

GEORGIA BOARD OF DENTISTRY
Board Meeting
February 11, 2005

A meeting of the Georgia Board of Dentistry was held on Friday, February 11, 2005, at the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia.

The following Board members were present:	Others Present:
Dr. Peter Trager, President Tunde M. Anday, RDH Dr. Clyde H. Andrews Dr. Becky Carlon Dr. Clark Carroll Dr. Henry Cook Dr. Christopher McFarland Dr. Logan Nalley Dr. Jimmy Walker	Anita O. Martin, Executive Director Susan Hewett, Board Secretary Judy Mickler, Board Staff Reagan Dean, Board Attorney Darryl Smith, Shurett Dental Group Nelda Green, GDA John Freihaut, Ga. Society of Oral Surgeons Greg Marley, Ga. Society of Oral Surgeons Thomas Duval, State Oral Health Director

Dr. Trager, Board President, established that a quorum was present, and the meeting scheduled to begin at 9:30 a.m. was **called to order** at 9:37 a.m.

Minutes of the January 21, 2005 meeting: Dr. Walker made a motion, Dr. Nalley seconded and the Board voted to **approve** the minutes as amended.

C.E. Audit Committee: Dr. Henry Cook, Sr.

- **No Report**

Conscious Sedation/General Anesthesia Committee: Dr. Clyde Andrews

- There will be a standing committee meeting from 9:20a.m.-9:30a.m. each month prior to the regular scheduled board meeting to clarify any pending applications which have not been administratively processed.

Credentialing Committee: Dr. Chris McFarland

- Will meet at conclusion of today's board meeting

Dental Hygiene Sub-Committee: Ms. Tunde Anday, RDH

- Meeting scheduled for today is postponed until March 2005

Examination Committee: Dr. Logan Nalley

- Reported that SRTA manuals have not been received for the MCG exam in March

Legislative Committee: Dr. Christopher McFarland

- Dr. McFarland will draft a letter that the Board is opposed to Senate Bill 78
- Other legislation affecting dentistry is Tort Reform, changes to Medicaid, Medicare, Insurance and Peachcare

Licensure Overview Committee: Dr. Jimmy Walker

- Requested that the Executive Director draft a brief article for submission to GDA Action, posting to the website and inclusion on the license that pursuant to laws and rules, the license showing the expiration date is required to be posted in the place of practice.

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Rules Committee: Dr. Peter Trager

- **150-7-.01 Public Health License – Consider for vote to post:** Dr. Holcomb made a motion, Dr. Nalley seconded and the Board voted to **refer this rule back to the Rules Committee** for further consideration. Dr. McFarland and Dr. Trager **opposed** the vote.
- **150-9-.02 Expanded Duties of Dental Assistants – Consider vote to post:** Dr. Nalley made a motion, Dr. Walker seconded and the Board voted to **post** the rule.

150-9-.02 Expanded Duties of Dental Assistants. Amended.

(1) To meet the requirements of an expanded duty dental assistant, a dental assistant must have a high school diploma, or the equivalent thereof, proof of current CPR certification and a certificate documenting that he or she has successfully completed the course pertaining to the specific duties outlined in that certificate. Only those expanded duties, which are listed on the certificate(s), may be performed by an expanded duty dental assistant. An expanded duty dental assistant certificate may be issued by a vocational school, a dental hygiene school, a dental school or a professional association recognized and approved by the Georgia Board of Dentistry to a candidate who has successfully completed the required courses and met all other requirements of an expanded duty assistant. All such instruction must be taught by a licensed dentist with a minimum of sixteen (16) hours of instruction.

(a) Eligibility for taking said courses requires that the candidate meet at least one of the following criteria:

1. Possess current certification that the candidate is a Certified Dental Assistant.
2. Be a graduate of a one (1) year accredited dental assisting program or a dental assisting program approved by the Board.
3. Have been employed as a chair side assistant by a licensed dentist for a continuous six (6) month period within the previous three (3) years.
4. Be a full time student in an accredited dental assisting school in Georgia who is eligible for graduation. (Note: An expanded duties certificate would be issued to a candidate only upon proper proof of graduation.)

(b) The employer of the expanded duty assistant shall have readily available in the dental office a copy of the certificate(s) issued from the sponsor of the accredited course(s) of study to the expanded duty dental assistant. The expanded duties specific to the course(s) taken and in which [a] certificate(s) [has/have] been issued may be delegated to dental assistants, who are performing their duties under the direct supervision of a licensed dentist. The following expanded duties may be delegated to those assistants meeting the educational requirements established by Board Rule 150-9-.02(1) and possessing a certificate(s) of the course(s) taken delineating the duties specific to that course.

