

GEORGIA BOARD OF DENTISTRY
Board Meeting
April 13, 2012
Professional Licensing Board
237 Coliseum Drive
Macon, GA 31217

The following Board members were present:	Others Present:
Dr. Isaac Hadley Dr. Clyde Andrews Dr. Richard Bennett Ms. Rebecca Bynum Dr. Randy Daniel Dr. Stephan Holcomb Dr. Thomas Godfrey Dr. Logan Nalley Dr. Barry Stacey	Reagan Dean, Board Attorney Eric Lacefield, Assistant Division Director Carol White, Board Support Specialist Melana McClatchey, GDA Dr. John Bowman, GDA Nancy DeMott, GDHA

Dr. Hadley established that a quorum was present and the meeting that was scheduled to begin at 9:30 a.m., was called to order at 9:35 a.m.

**Open
Session**

Dr. Hadley welcomed the visitors to the Dental Board meeting.

Approval of minutes from the March 23, 2012 board meeting as amended. Dr. Stacey made a motion to approve as amended. Dr. Andrews seconded the motion and the motion carried unanimously.

CE Audit Committee Report – Dr. Barry Stacey

Dr. Stacey stated there are still a few applications coming into the office.

Dr. Stacey stated there are no post renewal audits, and the CE Audit Committee are doing audits on all late renewals.

Dr. Stacey stated they have audited 277 late Dental Renewals and 427 late Dental Hygiene Renewals.

Dr. Godfrey made a motion to reduce the number of late CE Audits to 50% and do a post renewal random audit of 2% every August 1st following the late renewal period.

Dr. Nalley seconded the motion. 5 Board members voted in favor of the motion and 3 Board members abstained.

Dr. Godfrey made a motion for the letter from Dr. Hadley regarding the audit be approved. Dr. Holcomb seconded the motion and it carried unanimously.

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Secretary of State Brian Kemp
214 State Capitol Atlanta, Georgia 30334

RE: Georgia Board of Dentistry acts to reduce the financial and State resource burden regarding CE audits.

Mr. Secretary,

The Georgia Board of Dentistry is pleased to inform you it has voted to reduce the State's human resource workload by approximately 15% related to dental and dental hygiene audits. This was accomplished by only requiring a 2% post-renewal random audit to occur biennially each August 1st following a post renewal period while also lowering the percentage of CE audits related to late renewal applicants from 100% to 50%.

The Georgia Board of Dentistry took this action as a compromise that will allow for a measure of policing its licensee pool while alleviating the average biennial work load on the SOS staff.

Please confirm receipt of this memorandum and the directive to necessary SOS staff to accomplish the first 2% post renewal audit scheduled for August 1, 2012.

Sincerely,

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Rules Committee: Dr. Clyde Andrews

Dr. Andrews discussed with the Board that once Senate Bill 338 is signed by the Governor, the Board will need to modify Board Rules 150-7-.03 and 150-7.04. The Board would like to see the pending rules in full word format on the epiware agenda.

Education Committee: - Dr. Thomas Godfrey

Dr. Godfrey stated the President of the GA, Health Science, Dr. Azziz held a meeting in Atlanta and invited all of the alumni to attend. Dr. Godfrey stated the renaming of the new school will not have "health" in the name.

Dr. Godfrey stated he attended the opening of a new dental clinic in Peru about two weeks ago.

Ratify Licenses:

Dr. Nalley wanted to look at three applications on the ratified list before the Board voted to approve. Executive Director Lacefield stated he would instruct staff to put all of the Dental Applications on the epiware site for the Board to review before each board meeting. Dr. Nalley made a motion to approve; Dr. Holcomb seconded the motioned and the motion carried.

Rule Waiver Request from Fran Cullen regarding Tara Ragland, DDS regarding Board Rule 150-3-.01(4) & (5) – Examination for Dental Licensure. Dr. Nalley made a motion to deny the request; Dr. Holcomb seconded and the motion carried.

