

GEORGIA BOARD OF DENTISTRY
Board Meeting
2 Peachtree Street, NW, 5th Floor
Atlanta, GA 30303
May 6, 2016
10:00 a.m.

The following Board members were present:

Dr. Steve Holcomb, President
Dr. Bert Yeargan, Vice-President
Dr. Tracy Gay
Dr. Tom Godfrey (*departed @ 1:54 p.m.*)
Dr. Greg Goggans
Dr. Dale Mayfield
Dr. Logan Nalley
Dr. Antwan Treadway

Staff present:

Tanja Battle, Executive Director
Bryon Thernes, Assistant Atty General
Anil Foreman, Legal Officer
Brandi Howell, Business Operations Specialist

Visitors:

Stephanie Lotti, GDA
Nichole Madison
Pam Cushenan, GDHA
Kimberly Ramseur, MAG
Andrew Anyejuiwa

Open Session

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

Introduction of Visitors

Dr. Holcomb welcomed the visitors.

Approval of Minutes

Dr. Yeargan made a motion to approve the Public and Executive Session minutes for the April 1, 2016 meeting. Dr. Nalley seconded and the Board voted unanimously in favor of the motion.

Licenses to Ratify

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

Petition for Rule Waiver from Nichole Madison

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

Correspondence from James E. Talbot, DN011299

The Board considered this correspondence from Dr. Talbot requesting a meeting with the full Board to discuss changing his public consent order to private. The Board recommended approving his request.

General – Dr. Steve Holcomb

Dr. Holcomb discussed the 2016 CRDTS Annual Meeting, which is scheduled for August 25th through August 27th in Kansas City. Dr. Goggans made a motion for the Board to approve funding for Ms. Battle to attend the annual meeting. Dr. Nalley seconded and the Board voted unanimously in favor of the motion.

Dr. Holcomb discussed President and Vice-President terms for the Board. He stated the next President will take over on July 1st. Dr. Holcomb appointed Dr. Nalley as Nominating Chair and asked that he report back with nominations for the June meeting.

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. Steve Holcomb

Dr. Holcomb reported that the Examination Review Committee (“ERC”) of CRDTS met on April 30th. He stated there were several large changes recommended for the restorative examination. He added that those changes have not yet been voted on. Dr. Holcomb explained that ERC is the development arm of CRDTS. When the ERC makes recommendations for CRDTS, they are presented to the Steering Committee, which will be meeting in June.

Investigative Committee Report – Dr. Bert Yeargan

No report.

Legislative Committee Report – Dr. Greg Goggans

Dr. Goggans reported that HB952 passed. He stated that he will forward a copy of this bill to all of the board members.

Dr. Logan Nalley made a motion and Dr. Antwan Treadway 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. Tracy Gay, Dr. Tom Godfrey, Dr. Greg Goggans, Dr. Steve Holcomb, Dr. Dale Mayfield, Dr. Logan Nalley, Dr. Antwan Treadway and Dr. Bert Yeargan.

Executive Session

At 10:34 a.m., Board members Dr. Nalley, Dr. Holcomb and Dr. Yeargan left the full Board meeting so that the Investigative Committee could reconvene. The full Board took a recess.

At 11:42 a.m. Board members Dr. Nalley, Dr. Holcomb and Dr. Yeargan returned to the full Board meeting as the Investigative Committee took a recess. The full Board meeting resumed.

Appearance

- A.A.

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

Licensure Overview Committee Report – Dr. Tracy Gay

No report.

Rules Committee Report – Dr. Tom Godfrey

Dr. Godfrey reported that the Board previously assigned the Rules Committee with how to handle certificates for Expanded Duties Dental Assistants (“EDDA”). Dr. Godfrey stated that there has been a request from one entity that has had a program for a long time, but are now inquiring as how to become an approved program. He stated that language in Rule 150-9-.02 currently states “approved by the Georgia Board of Dentistry”. Dr. Godfrey suggested adding this as a job for a particular committee to review. Ms. Battle stated that she reached back out to the program, whose representative stated they were previously CODA accredited and that such has been surrendered. She added that they stopped issuing certificates and now they are asking what they need to do to become board-approved. Dr. Holcomb appointed Dr. Godfrey, Dr. Goggans and Dr. Mayfield to an ad hoc committee, to be chaired by Dr. Goggans, to study the acceptance of EDDA facilities and certificates. Dr. Godfrey made a motion to approve the appointment. Dr. Nalley seconded and the Board voted unanimously in favor of the motion.

