

**GEORGIA BOARD OF DENTISTRY**  
**Board Meeting**  
**2 Peachtree St., N.W., 36<sup>th</sup> Floor**  
**Atlanta, GA 30303**  
**September 11, 2015**  
**9:30 a.m.**

**The following Board members were present:**

Dr. Steve Holcomb  
Dr. Bert Yeargan  
Dr. Richard Bennett  
Ms. Becky Bynum (*departed @ 12:45 p.m.*)  
Dr. Randy Daniel  
Dr. Tracy Gay  
Dr. Logan Nalley  
Dr. Antwan Treadway

**Staff present:**

Tanja Battle, Executive Director  
Bryon Thernes, Asst Attorney General  
Ryan McNeal, Chief Investigator  
Anil Foreman, Legal Officer  
Brandi Howell, Bus Operations Specialist

**Visitors:**

Trish Yeatts, MAG  
Nancy DeMott, GDHA  
John Watson, ADSO  
Mark Middleton  
James E. Barron, GDS  
Donald Brown, GDA  
Stephanie Lotti, GDA  
TJ Kaplan, JLM  
Pramod Sinha  
Shermnae Jones  
Loy Hagan

**Open Session**

Dr. Holcomb established that a quorum was present and called the meeting to order at 9:42 a.m.

**Introduction of Visitors**

Dr. Holcomb welcomed the visitors. The Board recognized Dr. Logan Nalley in appreciation of the job he did as Board President from July 2014-June 2015.

**Approval of Minutes**

Dr. Nalley made a motion to approve the Public and Executive Session minutes for the August 14, 2015 conference call. Dr. Treadway 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 and requested staff include dental school information for the licensee on the report. Dr. Bennett seconded and the Board voted unanimously in favor of the motion.

**Petition for Rule Variance from Tiffanie Garrison-Jeter**

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

### **Petition for Rule Variance from John M. Goodman**

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

### **Correspondence from Sarah Thiel**

The Board considered this correspondence from Ms. Thiel requesting to present the system she created for dental professionals to track, store and submit their continuing education to the state. The Board directed staff to respond to Ms. Thiel by stating that the Board appreciates her offer; however, it is the Board's determination that her request for consideration may be better suited for CRDTS (Central Regional Dental Testing Services) or any professional dental/hygiene association.

### **General – Dr. Steve Holcomb**

Dr. Holcomb discussed conference calls versus in person meetings. Dr. Nalley suggested the Board meet in person for all of its meetings and only schedule conference call meetings as necessary.

Ms. Battle mentioned that proposed 2016 meetings dates are on today's agenda for consideration. The dates suggested are based on the availability of the conference room the Board typically meets in. Dr. Holcomb responded that there appeared to be conflicts with a few of dates proposed with CRDTS or association meetings.

### **CE Audit Committee Report – Dr. Richard Bennett**

Dr. Bennett stated that he would like to remind all the associations present to make sure its constituents have his/her continuing education finalized as online renewals may be available the following week. He stated that verification of continuing education is very important.

### **Conscious Sedation/General Anesthesia Committee Report – Dr. Randy Daniel**

No report.

### **Credentialing 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 new cycles of testing start this October. In the past, two formats occurred simultaneously, the prior format for retests and a current format for CIF. After the 2015 CRDTS annual meeting, everyone will be on the new manual and there will no longer be mixed formatting. The Georgia based examination for CIF is October 23-25.

### **Investigative Committee Report – Dr. Bert Yeargan**

No report.

### **Legislative Committee Report – Dr. Greg Goggans**

No report.

### **Licensure Overview Committee Report – Dr. Tracy Gay**

No report.

### **Education Committee Report – Dr. Tom Godfrey**

No report.

