

GEORGIA BOARD OF DENTISTRY
Conference Call
2 Peachtree St., N.W., 6th Floor
Atlanta, GA 30303
November 5, 2021
10:00 a.m.

The following Board members were present:

Dr. Glenn Maron, President
Dr. Ami Patel, Vice-President
Dr. Michael Knight
Ms. Misty Mattingly
Dr. Larry Miles
Dr. David Reznik
Mr. Mark Scheinfeld
Dr. Brent Stiehl
Dr. Debra Wilson

Staff present:

Eric Lacefield, Executive Director
Kirsten Daughdril, Senior Assistant Attorney General
Max Changus, Assistant Attorney General
Kimberly Emm, Attorney
Brandi Howell, Business Support Analyst I

Visitors:

Cindy Gaskill, CRDTS
Richard Cobler, CRDTS
Dr. Nathan Brooks
Dr. Randy Kluender

Open Session

Dr. Maron established that a quorum was present and called the meeting to order at 10:14 a.m.

Introduction of Visitors

Mr. Lacefield asked the visitors on the call to send an email via the “Contact Us” portal on the website if he/she would like his/her name reflected as being in attendance in the minutes.

Approval of Minutes

Dr. Reznik made a motion to approve the Public and Executive Session minutes from the October 1, 2021, Conference Call. Dr. Stiehl seconded, and the Board voted unanimously in favor of the motion.

Report of Licenses Issued

Dr. Knight made a motion to ratify the list of licenses issued. Dr. Stiehl seconded, and the Board voted unanimously in favor of the motion.

Dr. Michael Knight made a motion and Dr. Brent Stiehl 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. Michael Knight, Dr. Glenn Maron, Ms. Misty Mattingly, Dr. Larry Miles, Dr. Ami Patel, Dr. David Reznik, Mr. Mark Scheinfeld, Dr. Brent Stiehl, and Dr. Debra Wilson.

Executive Session

The Board requested legal advice.

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

Petitions for Rule Waiver or Variance

Rule Variance Petition from Dr. Abby G. Shalaby: Dr. Knight made a motion to deny the rule variance petition as there was no substantial hardship demonstrated. Dr. Stiehl seconded and the Board voted unanimously in favor of the motion.

Rule Variance Petition from Dr. Eric Rustemier: Dr. Wilson made a motion to deny the rule variance petition as the Board determined at its meeting on October 1, 2021, that there have been no changes to the content of the ADEX examination since 2015, and as such, it would consider live patient ADEX examinations taken in 2015 or later without a rule variance petition. Dr. Stiehl seconded and the Board voted unanimously in favor of the motion. In the same motion, the Board suggested Dr. Rustemier submit an application for licensure by examination for consideration.

Rule Variance Petition from Dr. Katie Haber: Dr. Stiehl made a motion to deny the rule variance petition as there was no substantial hardship demonstrated. Dr. Knight seconded and the Board voted unanimously in favor of the motion.

Rule Variance Petition from Dr. Samir Abbas: Dr. Wilson made a motion to deny the variance petition as the Board determined at its meeting on October 1, 2021, that there have been no changes to the content of the ADEX examination since 2015, and as such, it would consider live patient ADEX examinations taken in 2015 or later without a rule variance petition. Dr. Stiehl seconded and the Board voted unanimously in favor of the motion. In the same motion, the Board suggested Dr. Abbas submit an application for licensure by examination for consideration.

Rule Variance Petition from Dr. Vicky Patel: Dr. Stiehl made a motion to deny the variance petition as the Board determined at its meeting on October 1, 2021, that there have been no changes to the content of the ADEX examination since 2015, and as such, it would consider live patient ADEX examinations taken in 2015 or later without a rule variance petition. Ms. Mattingly seconded and the Board voted unanimously in favor of the motion. In the same motion, the Board suggested Dr. Patel submit an application for licensure by examination for consideration.

Rule Waiver Petition from Clare Valerio-Lopez: Ms. Mattingly made a motion to grant the rule waiver petition based on the special circumstances related to the COVID-19 pandemic, and Ms. Valerio-Lopez being on maternity leave. The Board also finds that Ms. Valerio-Lopez has provided adequate justification for the waiver since she practiced full-time as a dental hygienist since June 2012. Dr. Reznik seconded the motion and the Board voted unanimously in favor of the motion.

