

GEORGIA BOARD OF DENTISTRY

Board Meeting
January 21, 2005

A meeting of the Georgia Board of Dentistry was held on Friday, January 21, 2005, at the Georgia Archives, 5800 Jonesboro Road, Morrow, Georgia.

The following Board members were present:	Others Present:
Dr. Peter Trager, President Tunde M. Anday, RDH Dr. Clyde H. Andrews Dr. Clark Carroll Dr. Henry Cook Dr. Christopher McFarland Dr. Logan Nalley Dr. Jimmy Walker Mr. Charles McDougald (arrived at 10:30 a.m.)	Anita O. Martin, Executive Director Susan Hewett, Board Secretary Reagan Dean, Board Attorney Darryl Smith, Shurett Dental Group Joe Rhodes, Shurett Dental Group Martha Phillips, GDA John Fox, DDS Michael Yarbrough Jane Walter Randall Schaffer Henry Wall Leroy Toliver John Freihaut E. Michelle Drake

Dr. Trager, Board President, established that a quorum was present, and the Public Hearing that was scheduled to begin at 9:00 a.m. was called to order at 9:25 a.m.

Board Rule 150-3-.01 Examination for Dental Licensure - No written or oral comments were received regarding the adoption of this rule.

Board Rule 150-3-.04 Applications - No written or oral comments were received regarding the adoption of this rule.

Board Rule 150-3-.08 CPR Requirements for Dentists - No written or oral comments were received regarding the adoption of this rule.

Board Rule 150-3-.09 Requirements for Continuing Education for Dentists - No written or oral comments were received regarding the adoption of this rule.

Board Rule 150-5-.02 Qualifications for Dental Hygienists - No written or oral comments were received regarding the adoption of this rule.

Board Rule 150-7 Public Health License - No written or oral comments were received regarding the adoption of this rule.

Board Rule 150-7-.03 Volunteers in Dentistry - No written or oral comments were received regarding the adoption of this rule.

Board Rule 150-7-.04 Dental Provisional Licensure by Credentials - Written and oral comments were received and considered by the Board regarding the adoption of this rule.

Board Rule 150-7-.05 Dental Hygiene Provisional Licensure by Credentials - Written comments were received and considered by the Board regarding the adoption of this rule.

Board Rule 150-9-.02 Expanded Duties of Dental Assistants - No written or oral comments were received regarding the adoption of this rule.

Board Rule 150-11-.01 Specialties - No written or oral comments were received regarding the adoption of this rule.

Board Rule 150-12-.01 Fees - No written or oral comments were received regarding the adoption of this rule.

Board Rule 150-13-.01 Conscious Sedation Permits - Written and oral comments were received and considered by the Board regarding the adoption of this rule.

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Board Rule 150-13-.02 Deep Sedation/General Anesthesia Permits – Written comments were received and considered by the Board regarding the adoption of this rule.

The hearing was adjourned at 9:47 a.m.

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 9:58 a.m.

Rule 150-3-.01 Examination for Dental Licensure: Dr. Nalley made a motion, Dr. Cook seconded and the Board voted to **adopt** the rule.

150-3-.01 EXAMINATION FOR DENTAL LICENSURE.

(1) Each candidate submitting an application for a dental license must have passed all sections of the National Board Theory Examinations – Part I and Part II with a score of 75 or higher. The President of the Georgia Board of Dentistry may appoint one or more members of the Board to proctor the National Dental Board Examinations held in Georgia.

(2) Each candidate for a license to practice dentistry must pass with a score of 75 or higher a jurisprudence examination on the laws and rules governing the practice of dentistry in the State of Georgia. Such examination shall be in the English language. The score will be valid for one year.

(3) Each candidate for a license to practice dentistry must pass all sections with a score of 75 or higher on a clinical examination administered by the Georgia Board of Dentistry, or a testing agency designated and approved by the Board. Such examination shall be in the English language.

(a) Passage of any sections of this examination taken prior to May 1 of the year of graduation from an American Dental Association-accredited dental school shall be considered as passed to meet the requirement for successful passage of the clinical examination.

(b) Failure of any sections of this examination taken prior to May 1 of the year of graduation from an American Dental Association-accredited dental school shall not be considered as a failure for the purposes of sections (c) and (d) of this rule.

(c) Any candidate who fails three or more sections of the clinical examination three times must successfully complete a one-year American Dental Association-accredited course of study pre-approved by the board.

1. Once the candidate provides written proof of successful completion of this one-year course of study, the board will grant the candidate one additional attempt at successful passage of the clinical licensing examination.

2. After a fourth failure of one or more sections of the clinical examination, no further attempts will be authorized or scores recognized by the board for licensure in Georgia.

(d) Any candidate who fails one or two sections of the clinical examination or any combination of one, two, or three sections of the clinical examination, three times must take a remedial course of study designated and pre-approved by the board.

1. Once the candidate shows written proof of successful completion of the approved course of study, the Board will grant the candidate one additional attempt at successful passage of the clinical licensing examination.

2. After a fourth failure of one or more sections of the clinical examination, no further attempts will be authorized or scores recognized by the board for licensure in Georgia.

(4) The Georgia Board of Dentistry will not recognize and will not accept results of any clinical examination from any testing agency where the applicant has deviated from (3)(a), (b), (c), or (d) of this rule.

(5) In determining whether an applicant has met the requirements for licensure, the board will only consider examination results from the Southern Regional Testing Agency that were attained after February 22, 1993 or results from any testing agency designated and approved by the board by policy. Results from the clinical examination given by the Georgia Board of Dentistry prior to February 22, 1993 are accepted.

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Authority O.C.G.A. §§ 43-11-7, 43-11-8, and 43-11-40.

Rule 150-3-.04 Applications: Dr. Nalley made a motion, Dr. Cook seconded and the Board voted to **adopt** the rule.

150-3-.04 Applications. Amended.

(1) An applicant for dental licensure must provide the board with the following items: Those applicants who have received a doctoral degree in dentistry from a dental school accredited by the Commission on Dental Accreditation of the American Dental Association, or its successor agency, if any, must provide the following in order to complete their application.

(a) Certified copy of the applicant's testing results showing passage of all sections with a score of 75 or higher on a clinical examination administered by the board or a testing agency designated and approved by the board.

