiring one hour of training on dental unit water lines. He further stated that is a long hour to hear something that could be discussed adequately in 15 minutes. He continued by stating that he provides infection control lectures and to require a specialist who does not use dental unit water lines to sit for an hour is a big mandate. Dr. Shirley responded by stating that the idea behind the proposed language is to make a point because this is a problem. He inquired as to what does it matter if the person is a specialist who does not utilize dental unit water lines. He asked what the harm would be going through a one hour course. After further discussion, Dr. Reznik commented that he was in favor of the compromise. He added that the bigger issue is around infection control and including the language in the rule regarding dental unit water lines is bringing to attention to it.

Vice-President Mattingly commented that her issue with the language is that there is no way to mandate it. Dr. Reznik responded by stating that it will be a requirement to have two hours of infection control continuing education. He stated that he was unsure whether the Board could mandate a whole hour of it. He further stated that requiring continuing education that focuses on dental unit water lines is more of what he is looking for. He added that infection control is a huge issue. Dr. Reznik continued by stating that he is receiving pushback about keeping three years of sterilization records because it is too much of a burden. He stated that requiring continuing education to include training on dental unit water lines would be an appropriate compromise.

Dr. Reznik made a motion to post Rule 150-3-.09 Continuing Education for Dentists as amended. Dr. Shirley seconded. Discussion was held by Dr. Schultz. Dr. Schultz inquired if there were specific items about dental unit water lines Dr. Reznik would like to see included in the language of the rule that would direct the course providers on what should be discussed. Dr. Reznik responded by stating that offices should be testing on a monthly basis by following the ADA guidelines and maintaining records; however, he is running into issues with maintaining sterilization records for three years because some feel it is too onerous. He continued by stating that the Board should not prescribe what an infection control lecture should include other than it should address dental unit water lines. There being no further discussion, the Board voted unanimously in favor of the motion.

#### Rule 150-3-.09. Continuing Education for Dentists

- (1) Dentists licensed to practice in the state of Georgia shall maintain and furnish to the Board, upon request, official documentation of having completed a minimum of forty (40) hours of continuing education during each biennium. Official documentation shall be defined as documentation from an approved provider that verifies a licensee's attendance at a particular continuing education course. Official documentation of course attendance must be maintained by a dentist for at least three (3) years following the end of the biennium during which the course as taken.
  - (a) Compliance with all continuing education requirements is a condition for license renewal. Failure to complete all hours of mandatory continuing education shall serve as grounds to deny the renewal of a license and may also result in disciplinary action being taken against a licensee.