Request from Dr. Gordon Fraser, Jr. to expunge and/or remove the Public Consent Order, Docket Number 2009-1344 from Public View. Dr. Bennett made a motion to deny the request; Dr. Holcomb seconded the motion and the motion carried. Attorney Dean stated that expunge from the public view was not in the board authority.

Rule Waiver Request from Heidi Smallwood regarding Board Rule 150-3-.07 – Inactive Licensure Status. Dr. Andrews made a motion to deny the request. The Board stated they may reconsider once applicant has an active license. Dr. Nalley seconded the motion and the motion carried.

Correspondence from Jeffrey R. Wallace, DDS asking for the Board to provide or refer

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him of the regulation as to who may administer CT's within the dental offices, so that he can refer them to the appropriate documents upon inspection. The Board voted to refer him to the Secretary of State website under the Rules and Regulations of the State of Georgia State Regulation – X-Rays in the Healing Arts – 290-5-22.04.

Discuss of Renewal Policy for applicants who are deficient Continuing Education credit.

The Board revised a policy for those answering yes to include double deficient CE hours:

Renewal Policy for applicants who are deficient continuing education credit.

Applicants who are audited and cannot provide continuing education information in compliance with Board Rules are sanctioned as follows:

- If the applicant answers “No” to having the hours required to renew; allow renewal with a public consent order, \$500 fine & double deficient CE hours.
- Findings of fact – failure to acquire required CE hours in compliance with the Board’s rules
- If the applicant answers “Yes” to having the hours and **do not** have the hours required to renew; allow renewal with a public consent order, \$1000 fine & double deficient CE hours, and LEAP.
- Findings of fact – failure to acquire required CE hours in compliance with the Board’s rules and falsifying the renewal application.

The Board held a discussion on the Botox Regulation Revised 02-14-2012. Dr. Bennett made a motion to post as a new board chapter. Dr. Nalley seconded the motion and it carried unanimously. The Rule will be titled 150-14-.05 Administration of Injectable Pharmacologics.

**SYNOPSIS OF PROPOSED RULE OF THE
GEORGIA STATE BOARD OF
DENTISTRY
150-14-.04 ADMINISTRATION OF INJECTABLE PHARMACOLOGICS**

Purpose: The purpose of this rule amendment is to permit licensed dentists who satisfy certain education and training requirements to administer injectable pharmacologics in this state.

Main Features: The main feature is to established standards and procedures that must be followed in order to ensure that injectable pharmacologics are properly administered.

**PROPOSED RULE FOR THE
GEORGIA STATE BOARD OF PHARMACY RULE OF
THE GEORGIA STATE BOARD OF DENTISTRY
150-14-.04 ADMINISTRATION OF INJECTABLE PHARMACOLOGICS
IN THE STATE OF GEORGIA.**

Note: Struck through text is proposed to be deleted. Underlined text is proposed to be added.

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150-14-.04 Administration of Injectable Pharmacologics.

(a) For purposes of this rule, the term below shall have the following meaning.

"Injectable pharmacologic" means any medication classified as a neurotoxin, adjuvant or therapeutic agent including, but not limited to, hyaluronic acid (such as Restylane), fillers (such as collagen), Botulinum Toxin Type A (such as Botox) or similar products that have been approved by the Federal Food and Drug Administration.

(b) No dentist shall administer an injectable pharmacologic unless the minimum standards of training and procedure set forth in this section are satisfied.

(c) Administration of an injectable pharmacologic for the functional or cosmetic enhancement of the gums, cheeks, jaws, lips, the oral cavity and associated tissues is a procedure which can be performed by a dentist in connection with a dental procedure in a dental treatment setting.

(d) A dentist may administer an injectable pharmacologic only after having completed a Board- approved post-doctoral course that is sufficient to prepare a dentist to satisfactorily administer injectable pharmacologics safely and effectively, as provided in (f) below.