(b) Proof of current CPR certification;

(c) Copies of any and all National Practitioner's Data Bank reports pertaining to the applicant;

(d) An official transcript under seal issued by the appropriate authority (along with a verified translation into English, if necessary), from the school or university from which the applicant received his or her doctoral degree in dentistry;

(e) National Board Scores verifying passage of all parts with a minimal acceptable grade of 75.

(f) Verification of licensure from all states where the applicant has ever held or currently holds a license to practice dentistry. Such license shall be unencumbered by past, present or pending disciplinary action.

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

(2) In addition to the requirements in Section 1, those applicants who have received a doctoral degree in dentistry from a dental school not accredited by the Commission on Dental Accreditation of the American Dental Association, or its successor agency, if any, must provide the following in order to complete their application.

(a) Proof of successful completion at an ADA-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 degree (D.M.D.) degree; and

(b) A certification from the dean of the accredited dental school where the applicant took the required supplementary program specified in O.C.G.A. Sec. 43-11-40(a)(1)(A), 43-11-40(a)(1)(A) and (B) setting forth that the applicant has achieved the same level of didactic and clinical competency as expected of a graduate of the dental school.

(c) An official transcript under seal from the accredited dental school showing all courses taken during the supplementary program required pursuant to O.C.G.A. Sec. 43-11-40(a)(1)(A).

(3) 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 dentistry in the State of Georgia. Such examinations shall be administered in the English language.

Authority O.C.G.A §§ 43-11-8 and 43-11-40.

Rule 150-3-.08 CPR Requirements for Dentists: Dr. Nalley made a motion, Dr. Cook seconded and the Board voted to adopt the rule.

150-3-.08 CPR Requirements for Dentists. Amended.

Dentists shall maintain at all times during licensure and shall furnish to the Board, upon request, current certification in one and two rescuer CPR and management of obstructed airway for adults, children and infants as taught by the American Heart Association, -the

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American Red Cross, American Safety & Health Institute or the National Safety Council. Current certification is also a condition for license renewal. Failure to maintain current CPR certification may serve as grounds to deny the renewal of a license and may also result in disciplinary action against the licensee. In response to an audit request, a dentist shall be required to produce proof of CPR certification during the biennium for which the audit is being conducted.

Authority O.C.G.A. §§ 43-11-7, 43-11-8, 43-11-40, 43-11-46.

Rule 150-3-.09 Requirements for Continuing Education for Dentists: Dr. Nalley made a motion, Dr. Carroll seconded and the Board voted to **adopt** the rule.

Rule 150-3-.09. Continuing Education for Dentists. Amended.

(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 as 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 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).

(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 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;

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(e) CPR courses offered by the American Red Cross, the American Heart Association, the American Safety and Health Institute, or the National Safety Council;

(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 Human Resources;

(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 CPR course required by Georgia law may be used to satisfy continuing education requirements per renewal period.

(d) 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).

(e) 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).

(f) 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.

(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;

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- (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.
- (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. Pre and post-doctoral training programs do not qualify for continuing education credit;
- (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 course work 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.

Authority O.C.G.A. §§ 43-11-7, 43-11-8(a)(2), and 43-11-46.1.

Rule 150-5-.02 Qualifications for Dental Hygienists: Dr. Nalley made a motion, Dr. Carroll seconded and the Board voted to **adopt** 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.

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

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.

Rule 150-7 Public Health License (proposed title change): Dr. Nalley made a motion, Dr. Carroll seconded and the Board voted to **adopt** the rule.

**RULES
OF
GEORGIA BOARD OF DENTISTRY**

CHAPTER 150-7
OTHER LICENSES

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

Rule 150-7-.03 Volunteers in Dentistry: Dr. Nalley made a motion, Dr. Cook seconded and the Board voted to **adopt** the rule.

150-7-.03 Volunteers in Dentistry.

- (1) The Board may issue volunteer licenses in its discretion when it has identified an area of this state in which there is an urgent, unfilled need for dental services, and when it has located a competent dentist to fulfill such need. In granting these volunteer licenses, the Board shall observe the following criteria:
- (a) Need of the Community. A volunteer license shall be issued for the purpose of serving indigent patients in areas of this state in which there is inadequate personnel to supply dental services. In determining what constitutes an inadequate supply of dental personnel, the Board shall consider various factors, including the dentist- patient ratio in the area in question, the distance between patients and any existing dentist, the

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maldistribution of particular types of specialty care, and any other factors which are indicative of an absence of adequate dental services in or reasonably accessible to the area in question. Any group or groups of persons seeking to secure such a dentist for a community shall supply the Board with all information necessary for it to make a determination as to the existence of all the foregoing factors.

(b) Qualifications of the Dentist.

1. The dentist must submit an application for a volunteer license to the Board and must be retired from the practice of dentistry and not currently engaged in such practice either full time or part time, and has prior to retirement maintained full licensure in good standing in dentistry. This license to practice dentistry must have been issued by a licensing authority following successful completion of a clinical licensing examination, approved by the board and must have been held at least five years while engaged in clinical practice. Applicants must not have failed a clinical licensing exam within the past five years.
2. As a condition precedent to a volunteer license being issued, after five (5) years have passed without the applicant being engaged in the direct observation and treatment of patients, the Board, in its discretion, may require a refresher course or the passage of an examination administered by the board or a testing agency designated and approved by the board.
3. The applicant dentist may be asked to submit a statement from a physician attesting to the applicant's physical and mental capacity;
4. The applicant must show proof of current CPR certification;
5. If the applicant is not in compliance with the continuing education requirements established by the Board at the time application is made for the volunteer license (which is forty (40) hours of continuing education within the last two (2) years including CPR at the basic life support level), the applicant may be issued a nonrenewable temporary license to practice for six months provided the applicant is otherwise qualified for such license.
6. 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 examination shall be administered in the English language;
7. There shall be no application or licensing fee for initial issuance of a volunteer license.

(c) Renewal of a volunteer license.