Education Committee Report – Dr. Tom Godfrey

No report.

Long Range Planning Committee Report – Dr. Steve Holcomb

No report.

CRDTS Steering Committee – Dr. Logan Nalley

No report.

IP Committee Report – Dr. Richard Bennett

No report.

Executive Director’s Report – Ms. Tanja Battle

No report.

Attorney General’s Report Open Session – Mr. Bryon Thernes

No report.

Miscellaneous

Dr. Nalley made a motion to appoint Dr. Jimmy High, Dr. Ricky Lane, Dr. Henry Goble, Dr. Richard Marz, and Dr. Larry Hubbard as consultants for the Investigative Committee. Dr. Godfrey seconded and the Board voted unanimously in favor of the motion.

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. Tracy Gay, Dr. Tom Godfrey, Dr. Greg Goggans, Dr. Steve Holcomb, Dr. Dale Mayfield, Dr. Logan Nalley, Dr. Antwan Treadway and Dr. Bert Yeargan.

Attorney General's Report – Mr. Bryon Thernes

M.G.

Licensure Overview Committee Appointments/Discussion Cases

- M.L.K.
- D.R.W.
- T.A.C.
- J.M.K.
- K.B.
- K.S.

Applications

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

Investigative Committee Report

Report presented:

- DENT140222
- DENT160025
- DENT160202
- DENT160242
- DENT160349
- DENT160355
- DENT160356
- DENT160363
- DENT160367
- DENT160387
- DENT160156

- DENT160031
- DENT160035
- DENT160043
- DENT160046
- DENT160123
- DENT160104
- DENT160116
- DENT160321
- DENT160135
- DENT160200
- DENT150158
- DENT160195
- DENT160138
- DENT140232
- DENT140024
- DENT160211
- DENT160270
- DENT140087
- DENT160038
- DENT160183
- DENT160342
- DENT160409
- DENT160417
- DENT160101
- DENT140263
- DENT140279
- DENT150258
- DENT150359
- DENT150362
- DENT160051
- DENT160069
- DENT160319
- DENT160366
- DENT160369
- DENT160370
- DENT160371
- DENT160372
- DENT160381
- DENT160384
- DENT160400
- DENT160402
- DENT160428
- DENT160429
- DENT160433
- DENT130206
- DENT140107
- DENT150204

- DENT150215
- DENT160290
- DENT160297
- DENT160346
- DENT160362
- DENT160013
- DENT160014
- DENT160361
- DENT160027
- DENT160022
- DENT160044
- DENT160391
- DENT160132

The Board discussed the following cases:

- DENT160043
- DENT160046
- DENT160123

Correspondences

- C.H.H.
- L.S.

Executive Director's Report – Ms. Tanja Battle

Ms. Battle discussed the CE Audit Report.

Ms. Battle gave a report of those individuals who had been selected for the CE audit and had not responded to the two notices sent. Those individuals were:

- P.N.S.
- H.M.C.
- A.J.G.
- L.M.

Ms. Battle gave a report of those individuals who responded to the notice, but were asked for additional information and did not respond to the deficiency letter sent. Those individuals were:

- L.G.
- N.E.
- A.S.
- D.F.
- B.F.
- C.W.

Legal Services – Ms. Anil Foreman

Ms. Foreman presented the following consent order for acceptance:

- K.L.

Miscellaneous

- The Board received legal advice regarding the peer review process.
- Dr. Nalley provided an update on an investigative matter nearing its conclusion.

