

**GEORGIA BOARD OF DENTISTRY
Board Meeting
January 6, 2012
Professional Licensing Board
237 Coliseum Drive
Macon, GA 31217**

The following Board members were present:	Others Present:
Dr. Isaac Hadley Dr. Clyde Andrews Dr. Richard Bennett, Jr. Ms. Becky Bynum Dr. Becky Carlon Dr. Randy Daniel Dr. Thomas Godfrey Dr. Stephan Holcomb Dr. Logan Nalley Dr. Barry Stacey	Reagan Dean, Board Attorney Anita Martin, Executive Director Carol White, Board Support Specialist Melana McClatchey, GDA Elizabeth Appley, GDHA John Bowman Carol Woodson Brittany Thome Carol Smith Julie Ann Routhier Dixianne Parker Jorge Beinal Dwayne Turner Nancy DeMott

Rule Hearing 9:30 a.m.

Dr. Hadley called the rules hearing to order at 9:34 a.m. for Board Rule 150-3-.09 – Continuing Education for Dentists. The Rule Amendment allows courses taken in a residency program to count for continuing education credit.

Written Responses were received from Dr. Carol Smith, Director of the Oral Health Prevention Program, Maternal and Child Health Georgia Department of Public Health.

The hearing was adjourned at 9:36 a.m.

Open Session

Dr. Hadley established that a quorum was present and the meeting that was scheduled to begin at 9:35 a.m., was called to order at 9:36 a.m.

Introduction of visitors – Dr. Hadley welcomed the visitors.

Minutes from the December 2, 2011 Conference Call Board Meeting

- Dr. Stacey made a motion to approve as amended. Dr. Andrews seconded the motion and it carried unanimously

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C.E. Audit Committee Report – Dr. Barry Stacey

- Dr. Stacey reported that the committee has been reviewing the CE's that have been submitted and there will be more CE's to come.

Conscious Sedation/General Anesthesia Committee Report

- Dr. Stacey reported that he is working on a check list for applications to assure that the board staff has all that is required.

Examination Report – Drs. Logan Nalley and Stephen Holcomb

- Dr. Nalley advised that Florida is now taking the ADEX; the content of the examination could impact licensure by credentials for individuals from Florida.

Rules Committee Report – Dr. Clyde Andrews

- The Rule Committee met via conference call on December 12, 2011 and approve the following draft to come before the Board for consideration to vote to post:

150-5-.03 Supervision of Dental Hygienists.

- (1) Any reference to a dental hygienist in this rule means a Georgia licensed dental hygienist.
- (2) Direct supervision as it pertains to procedures delegated to a dental hygienist shall mean that a dentist licensed in Georgia is in the dental office or treatment facility, personally diagnoses the condition to be treated, personally authorizes the procedures and remains in the dental office or treatment facility while the procedures are being performed by the dental hygienist and, before dismissal of the patient, examines the patient.
- (3) A dental hygienist shall perform his or her duties only under the direct supervision of a duly licensed dentist who is licensed to practice in the state of Georgia.
 - (a) The requirement of direct supervision shall not apply to the educational training of dental hygiene students at an institution approved by the Board and the Commission on Dental Accreditation of the American Dental Association.
 - (b) ~~The requirement of direct supervision shall not apply to the performance of dental hygiene duties at approved dental facilities of the Department of Human Resources, county boards of health, or the Department of Corrections.~~
The requirement of direct supervision shall not apply to the performance of dental hygiene services at approved dental facilities of the Department of Public Health, county boards of health, or the Department of Corrections. A supervising dentist shall assume responsibility for authorizing services that may be performed by dental hygienists as defined in subsections (5)(a) through (g) of this rule, at such locations, either in person, through videoconferencing or by written standing orders or Department of Public Health, county boards of health, or the Department of Corrections protocols.
 - (c) ~~The requirement of direct supervision shall not apply to the performance of dental hygienists providing dental screenings in settings which include schools, hospitals, and clinics and state, county, local, and federal public health programs. Other health fair settings must be pre-approved by the board.~~
Approved dental facilities of the Department of Public Health, county boards of health, and Department of Corrections shall submit to the Board of Dentistry for approval written protocol which identifies how

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duties are delegated to dental hygienists. Changes to such approved protocol must be resubmitted to the Board of Dentistry for review and approval.