1. Volunteer licenses shall expire at the close of December 31 in all odd-numbered years, and shall be administratively revoked for failure to renew on July 1 of the following even-numbered year.
2. There shall be no renewal fee for licensees holding a volunteer in dentistry license.
3. Licenses which have been administratively lapsed for non-renewal shall be reinstated only at the discretion of the board;
4. Holders of a volunteer in dentistry license are subject to continuing education requirement as outlined in Board rule 150-3-.09 (40 hours including CPR).

(d) Any other provisions of Chapter 11, Title 43 of the Official Code of Georgia Annotated not inconsistent with the intent and purpose of the provisional license statute shall be fully applicable to all specially licensed dentists.

Authority O.C.G.A. §§ 43-11-7, 43-11-8, and 43-11-52.

Rule 150-7-.04 Dental Provisional Licensure by Credentials: Dr. McFarland made a motion, Dr. Nalley seconded and the Board voted to **adopt** the rule.

150-7-.04 Dental Provisional Licensure by Credentials.

- (1) For purposes of this rule "State" includes Washington D.C. and all U.S. territories.
- (2) "Provisional Licensure by Credentials" means a license to practice dentistry in the State of Georgia granted to individuals licensed to practice dentistry in another state who have not met all of the requirements for a regular dental license but who have met equivalent requirements for the practice of dentistry as set forth in O.C.G.A. § 43-11-41 and by board rule.

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(3) "Full Time Clinical Practice" means a minimum of 1,000 hours per year in the hands-on treatment of patients. Training programs do not qualify as full time clinical practice.

(4) "Active Dental License" is defined as an unencumbered license held by an individual without restrictions.

(5) "Full Time Clinical Faculty" means a minimum of 1,000 hours per year in the teaching of clinical dental skills at an ADA-accredited dental school/program. Training programs do not qualify as full time clinical faculty practice.

(6) Only those applicants licensed and currently engaged in full time clinical practice as defined in sub-section (3) of this rule in a state that has a credentialing law similar to the licensure by credentials law in Georgia will be considered by the board for a provisional license by credentials. Applicants from states not issuing licenses by credentials are ineligible.

(7) The board may, in its discretion, grant a provisional license by credentials to dentists licensed in another state who do not hold a Georgia license to practice dentistry.

(8) As set forth in O.C.G.A. § 43-11-41, an applicant for a provisional license by credentials must also meet the following requirements:

(a) Must have an active dental license in good standing from another state.

(b) Must have received a doctor of dental surgery (D.D.S.) degree or a doctor of dental medicine (D.M.D.) degree from a dental school approved by the board and accredited by the Commission on Dental Accreditation of the American Dental Association (A.D.A.) or its successor agency.

(c) Applicants must have been in full time clinical practice, as defined in sub-section (2) of this rule; full time faculty as defined in sub-section (4) of this rule; or a combination of both for the five years immediately preceding the date of the application.

(d) Candidates with any felony convictions are not eligible. Candidates convicted of a misdemeanor involving moral turpitude or dealing with the administering, dispensing or taking of drugs including, but not limited to controlled substances, are not eligible.

(e) Those applicants who have received a doctoral degree in dentistry from a dental school accredited by the Commission on Dental Accreditation of the American Dental Association, or its successor agency, must provide the following in order to complete their application:

1. Certified copy of the applicant's testing results showing passage of all sections with a score of 75 or higher or its equivalent score on a clinical examination administered by the board or a testing agency designated and approved by the board.

2. 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 examination shall be administered in the English language.

3. Proof of current CPR certification;

4. Copies of any and all National Practitioner's Data Bank reports pertaining to the applicant;

5. Official transcripts under seal from a school or university from which the applicant received his/her doctorate in dentistry;

6. National Board scores showing passage of all sections of the examination with a score of 75 or higher;

7. Verification of licensure from all states where the applicant has ever held or currently holds a license to practice dentistry; and

8. Furnish a background check. The applicant shall be responsible for all fees associated with the performance of a background check.

(9) Those applicants who have received a doctoral degree in dentistry from a dental school not accredited by the Commission on Dental Accreditation of the American Dental Association, or its successor agency, in addition to the information required in sub-section (8)(a), (c), (d) and (e) of this rule must also provide the following in order to complete their application:

(a) 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; and

(b) 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.

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(10) 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 dentistry in the State of Georgia. Such examinations shall be administered in the English language.

(11) Within the first two (2) years of being granted a provisional license by credentials, applicant must establish full-time clinical practice which is defined in sub-section (2) of this rule or the license will be automatically revoked.

(12) For the first five biennial renewal periods, the holder of a dental provisional license by credentials must attest to the fact that he or she has maintained full time clinical practice in the State of Georgia as defined in sub-section (2) of this rule.

(13) The Board shall have the authority to refuse to grant a provisional license by credentials to an applicant, or to revoke the provisional license by credentials to a dentist licensed by the Board, or to discipline a dentist holding a provisional license by credentials in accordance with the provisions of O.C.G.A. § 43-11-47.

(14) The submission of an application for a dental provisional license by credentials shall constitute consent for performance of a criminal background check. Each applicant who submits an application to the board for provisional licensure by credentials agrees to provide the board with any and all information necessary to run a criminal background check, including but not limited to classifiable sets of fingerprints. The applicant shall be responsible for all fees associated with the performance of a background check.

Authority O.C.G.A. §§ 43-11-7, 43-11-8, 43-11-40, 43-11-41, and 43-11-42.

Rule 150-7-.05 Dental Hygiene Provisional Licensure by Credentials: Dr. Nalley made a motion, Dr. Cook seconded and the Board voted to **adopt** the rule.

150-7-.05 Dental Hygiene Provisional Licensure by Credentials

(1) For purposes of this rule "State" includes Washington D.C. and all U.S. territories.

(2) "Provisional Licensure by Credentials" means a license to practice dental hygiene in the State of Georgia granted to individuals licensed to practice dental hygiene in another state who have not met all of the requirements for a regular dental hygiene license but who have met equivalent requirements for the practice of dental hygiene as set forth in O.C.G.A. § 43-11-71.1 and by board rule.

(3) "Full Time Clinical Practice" means a minimum of 1,000 hours per year in the hands-on treatment of patients.

(4) "Active Dental Hygiene License" is defined as an unencumbered license held by an individual without restrictions.

(5) "Full Time Clinical Faculty" means a minimum of 1,000 hours per year in the teaching of clinical dental hygiene skills at an ADA-accredited dental hygiene school/program.