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

Open Session

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

Appearance

- A.A. Denied Dental Exam Applicant Overturn denial and approve for licensure

Attorney General's Report – Mr. Bryon Thernes

- M.G. No Action taken

Licensure Overview Committee Appointments/Discussion Cases

- M.L.K. Dental Exam Applicant Approved application
- D.R.W. Licensee Refer to Legal Officer for Private Consent Order
- T.A.C. Dental Exam Applicant Approved application
- J.M.K. Dental Exam Applicant Approved application
- K.B. Request to terminate probation Request approved
- K.S. Correspondence Table pending additional information

Applications

- F.M.S. Dental Hygiene Credentials Denied application
- L.A.S. Dental Credentials Applicant Approved application
- S.T.L. Dental Hygiene Credentials Denied application
- V.G. Dental Credentials Applicant Table pending receipt of additional information
- P.T.W. Dental Hygiene Reinstatement Approved application
- T.R.S. Dental Hygiene Reinstatement Approved application
- H.D. Dental Exam Applicant Approved application
- R.J.H. Dental Exam Applicant Approved application
- C.B.M. Dental Exam Applicant Approved application
- M.S.G. Dental Exam Applicant Approved application
- K.D.O. Dental Exam Applicant Approved application
- W.A.L. Volunteer Applicant Approved application
- A.K.N. Inactive Status Applicant Approved application
- D.P.B. Sedation Applicant Approved application
- H.E.O. Sedation Applicant Approved application
- J.D.O. Sedation Applicant Approved for provisional permit
- L.E.B. Sedation Applicant Approved application
- S.S.G. Sedation Applicant Approved application
- Y.H.T. Sedation Applicant Approved for provisional permit

Investigative Committee Report

Report presented:

Complaint Number	Allegations	Recommendation
DENT140222	Quality of care/substandard practice	Refer to the Department of Law

DENT160025	Other	Refer to the Department of Law
DENT160202	Billing	Close with no action
DENT160242	Unprofessional conduct	Close with no action
DENT160349	Quality of care/substandard practice	Close with no action
DENT160355	Morbidity and mortality	Close with no action
DENT160356	Morbidity and mortality	Close with no action
DENT160363	Quality of care/substandard practice	Close with no action
DENT160367	Quality of care/substandard practice	Close with no action
DENT160387	Quality of care/substandard practice	Close with no action
DENT160156	Billing	Close with no action
DENT160031	Prescribing Violation	Close with no action
DENT160035	Quality of care/substandard practice	Close with no action
DENT160043	Records release	Refer to the full Board for discussion
DENT160046	Discipline in another jurisdiction	Refer to the full Board for discussion
DENT160123	Abandonment	Refer to the full Board for discussion
DENT160104	Quality of care/substandard practice	Close with no action
DENT160116	Quality of care/substandard practice	Close with no action
DENT160321	Billing	Close with no action
DENT160135	Quality of care/substandard practice	Close with no action
DENT160200	Unlicensed Practice	Close with no action
DENT150158	Quality of care/substandard practice	Close with no action
DENT160195	Quality of care/substandard practice	Close with no action
DENT160138	Quality of care/substandard practice	Close with no action
DENT140232	Quality of care/substandard practice	Close with no action
DENT140024	Quality of care/substandard practice	Refer to the Department of Law
DENT160211	Quality of care/substandard practice	Close with no action
DENT160270	Quality of care/substandard practice	Close with no action
DENT140087	Unprofessional conduct	Close with no action
DENT160038	Sanitation	Close with no action
DENT160183	Unprofessional conduct	Close with a letter of concern
DENT160342	Unprofessional conduct	Close with no action
DENT160409	Quality of care/substandard practice	Close with no action
DENT160417	Quality of care/substandard practice	Close with no action/refer complainant to the OH Board of Dentistry
DENT160101	Quality of care/substandard practice	Close with a letter of concern
DENT140263	Unprofessional conduct	Close with no action
DENT140279	Fraud	Close with no action
DENT150258	Quality of care/substandard practice	Close with no action
DENT150359	Quality of care/substandard practice	Close with no action
DENT150362	Quality of care/substandard practice	Close with no action
DENT160051	Quality of care/substandard practice	Close with no action
DENT160069	Quality of care/substandard practice	Close with no action
DENT160319	Quality of care/substandard practice	Close with no action
DENT160366	Quality of care/substandard practice	Close with no action
DENT160369	Malpractice	Close with no action
DENT160370	Fraud	Close with no action
DENT160371	Malpractice	Close with no action
DENT160372	Malpractice	Close with no action