1. Apply desensitizing agents to root surfaces of teeth and prepared dentinal surfaces of teeth prior to cementation of temporary restorations and crowns, bridges, or inlays.
2. Place cavity liner, base or varnish over unexposed pulp.
3. Intraoral fabrication of temporary crowns and bridges. All such adjustments must be performed extraorally.
4. Perform face bow transfer.
5. Make impressions with irreversible hydrocolloid to be used to repair a damaged prosthesis.
6. Place periodontal dressing.
7. Redressing (not initial placement of dressing) and removing dressing from alveolar sockets in post-operative osteitis when the patient is uncomfortable due to the loss of dressing from the alveolar socket in a diagnosed case of post-operative osteitis.
8. Make impressions with irreversible hydrocolloid to be used to fabricate a night guard (bruxism or muscle relaxation appliance). All adjustments must be performed extraorally. Final adjustment must be made by the dentist.
9. Monitor the administration of nitrous oxide/oxygen; turn off nitrous oxide/oxygen at the completion of the dental procedure and make adjustments to the level of nitrous

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oxide/oxygen, but only following the specific instructions of the dentist.

10. Apply topical anticariogenic agents.

11. Apply pit and fissure sealants, and primer and bonding agents to etched enamel or dentin; and light-cure with a fiber-optic light source (not to include the use of a laser device).

12. Packing and removing retraction cord, as prescribed by the dentist, so long as said cord is used solely for restorative dental procedures.

13. Changing of bleaching agent, following initial applications by the dentist, during the bleaching process of vital and non-vital teeth after the placement of a rubber dam; and applying the fiber-optic light source of a curing light for activation of the bleach (not to include the use of a laser device).

14. Rebond brackets after a licensed dentist has examined the affected tooth and surrounding gingiva and found no evidence of pathology.

15. Remove bonded brackets with hand instruments only.

16. Make impressions for passive orthodontic appliances.

17. Apply primer and bonding agents to etched enamel or dentin; and light cure with fiber-optic light source (not to include use of a laser device).

Authority O.C.G.A.

- **150-7-.02 Teaching Licenses - Consider for vote to post:** Dr. McFarland made a motion, Dr. Cook seconded and the Board voted to **post** the rule. Drs. Holcomb and Dr. Carroll **opposed** the voted, Dr. Walker **abstained** from voting.
 - The Board requested that the AG's office clarify in writing that the Board has the right to deny faculty licenses and on a case-by-case basis require additional requirements of those applying for a faculty license, and to also state that licensure is at the discretion of the Board. The Board voted that this information from the AG could be released.

150-7-.02 TEACHING LICENSES. Amended.

~~(a) The Board may, in its discretion, grant teaching licenses to dentists and dental hygienists that are licensed in another state but do not hold a Georgia license, subject to the following qualifications:~~ **DENTAL HYGIENE** -~~The board may issue in its discretion without examination~~

~~a teacher's or instructor's license to a dental hygienist for the sole purpose of teaching or instructing in an American Dental Association (ADA) accredited dental hygiene school or program in this state, those procedures and services recognized in this state to be within the scope of practice of such person's professional license, subject to the following qualifications:~~

~~(1-a) An applicant must be a graduate of an dental hygiene school or college accredited by the American Dental Association (ADA) accredited, or its successor agency, dental school or dental hygiene school and approved by the Board ;~~

~~(2b) All dental or dental hygiene licenses held by an applicant in the profession for which the applicant is seeking a teaching license in the state of Georgia must be in good standing and unencumbered by past or pending disciplinary action;~~

~~(3c) Verifiable documentation of the applicant's successful completion of the Georgia Jurisprudence examination with a score of 75 or higher;~~ All applicants must show passage with a score of 75 or higher on a jurisprudence examination on the laws and rules governing the practice of dental hygiene in the State of Georgia. Such examinations shall be administered in the English language;

~~(4d) The application shall be accompanied by a letter of recommendation from the dean or director of the teaching institution at which he or she is seeking employment and a copy of the employment contract for the full- time or part-time position that the applicant is applying to fill.~~

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~~(5e)~~ After an applicant has demonstrated his or her qualifications by completing the application and complying with the requirements, the Board, in its discretion, may then issue a teaching license to a qualified ~~dentist or~~ dental hygienist for the sole purpose of teaching ~~dentistry or~~ dental hygiene in an ADA accredited dental college, dental hygiene school, or other dental clinic as approved by the Board in the State of Georgia.

~~(6f)~~ A teaching licensee may engage in the practice of ~~dentistry or~~ dental hygiene only on the premises of the school where employed within the scope of their employment as a faculty member for the sole purpose of teaching and instructing.