Rule Waiver Petition from Dr. Yasir Al-Drugh: Dr. Wilson made a motion to deny the rule variance petition as the Board determined at its meeting on October 1, 2021, that there have been no changes to the content of the ADEX examination since 2015, and as such, it would consider live patient ADEX examinations taken in 2015 or later without a rule variance petition. Ms. Mattingly seconded and the Board voted unanimously in favor of the motion. In the same motion, the Board suggested Dr. Al-Drugh submit an application for licensure by examination for consideration.

Rule Variance Petition from Dr. Crystal G. Fuller: The Board reconsidered this petition that was denied at the Board's October meeting. Dr. Fuller provided additional information concerning her hardship. Ms. Mattingly made a motion to overturn the denial and grant the petition based on Dr. Fuller's personal financial situation and the special circumstances related to the COVID-19 pandemic. The Board also finds that Dr. Fuller has provided adequate justification for the variance since she successfully passed the ADEX

manikin-based exam in October 2020 and completed a one (1) year general practice residency. Dr. Wilson seconded the motion and the Board voted unanimously in favor of the motion.

Rule Variance Petition from Dr. Nathan V. Brooks: Dr. Reznik made a motion to deny the rule variance petition as the Board determined at its meeting on October 1, 2021, that there have been no changes to the content of the ADEX examination since 2015, and as such, it would consider live patient ADEX examinations taken in 2015 or later without a rule variance petition. Dr. Wilson seconded and the Board voted unanimously in favor of the motion. In the same motion, the Board suggested Dr. Brooks submit an application for licensure by examination for consideration.

Rule Variance Petition from Dr. Md Rezaul Islam Sarker: Dr. Reznik made a motion to deny the rule variance petition as the Board determined at its meeting on October 1, 2021, that there have been no changes to the content of the ADEX examination since 2015, and as such, it would consider live patient ADEX examinations taken in 2015 or later without a rule variance petition. Dr. Wilson seconded and the Board voted unanimously in favor of the motion. In the same motion, the Board suggested Dr. Sarker submit an application for licensure by examination for consideration.

Rule Waiver Petition from Dr. Mohamed El-Shewy: Dr. Stiehl made a motion to deny the rule waiver petition because the Board has no authority to waive the law. O.C.G.A. § 43-11-42(a.1)(B) requires an applicant that received a doctoral degree from a non-CODA accredited school to submit certification by the dean of the accredited dental school where such supplementary program was taken that the candidate has achieved the same level of didactic and clinical competency as expected of a graduate of the school receiving a Doctor of Dental Surgery (D.D.S.) or Doctor of Dental Medicine (D.M.D.) degree. Dr. Wilson seconded and the Board voted unanimously in favor of the motion.

Rule Waiver Petition from Dr. Timothy M. Snider: Dr. Stiehl made a motion to deny the rule waiver petition as there was no substantial hardship demonstrated. Dr. Wilson seconded and the Board voted unanimously in favor of the motion.

Correspondence from Dr. Judy P. Strickland, DN008918

The Board considered this correspondence regarding Dr. Strickland residing overseas and not being able to return to the United States due to COVID. Her correspondence specifically states that she has been unable to take the required CPR course, and inquired if the Board would accept a letter from her employer, the USO, explaining that she is not practicing dentistry. Dr. Reznik made a motion to direct staff to respond to Dr. Strickland by stating that O.C.G.A. § 43-11-46(c) requires dentists to furnish satisfactory evidence of current certification in cardiopulmonary resuscitation. Additionally, the Board suggested Dr. Strickland submit an application for inactive status until such time she returns to the United States and returns to active practice. Dr. Stiehl seconded and the Board voted unanimously in favor of the motion.

Correspondence from Felicia Wells

The Board considered this correspondence regarding emergency weekend calls. The Board directed staff to respond to Ms. Wells by stating that the Board is precluded from offering legal advice, opinions, or interpretations of the Georgia Laws and Rules, and she may wish to seek her own legal counsel regarding such.