DENT160381	Abandonment	Close with no action
DENT160384	Malpractice	Close with no action
DENT160400	Quality of care/substandard practice	Close with no action
DENT160402	Billing	Close with no action
DENT160428	Fraud/misrepresentation	Close with no action
DENT160429	Billing	Close with no action
DENT160433	Unprofessional conduct	Close with no action
DENT130206	Malpractice	Close with no action
DENT140107	Substandard work	Close with no action
DENT150204	Quality of care/substandard practice	Close with no action
DENT150215	Malpractice	Close with no action
DENT160290	Quality of care/substandard practice	Close with no action
DENT160297	Quality of care/substandard practice	Close with no action
DENT160346	Abandonment	Close with no action
DENT160362	Unprofessional conduct	Close with no action
DENT160013	Quality of care/substandard practice	Refer to the Department of Law
DENT160014	Quality of care/substandard practice	Close with no action
DENT160361	Drug Diversion	Refer to the Department of Law for sanctions
DENT160027	Quality of care/substandard practice	Close with a letter of concern
DENT160022	Malpractice	Close with no action
DENT160044	Quality of care/substandard practice	Close with no action
DENT160391	Quality of care/substandard practice	Refer to the Department of Law
DENT160132	Fraud	Refer to the Department of Law

The Board discussed the following cases:

- DENT160043 Refer back to the Investigative Committee
- DENT160046 Refer back to the Investigative Committee
- DENT160123 Refer back to the Investigative Committee

Correspondences

- C.H.H. Request for refund of late renewal fee Request denied
- L.S. Correspondence Directed staff to respond by stating that the Board considers all applications for licensure that it receives and to refer individual applicable law and rules on its website for additional information.

Executive Director's Report – Ms. Tanja Battle

Ms. Battle discussed the CE Audit Report.

Ms. Battle gave a report of those individuals who had been selected for the CE audit and had not responded to the two notices sent. Those individuals were:

- P.N.S. Directed staff to send letter stating that if a response is not received, IC will be reviewing for appropriate sanctions at its next scheduled meeting.
- H.M.C. Directed staff to send letter stating that if a response is not received, IC will be reviewing for appropriate sanctions at its next scheduled meeting.
- A.J.G. Directed staff to send letter stating that if a response is not received, IC will be reviewing for appropriate sanctions at its next scheduled meeting.

- L.M. Directed staff to send letter stating that if a response is not received, IC will be reviewing for appropriate sanctions at its next scheduled meeting.

Ms. Battle gave a report of those individuals who responded to the notice, but were asked for additional information and did not respond to the deficiency letter sent. Those individuals were:

- L.G. Directed staff to send letter stating that if a response is not received, IC will be reviewing for appropriate sanctions at its next scheduled meeting.
- N.E. Directed staff to send letter stating that if a response is not received, IC will be reviewing for appropriate sanctions at its next scheduled meeting.
- A.S. Directed staff to send letter stating that if a response is not received, IC will be reviewing for appropriate sanctions at its next scheduled meeting.
- D.F. Directed staff to send letter stating that if a response is not received, IC will be reviewing for appropriate sanctions at its next scheduled meeting.
- B.F. Directed staff to send letter stating that if a response is not received, IC will be reviewing for appropriate sanctions at its next scheduled meeting.
- C.W. Directed staff to send letter stating that if a response is not received, IC will be reviewing for appropriate sanctions at its next scheduled meeting.

Legal Services – Ms. Anil Foreman

Ms. Foreman presented the following consent order for acceptance:

- K.L. Public Consent Order accepted

Miscellaneous

- The Board received legal advice regarding the peer review process. Board directed staff to modify current complaint form.
- Dr. Nalley provided an update on an investigative matter nearing its conclusion. No action taken.

Dr. Gay seconded and the Board voted in favor of the motion, with the exception of Dr. Gay and Dr. Goggans, who recused themselves from the vote regarding DENT160022.

With no further business, the Board meeting adjourned at 2:22 p.m.

The next scheduled meeting of the Georgia Board of Dentistry will be held on Friday, June 10, 2016, 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 Operations Specialist

Minutes edited by Tanja D. Battle, Executive Director