(d) The requirement of direct supervision shall not apply to the performance of dental hygienists providing dental screenings in settings which include schools, hospitals, and clinics and state, county, local, and federal public health programs. Other health fair settings must be pre-approved by the board.

(4) No dentist shall supervise more practicing dental hygienists than he or she can safely and reasonably supervise in order to ensure that the health, safety, and welfare of patients are protected.

(5) In addition to routine duties and the procedures of any of the operations or procedures authorized in O.C.G.A. § 43-11-74, the following activities may be performed by a dental hygienist working under the direct supervision of a dentist:

(a) All the duties that are usually performed by a dental assistant pursuant to Title 43, Chapter 11, Article 4 of the Official Code of Georgia Annotated and Chapter 150-9 of the Rules of the Georgia Board of Dentistry, under the limitations and stipulations set forth in Title 43, Chapter 11, Article 3 of the Official Code of Georgia Annotated and Chapter 150-5 of the Rules of the Georgia Board of Dentistry.

(b) Take and mount oral x-rays;

(c) Apply medications and/or solutions approved by the Board and prescribed by the dentist that can be applied by methods approved by the Board, be that by irrigation, tray, or insertion of bioresorbable materials;

(d) Remove calcareous deposits, secretions, and stains from the surfaces of teeth. Ultrasonic technologies are authorized for use by dental hygienists;

(e) Utilize techniques and materials necessary for the application of sealant(s) to pits of and fissures of teeth;

(f) Perform root planning and curettage with hand instruments; and

(g) Perform periodontal probing.

(6) Nothing in these rules shall be construed as authorizing dental hygienists to utilize other techniques in the course of the performance of their duties, otherwise authorized by these rules. Only dentists licensed by the Georgia Board of Dentistry shall be authorized to perform procedures involving laser technology which alters tissue, creates thermal effect, or is intended to cut, coagulate, photocoagulate, vaporize, or ablate essentially any soft or hard tissues of the body. Additionally only dentists licensed by the Board shall be authorized to perform procedures utilizing air abrasive technology, which is normally intended for cavity preparation or enamel removal. This is to be distinguished from "micro etching" and "air polishing" technologies which are intended for stain removal and roughening the surfaces of enamel to enhance bonding, similar to acid etching, (i.e., Micro etching and air polishing are technologies authorized for use by dental hygienists).

- Dr. Andrews made a motion to post Board Rule 150-5-.03 – Supervision of Dental Hygienists. Dr. Nalley seconded the motion and it carried unanimously.

Education Committee Report – Dr. Thomas Godfrey

- Dr. Godfrey spoke with Dean Drisko who stated that Georgia Health Science University, is on slate to be combined with Augusta State.

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- Dr. Godfrey reported that Dean Drisco also stated that the foreign trained dentist program has been put on hold.
- Dr. Godfrey stated that Dean Drisko requested that he speak to the senior dental students on ethics. Dr. Holcomb and Dr. Nalley asked if this meeting could be held in conjunction with the CRDTS review.
- Dr. Godfrey stated that Dean Drisko also stated that the level of applicants they have this year is exemplary.

Ratify Licenses – Dr. Stacey made a motion to approve the ratified license list. Dr. Andrews seconded the motion and it carried unanimously.

Correspondence from C. Christopher McFarland, DMD, President of Georgia Section of the American College of Prosthodontists re: scope of practice.

- Dr. Godfrey will contact Dr. McFarland regarding this issue.

Consideration of adoption of Board Rule 150-3-.09 – Continuing Education for Dentists

- Dr. Andrews made a motion to adopt Board Rule 150-3-.09 Continuing Education for Dentists Dr. Nalley seconded the motion and it carried unanimously.

Correspondence from Suzanne Newkirk regarding lack of dental care for Georgia's poor.

- The Board viewed as informational.