- (b) Upon its own motion, the Board may at any time randomly select a percentage of actively licensed dentists for the purpose of auditing their compliance with the continuing education requirements of the Board. Those licensees selected for an audit shall submit official documentation of their compliance within thirty (30) days of receipt of the audit letter. Failure to respond to an audit request in a timely manner shall be grounds for disciplinary action against a licensee.
  - (c) The continuing education requirements shall not apply to dentists whose licenses are on inactive status.
  - (d) The continuing education requirements shall apply within the first biennium that a dentist is licensed in Georgia. However, in order to meet the continuing education requirements during the first biennium, a newly licensed dentist may submit as their continuing education hours proof of dental coursework taken within the previous two (2) years of the date of the renewal application from a university or other institution accredited by the Commission on Dental Accreditation of the American Dental Association, or its successor agency. Following the first biennium that a dentist is licensed in Georgia such licensees shall comply with the continuing education requirements set forth in Rule 150-3-.09(2) and (3).
  - (e) The continuing education requirements for dentists holding volunteer licenses may be satisfied by compliance with this rule, or they may alternatively be satisfied by compliance with Rule 150-3-.10.
- (2) Coursework, including home study courses, sponsored or approved by the following recognized organizations will be accepted:
- (a) American Dental Association/American Dental Hygienists association, and their affiliate associations and societies;
  - (b) Academy of General Dentistry;
  - (c) National Dental Association and its affiliate societies;
  - (d) Colleges, and universities and institutions with programs in dentistry and dental hygiene that are accredited by the Commission on Dental Accreditation of the American Dental Association when the professional continuing education course is held under the auspices of the school of dentistry or school of dental hygiene;
  - (e) CPR courses offered in-person by the American Red Cross, the American Heart Association, the American Safety and Health Institute, the National Safety Council, EMS Safety Services, or other such agencies approved by the Board.
  - (f) National and State Associations and/or societies of all specialties in dentistry recognized under Georgia law;
  - (g) Veterans Administration Dental Department;
  - (h) Armed Forces Dental Department;
  - (i) Georgia Department of Public Health;
  - (j) American Medical Association, the National Medical Association and its affiliate associations and societies;
  - (k) Hospitals accredited by the Joint Commission on Accreditation of Hospital Organizations (JCAHO).
- (3) Course content:
- (a) All courses must reflect the professional needs of the dentist in providing quality dental health care to the public;
  - (b) At least thirty (30) hours of the minimum requirement shall be clinical courses in the actual delivery of dental services to the patient or to the community;
  - (c) Four (4) credit hours for successful completion of the in-person CPR course required by Georgia law may be used to satisfy continuing education requirements per renewal period. This requirement may be satisfied by successful completion of an in-person Basic Life Support (BLS) or Advanced Cardiovascular Life Support (ACLS) course;

(d) Effective on and after January 1, 2024, two (2) hours of the minimum requirement shall include education and training regarding infection control in the practice of dentistry, which shall include education and training regarding dental unit water lines;

~~(de)~~ One (1) hour of the minimum requirement shall include the impact of opioid abuse, proper prescription writing, and/or the use of opioids in dental practice;

~~(ef)~~ Effective on and after January 1, 2022, one (1) hour of the minimum requirement shall include legal ethics and professionalism in the practice of dentistry, which shall include, but not be limited to, education and training regarding professional boundaries; unprofessional conduct relating to the commission of acts of sexual intimacy, abuse, misconduct, or exploitation with regard to the practice of dentistry; legislative updates and changes to the laws relating to the practice of dentistry and rules, policies, and advisory opinions and rulings issued by the Board; professional conduct and ethics; proper billing practices; professional liability; and risk management.

~~(fg)~~ Up to fifteen (15) hours of continuing education per year may be obtained by assisting the Board with administering the clinical licensing examination. These hours shall be approved by the Continuing Education Committee of the Georgia Board of Dentistry and need not be sponsored by any agency listed in 150-3-.09 (2);

~~(gh)~~ Eight (8) hours per biennium may be obtained by assisting the board with investigations of licensees. This may include consultant review on behalf of the Georgia Board of Dentistry and peer reviews completed by committees of the Georgia Dental Association but shall be limited to two (2) hours for each case reviewed. These hours shall be approved by the Continuing Education Committee of the Georgia Board of Dentistry and need not be sponsored by any agency listed in 150-3-.09 (2);

~~(hi)~~ Up to ten (10) hours of continuing education per year may be obtained by teaching clinical dentistry or dental hygiene at any ADA-approved educational facility. These hours shall be awarded in writing by the course director at the facility and approved by the Continuing Education Committee of the Georgia Board of Dentistry;

~~(ij)~~ Up to ten (10) hours of continuing education per biennium may be obtained by providing, uncompensated dental care at a charitable dental event as defined by O.C.G.A § 43-11-53;

~~(jk)~~ Up to twenty (20) hours of continuing education per biennium may be obtained by members of the Georgia Board of Dentistry for member service, where one continuing education hour is credited for each five hours of Board service provided;

~~(kl)~~ Eight (8) hours per biennium may be obtained by assisting the Board with conducting onsite sedation evaluations. This shall be limited to a maximum of four (4) hours per evaluation. These hours shall be approved by the Continuing Education Committee of the Georgia Board of Dentistry and need not be sponsored by any agency listed in 150-3-.09 (2).