(6) Only those applicants licensed and currently engaged in full time clinical practice as defined in sub-section (3) of this rule in a state that has a credentialing law similar to the licensure by credentials law in Georgia will be considered by the board for a provisional license by credentials. Applicants from states not issuing licenses by credentials are ineligible.

(7) The board may, in its discretion, grant a provisional license by credentials to dental hygienists licensed in another state.

(8) In addition to the requirements set forth in O.C.G.A. § 43-11-71.1, an applicant for a provisional license by credentials must also meet the following requirements:

(a) Must have an active unrestricted dental hygiene license in good standing from another state.

(b) Must have received a dental hygiene degree from a dental hygiene college or school approved by the board and accredited by the Commission on Dental Accreditation of the American Dental Association (A.D.A.) or its successor agency, if any.

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(c) Applicants must have been in full time clinical practice, as defined in sub-section (3) of this rule; full time faculty as defined in sub-section (5) of this rule; or a combination of both for the five years immediately preceding the date of the application.

(d) Candidates with any felony convictions are not eligible. Candidates convicted of a misdemeanor involving moral turpitude or dealing with the administering, dispensing or taking of drugs, including but not limited to controlled substances, are not eligible.

(e) The applicant must meet all requirements for licensure set forth in Board Rules 150-5-.02, 150-5-.03, 150-5-.04, and 150-5-.05.

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

(g) Within the first two (2) years of being granted a provisional license by credentials, an applicant must establish full-time dental hygiene clinical practice which is defined in sub-section (3) of this rule or the license will be automatically revoked.

(g) All applicants must show passage of all sections with a score of 75 or higher, or its equivalent score, 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.

(9) The Board shall have the authority to refuse to grant a provisional license by credentials to an applicant, or to revoke the provisional license by credentials to a dental hygienist licensed by the Board, or to discipline a dental hygienist holding a provisional license by credentials in accordance with the provisions of O.C.G.A. § 43-11-72.

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

O.C.G.A. §§ 43-11-7, 43-11-8, and 43-11-71.

Rule 150-9-.02 Expanded Duties of Dental Assistants: Dr. Nalley made a motion, Dr. McFarland seconded and the Board voted to **adopt** 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 and authorized by board rule. 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.

(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 dental assisting program accredited by the American Dental Association (ADA) or its successor agency, 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

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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 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 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).

O.C.G.A. §§ 43-11-7, 43-11-8, 43-11-80, and 43-11-81.

Rule 150-11-.01 Specialties: Dr. Nalley made a motion, Dr. McFarland seconded and the Board voted to adopt the rule.

150-11-.01 Specialties.

(1) The Georgia Board of Dentistry recognizes nine (9) specialties of dental practice, which are defined as follows:

(a) Dental Public Health: Dental Public Health is the science and art of preventing and controlling dental diseases and promoting dental health through organized community efforts. It is that form of dental practice that serves the community as a patient rather than the individual. It is concerned with dental health education of the public, which applied dental prevention and control of dental diseases on a community basis. A dentist who represents himself or herself as a "public health dentist," "specialist in dental public health" or similar

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term has completed the educational requirements stated in the American Dental Association's specialty practice guidelines in existence at the time the representation is made.

(b) Endodontics: Endodontics is that branch of dentistry that deals with diagnosis and treatment of oral conditions that arise as a result of pathoses of the dental pulp. Its study encompasses related basic and clinical sciences including the biology of the normal pulp and supporting structures, etiology, diagnosis, prevention and treatment of diseases and injuries of the pulp and periradicular tissues. A dentist who represents himself or herself as an "endodontist," "specialist in endodontics" or similar term, has completed the educational requirements stated in the American Dental Association's specialty practice guidelines in existence at the time representation is made.

(c) Oral Pathology: Oral Pathology is that branch of science that deals with the nature of the diseases affecting the oral and adjacent regions, through study of its causes, its processes and its effect, together with the associated alterations of oral structure and function. The practice of oral pathology shall include the development and application of this knowledge through the use of clinical, microscopic, radiograph, biochemical or other such laboratory examinations or procedures as may be required to establish a diagnosis and/or gain other information necessary to maintain the health of the patient, or to correct the result of structural or functional changes produced by alterations from the normal. A dentist who represents himself or herself as an "oral pathologist," "specialist in oral pathology" or similar term has completed the educational requirements stated in the American Dental Association's specialty practice guidelines in existence at the time the representation is made.

(d) Oral and Maxillofacial Surgery: Oral and maxillofacial surgery is the specialty of dentistry that includes the diagnosis, surgical and adjunctive treatment of diseases, injuries and defects involving both the functional and esthetic aspects of the hard and soft tissues of the oral and maxillofacial region. A dentist who represents himself or herself as an "oral and/or maxillofacial surgeon," "specialist in oral and/or maxillofacial surgery" or similar term has completed the educational requirements stated in the American Dental Association's specialty practice guidelines in existence at the time the representation is made.

(e) Orthodontics: Orthodontics is that area of dentistry concerned with the supervision, guidance and correction of the growing of mature dentofacial structures, including the conditions that require movement of teeth or correction of malrelationships and malformations of their related structures and the adjustment of relationships between and among teeth and facial bones by the application of forces and/or the stimulation and redirection of functional forces within the craniofacial complex. Major responsibilities of orthodontic practice include the diagnosis, prevention, interception and treatment of all forms of malocclusion of the teeth and associated alterations in their surrounding structures; the design, application and control of functional and corrective appliances; and the guidance of the dentition and its supporting structures to attain and maintain optimum occlusal relations in physiologic and esthetic harmony among facial and cranial structures. A dentist who represents himself or herself as an "orthodontist," "Specialist in orthodontics" or similar term has completed the educational requirements stated in the American Dental Association's specialty practice guidelines in existence at the time the representation is made.

(f) Pediatric Dentistry: Pediatric Dentistry is the practice and teaching of comprehensive preventive and therapeutic oral health care of children from birth through adolescence. It shall be construed to include care for special patients beyond the age of adolescence who demonstrate mental, physical and/or emotional problems. A dentist who represents himself or herself as a "pediatric dentist," "specialist in pediatric dentistry" or similar term has completed the educational requirements stated in the American Dental Association's specialty practice guidelines in existence at the time the representation is made.