Rule Waive request from Dr. Randy Muccioli regarding Board Rule 150-7-.04 – Dental Provisional Licensure by Credentials.

- Dr. Nalley made a motion to deny the rule waiver request as a waiver is not required; it appears that Dr. Muccioli qualifies based on subsection 12 of the rule. Dr. Holcomb seconded the motion and it carried unanimously.

Rule Waiver Request from Dr. Lydia Muccioli regarding Board Rule 150-7-.04 – Dental Provisional Licensure by Credentials.

- Dr. Nalley made a motion to deny the rule waiver request as a waiver is not required; it appears that Dr. Muccioli qualifies based on subsection 12 of the rule. Dr. Holcomb seconded the motion and it carried unanimously.

Request from Rick Allen, Director, Division of Drugs and Narcotics Agency

- Dr. Bennett made a motion for Dr. Randy Daniel to be appointment to the Georgia Prescription Drug Monitoring Program Advisory Council for the Prescription Drug Monitoring Program. Dr. Holcomb seconded the motion and it carried unanimously.

Correspondence from Mohd, DDS regarding Licensure through Credentials and PGYI.

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- The Board supports and enforces the concept and Georgia law requires that the public is best served and protected by insuring that licensees have been clinically assessed (and demonstrated an acceptable, minimal level of competence) by an independent third party separate from the educational institutions.

Consider for approval the minutes from the November 10, 2011 meeting with Attorney General Sam Olens.

- Dr. Stacey made a motion to approve as amended. Dr. Andrews seconded the motion and it carried unanimously.

Letter to Georgia Health Sciences University re: Sedation Permits

- Dr. Godfrey made a motion to approve. Dr. Nalley seconded the motion and it carried unanimously.

Request for additional administrative processing authority.

- The Board viewed as informational.

Letter from Drs. Redwine and Rose-Mize re: Basic Life Support

- Dr. Stacey made a motion to refer Drs. Redwine and Rose-Mize to Board Rule 150-13-.01 – Sedation Permits. The Board rule is specific on this issue. The Board states you must have an attending dentist and two support personnel. Dr. Andrews seconded the motion and it carried unanimously.

General – Dr. Isaac Hadley

- Dr. Hadley stated the next board meeting date will be February 10, 2012 and the Board will give plaques to the Board members who are no longer on the Board. Drs. Cook and Carroll and Ms. Bush will attend the meeting on February 10, 2012.

Executive Director's Open Case – Ms. Anita Martin

- Ms. Martin stated that 5212 dentist have renewed; 6283 dental hygienist have renewed.
- Ms. Martin shared information on processing applications due to the new law regarding verification of lawful US residency status.
- Ms. Martin stated that she will retire March 30, 2012.
- Ms. Martin requested that the Board consider allowing additional administrative processing authority to assist in expediting licensure. The Board denied the request.

Attorney General's Open Session – Mr. Reagan Dean

- Mr. Dean reported on the teeth whitening case from the North Carolina Board of Dentistry. Mr. Dean reported that the judge upheld the ALJ's ruling against the North Carolina Board. Mr. Dean shared with the Board the next step would be to the court of appeals.

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- Mr. Dean also pointed out the laws and rules governing the actions of North Carolina Board of Dentistry are very different than those governing the actions of the Georgia Board of Dentistry.

Miscellaneous:

- Dr. Nalley made a motion to post Board Rule 150-9-.06. Dr. Holcomb seconded the motion and it carried unanimously.

Board Rule 150-9-.06

(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 an accredited dental assisting program, 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 certificate courses (each of which must be a minimum of four hours) from an accredited dental assisting program, a dental hygiene school, a dental school or professional association recognized and approved by the Georgia Board of Dentistry and met all other requirements of an expanded duty assistant; and completed an examination demonstrating competency in specific duties that is administered by a licensed dentist on behalf of the accredited dental assistant program, dental hygiene school, dental school or professional association recognized and approved by the Georgia Board of Dentistry.

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

- (a) Possess current certification that the candidate is a Certified Dental Assistant.
- (b) Be a graduate of a one (1) year accredited dental assisting program or a dental assisting program approved by the Board or be eligible for graduation.
- (c) 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. (Note: An expanded duties certificate would be issued to a candidate only upon proper proof of graduation.)