Correspondence from Dr. Carol Lefebvre, Dental College of Georgia

The Board considered this correspondence requesting an interpretation of Rule 150-7-.02 Faculty Licenses. Specifically, section (b), which states the following:

(b) In addition to the requirements as set forth in sub-section (2)(a) of this rule, those applicants who *have received a doctoral degree in dentistry from a dental school not so accredited by the American Dental*

Association or its successor agency must comply with the following requirements in order to submit an application for licensure:

- 1. Successful completion at an accredited dental school approved by the board of the last two years of a program leading to the doctor of dental surgery (D.D.S.) or doctor of dental medicine (D.M.D) degree; or*
- 2. Successful completion at an accredited dental school or college approved by the board of at least a two-year advanced education program in one of the dental specialties recognized by the American Dental Association (ADA) or in general dentistry; and*
- 3. Certification by the dean of the accredited dental school where such supplementary program was taken that the candidate has achieved the same level of didactic and clinical competency as expected of a graduate of the school receiving a doctor of dental surgery (D.D.S.) or doctor of dental medicine (D.M.D.) degree.*

Ms. Emm explained that Dr. Lefebvre's correspondence relates to the rule waiver petition submitted by Dr. Mohamed El-Shewy. She stated that Dr. Lefebvre's correspondence cites the rule; however, this information is required by law, O.C.G.A. § 43-11-42. Dr. Frazier stated that the third page of the letter came directly from the Board's website, which says Rule 150-7-.02. Ms. Emm stated that the language in the rule is identical to what is required by law.

Dr. Frazier stated that section (b)(3) of the rule can be interpreted two ways:

Interpretation 1: Criteria #3 could be taken to mean that a candidate that has undergone specialty training (e.g. Orthodontics, Oral & Maxillofacial Surgery, etc.) at a CODA-accredited program, has the same level of knowledge and skills as a general dentist. As such, all of the highly specialized training they received is irrelevant and the sponsoring institutions are reluctant to certify their specialty graduates as being competent only as a general dentist.

Interpretation 2: Criteria #3 could be interpreted to mean that a specialty-trained graduate with a DDS/DMD from a non-ADA accredited dental school has achieved the same level of competence in their specialty discipline as an ADA accredited dental school graduate that has completed the same advanced dental education program.

Dr. Frazier stated that this rule was creating issues for deans at other dental schools. He added that many are refusing to provide a letter as required in section (3). Dr. Maron responded that this would be related to the faculty practice member who is just coming into dentistry. He added that a specialist could have a letter written by the chair of the specialty training program that could verify that information. Dr. Frazier stated that they are taking the rule literally that requires the letter to come from the dean. He suggested the Board allow a letter from the director specialty program or the dean that oversees all of the specialty programs at that institution. Dr. Maron stated certification by the dean is required by law and the Board does not have the authority to waive the requirement. He further stated if the school has any faculty applicants that need this information to have him/her submit what information he/she is able to obtain and the Board would review it on a case by case basis. Discussion ensued. Dr. Alan Furness asked if the Board wanted the dean provide a letter for a person stating that all of his/her competencies as a general dentist are adequate even though the dean may have never seen this particular person. Mr. Scheinfeld responded by stating that is what the law requires. Dr. Maron stated that he agreed the wording does not apply well and unless there was a change in the law, the Board's hands were tied. He added that if the individual has done well in his/her specialty program, the dean should not have any issue providing a letter. Dr. Frazier inquired if the Board would accept a letter stating the level of training and competency of an individual in a specialty

program is similar to the training and competency of a person that is also in that residency program. Dr. Maron affirmed it would be acceptable.

Correspondence from Autumn Reid, GDHA

The Board considered this correspondence regarding teledentistry. Dr. Maron stated that he appreciated the input from Ms. Reid and further stated that the Board was reviewing rule matters one at a time and will get to the subject of teledentistry as soon as possible. Ms. Mattingly thanked Dr. Maron for addressing the rules and stated that she hoped to see the topic of teledentistry on the Board's agenda sooner than later because it does have to do with safety net settings.

General – Dr. Glenn Maron

No report.

Attorney General's Report – Mr. Max Changus

No report.