(g) Periodontics: Periodontics is that branch of dentistry that deals with the diagnosis and treatment of disease of the supporting and surrounding tissues of the teeth. The maintenance of the health of these structures and tissues, achieved through periodontal treatment procedures, is also considered to be the responsibility of the dentist. The scope shall be limited to preclude permanent restorative dentistry. A dentist who represents himself or herself as a

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“periodontist,” “specialist in periodontics” or similar term has completed the educational requirements stated in the American Dental Association’s specialty practice guidelines in existence at the time the representation is made.

(h) Prosthodontics: Prosthodontics is the dental specialty pertaining to the diagnosis, treatment planning, rehabilitation and maintenance of the oral function, comfort, appearance and health of patients with clinical conditions associated with missing or deficient teeth and/or Maxillofacial tissues using biocompatible substitutes. A dentist who represents himself or herself as a “prosthodontist,” “specialist in prosthodontics” or similar term has completed the educational requirements stated in the American Dental Association’s specialty practice guidelines in existence at the time the representation is made.

(i) Oral or Maxillofacial Radiology: Oral and maxillofacial radiology is the specialty of dentistry and discipline of radiology concerned with the production and interpretation of images and data produced by all modalities of radiant energy that are used for the diagnosis and management of diseases, disorders, and conditions of the oral and maxillofacial region. A dentist who represents himself or herself as a “specialist in oral and maxillofacial radiology” has completed the educational requirements stated in the American Dental Association’s specialty practice guidelines in existence at the time the representation is made.

(2) Nothing in this Rule shall be construed to prohibit the performance of specialty functions by a dentist who has not completed the educational requirements stated in the American Dental Association’s specialty practice guidelines, provided that the dentist does not represent himself or herself as a specialist in the particular area of dentistry.

Authority O.C.G.A. §§ 43-11-7, 43-11-8, 43-11-10, and 43-11-47.

Rule 150-12-.01 Fees: Dr. Nalley made a motion, Dr. Walker seconded and the Board voted to **adopt** the rule.

150-12-.01 Fees. Amended.

(1) The required fee must accompany the appropriate application as noted in the follow schedule. All fees are considered paid only when received in the Office of the Joint Secretary, State Examining Boards, payable to the Georgia Board of Dentistry:

(a) Application/Examination Fees:

1. Dental Application/Examination Fee-as shown on the schedule of fees adopted by the Board;
2. Dental provisional licensure by credentials Application/Examination Fee-as shown on the schedule of fees adopted by the Board;
3. Dental Re -examination Fee-as shown on the schedule of fees adopted by the Board;
4. Public Health and Dental Teacher Applications-as shown on the schedule of fees adopted by the Board;
5. Conscious Sedation and General Anesthesia Applications-as shown on the schedule of fees adopted by the Board;
6. Dental Hygiene Application/Examination Fee-as shown on the schedule of fees adopted by the Board;
7. Dental Hygiene provisional licensure by credentials Application/Examination Fee-as shown on the schedule of fees adopted by the Board;
8. Dental Hygiene Re -examination Fee-as shown on the schedule of fees adopted by the Board;
9. Dental Hygiene Temporary Permit-as shown on the schedule of fees adopted by the Board;
10. Law and Rules Examination-as shown on the schedule of fees adopted by the Board;

(b) Renewal Fees:

1. Dentists-(Includes Provisional Licenses by Credentials, Dental Teachers and Public Health Dentists)-as shown on the schedule of fees adopted by the Board;

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2. Dental Hygienists-(Includes Provisional Licenses by Credentials, Dental Hygiene Teachers)-as shown on the schedule of fees adopted by the Board;

3. Dental Conscious Sedation and General Anesthesia Renewal-as shown on the schedule of fees adopted by the Board;

(c) Delinquent Renewal Penalty Fees:

1. Dentists-(January 1 through June 30 of the even numbered years); as shown on the schedule of fees adopted by the Board;

2. Dental Hygienists-(January 1 through June 30 of the even numbered years); as shown on the schedule of fees adopted by the Board;

(d) Reinstatement Fees:

1. Dentists-as shown on the schedule of fees adopted by the Board;

2. Dental Hygienists-as shown on the schedule of fees adopted by the Board;

(e) Duplicate License Fees:

1. Duplicate License -as shown on the schedule of fees adopted by the Board;

2. Duplicate Identification Card/Permit-as shown on the schedule of fees adopted by the Board;

Authority O.C.G.A. §§ 43-11-8(a)(2), 43-11-9, 43-11-43, and 43-11-70.

Rule 150-13-.01 Conscious Sedation Permits: Dr. Andrews made a motion Dr. Walker seconded and the Board voted to **adopt** the rule.

150-13-.01 Conscious Sedation Permits.

(1) (a) When the intent is anxiolysis only, which is defined as the diminution or elimination of anxiety, and the appropriate dosage of nitrous oxide/oxygen inhalation and/or oral agents is administered, a permit for conscious sedation is not required.

(2) No dentist shall administer conscious sedation in Georgia in accordance with the definition of conscious sedation as defined by O.C.G.A. 43-11-1. unless such dentist possesses a permit based on a credentials review. The permits issued are either Enteral and/or Combination Inhalation/Enteral Conscious Sedation or Parenteral Conscious Sedation.

(3) An Enteral and/or Combination Inhalation/Enteral Conscious Sedation Permit holder may administer and manage enteral and or combination inhalation/enteral conscious sedation. To obtain an Enteral and/or Combination Inhalation/Enteral Conscious Sedation Permit, a dentist must provide certification of the following:

(a) Completion of an ADA-accredited postdoctoral training program, which affords comprehensive training necessary to administer and manage enteral and or combination inhalation/enteral conscious sedation; or

(b) Completion of a continuing education course, which consists of a minimum of eighteen (18) hours of didactic instruction plus twenty (20) hours of participation or video clinically-oriented experiences, which provides competency in enteral and/or combination inhalation/enteral conscious sedation. The course content must be equal to that described for an approved continuing education program in these techniques in the *ADA Guidelines for Teaching Comprehensive Control of Anxiety and Pain in Dentistry*, 2002 edition, or its successor publication.