~~(7g)~~ A teaching licensee shall comply with all the applicable laws relating to the practice of ~~dentistry dental hygiene~~ and the rules of the Georgia Board of Dentistry, including those pertaining to continuing education and CPR requirements.

~~(8h)~~ A teaching license may be transferred to another educational institution in the State of Georgia upon written request and approval of the Board of Dentistry.

~~(9i)~~ A teaching license shall only be valid as long as the licensee is an active faculty member and will be revoked with the termination of employment. Notification must be provided to the Georgia Board of Dentistry by certified mail and shall be made within thirty (30) days of the occurrence of the termination.

(j) Furnish a criminal background check. The applicant shall be responsible for all fees associated with the performance of a background check.

(2) DENTAL - The board may issue, in its discretion, without examination, a teacher's or instructor's license to dentists. A teacher's or instructor's license may be issued to a dentist who has graduated from a school or college approved by the Commission on Dental Accreditation of the American Dental Association (ADA) or its successor agency, for the sole purpose of teaching or instructing, in an accredited dental college or training clinic in this state, those procedures and services recognized in this state to be within the scope of practice of such person's professional license.

(a) All applicants for a dental teaching or instructors license must comply with the following requirements in order to submit an application for licensure:

1. All dental licenses held by an applicant for a teaching license in the State of Georgia must be in good standing and unencumbered by past or pending disciplinary action.
2. All applicants must show passage with a score of 75 or higher on a jurisprudence examination on the laws and rules governing the practice of dentistry in the State of Georgia. Such examinations shall be administered in the English language;
3. The application shall be accompanied by a letter of recommendation from the dean or director of the teaching institution at which he or she is seeking employment and verification of an executed employment contract for the full- time or part-time position that the applicant is applying to fill.

6. After an applicant has demonstrated his or her qualifications by completing the application and complying with the requirements, the Board, in its discretion, may then issue a teaching license to a qualified dentist for the sole purpose of teaching dentistry in an ADA accredited dental college, or other dental clinic in the State of Georgia as approved by the Board.

7. A teaching licensee may engage in the practice of dentistry only on the premises of the school where employed within the scope of their employment as a faculty member for the sole purpose of teaching and instructing.

8. A teaching licensee shall comply with all the applicable laws relating to the practice of dentistry and the rules of the Georgia Board of Dentistry, including those pertaining to continuing education and CPR requirements.

9. A teaching license may be transferred to another educational institution in the State of Georgia upon written request and approval of the Board of Dentistry.

(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:

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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.

(c) Furnish a criminal background check. The applicant shall be responsible for all fees associated with the performance of a background check.

(d) A teaching license shall only be valid as long as the licensee is an active faculty member and will be revoked with the termination of employment. Notification must be provided to the Georgia Board of Dentistry by certified mail and shall be made within thirty (30) days of the occurrence of the termination.

Authority O.C.G.A. §§ 43-11-7, 43-11-8, and 43-1-42.

- **150-5-.02 Qualifications for Dental Hygienists - Consider for vote to post:** Dr. Cook made a motion, DR. Carroll seconded and the Board voted to **post** the rule.

150-5-.02 Qualifications for Dental Hygienists.

(1) No persons shall be issued a license to practice as a dental hygienist unless such person is a graduate of a school or college for dental hygienists recognized by the board and accredited by the Commission on Dental Accreditation of the American Dental Association or its successor agency. Such school or college must conduct a course consisting of not less than two (2) academic years for dental hygiene graduation.

~~(2) An applicant for licensure as a dental hygienist shall be required to show passage of all sections with a score of 75 or higher on a clinical examination administered by the board or by a testing agency which has been designated and approved by the board. The Board may hold other examinations as may be required and necessary.~~ All applicants must show passage of all sections with a score of 75 or higher on a clinical examination administered by the board or testing agency designated and approved by the board and a jurisprudence examination on the laws and rules governing the practice of dental hygiene in the State of Georgia. Such examinations shall be administered in the English language. The Board may hold other examinations as may be required and necessary.

(3) The applicant must provide the board with a copy of his or her score showing passage of all sections with a score of 75 or higher on the National Board Examination.