### **Long Range Planning Committee Report – Dr. Steve Holcomb**

Dr. Holcomb stated that the Committee previously sent a list of items to the Board for consideration. He is requesting those items be revisited. Those items are:

1. Teledentistry
  - a. initially reconstruct the prior definition for review
  - b. surrounding states position
2. Update of Policy Manual
  - a. Review by Board members
  - b. Consolidation by ad hoc committee
3. Ownership of dental practice
  - a. Review of current Laws & Rules
  - b. What additional is needed to support the protection of the public
4. Educate Board members on the impact of Midlevel Providers
  - a. Minnesota Programs
  - b. Canadian Model
  - c. New Mexico Therapist
  - d. Alaska DHAT
  - e. Pending states – WA, CT, OR, KS
5. Review of Expanded Duties Rule
  - a. Does rule include the current procedures taught in the approved courses
  - b. As the practices expand are additional procedures needed to be included in training and rule

Dr. Holcomb requested Ms. Howell email this information to each member of the board to review.

### **CRDTS Steering Committee – Dr. Logan Nalley**

Dr. Nalley reported that the CRDTS Annual Meeting was held in August. He stated that the bylaws were updated. He reported that one concern he had was that there was not enough participation by the members of the Georgia Board and staff and would like to see more involvement in the future.

### **IP Committee Report – Dr. Richard Bennett**

Dr. Bennett reported that the Committee has reviewed correspondence from Carly Roberts, The Pacific Training Institute for Facial Esthetics. She has provided the Committee with her organization's standard of practice that has been adopted in Canada. He stated that she would like to have the opportunity to come before the Board either in person or by webinar. At this juncture, the information has been accepted as information only. Dr. Bennett stated that he is not sure the Canadian standard is one the Board wishes to adopt at this time; however, if anyone has any questions, those can be discussed at the next Injectable Pharmacologics meeting.

### **Executive Director's Report – Ms. Tanja Battle**

Ms. Battle reported that the Board office is currently working with the vendor to test the online renewal function. She stated that the intent for this renewal cycle is to incorporate the census into the online process so that the forms do not have to be collected separately. She stated that the goal is to have renewals live by the 15<sup>th</sup>. She will ask board members to complete renewals as part of testing in production and, upon successful results, email notifications to licensees stating that renewals are available online.

Dr. Bennett stated that email is the number one form of communication for the Board. He encouraged the member organizations present at the meeting to communicate to its members that it is very important that the Board has the correct email address on file. Ms. Battle added that a paper renewal notices will be sent if the licensee does not have an email address on file. Dr. Holcomb stated that very frequently

the Board sees that the comment from the licensee is that he/she did not receive a notice in the mail or it was sent to the wrong email address. He stated that it is very important that the Board office has the individual's current email address on file and requested each member organization present at the meeting to reiterate this to its members.

### **Miscellaneous**

Dr. Holcomb stated that the correspondence received from Dr. Quinn Dufurrena, The Association of Dental Support Organizations (ADSO), will be accepted as information.

In regards to the proposed 2016 meeting dates, Dr. Nalley suggested the Board table this until its October meeting to allow time for additional consideration. Dr. Holcomb asked Ms. Howell to please resend this information to the Board on Monday, September 14<sup>th</sup> and asked the Board members to respond to her with any conflicts by the following Monday.

Dr. Logan Nalley made a motion and Dr. Randy Daniel 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 Ms. Becky Bynum, Dr. Richard Bennett, Dr. Randy Daniel, Dr. Tracy Gay, Dr. Steve Holcomb, Dr. Logan Nalley, Dr. Antwan Treadway and Dr. Bert Yeargan.

## **Executive Session**

### **Appearances**

- S.D.J.
- L.A.H.
- P.K.S.

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

## **Public Hearing**

Dr. Holcomb called the public hearing to order at 11:20 a.m.