(4) Criteria for receiving credit for attending an approved continuing education course:

(a) Credit hours are not retroactive or cumulative. All credit hours must be received during the two (2) year period to which they are applied;

(b) One credit hour for each hour of course attendance will be allowed;

(c) Only twelve hours of credit will be accepted per calendar day;

(d) Effective January 1, 2008, at least twenty (20) of the required forty (40) hours of credit must be acquired in person at an on-site course or seminar; you are not allowed to acquire all CE hours through on-line courses, electronic means, journal studies, etc.

(5) Criteria for receiving credit for teaching an approved continuing education course:

(a) Credit hours for teaching an approved course must be obtained and used during the biennium that the approved course is taught;

(b) A dentist who teaches an approved continuing education course is eligible to receive two (2) credit hours for each hour of course work that he or she presents at a particular course. Credit will be given for teaching a particular course on one occasion. A maximum of ten (10) credit hours per



biennium may be obtained by a dentist by whom an approved continuing education course is taught;

(c) Only continuing education courses sponsored by organizations designated in Rule 150-3.09(2) will be considered for credit pursuant to this subsection of the rule.

(d) In the event that an audit is conducted of the continuing education hours of a dentist who has taught a course approved by a recognized organization, the following information shall be required to document the dentist's role in presenting a continuing education course:

(i) Documentation from an approved provider verifying that the dentist presented an approved continuing education course;

(ii) Documentation from an approved provider reflecting the content of the course;

(iii) Documentation from an approved provider specifying the list of materials used as a part of the course; and

(iv) Documentation from an approved provider verifying the hours earned and the dates and times that the course in question was given.

(e) In the event that an approved continuing education course is taught by more than one dentist, continuing education credit will be given for those portions of coursework for which the dentist is directly involved and primarily responsible for the preparation and presentation thereof.

Continuing education credit will not be available to a dentist whose participation in preparing and presenting an approved course is not readily identifiable.

(6) Criteria for receiving credit for providing uncompensated indigent dental care.

(a) Up to ten (10) hours of continuing education per biennium may be obtained by providing, uncompensated dental care at a charitable dental event as defined by O.C.G.A § 43-11-53.

(b) Dentists may receive one hour of continuing education for every four hours of indigent dental care the dentist provides, up to ten (10) hours. Such continuing education credits will be applied toward the dentist's clinical courses.

(c) All credit hours must be received during the two (2) year renewal period;

(d) All appropriate medical/dental records must be kept;

(e) Dentists shall at all times be required to meet the minimal standards of acceptable and prevailing dental practice in Georgia;

(f) The Board shall have the right to request the following:

1. Documentation from the organization indicating that the dentist provided the dental services;

2. Documentation from the organization that it provided medical and/or dental services to the indigent and/or those making up the underserved populations;

3. Notarized verifications from the organization documenting the dentist's agreement not to receive compensation for the services provided;

4. Documentation from the organization detailing the actual number of hours spent providing said services; and

5. Documentation from the dentist and/or organization verifying the services provided.

(7) Effective January 1, 2012, dentists may receive continuing education credit for dental coursework taken during a residency program from a university or other institution accredited by the Commission on Dental Accreditation of the American Dental Association. Such coursework must have been taken during the current license renewal period.

(1) Submission of a copy of the certificate of completion of program showing dates of completion is sufficient proof of coursework.

(2) One (1) credit hour equals one (1) continuing education credit.

**Rule 150-5-.05 Continuing Education for Dental Hygienists:** Vice-President Mattingly made a motion to post Rule 150-5-.05 Continuing Education for Dental Hygienists as amended. Dr. Reznik seconded, and the Board voted unanimously in favor of the motion.