(e) Notwithstanding (d) above, a dentist licensed in Georgia who has successfully completed an ADA accredited oral and maxillofacial surgery advanced specialty education program shall not be required to complete the Board-approved course set forth in (f) below prior to administering Injectable pharmacologics.

(f) In order to obtain Board approval for a course on injectable pharmacologics, a course provider shall submit a course outline, including course content and objectives and the curriculum vitae of the instructor(s), for Board review and approval. The course outline shall indicate whether the training is visual, hands-on or lecture. An approved course shall be at least 21 hours in length and shall include advanced instruction in the following:

1. Anatomy of head and neck;
 2. Neurophysiology, including facial tissues, parasympathetic, sympathetic and peripheral nervous systems relative to peri-oral tissue, and facial architecture;
 3. Patient selection, including indications and contraindications;
 4. Pharmacological effects and contraindications, including potential drug interactions; and
 5. Management of complications.
- (g) The course administrator shall issue a certificate of completion to a dentist who successfully completes the approved course.

(h) A dentist who desires to administer injectable pharmacologics shall submit to the Board, within 30 days of completing the course, a certified true copy of the certificate of course completion provided to the dentist by the course administrator.

(i) Prior to administering injectable pharmacologics to a patient, the dentist shall conduct an appropriate physical examination within the scope of dental practice, obtain a complete medical history, including the patient's medications, allergies and sensitivities and comprehensively assess the dental needs of the patient. Specific notations on the use of injectable pharmacologics, including the type of agent, dosage, duration and any untoward reactions, shall be recorded in the patient record. (j) A dentist shall not delegate the administration of an injectable pharmacologic.

(k) The use of injectable pharmacologics without first having met the minimum standards for training and the procedures contained in this section shall constitute a deviation from the acceptable standards of practice required of a licensee and may subject a dentist to the penalties set forth in O.C.G.A. §43-11-47.

Authority O.C.G.A. Secs. 42-1-25; 43-11-1; 43-11-7; 43-11-8; and 43-11-17.

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Attorney General's Open Session – Mr. Reagan Dean

Mr. Dean discussed Dr. Sara Farahani's case with the Board. Mr. Dean stated he has received notice this week the case has been docketed with the court of appeals and he has 20 days to respond after Dr. Farahani's brief is filed and then there will be a decision probably within several months.

Executive Session

Dr. Holcomb made a motion, Dr. Nalley 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 to receive information on applications, investigative reports and the Assistant Attorney General's report. Voting in favor of the motion were those present who included Drs. Andrews, Bennett, Daniel, Godfrey, Stacey, and Ms. Bynum. The Board concluded the **Executive Session** in order to vote on these matters and continue with the public session

#1 -Executive Session- Correspondence from Agent Connie Murray to release complaint documents from DENT110066 and DENT1100156. The Board recommended responding to the agent clarifying there is a 6-month late renewal period prior to the license status becoming lapsed.

Appointments

10:30 a.m. – W.A.B. – Denied Dental Applicant Licensure by Credentials – The Board recommended to uphold the Denial decision.

LOC Appointments

8:00 a.m. – A.D.P.F. – Foreign Trained Dental Applicant –The Board recommended approval.

8:10 a.m. – H.V. – Petition to lift prohibition on crown and bridge practice – The Board recommended to approve lifting probation with conditions. The conditions are applicant may perform single unit restorations related to post endodontic procedures.

8:20 a.m. – L.R. – Renewal of DH License/Private Consent Order – The Board recommended to deny unless applicant signs a Private Consent Order.

8:30 a.m. – J.M.B. – Private Co – Termination of monitoring and restore rights and privileges for license –The Board recommended approval.