### **Chapter 150-25 Default on Obligations**

Dr. Holcomb asked what happens if someone has co-signed a loan. He stated what the Board would do under this rule is review a suspension of the licensee that defaulted on the loan. The individual would be equally liable under the federal government. Mr. Thernes stated that O.C.G.A. § 43-1-29 reads in part, *"A professional licensing board shall suspend the license of a person licensed by that board who has been certified by a federal agency and reported to the board for nonpayment or default or breach of a repayment or service obligation under any federal educational loan, loan repayment, or service conditional scholarship program."* He stated this would be the face of the federal certification. Mr. Thernes said that it is not the Board's responsibility to look at who is responsible and who is not. Dr. Holcomb stated that there is a list of procedural items; however, the next step for the Board would be to suspend the license. He stated that the Board would not automatically suspend as there is a process that the Board must go through. Upon receipt that the federal government was satisfied with the loan, the Board could then lift the suspension immediately.

No further comments were received.

Written comments from Dr. Thomas Kauffman and Dr. Dale Madson were received.

Ms. Battle stated that she would like the minutes to reflect that the Board considered the economic impact statement at the time of notice.

Dr. Nalley made a motion to adopt Chapter 150-25 Default on Obligations. Dr. Bennett seconded and the Board voted unanimously in favor of the motion.

The hearing adjourned at 11:25 a.m.

Dr. Randy Daniel made a motion and Dr. Richard Bennett seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §43-1-19(h)(2), §43-11-47(h) and §43-1-2(k) to deliberate and receive information on applications, investigative reports, and the Assistant Attorney General's report. Voting in favor of the motion were those present who included Ms. Becky Bynum, Dr. Richard Bennett, Dr. Randy Daniel, Dr. Tracy Gay, Dr. Steve Holcomb, Dr. Logan Nalley, Dr. Antwan Treadway and Dr. Bert Yeorgan.

## **Executive Session**

### **Licensure Overview Committee Appointments/Discussion Cases**

- A.M.E.Z.
- T.H.A.
- J.A.P.
- I.A.
- B.L.H.
- E.M.B.

### **Applications**

- T.C.H.
- A.L.S.
- A.T.N.J.
- J.M.Y.
- A.E.B.
- S.V.L.
- M.D.P.C.
- M.C.M.
- S.J.C.

### **Investigative Committee Report**

Report presented:

- DENT140196
- DENT140121
- DENT140265
- DENT150021
- DENT150192
- DENT150181
- DENT150188
- DENT150008
- DENT150155
- DENT140235
- DENT140289

- DENT150039
- DENT150013
- DENT140127
- DENT140075
- DENT150189
- DENT140164
- DENT150344
- DENT130151
- DENT130152
- DENT130158
- DENT130156
- DENT130144
- DENT130145
- DENT130146
- DENT130150
- DENT130154
- DENT130155
- DENT100236
- DENT130188
- DENT130189
- DENT130190
- DENT150315
- DENT150280
- DENT150018
- DENT150364
- DENT150379
- DENT150348
- DENT150331
- DENT160002
- DENT140065
- DENT140109
- DENT160074
- DENT140175
- DENT140176
- DENT140177
- DENT140178
- DENT140179
- DENT140180
- DENT140181
- DENT140182
- DENT140183
- DENT140184
- DENT140185
- DENT140186
- DENT140187
- DENT140188
- DENT140268
- DENT140269
- DENT140327

**Correspondence**

- V.F.
- G.E.C.
- K.P.
- T.W.

**Executive Director’s Report – Ms. Tanja Battle**

- Staff requested and received legal advice regarding permitting functions and administrative processing.
- A.S.
- J.L.G.
- IP Correspondence
- Correspondence from C.A.

**Attorney General’s Report – Mr. Bryon Thernes**

- The Board received legal advice regarding continuing education requirements for volunteers in dentistry.

Mr. Thernes presented the following consent orders for acceptance:

- R.P.B.
- A.U.
- S.S.

Mr. Thernes discussed the following individual:

- E.S.

**Miscellaneous**

- The Board requested legal advice regarding the scope and requirements of various licenses.