Rule 150-5-.05. Requirements for Continuing Education for Dental Hygienists

- (1) Dental hygienists licensed to practice in the state of Georgia shall maintain and furnish to the Board, upon request, official documentation of having completed a minimum of twenty-two (22) hours of continuing education during each biennium. Official documentation shall be defined as documentation from an approved provider that verifies a licensee's attendance at a particular continuing education course. Official documentation of course attendance must be maintained by a dental hygienist for at least three (3) years following the end of the biennium during which the course was taken.
  - (a) Compliance with all continuing education requirements is a condition for license renewal. Failure to complete all hours of mandatory continuing education shall serve as grounds to deny the renewal of a license and may also result in disciplinary action being taken against a licensee.
  - (b) Upon its own motion, the Board may at any time randomly select a percentage of actively licensed dental hygienists for the purpose of auditing their compliance with the continuing education requirements of the Board. Those licensees selected for an audit shall submit official documentation of their compliance within thirty (30) days of receipt of the audit letter. Failure to respond to an audit request in a timely manner shall be grounds for disciplinary action against a licensee.
  - (c) The continuing education requirements shall apply within the first biennium that a dental hygienist is licensed in Georgia. However, in order to meet the continuing education requirements during the first biennium, a newly licensed dental hygienist may submit as their continuing education hours proof of dental hygiene coursework taken within the previous two (2) years of the date of the renewal application from a university or other institution accredited by the Commission on Dental Accreditation of the American Dental Association. Following the first biennium that a dental hygienist is licensed in Georgia such licensees shall comply with the continuing education requirements set forth in Rule 150-5-.05(2) and (3).
  - (d) The continuing education requirements shall not apply to dental hygienists who are on inactive status.
  - (e) The continuing education requirements for dental hygienists holding volunteer licenses may be satisfied by compliance with this rule, or they may alternatively be satisfied by compliance with Rule 150-3-.10.
- (2) Coursework, including home study courses, sponsored or approved by any organization recognized under Rule 150-3-.09(2) will be accepted.
- (3) Course content:
  - (a) All courses must reflect the professional needs of the hygienist providing quality dental health care to the public;
  - (b) At least fifteen (15) hours of the minimum requirement must be scientific courses in the actual delivery of dental services to the patient or to the community;
  - (c) Four (4) credit hours for successful completion of the in-person CPR course required by Georgia law offered by the American Heart Association, the American Red Cross, the American Safety and Health Institute, the National Safety Council, EMS Safety Services, or other such agencies approved by the Board may be used to satisfy continuing education requirements per renewal period. This requirement may be satisfied by successful completion of an in-person Basic Life Support (BLS) or Advanced Cardiovascular Life Support (ACLS) course.
  - (d) Up to eight (8) hours of continuing education per year may be obtained by assisting the Board with administering the clinical licensing examination or by assisting the Board with investigations of licensees. These hours shall be approved by the Continuing Education Committee of the Georgia Board of Dentistry and need not be sponsored by any agency or organization listed in 150-3-.09(2).