~~(4) All applicants must show passage of all sections with a score of 75 or higher on a clinical examination administered by the board or testing agency designated and approved by the board and a jurisprudence examination on the laws and rules governing the practice of dental hygiene in the State of Georgia. Such examinations shall be administered in the English language.~~

~~(5)~~ An applicant for dental hygiene licensure must provide the board with the following items:

- (a) An official transcript under seal showing the date of graduation and degree awarded from an accredited dental hygiene school certified by the appropriate officials;
- (b) A certified copy of the results of the clinical examination given by the board or a testing agency designated and approved by the board;
- (c) Proof of current CPR certification; Copies of score of the National Board Examination.
- (d) Copies of any and all National Practitioner's Data Bank reports pertaining to the applicant; Proof of current CPR certification;

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~~(e) Furnish a criminal background check. The applicant shall be responsible for all fees associated with the performance of a background check; and Copies of any and all National Practitioner's Data Bank reports pertaining to the applicant;~~

~~(f) Verification of licensure from all states where the applicant has ever held or currently holds a license to practice dental hygiene. All such licenses shall be unencumbered by any past or present disciplinary action.~~ Furnish a criminal background check. The applicant shall be responsible for all fees associated with the performance of a background check; and

(g) Verification of licensure from all states where the applicant has ever held or currently holds a license to practice dental hygiene. All such licenses shall be unencumbered by any past or present disciplinary action.

Authority O.C.G.A. §§ 43-11-7, 43-11-8, 43-11-9, 43-11-20, 43-11-70, 43-11-71, and 43-11-73.

The Board voted that the formulation and adoption of these rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rules cannot be reduced by a less expensive alternative that fully accomplishes the objectives of the applicable laws as provided by the Attorney General's office.

The board also voted that it is not legal or feasible to meet the objectives of the applicable laws to adopt or implement differing actions for businesses as listed in O.C.G.A. §50-13-4(3)(A)(B)(C)(D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed, owned and operated in the field of Dentistry.

General: Dr. Peter Trager

- AG's advice on Sleep Apnea will be reported on in March

SRTA Board of Director's Report: Dr. Clark Carroll

- Virginia is no longer a member state of SRTA. Associates from Virginia will work as examiners

Executive Director's Open Session Report: Anita O. Martin

- Provided Financial Disclosure Forms for board members
- March 28-29, 2005 National Board Exam listing provided to Board to sign up for assisting at the testing centers

Attorney General's Open Session Report: Reagan Dean

- No report

Miscellaneous: Dr. Trager

- **Senate Bill 78:** Dr. Carroll made a motion, Dr. Walker seconded and the Board voted to **oppose** the bill. Ms. Anday **abstained** from the vote.
- **Correspondence from Mary Ann Burch, RDH regarding "Citizens of the Year" award:** Dr. Nalley nominated Dr. Holcomb, Dr. McFarland seconded and the Board voted to approve the nomination.
- **Request for change in board meeting date from June 10, 2005 to June 17, 2005:** No changes required
- **Correspondence from Dr Stan Prince regarding the operation of programs in DCH:** The Board requested that a response be sent to Dr. Prince that it has no legal authority in this matter.

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- **Correspondence from Dr. Michael Witcher regarding the use of corporate/trade name:** The Board requested that a response be obtained from Fayette Dental Associates, P.C. regarding how long this name has been used by this practice.
- **Correspondence from Darcie Lewis requesting interpretation of board rules regarding continuing education:** The Board **denied** the request to interpret rules and requested that Ms. Lewis be referred to the rules on the website.
- **Correspondence from John C. Cosby, Jr., DMD regarding ADEX:** Dr. Holcomb made a motion, Dr. McFarland seconded and the Board voted to request membership with ADEX and support Dr. Cosby as the District Representative, and the development of ADEX. The Board requested that a copy of the letter be sent to Dr. Cosby, SRTA and GDA.8
- **Correspondence from ADA regarding testing centers for National Board Exams:**
 - Dr. Walker will assist at MCG on March 28-29, 2005
 - Dr. Cook will assist at Columbus Tech on March 29, 2005
 - Ms. Anday will assist at GA Perimeter College on March 29, 2005
- **Ratify list of newly issued licenses:** Dr. Carroll made a motion, Dr. Nalley seconded and the Board voted to **ratify** the following list of newly issued licenses.

License #	Name	License Type
NEWLY ISSUED LICENSES		
DNCS000212	Fletcher, Robert Lee, III	Conscious Sedation Permit
DNCS000213	Stadeker, Wilkie J	Conscious Sedation Permit
DN013058	Covington, Lenora Garvin	Dentist
DN013059	Lawhon, Chrislyn Earline	Dentist
DN013060	Bazzey, Debra Michelle	Dentist
DH009412	Vorbeck, Elizabeth Michelle	Dental Hygienist
REINSTATEMENTS		
DH002636	Brown, Penelope Black	Dental Hygienist
DH003154	Kundycki, Susan L.	Dental Hygienist
DH008390	McClung, Cristie	Dental Hygienist
DN008406	Buckler, Stephen	Dentist
DN007362	Mullis, James L.	Dentist
DN012433	Vandiver, Terrence L.	Dentist

Dr. Carroll made a motion, Dr. Andrews seconded and the Board voted to enter into **Executive Session** in accordance with O.C.G.A §43-1-19(h)(2) and §43-1-2(k) to deliberate on applications and enforcement matters 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. Trager, Cook, McFarland, Carlon, Nalley, Walker, Cook, and Ms. Anday. The Board concluded **Executive Session** in order to vote on these matters and to continue with the public session.