8:40 a.m. – G.L. – Termination of probation from Public Consent Order – NO Show

8:50 a.m. – J.R.M. – Termination of Probation from Public Consent Order – NO Show

Applications –

1. **A.L.C. – DH Renewal Applicant** – The Board recommended to refer to the Attorney General's office for a Public Consent Order with 36 hours of CE's and a \$1,000.00 fine.
2. **S.K.S. – DH Renewal Applicant**-The Board recommended approval

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3. **L.R.K. – Dental Credentials Applicant.** The Board recommended approval
4. **L.J.M. – Dental Credentials Applicant** – The Board recommended to deny. The Applicant does not have an active license.
5. **E.T.C.N. – DH Renewal Applicant** – The Board recommended approval.
6. **C.L.H-B. – DH Denied Credentials Applicant** – The Board recommended requesting additional information.
7. **G.K.J. – Dental Denied Credentials Applicant** –The Board recommended denial.

Attorney General’s Report – Mr. Reagan Dean

Mr. Dean presented to the Board for acceptance a Public Consent Order on Sofia Coley for late CE deficiency renewal and also her request to utilize CE hours already obtained in 2012 towards the CE hours required in the Consent Order. The Board recommended accepting the signed consent order upon receipt and use of CE hours already obtained in 2012 towards the hours required by the order.

Mr. Dean presented to the Board for acceptance a Public Consent Order on Julie Little, Angela Njoku and Lisa Riggins.

Mr. Dean presented to the Board for acceptance a Private Impairment Consent Order for S.M.

Education Committee

Dr. Godfrey stated he has spoken with Dean Driskol and the Dean stated the foreign trained program still has not been approved by the Board of Regents.

The Board recommended for Dr. Godfrey to speak with Dean Driskol regarding how the definition of decay is being taught at all of the schools.

Executive Director’s Report: - Mr. Eric Lacefield

Executive Director Lacefield presented the board with a request from the law firm Hall, Booth, Smith & Slover, P.C. for E.S., DDS., asking if the Board would consider the CE classes he has already taken to be applied toward his CE credit if he signs the Consent Order. The Board states if E.S., DDS, signs the Consent Order the CE’s he has taken could be counted.

Attorney General’s Report – Mr. Reagan Dean

Mr. Dean presented to the Board a letter and a Private Agreement Not to Practice Dentistry from Melvin M. Goldstein, P.C. regarding S.W.S,DDS. Mr. Dean stated S.W.S., DDS, is currently under a fifth consent order. The Board recommended to deny the Private Agreement.

Mr. Dean presented to the Board for acceptance, a Public Consent Order for Renewal on Julie W. Little, Angela Scott Njoku, Heather Ann Flanders, and Lisa H. Riggins.

Mr. Dean presented to the Board for acceptance a Private Consent Order on S.O.M., DMD.

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Open Session

Dr. Hadley declared the meeting back into Open Session

Dr. Stacey made a motion to accept the Consent Orders presented to the Board. Dr. Bennett seconded the motion and it carried unanimously.

Dr. Andrews made a motion to approve the recommendations in the Executive session for the LOC committee for H.V., L.R., J.M.B.,G.L. and J.R.M. Dr. Stacey seconded the motion and the motion carried unanimously.

Dr. Andrews made a motion to approve the Board's recommendation on A.D.P.F. Dr. Stacey seconded the motion and it carried. Five members voted in favor, 2 members opposed.

Dr. Stacey made a motion to approve the recommendations of the applications in Executive session. Dr. Bennett seconded the motion and motion carried.

Dr. Bennett made a motion to request additional information on applicant C.L.H.B and be reviewed by LOC. Dr. Bennett seconded the motion and it carried.
The CE Audit Committee would like to say thank you to Dr. Daniel for assisting the CE audit committee.

The May Board Meeting will be a conference call beginning at 12:00 p.m.

The Board meeting adjourned at 1:28 p.m

Minutes recorded by: Carol White, Board Support Specialist
Minutes reviewed and edited by: Eric Lacefield, Executive Director