- (e) Up to five (5) hours of continuing education per biennium may be obtained by teaching dental hygiene at any ADA-approved educational facility. These hours shall be awarded, in writing, by the course director at the facility and approved by the Continuing Education Committee of the Georgia Board of Dentistry.
  - (f) Up to five (5) hours of continuing education per biennium may be obtained by providing, uncompensated dental hygiene care at a charitable dental event as defined by O.C.G.A § 43-11-53.
  - (g) Up to ten (10) hours of continuing education per biennium may be obtained by members of the Georgia Board of Dentistry for member service, where one continuing education hour is credited for each five hours of Board service provided.
  - (h) Effective on and after January 1, 2022, one (1) hour of the minimum requirement shall include legal ethics and professionalism in the practice of dental hygiene, which shall include but not be limited to, education and training regarding professional boundaries; unprofessional conduct relating to the commission of acts of sexual intimacy, abuse, misconduct, or exploitation with regard to the practice of dental hygiene; legislative updates and changes to the laws relating to the practice of dental hygiene and rules, policies, and advisory opinions and rulings issued by the Board; professional conduct and ethics; proper billing practices; professional liability; and risk management.
  - (i) Effective on and after January 1, 2024, two (2) hours of the minimum requirement shall include education and training regarding infection control in the practice of dental hygiene, which shall include education and training regarding dental unit water lines.
- (4) Criteria for receiving credit for attending an approved continuing education course:
- (a) Credit hours are not retroactive or cumulative. All credit hours must be received during the two (2) year period to which they are applied; ~~and~~
  - (b) One credit hour for each hour of course attendance will be allowed;
  - (c) Only twelve hours of credit will be accepted per calendar day; and
  - (d) Effective January 1, 2008, at least eleven (11) of the required twenty-two (22) hours of credit must be acquired in person at an on-site course or seminar; you are not allowed to acquire all CE hours through on-line courses, electronic means, journal studies, etc.
- (5) Criteria for receiving credit for teaching an approved continuing education course:
- (a) Credit hours for teaching an approved course must be obtained and used during the biennium that the approved course is taught;
  - (b) A dental hygienist that teaches an approved continuing education course is eligible to receive two (2) credit hours for each hour of coursework that he or she presents at a particular course. Credit will be given for teaching a particular course on one occasion only. A maximum of five (5) credit hours per biennium may be obtained by a dental hygienist by whom an approved continuing education course is taught;
  - (c) Only continuing education course designated in Rule 150-5.05(2) as being sponsored or approved by recognized organizations will be considered for credit pursuant to this subsection of the rule. Courses taught by a dental hygienist prior to or a part of the process of obtaining his or her R.D.H. shall not be eligible for consideration pursuant to this provision of the rule;
  - (d) In the event that an audit is conducted of the continuing education hours of a dental hygienist who has taught a course approved by a recognized organization, the following shall be required to document the dental hygienists role in presenting a continuing education course:
    1. Documentation from an approved provider verifying that the dental hygienist presented an approved continuing education course;
    2. Documentation from an approved provider reflecting the content of the course;
    3. Documentation from an approved provider specifying the list of materials used as part of the course; and
    4. Documentation from an approved provider verifying the hours earned and the dates and times that the course in question was given.

- (e) In the event that an approved continuing education course is taught by more than one dental hygienist, continuing education credit will be given for those portions of course work in which the dental hygienist is directly involved and primarily responsible for the preparation and presentation thereof. Continuing education credit will not be available to a dental hygienist whose participation in preparing and presenting an approved course is not readily identifiable.
- (6) Criteria for receiving credit for providing uncompensated indigent dental hygiene care.
  - (a) Up to five (5) hours of continuing education per biennium may be obtained by providing uncompensated dental hygiene care at a charitable dental event as defined by O.C.G.A. § 43-11-53.
  - (b) Dental hygienists may receive one hour of continuing education for every four hours of indigent dental hygiene care the dental hygienist provides, up to five (5) hours. Such continuing education credits will be applied toward the dental hygienist's clinical courses.
  - (c) All credit hours must be received during the two (2) year renewal period;
  - (d) Dental hygienists shall at all times be required to meet the minimal standards of acceptable and prevailing practice in Georgia;
  - (e) The Board shall have the right to request the following:
    - 1. Documentation from the organization indicating that the dental hygienist provided the services;
    - 2. Documentation from the organization that it provided medical and/or dental hygiene services to the indigent and/or those making up the underserved populations;
    - 3. Notarized verifications from the organization documenting the dental hygienist agreement not to receive compensation for the services provided;
    - 4. Documentation from the organization detailing the actual number of hours spent providing said services; and
    - 5. Documentation from the dental hygienist and/or organization verifying the services provided.