(c) The dentist must have a properly equipped facility for the administration of enteral and/or combination inhalation/enteral conscious sedation and be staffed with appropriately trained and supervised personnel. The facility must have the equipment capable of delivering positive - pressure oxygen ventilation, and a pulse oximeter. The applicant must submit verification that the facility meets the above requirements and may be subject to an on-site inspection.

(d) The dentist and all support personnel must be certified in cardiopulmonary resuscitation at the basic life support level given by a board approved sponsor with an update not to exceed two years per board rules 150-3-.08, 150-3-.09, 150-5-.04, and 150-5-.05.

(e) The dentist must take four (4) hours of continuing education every two (2) years in pharmacology, anesthesia, emergency medicine or sedation, as part of the 40 hour requirement

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for license renewal, to maintain certification for the Enteral and/or Combination Inhalation/Enteral Conscious Sedation permit. Certification of this continuing education must be submitted at renewal.

(f) The Georgia Board of Dentistry shall be given a written, thirty (30) day advance notification of the relocation of a facility, the addition of a facility or significant change to the facility.

(g) If the permit holder intends to sedate patients under the age of twelve (12) years, an additional twelve (12) hours of pediatric-specific instruction divided between didactic and participation or video clinical experience must be obtained. This educational documentation must be submitted with the application for the Enteral and/or Combination Inhalation/Enteral Conscious Sedation Permit.

(4) The dentist utilizing multiple sedation modalities, including intravenous, enteral, parenteral, and inhalation, shall maintain a properly equipped facility for the administration of such sedation, staffed with appropriately trained and supervised personnel. The facility must have equipment capable of delivering positive pressure oxygen ventilation, a pulse oximeter, suction equipment that allows aspiration of the oral and pharyngeal cavity, an operating table or chair that allows for the patient to be positioned to maintain an airway, a firm platform for cardiopulmonary resuscitation, and a recovery area with available oxygen and suction. All of the afore mentioned equipment and supplies must be stationary and not subject to transfer from one site to another. The applicant must submit verification that the facility meets the above requirements and shall be subject to an on-site inspection. A Parenteral Conscious Sedation Permit holder may administer and manage the following: parenteral, enteral and/or a combination inhalation/enteral or parenteral conscious sedation. To obtain a Parenteral Conscious Sedation Permit, the dentist must provide certification of the following:

(a) Completion of an ADA-accredited, postdoctoral training program, which affords comprehensive training to administer and manage parenteral conscious sedation; **or**

(b) Completion of a continuing education course consisting of a minimum of sixty (60) hours of didactic instruction plus management of at least twenty (20) patients, which provide competency in parenteral conscious sedation. The course content must be equal to that described for an approved continuing education program in these techniques in the *ADA Guidelines for Teaching the Comprehensive Control of Anxiety and Pain in Dentistry*, 2002 edition, or its successor publication.

(c) The dentist utilizing multiple sedation modalities, including intravenous, enteral, parenteral, and inhalation, shall maintain a properly equipped facility for the administration of such sedation, staffed with appropriately trained and supervised personnel. The facility must have equipment capable of delivering positive pressure oxygen ventilation, a pulse oximeter, suction equipment that allows aspiration of the oral and pharyngeal cavity, an operating table or chair that allows for the patient to be positioned to maintain an airway, a firm platform for cardiopulmonary resuscitation, and a recovery area with available oxygen and suction. All of the afore mentioned equipment and supplies must be stationary and not subject to transfer from one site to another. The applicant must submit verification that the facility meets the above requirements and shall be subject to an on-site inspection.

(d) The dentist and all support personnel must be certified in cardiopulmonary resuscitation at the basic life support level given by a board approved sponsor with an update not to exceed two years per board rules 150-3-.08, 150-3-.09, 150-5-.04, and 150-5-.05.

(e) The dentist must take four (4) hours of continuing education every two (2) years in pharmacology, anesthesia, emergency medicine or sedation, as part of the 40 hour requirement for license renewal, to maintain certification for the Parenteral Conscious Sedation Permit. Certification of this continuing education must be submitted at renewal.

(f) The Georgia Board of Dentistry shall be given a written, thirty (30) day advance notification of the relocation of a facility, the addition of a facility or significant change to the facility.

(g) If the permit holder intends to sedate patients under the age of twelve (12) years, a minimum of five (5) pediatric-specific instructional experiences, both didactic and clinical, must be included. This educational documentation must be submitted with the application for the Parenteral Conscious Sedation Permit.

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- (5) Permit fees: As shown in the schedule of fees adopted by the Board of Dentistry.
(6) Renewal Fees: As shown in the schedule of fees adopted by the Board of Dentistry.
(7) Late Renewal Fees: As shown in the schedule of fees adopted by the Board of Dentistry.

Authority O.C.G.A. §§ 43-11-7, 43-11-8, 43-11-21, and 43-11-21.1.

Rule 150-13-.02 Deep Sedation/General Anesthesia Permits: Dr. Nalley made a motion, Dr. Walker seconded and the Board voted to **adopt** the rule.

150-13-.02 Deep Sedation/General Anesthesia Permits.