Executive Director's Report – Mr. Eric Lacefield

List of Board Approved Sedation Evaluators: Mr. Lacefield reported that an updated list was posted on Sharepoint. He stated that there is a shortage of evaluators for sedation and hoped the Board could assist with finding potential evaluators and having him/her submit a resume for the Board to review. Dr. Maron responded that he would reach out to the GDA and the Georgia Society of Oral Surgery to send something out to holders of sedation permits to inquire if there is anyone willing to serve to as an evaluator.

2022 Meeting Dates: Dr. Stiehl made a motion to adopt the 2022 meeting dates as presented. Ms. Mattingly seconded and the Board voted unanimously in favor of the motion.

In-Person Meetings: Mr. Lacefield added that the Dental College of Georgia could host the Board's June 3rd meeting. Dr. Maron inquired if there were any updates regarding meeting in person. Mr. Lacefield responded that there have been no changes regarding such from the Department of Community Health.

Legal Services – Ms. Kimberly Emm

Correspondence from Lacey White-Garcia: Ms. Emm discussed this correspondence received concerning flood damaged patient records. The Board directed staff to respond to Ms. White-Garcia by stating the office needs to salvage what they can and make a note of all non-salvageable records.

Miscellaneous

Peer Reviewer: Dr. Wilson made a motion to approve Dr. Martin Krieger as a consultant for the Investigative Committee. Ms. Mattingly seconded and the Board voted unanimously in favor of the motion.

CITA Meeting: Dr. Wilson gave a report concerning the CITA meeting she attended in October.

Rules Discussion

Rule 150-3-.09 Continuing Education for Dentists: Dr. Wilson made a motion to post Rule 150-3-.09 Continuing Education for Dentists with the suggested amendments. Dr. Reznik seconded and 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 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 active licenses 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 for the 2019 renewal year, one (1) hour of the minimum requirement shall include the impact of opioid abuse, and/or the proper prescription writing, and/or the use of opioids in dental practice;~~
 - (e) 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.
 - (ef) 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);
 - (fg) 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);
 - (gh) 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;
 - (hi) 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 public agency or institution, not for profit agency, not for profit institution, nonprofit corporation, or not for profit association which provides dentistry services to indigent patients;
 - (ij) 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-;
 - (k) 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 ~~public agency or institution, not for profit agency, not for profit institution, nonprofit corporation, or not for profit association which provides dentistry services to indigent patients.~~

(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 Requirements for Continuing Education for Dental Hygienists: Ms. Mattingly made a motion to post Rule 150-5-.05 Requirements for Continuing Education for Dental Hygienists with the suggested amendments. Dr. Wilson 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 ~~public agency or institution, not for profit agency, not for profit institution, nonprofit corporation or not for profit association which provides dental hygiene services to indigent patients.~~
 - (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.
- (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;
 - (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 ~~public agency or institution, not for profit agency, not for profit institution, nonprofit corporation or not for profit association which provides dental hygiene services to indigent patients.~~

- (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.

Delegated Duties: The Board recommended tabling discussion on Rule 150-9-.01(3)(x), which states, "Perform phlebotomy and venipuncture procedures after appropriate training is acquired" until after the Sedation Committee discusses the topic at its meeting scheduled for later in the day.

Ms. Emm inquired if the Board reviewed duplications between Rule 150-9-.01 and Rule 150-9-.02. Dr. Maron responded that there are duplications, but did not see a need to make any changes at this time.

Rule 150-10-.01 Fraudulent, Misleading, or Deceptive Advertising: Dr. Maron provided language from other states to the Board. He discussed information from North Carolina related to advertising as a specialist. He stated that the goal would be to protect the general public from individuals advertising as specialists when they are not specialists. Dr. Maron asked if there were any comments. Ms. Mattingly commented that she read the North Carolina information provided and agreed that it does separate between a specialist and a general dentist. She stated that she would be in favor of moving forward with that language. Dr. Maron stated that he will contact Ms. Emm to draft appropriate language to present to the Board at its December meeting.

In regard to the posting of Rules 150-3-.09 and 150-5-.05, a motion was made by Dr. Reznik, seconded by Dr. Stiehl, and the Board voted that the formulation and adoption of these rule amendments does not impose excessive regulatory cost on any licensee and any cost to comply with the rule amendments cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the relevant code sections.