**Rule 150-5-.03 Supervision of Dental Hygienists:** Dr. Maron stated that he and Vice-President Mattingly had an opportunity to discuss the proposed changes, along with several other members. He stated that there are a large number of items stricken. Dr. Maron continued by stating that, according to Mr. Joiner, the items were stricken because they appeared to be redundant to language in O.C.G.A. § 43-11-74. Dr. Maron stated that the Board would like the opportunity to review the language in O.C.G.A. § 43-11-74 before taking any further action. Mr. Joiner commented that he has a sheet that references every stricken portion of the rule that is relevant to the statute. Vice-President Mattingly made a motion to table further discussion of this rule until the Board's April meeting. Dr. Wilson seconded, and the Board voted unanimously in favor of the motion.

**Rule 150-9-.01 General Duties of Dental Assistants:** Dr. Maron read the proposed change to section (3)(x), which states, "Perform phlebotomy and venipuncture procedures after appropriate Board approved training is ~~acquired~~ successfully completed as required by O.C.G.A. § 43-11-23." Dr. Maron stated the changes to the rule align with the language in the law.

Vice-President Mattingly made a motion to post Rule 150-9-.01. Dr. Reznik seconded. Discussion was held by Dr. Maron. He stated to the members of the associations present that the General Assembly has control over how dentistry is regulated. Dr. Maron encouraged the associations to speak to their members because there should not be anyone making decisions about the dental and dental hygiene profession that should not be. There being no further discussion, the Board voted unanimously in favor of the motion.

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

- (1) A dental assistant shall be defined as one who is employed in a dental office to perform certain duties that assist the dentist. It is expected that the dental assistant will be familiar with the

operations performed in the conduct of a dental practice; specifically, the sterilization of instruments, the general hygiene of the mouth, secretarial work, making appointments and bookkeeping. Under no circumstances may he or she perform any of the operations catalogued as dental hygiene treatments in O.C.G.A. § 43-11-74 or Board Rule 150-5-.03(5).

- (2) Direct supervision and control as it pertains to a dental assistant shall mean that a dentist licensed in Georgia is in the dental office or treatment facility, personally diagnoses the condition to be treated, personally authorizes the procedures and remains in the dental office or treatment facility while the procedures are being performed by the dental assistant and, before dismissal of the patient, evaluates the performance of the dental assistant.
- (3) In addition to routine duties, the general duties identified below may be delegated to dental assistants under the direct supervision of a licensed dentist. These duties may only be delegated in those instances when they are easily reversible and will not result in increased risk to the patient:
- (a) Make impressions for diagnostic models and opposing models.
  - (b) Place and expose radiographs after completing the training required by Ga. Comp. R. & Regs. ~~290-5-22-.04~~ 111-8-90-.04 titled X-Rays in the Health Arts.
  - (c) Remove sutures - other than wire sutures.
  - (d) Remove periodontal dressing.
  - (e) Place and remove rubber dams.
  - (f) Apply topical anesthetic.
  - (g) Remove visible excess cement from supramarginal areas of dental restorations and appliances with non-mechanical hand instruments.
  - (h) Fabricate extraorally temporary crowns and bridges.
  - (i) Cement temporary crowns and bridges with intermediate cement.
  - (j) Remove temporary crowns and bridges seated with intermediate cement.
  - (k) Place intracoronal temporary restorations using intermediate cement.
  - (l) Place drying and deoiling agents prior to the cementation of permanent crowns and bridges.
  - (m) Remove dry socket medication.
  - (n) Place and take off a removable prosthesis with a pressure sensitive paste after the appliance has been initially seated by the dentist.
  - (o) Etch unprepared enamel.
  - (p) Polish the enamel and restorations of the anatomical crown; however, this procedure may only be executed through the use of a slow speed handpiece (not to exceed 10,000 rpm), rubber cup and polishing agent. This procedure shall in no way be represented to patient as a prophylaxis. This procedure shall be used only for the purpose of enamel preparation for:
    - 1. Bleaching,
    - 2. Cementation of fixed restorations,
    - 3. Bonding procedures including supramarginal enamel restorations after removal of orthodontic appliances. No direct charge shall be made to the patient for such procedure.
  - (q) Dry canals with absorbent points and place soothing medicaments (not to include endodontic irrigation); and place and remove temporary stopping with non-mechanical hand instruments only.
  - (r) Place matrix bands and wedges.
  - (s) Select, pre-size and seat orthodontic arch wires with brackets which have been placed by the dentist. Adjustment of the arch wire may only be made by the dentist.
  - (t) Select and pre-size orthodontic bands which initially must be seated by the dentist.
  - (u) Place and remove pre-treatment separators.
  - (v) Cut and tuck ligatures, remove ligatures and arch wires, remove loose or broken bands.
  - (w) Remove and recement loose bands that previously have been contoured and fitted by a dentist, but only after a dentist has examined the affected tooth and surrounding gingival and found no evidence of pathology.