- (1) The educational requirements for a permit to use deep sedation/ general anesthesia in Georgia shall be equal to those set forth in O.C.G.A. § 43-11-21.1.
- (2) The following guidelines shall apply to the administration of deep sedation/general anesthesia in the dental office or a site approved by the Board:
- (a) When administration of deep sedation/general anesthesia is provided by another qualified dentist holding a current (Georgia) deep sedation/general anesthesia permit or by a physician anesthesiologist, the operating dentist and the staff must be certified in cardiopulmonary resuscitation at the basic life support level given by a board-approved sponsor with an update not to exceed two years per board rules 150-3-.08, 150-3-.09, 150-5-.04, and 150-5-.05.
- (b) When a certified Registered Nurse Anesthetist (CRNA) is permitted to function under the supervision of a dentist, administration of deep sedation/general anesthesia by a CRNA shall require the operating dentist to have completed training in deep sedation/general anesthesia, commensurate with these guidelines.
- (c) A dentist administering deep sedation/general anesthesia must document current successful completion of an advanced cardiac life support (ACLS) course (or an appropriate equivalent).
- (d) All staff must be certified in cardiopulmonary resuscitation at the basic life support level given by a board-approved sponsor with an update not to exceed two years per board rules 150-3-.08, 150-3-.09, 150-5-.04, and 150-5-.05.
- (3) In all areas in which this level of anesthesia is being conducted, the dentist shall maintain a properly equipped facility for the administration of deep sedation/general anesthesia, staffed with appropriately trained and supervised personnel. The facility must have equipment capable of delivering positive pressure oxygen ventilation, a pulse oximeter, suction equipment that allows aspiration of the oral and pharyngeal cavity, an operating table or chair that allows for the patient to be positioned to maintain an airway, a firm platform for cardiopulmonary resuscitation, and a recovery area with available oxygen and suction. All of the aforementioned equipment and supplies must be stationary and not subject to transfer from one site to another. The applicant must submit verification that the facility meets the above requirements and shall be subject to an on-site inspection.
- (4) The Georgia Board of Dentistry shall be given a written thirty (30) day advance notification of the relocation of a facility, the addition of a facility or significant changes in the facility. Changes in the method of administration of deep sedation/general anesthesia should also be brought to the attention of the Board. The permit holder shall be subject to an on-site inspection.
- (5) The dentist must take four (4) hours of continuing education every two (2) years in pharmacology, anesthesia, emergency medicine or sedation as part of the forty (40) hour requirement for license renewal to maintain certification for the deep sedation/general anesthesia permit. Certification of this continuing education must be submitted at renewal.
- (6) Permit fees: As shown in the schedule of fees adopted by the Board
- (7) Renewal fees: As shown in the schedule of fees adopted by the Board.
- (8) Late renewal fees: As shown in the schedule of fees adopted by the Board.

Authority O.C.G.A. §§ 43-11-7, 43-11-8, 43-11-21, and 43-11-21.1.

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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.

Minutes of the December 10, 2004 meeting: Dr. Nalley made a motion, Dr. Walker 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

- **No Report**

Credentialing Committee: Dr. Chris McFarland

- **Fees for licensure by credentials:**
 - Dr. McFarland made a motion, Dr. Walker seconded and the Board voted to set the fee for licensure by credentials for **dentists at \$3000**. Dr. Cook and Dr. Andrews **opposed** the vote.
 - Dr. Walker made a motion, Ms. Anday seconded and the Board voted to set the fee for licensure by credentials for **dental hygienists at \$1000**. Drs. Trager and McFarland **opposed** the vote.

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

- Requested that the sub-committee meet at the conclusion of the February 2005 meeting

Examination Committee: Dr. Logan Nalley

- Provided updates for the 2005 Examiner Assignments

Legislative Committee: Dr. Christopher McFarland

- No Report

Licensure Overview Committee: Dr. Jimmy Walker

- Request from Phyllis Winchester for approval of continuing education to meet the requirements of a consent order: **Approved.**

Rules Committee: Dr. Peter Trager

- Will meet at conclusion of Board meeting

General: Dr. Peter Trager

- Provided Board with Articles of Incorporation and Bylaws of the American Board of Dental Examiners - Voted to refer to AG's office for review and response.
- Provided information regarding the Southern Deans and Dental Examiners Conference
- The Medical College of Georgia will host the Southern Deans and Dental Examiners Conference in 2007. The Board will co-sponsor.

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- Dr. Nalley made a motion, Dr. Carroll seconded and the Board voted to **repeal** the Utilization Review Policy based upon advice from the Board attorney.
- Delivered a Board report at the most recent GDA Board meeting
- Notified Board that SRTA supports the concept of the Uniform National Board Examination.
- Board voted into policy that they accept all "clean" reinstatement orders upon receipt of the signed order. The Board has given the authority for the ED to sign orders with expressed consent on behalf of the President.

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

- PIE examination is ready to be administered
- SRTA is looking for cost cutting measures

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

- Offsite meetings are not mandated at this point
- Information received from ADA regarding the National Dental Examiner's Advisory Forum on March 22, 2005, in Chicago. Dr. Nalley will attend.
- Request from MCG regarding Mock Boards and addressing the senior students was presented to the Board.
- Information regarding Dr. Barton Corbin was discussed. The Board was advised that pursuant to 43-11-47(a)(4) and 43-11-47(a)(6) they cannot take any action regarding this matter unless he has been convicted, pled nolo contendere, admitted guilt, or until evidence has been received proving guilt.

Attorney General's Open Session Report: Reagan Dean

- Provided advice on Botox, Utilization Reviews and Teacher's licenses

Miscellaneous: Dr. Trager

- Correspondence from Michael Shuster requesting guidance regarding the use of corporate name by a dentist: The Board requested that a response be sent to Mr. Shuster that the request appears to **violate Board rule 150-11-.02**.
- Correspondence from ADHA requesting information regarding who can use Diagnodont: The Board requested that a response be sent to ADHA **referring to Board Rule 150-5-.03(5)**.
- Correspondence from ADA regarding vacancies on National Board Dental Test Construction Committees in 2006: Viewed as **informational**
- Correspondence from Kim Henry, DMD regarding over-treatment of patients: **Board will investigate if complaints are received.**
- Ratify list of newly issued licenses: Dr. Cook 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		
DN013054	Nguyen, Thuc Kien	Dentist
DN013055	Sripathi, Geetha	Dentist
DN013056	Gessling, Melissa	Dentist
DN013057	Nath, Vishant	Dentist
DH009406	Cornwell, Susan L	Dental Hygienist
DH009407	Gordon, Stephanie Spurlock	Dental Hygienist

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DH009408	Privette, Erin Temple	Dental Hygienist
DH009409	Huff, Susan Michelle	Dental Hygienist
DH009410	Ogawa, Lavina Marie	Dental Hygienist
DH009411	Smith, Teresa Lynn	Dental Hygienist
DNGA000187	Trotter, William A, IV	General Anesthesia Permit
DNCS000207	Hasty, Christopher M.	Conscious Sedation Permit
DNCS000208	Spratling, John Wesley	Conscious Sedation Permit
DNCS000209	Wright, Holland Boyd	Conscious Sedation Permit
DNCS000210	Bens, Michael A.	Conscious Sedation Permit
DNCS000211	Patel, Kumar Jashbhai, DMD	Conscious Sedation Permit
	REINSTATEMENTS	
DN007088	Monroe, Karl Lindsey	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, McFarland, Nalley, Walker, Cook, Mr. McDougald and Ms. Anday. The Board concluded **Executive Session** in order to vote on these matters and to continue with the public session.