In the same motion, Board also 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 these 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.

Dr. Brent Stiehl made a motion and Dr. David Reznik 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. Michael Knight, Dr. Glenn Maron, Ms. Misty Mattingly, Dr. Larry Miles, Dr. David Reznik, Mr. Mark Scheinfeld, Dr. Brent Stiehl, and Dr. Debra Wilson.

Appearance

- J.K.

Licensure Overview Committee Appointments/Discussion Cases

- M.E.S.
- N.H.M.
- D.E.T.
- S.Y.W.
- N.A.W.

Applications

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

Correspondence

- S.L.T.

Investigative Committee Report – Dr. Brent Stiehl

No report.

Attorney General’s Report – Mr. Max Changus

Mr. Changus presented the following consent order for acceptance:

- D.C.W.

Mr. Changus discussed the following:

- M.S.D.
- Pending litigation

Executive Director’s Report – Mr. Eric Lacefield

Discussed the status of dentists that were licensed via consent orders requiring examination.

Legal Services – Ms. Kimberly Emm

- K.G.E.

- C.B.W.
- S.H.
- N.J.C.

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

Open Session

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

Appearance

- J.K. Denied Credentials Applicant Table pending receipt of additional information

Licensure Overview Committee Appointments/Discussion Cases

- M.E.S. Faculty Applicant Table pending receipt of additional information
- N.H.M. Dental Exam Applicant Approved application
- D.E.T. Faculty Applicant Approved application
- S.Y.W. Dental Hygiene Credentials Applicant Approved application
- N.A.W. Correspondence Refer to the Department of Law

Applications

- M.R.I.S. Dental Exam Applicant Approved application
- C.G.F. Dental Exam Applicant Approved application
- N.V.B. Dental Exam Applicant Approved application
- A.S. Dental Exam Applicant Approved application
- H.H.N. Dental Credentials Applicant Denied application
- A.R.M. Dental Hygiene Credentials Applicant Upheld denial
- J.M.L. Initial General Anesthesia Approved evaluation
- D.W.M. Initial General Anesthesia Approved evaluation
- J.W.T. General Anesthesia Additional Sites Table pending receipt of additional information
- J.P. Dental Hygiene Reinstatement Table pending receipt of additional information
- M.Y.B. Dental Hygiene Reinstatement Approved application
- S.M.V. Dental Hygiene Reinstatement Approved application
- R.B.P. Dental Reinstatement Applicant Approved application
- S.T.H. Dental Reinstatement Applicant Table pending receipt of additional information
- S.D.B. Dental Reinstatement Applicant Approved application
- S.L.S.W. Faculty Applicant Approved application

Correspondence

- S.L.T. Request regarding remediation course Approved request

Investigative Committee Report – Dr. Brent Stiehl

No report.

Attorney General’s Report – Mr. Max Changus

Mr. Changus presented the following consent order for acceptance:

- D.C.W. Public Consent Order

Mr. Changus discussed the following:

- M.S.D. Revise and resend referral to the Department of Law
- Pending litigation Update provided

Executive Director’s Report – Mr. Eric Lacefield

Discussed the status of dentists that were licensed via consent orders requiring examination. All but 10 have submitted examination records for review. There are 10 dentists we have not received any exam information and staff will send letters requesting the information.

Legal Services – Ms. Kimberly Emm

- K.G.E. CE required for consent order Approved
- C.B.W. CE required for consent order Approved
- S.H. Correspondence Refer to the Department of Law
- N.J.C. Correspondence The Board viewed this for informational purposes only.

Dr. Knight seconded and the Board voted in favor of the motion, with the exception of Ms. Mattingly, who recused herself from the vote regarding S.Y.W.

With no further business, the Board meeting adjourned at 1:26 p.m.

The next scheduled meeting of the Georgia Board of Dentistry will be held via conference call on Friday, December 3, 2021, at 10:00 a.m. at the Department of Community Health’s office located at 2 Peachtree Street, N.W., 6th Floor, Atlanta, GA 30303.

Minutes recorded by Brandi Howell, Business Support Analyst I
Minutes edited by Eric R. Lacefield, Executive Director