- (x) Perform phlebotomy and venipuncture procedures after appropriate Board approved training is acquired~~successfully completed as required~~ by O.C.G.A. § 43-11-23.
- (y) Use a rubber cup prophylaxis on a patient with primary dentition. A dental assistant may only begin providing rubber cup prophylaxis after the dental assistant has completed a curriculum approved by the Board or a minimum of eight hours of on-the-job training in the provision of rubber cup prophylaxis by a dentist licensed to practice in Georgia.

Dr. Reznik made a motion and Vice-President Mattingly seconded that the formulation and adoption of the proposed rule amendments do not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule amendments cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the relevant code sections.

In the same motion, the Board voted that it is not legal or feasible to meet the objectives of the relevant code sections to adopt or implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of the proposed rule amendments will impact every licensee in the same manner, and each licensee is independently licensed, owned and operated and dominant in the field of dentistry.

**Phlebotomy/Venipuncture Course Submission:** Dr. Reznik made a motion to approve the Phlebotomy and IV Access for the Dentist and Dental Auxiliary course provided by Dr. Lee Whitesides/Georgia Dental Association. Dr. Wilson seconded, and the Board voted unanimously in favor of the motion.

**Sedation Evaluators:** Vice-President Mattingly made a motion to approve Dr. Sandeep V. Pathak, Dr. Piyushkumar Patel, and Dr. Mirela Memic as evaluators for the Sedation Committee. Dr. Reznik seconded, and the Board voted unanimously in favor of the motion.

Dr. Reznik made a motion and Dr. Wilson 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. Lacey Green, Dr. Glenn Maron, Ms. Misty Mattingly, Dr. Larry Miles, Dr. Ami Patel, Dr. David Reznik, Dr. Jeffrey Schultz, Ms. Lisa Selfe, Dr. Lisa Shilman, Dr. JC Shirley, Dr. Brent Stiehl, Dr. Debra Wilson, and Dr. Nancy Young.

<b>Executive Session</b>
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**Appearance**

- R.D.P.

**Licensure Overview Committee Appointments/Discussion Cases**

- K.L.K.
- B.L.H.
- B.L.I.
- B.V.

**Applications**

- T.M.
- J.O.B.
- J.L.P.
- M.K.R.
- A.A.

- B.A.B.
- I.R.A.
- C.C.C.
- T.M.S.
- J.C.W.
- K.J.E.
- R.J.M.
- A.M.
- A.M.N.
- L.M.W.
- E.K.C.
- T.J.P.
- C.A.T.
- A.P.
- C.M.N.
- R.F.M.
- B.R.S.
- N.P.

**Investigative Committee Report – Dr. Brent Stiehl**

Report presented:

- DENT200176
- DENT200339
- DENT200137
- DENT200177
- DENT200218
- DENT200249
- DENT220133
- DENT230052
- DENT200258

**Attorney General’s Report – Mr. Max Changus**

Mr. Changus presented the following consent order for acceptance:

- T.M.K.

Mr. McNulty discussed the following individuals:

- M.D.
- R.J.H.

The Board received legal advice regarding pending litigation.

**Executive Director’s Report – Mr. Eric Lacefield**

- P.L.P.