J.P.F., DDS – Appointment with Board: Dr. Walker made a motion, DR. Nalley seconded and the Board voted to **approve** for a six month permit, with inspection being completed in the six month period.

E.P.T., DMD – Appointment with Board: Requested to **cancel** appointment

Licensure Overview Committee – Dr. Jimmy Walker

- **L.L. – Termination of probation:** Requested to **cancel appointment**
- **G.L.C. – Termination of Probation:** Recommendation to **approve**
- **R.C. – Application for reinstatement of license:** Recommendation to **deny**
- **S.I. – Application for reinstatement of license:** Recommendation to **require to re-take SRTA, take a 40 hour hands-on CE in General Dentistry, take LEAP and Risk Management Course prior to being considered for reinstatement of license**
- **J.C.F. – Termination of probation:** Recommendation to **approve**
- **A.H. – Request for information regarding reinstatement of license:** Refer to GDA for LEAP and provide SRTA's phone number

Dr. Walker made a motion, Dr. Nalley 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:

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Applications/Licensure:

- **D.L.D., RDH** - Request for extension of time for completion of LEAP for satisfying private consent order: Refer to GDA for LEAP course and require to **complete at the next scheduled date**
- **S.M., DDS** - Petition to be allowed to prescribe pain medication for post operative extractions: Recommendation to **deny** request. Original consent order remains in effect.
- **J.A., DMD** - Dental Applicant: **Table** until next meeting
- **C.A.J.** - Dental Applicant: **Table** until next meeting
- **R.M.S.** - Dental Applicant: **Deny**
- **S.P.L.** - Enteral Conscious Sedation Applicant: Recommendation to apply under new rule. Does not qualify under current rule.
- **R.P.** - Consider motion to revoke license for failure to comply with consent order: **Must be in compliance within 30 days of receipt of letter or license is suspended**
- **C.C.S.** - Dental Hygiene Applicant - Requesting clarification regarding requirements for licensure: Refer to **GDA for LEAP** program, to **MCG for hands-on course**

Investigative Report: Dr. Logan Nalley, Jr.

Dr. Walker made a motion, Dr. Nalley seconded and the Board voted to **approve** the following recommendations regarding the Investigative Report.

<u>RECOMMENDATION</u>	<u>CASE NUMBER</u>
CLOSE	37-01-99-00064
CLOSE	DENT 03-0027
CLOSE	37-01-02-00104
CLOSE	DENT 04-0001
CLOSE	DENT 04-0116
CLOSE	DENT 04-0167
CLOSE	DENT 04-0191
CLOSE	DENT 04-0264
CLOSE	DENT 04-0284
CLOSE	DENT 04-0294
CLOSE	DENT 04-0297
CLOSE	DENT 05-0012
CLOSE	DENT 05-0032
CLOSE	DENT 05-0057
CLOSE	DENT 05-0060
CLOSE	DENT 05-0061
CLOSE	DENT 05-0070
CLOSE	DENT 05-0075
CLOSE w/LOC	DENT 02-0186
CLOSE w/LOC	DENT 04-0048
CLOSE w/LOC	DENT 04-0210
CLOSE w/LOC	DENT 04-0288
REFER TO PLB LEGAL SERVICES	37-01-02-00067
REFER TO PLB LEGAL SERVICES	37-01-02-00084
REFER TO PLB	DENT 03-0033

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LEGAL SERVICES	
REFER TO PLB LEGAL SERVICES	DENT 04-0016
REFER TO A.G.	37-01-02-00149
REFER TO A.G.	DENT 04-0012
REFER TO A.G.	DENT 04-0144
REFER TO A.G./OMPE	DENT 05-0011
REFER FOR CRIMINAL PROSECUTION	37-01-00-00176
REFER FOR CRIMINAL PROSECUTION	37-01-98-00209
REFER FOR CRIMINAL PROSECUTION	DENT 02-0231
REFER FOR CRIMINAL PROSECUTION	DENT 04-0068

Executive Director's Report: Anita O. Martin

- No Report

Attorney General's Report: Reagan Dean

Dr. Walker made a motion, Dr. Nalley seconded and the Board voted to approve the recommendation regarding the Attorney General's report.

- **Tarannum Basher – Accept public consent order and fine**

Legal Services Report – Presented by Anita O. Martin

Dr. Walker made a motion, Dr. Nalley seconded and the Board voted to **approve** the following recommendations regarding the legal services report.

- **Cristie McClung – Accept Consent Order for reinstatement**
- **James Stephen Buckler – Accept Consent Order for reinstatement**
- **Tara Worley – Accept Voluntary Surrender**
- **John S. Birch – Accept Voluntary Surrender**

Miscellaneous:

- GDA expressed concern in the delay of vote today concerning Teacher's Licenses rule. Concerns are that delaying a vote on the rule will hamper the school in hiring faculty.
- **Correspondence from Stan Prince regarding DCH program operations:** The Board requested that a response be sent to Dr. Prince that this matter is not in the jurisdiction of the Board.

The next meeting is scheduled for a conference call meeting on February 11 at 9:00 a.m.

There being no further business to come before the Board, the meeting was adjourned at 1:35 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

The Rules Committee Meeting was called to order at 2:00 P.M.

Committee Members in Attendance

Dr. Pete Trager, Chair
Ms. Tunde Anday
Dr. Clyde Andrews
Dr. Chris McFarland

Others in Attendance

Anita O. Martin, Executive Director
Reagan Dean, Board Attorney
Martha Phillips, GDA

The Committee discussed, reviewed & revised the following draft rules:

- 150-7-.01 Public Health License.
- 150-7-.02 Teaching Licenses
 - Recommended that the October 22, 2004 draft of this rule presented to the board at the February 2005 meeting for consideration for posting.
- 150-9-.02 Expanded Duties of Dental Assistants

The Rules Committee was adjourned at 2:40 P.M.