**Legal Services – Ms. Anil Foreman**

Ms. Foreman presented the following consent order for acceptance:

- A.L.R.

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

**Open Session**

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

**Appearances**

- |          |                              |   |
|----------|------------------------------|---|
| • S.D.J. | Denied Credentials Applicant | Overturn denial and approve pending receipt of additional information |
| • L.A.H. | Denied Credentials Applicant | Overturn denial and approve application                               |
| • P.K.S. | Denied Credentials Applicant | Overturn denial and approve application                               |

**Licensure Overview Committee Appointments/Discussion Cases**

- |            |                               |                      |
|------------|-------------------------------|----------------------|
| • A.M.E.Z. | Dental Faculty                | Approved application |
| • T.H.A.   | Dental Hygiene Exam Applicant | Approved application |

- J.A.P. Request to terminate consent order Approved request
- I.A. Request to terminate probation Approved request
- B.L.H. Request to return to practice Table pending receipt of additional information
- E.M.B. Dental Hygiene Exam Applicant Approved application

### **Applications**

- T.C.H. Dental Credentials Applicant Overturn denial and approve application
- A.L.S. Dental Hygiene Credentials Overturn denial and approve application
- A.T.N.J. Dental Hygiene Credentials Denied application
- J.M.Y. Dental Credentials Applicant Approved application
- A.E.B. Dental Credentials Applicant Denied application
- S.V.L. Dental Credentials Applicant Approved application
- M.D.P.C. Dental Hygiene Reinstatement Approved application
- M.C.M. Dental Hygiene Reinstatement Schedule to meet with the Licensure Overview Committee
- S.J.C. Dental Faculty Applicant Denied application

### **Investigative Committee Report**

Report presented:

#### **Complaint**

##### **Number**

##### **Allegations**

##### **Recommendation**

DENT140196	Quality of care/substandard practice	Close - no action
DENT140121	Malpractice	Close - no action
DENT140265	Unprofessional conduct	Close - no action
DENT150021	Quality of care/substandard practice	Refer to the Department of Law
DENT150192	Quality of care/substandard practice	Refer to the Department of Law
DENT150181	Quality of care/substandard practice	Close - no action
DENT150188	Quality of care/substandard practice	Close - letter of concern
DENT150008	Quality of care/substandard practice	Close - no action
DENT150155	Malpractice	Close - no action
DENT140235	Quality of care/substandard practice	Close - letter of concern
DENT140289	Quality of care/substandard practice	Close upon receipt of evidence of refund to insurer
DENT150039	Quality of care/substandard practice	Close - letter of concern
DENT150013	Quality of care/substandard practice	Close - no action
DENT140127	Quality of care/substandard practice	Close - no action and refer application to IP Committee
DENT140075	Quality of care/substandard practice	Close - no action
DENT150189	Malpractice	Close - no action
DENT140164	Quality of care/substandard practice	Close - no action
DENT150344	Unprofessional conduct	Close - no action
DENT130151	Patient abuse	Close - no action
DENT130152	Patient abuse	Close - no action
DENT130158	Patient abuse	Close - no action
DENT130156	Quality of care/substandard practice	Close - no action
DENT130144	Patient abuse	Close - no action/reopen if licensee tries to reinstate
DENT130145	Quality of care/substandard practice	Close - no action/reopen if licensee tries to reinstate
DENT130146	Quality of care/substandard practice	Close - no action/reopen if licensee tries to reinstate