**Legal Services – Mr. Clint Joiner**

No report.

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

## Open Session

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

### Appearance

- R.D.P. Denied Dental Hygiene Reinstatement Denial upheld

### Licensure Overview Committee Appointments/Discussion Cases

- K.L.K. Request to Terminate Probation Approved request
- B.L.H. Request to Terminate Probation Approved request
- B.L.I. Request to Terminate Consent Order Approved request
- B.V. Correspondence Refer to the Department of Law upon receipt of additional information

### Applications

- T.M. Dental Exam Applicant Table pending receipt of additional information
- J.O.B. Dental Exam Applicant Approved application
- J.L.P. Dental Exam Applicant Approved application
- M.K.R. Dental Credentials Applicant Schedule to meet with the Licensure Overview Committee
- A.A. Denied Dental Credentials Applicant Denial upheld
- B.A.B. Initial Moderate Enteral CS Approved for provisional permit
- I.R.A. Initial Moderate Enteral CS Approved for provisional permit
- C.C.C. Initial Moderate Enteral CS Approved evaluation
- T.M.S. Initial Moderate Parenteral CS Table pending receipt of additional information
- J.C.W. Initial Moderate Parenteral CS Approved for provisional permit with conditions
- K.J.E. Initial Moderate Parenteral CS Approved for provisional permit
- R.J.M. Initial Moderate Parenteral CS Approved evaluation
- A.M. Initial Moderate Parenteral CS Approved evaluation
- A.M.N. Initial General Anesthesia Approved for provisional permit
- L.M.W. Initial General Anesthesia Approved for provisional permit
- E.K.C. Initial General Anesthesia Approved evaluation
- T.J.P. Initial Moderate Parenteral CS Approved for provisional permit with conditions
- C.A.T. Initial Moderate Parenteral CS Approved for provisional permit with conditions
- A.P. Dental Hygiene Reinstatement Refer to Legal Services
- C.M.N. Dental Hygiene Reinstatement Table pending receipt of additional information
- R.F.M. Dental Hygiene Reinstatement Table pending receipt of additional information
- B.R.S. Dental Hygiene Reinstatement Refer to Legal Services
- N.P. Dental Hygiene Faculty Denied application



## **Investigative Committee Report – Dr. Brent Stiehl**

Report presented:

<b>Complaint Number</b>	<b>Allegations</b>	<b>Recommendation</b>
DENT200176	Quality of Care	Close No Action
DENT200339	Quality of Care	Close No Action
DENT200137	Quality of Care	Close No Action
DENT200177	Quality of Care	Close No Action
DENT200218	Quality of Care	Close No Action
DENT200249	Quality of Care	Close No Action
DENT220133	Quality of Care	Close No Action
DENT230052	Quality of Care	Close with Letter of Concern
DENT200258	Billing	Pending response from respondent

## **Attorney General’s Report – Mr. Max Changus**

Mr. Changus presented the following consent order for acceptance:

- T.M.K. Public Consent Order accepted

Mr. McNulty discussed the following individuals:

- M.D. Update provided
- R.J.H. Ratify acceptance of Public Consent Order / Approved proposed course information

The Board received legal advice regarding pending litigation.

## **Executive Director’s Report – Mr. Eric Lacefield**

- P.L.P. Renewal Pending Approved for renewal

## **Legal Services – Mr. Clint Joiner**

No report.

Vice-President Mattingly seconded, and the Board voted unanimously in favor of the motion.

With no further business, the Board meeting adjourned at 1:39 p.m.

The next scheduled meeting of the Georgia Board of Dentistry will be held on Friday, April 14, 2023, at 10:00 a.m. at 200 Piedmont Ave, SE, 18<sup>th</sup> Floor, West Tower (CR 1816A), Atlanta, Georgia 30334.

Minutes recorded by Brandi Howell, Business Support Analyst I

Minutes edited by Eric R. Lacefield, Executive Director