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H.R.D., DMD – Appointment with Board to appeal decision to deny licensure: Dr. Nalley made a motion, Dr. Walker seconded and the Board voted to **approve** licensure under a Public Consent Order to mimic the Kentucky order.

S.T.F., RDH – Appointment with Board to appeal decision to deny renewal of licensure: Dr. Holcomb made a motion, Dr. Walker seconded and the Board voted to **uphold its previous decision to deny renewal of license**. Board will reconsider reinstatement application if physician submits a letter that applicant is able to practice with reasonable skill and safety to the public.

Licensure Overview Committee – Dr. Jimmy Walker

- **B.B. – Reinstatement of license:** Recommendation to **deny**
- **S.M. – Reinstatement of license:** Recommendation to **reinstate** under a **Public Consent Order**
- **N.B. – Termination of probation:** Recommendation to **approve** termination of probation
- **J.B.W. – Termination of probation:** Recommendation to approve upon receipt of continuing education from 2004
- **C.C. – Reinstatement of license:** Recommendation to **reinstate** under a **Public Consent Order**
- **D.G.W. – Request for termination of probation:** License is not on active status. Must **reinstate license** and **meet with LOC** prior to termination of probation.
- **T.J. – Dental applicant:** Recommendation to **approve**

Dr. Nalley made a motion, Dr. Walker seconded and the Board voted to **approve** the recommendations made by the Licensure Overview Committee.

Dr. Walker made a motion, Dr. Nalley seconded and the Board voted to **approve** the following recommendations regarding applications and licensure:

Applications/Licensure

- **A.H. – Reinstatement of license:** Viewed as informational
- **G.A.C. – Dental applicant:** Recommendation to approve licensure under a **Private impairment consent order**
- **J.A. – Dental applicant tabled at January meeting:** Recommendation to schedule to **meet with LOC**
- **C.J. – Dental applicant tabled at January meeting:** Recommendation to schedule to **meet with LOC**
- **GM – Dental applicant for reinstatement:** Recommendation to **deny** reinstatement

Investigative Report: Dr. Logan Nalley, Jr.

- No Report

Executive Director's Report: Anita O. Martin

- **Request for approval of continuing education for R. P.: Approved**

Attorney General's Report: Reagan Dean

- Dr. Nalley made a motion, Dr. Walker seconded and the Board voted **accept the Voluntary Surrender** on Kim Lee McNeal.

Miscellaneous:

- Steve Holcomb has been nominated as Chair of the Examination Committee of the American Board of Dental Examiners (ADEX)

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- Board members need to develop a list to provide to the Executive Director to compile data for a budget request to the Secretary of State. Meeting funding to be requested for AADE, ADEX, Southern Deans and Directors, AADA and the Attorney's Roundtable
- Dr. Holcomb requested that Dr. Trager write a letter to SRTA regarding concern that the examination materials have not been provided to examiners.

The next meeting is scheduled for March 11th at 9:30 a.m.

There being no further business to come before the Board, the meeting was adjourned at 2:50 p.m.

Minutes recorded by:

Susan S. Hewett, Board Secretary

Minutes reviewed and edited by:

Anita O. Martin, Executive Director

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RULES COMMITTEE MEETING - POSTPONED

SEDATION COMMITTEE MEETING 8:30 - 9:00 A.M.

In attendance:

- Drs. Andrews, Carlon, Cook and Nalley, and Executive Director, Anita Martin

Clarified issues concerning application processing for sedation applicants. Decided that routine inspections for those applying for an enteral permit would be required.

This committee will have a standing committee meeting from 9:20 - 9:30 a.m. each month before the regular scheduled board meeting.

LICENSURE BY CREDENTIALS COMMITTEE

In attendance:

- Drs. Carlon, McFarland, Walker, Ms. Anday, Executive Director Anita Martin, and Nelda Greene of the GDA

Met to define the states for which applicants by credentials can be accepted and revised the credentials applications.

DENTAL HYGIENE SUB-COMMITTEE - POSTPONED until March 2005