DENT130150	Patient abuse	Close - no action/reopen if licensee tries to reinstate
DENT130154	Over Px and Tx Plan	Close - no action/reopen if licensee tries to reinstate
DENT130155	Over Px and Tx Plan	Close - no action/reopen if licensee tries to reinstate
DENT100236	Unlicensed Practice	Close - no action/reopen if licensee tries to reinstate
DENT130188	Over Px and Tx Plan	Close - no action/reopen if licensee tries to reinstate
DENT130189	Patient abuse	Close - no action/reopen if licensee tries to reinstate
DENT130190	Patient abuse	Close - no action
DENT150315	Quality of care/substandard practice	Close - no action
DENT150280	Quality of care/substandard practice	Close - no action
DENT150018	Quality of care/substandard practice	Close - no action
DENT150364	Quality of care/substandard practice	Close - no action
DENT150379	Quality of care/substandard practice	Close - no action
DENT150348	Quality of care/substandard practice	Close - no action
DENT150331	Unprofessional conduct	Close - no action
DENT160002	Records Release	Close - no action
DENT140065	Quality of care/substandard practice	Close - no action
DENT140109	Quality of care/substandard practice	Close - no action
DENT160074	Malpractice	Close - no action
DENT140175	Over Px and Tx Plan	Close-letter of concern
DENT140176	Over Px and Tx Plan	Close-letter of concern
DENT140177	Over Px and Tx Plan	Close-letter of concern
DENT140178	Over Px and Tx Plan	Close-letter of concern
DENT140179	Over Px and Tx Plan	Close-letter of concern
DENT140180	Over Px and Tx Plan	Close-letter of concern
DENT140181	Over Px and Tx Plan	Close-letter of concern
DENT140182	Over Px and Tx Plan	Close-letter of concern
DENT140183	Over Px and Tx Plan	Close-letter of concern
DENT140184	Over Px and Tx Plan	Close-letter of concern
DENT140185	Over Px and Tx Plan	Close-letter of concern
DENT140186	Over Px and Tx Plan	Close-letter of concern
DENT140187	Over Px and Tx Plan	Close-letter of concern
DENT140188	Over Px and Tx Plan	Close-letter of concern
DENT140268	Over Px and Tx Plan	Close-letter of concern
DENT140269	Over Px and Tx Plan	Close-letter of concern
DENT140327	Over Px and Tx Plan	Close-letter of concern

**Correspondence**

- V.F. Request for refund Denied request
- G.E.C. Proposed CE plan Approved plan
- K.P. Correspondence Table pending receipt of additional information
- T.W. Correspondence Directed staff to respond that the Board will not evaluate this information without a completed application for licensure

**Executive Director's Report – Ms. Tanja Battle mirror the language in Exec**

- Staff requested and received legal advice regarding permitting functions and administrative processing.
- A.S. Sedation Applicant Approved application

- J.L.G. Sedation Applicant Approve application pending receipt of additional information
- IP Correspondence Staff directed to respond with information regarding presentation content.
- Correspondence from C.A. Request for additional information Request denied

**Attorney General’s Report – Mr. Bryon Thernes**

- The Board received legal advice regarding continuing education requirements for volunteers in dentistry.

Mr. Thernes presented the following consent orders for acceptance:

- R.P.B. Public Consent Order accepted
- A.U. Public Consent Order to be accepted and signed with express permission upon receipt of the original
- S.S. Public Consent Order accepted

Mr. Thernes discussed the following individual:

- E.S. Request to terminate probation Denied request

**Miscellaneous**

- The Board requested legal advice regarding the scope and requirements of various licenses. No action taken.

**Legal Services – Ms. Anil Foreman**

Ms. Foreman presented the following consent order for acceptance:

- A.L.R. Public Consent Order accepted

Dr. Gay seconded and the Board voted in favor of the motion, with the exception of Dr. Daniel who opposed the recommendations regarding S.D.J. and L.A.H.

With no further business, the Board meeting adjourned at 2:18 p.m.

The next scheduled meeting of the Georgia Board of Dentistry will be held on Friday, October 9, 2015, at 9:30 a.m. at the Department of Community Health’s office located at 2 Peachtree Street, N.W., 36th Floor, Atlanta, GA 30303.

Minutes recorded by Brandi P. Howell, Business Operations Specialist

Minutes edited by Tanja D. Battle, Executive Director