(3) 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.

- (a) 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.

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- (b) Place cavity liner, base or varnish over unexposed pulp.
- (c) Intraoral fabrication of temporary crowns and bridges. All such adjustments must be performed extraorally.
- (d) Perform face bow transfer.
- (e) Make impressions to be used to repair a damaged prosthesis.
- (f) Place periodontal dressing.
- (g) 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.
- (h) 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.
- (i) 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.
- (j) Apply topical anticariogenic agents.
- (k) 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).
- (l) Packing and removing retraction cord, as prescribed by the dentist, so long as said cord is used solely for restorative dental procedures.
- (m) 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).
- (n) Rebond brackets after a licensed dentist has examined the affected tooth and surrounding gingiva and found no evidence of pathology.
- (o) Remove bonded brackets with hand instruments only.
- (p) Make impressions for passive orthodontic appliances.
- (q) 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).

Executive Session

Dr. Holcomb made a motion, Dr. Nalley seconded, and the Board voted to enter into **Executive Session** in accordance with O.C.G.A. §43-1-19(h)(2), 43-11-47(h) and §43-1-2(k) to deliberate and to receive information on applications, investigative reports and the Assistant Attorney General's report. Voting in favor of the motion were those present who included Drs. Andrews, Bennett, Carlon, Daniel, Godfrey, Stacey, and Ms. Bynum. The Board concluded the **Executive Session** in order to vote on these matters and continue with the public session.

Appointments

10:30 a.m. – J.A.M. – Denied DH Applicant – The Board recommended upholding the denial.

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Applications

1. T.L.R. – Dental Applicant – The Board recommended denial.
2. D.L.G. – Dental Hygienist Renewal Applicant – The Board recommended scheduling an appointment with LOC.
3. H.M. – Dental Renewal – The Board recommended approval.
4. K.N.T. – Dental Hygienist Renewal – The Board recommended approval.
5. M.J.W. – Dental Hygienist Reinstatement – The Board recommended a Reinstatement Consent Order under policy.
6. L.B.S. – Dental Renewal Applicant – The Board recommended referring to the Attorney General’s office to mimic the Florida Consent Order.
7. L.R.R. – Dental Hygienist Renewal Applicant – The Board recommended referring to the Attorney General’s Office for a Private Impairment Consent Order.
8. L.L.B. – Dental Hygienist – Renewal Applicant – The Board recommended approval.
9. E.M.S. – Dental Renewal – The Board recommended approval.
10. M.L.K. – Dental Conscious Sedation/General Anesthesia Applicant – The Board recommended referring to the OIG for a Cease and Desist for Unlicensed Practice of Sedation, open a complaint case and to schedule for IC.
11. R.F.R. – Dental Hygienist Renewal Applicant – The Board recommended approval.
12. P.M.D. – Dental Renewal Applicant – The Board recommended approval.
13. R.A.S. – Dental Renewal Applicant – The Board recommended scheduling an appointment with IC or if applicant does not want to come to appointment then refer to the Attorney General’s office for a Voluntary Surrender.
14. J.A.V. – Dental Hygienist Renewal Applicant – The Board recommended approval.
15. C.S.T. – Dental Hygienist Renewal Applicant – The Board recommended approval.
16. D.L.M. - Dental Hygienist Renewal Applicant- The Board recommended approval.
17. M.S.M. - Dental Hygienist Renewal Applicant- The Board recommended approval.
18. S.M.T. – Dental Hygienist Renewal Applicant – The Board recommended approval.
19. G.W.P.-Dental Renewal Applicant – The Board recommended to open a complaint case and schedule an appointment with the IC.
20. L.V.B.- Dental Renewal Applicant – The Board recommended scheduling an appointment with the LOC.
21. N.M.S.-Dental Hygienist Reinstatement Applicant – The Board recommended reinstatement under policy.
22. D.V.-Dental Hygienist Reinstatement Applicant – The Board recommended reinstatement under policy.
23. M.W.W.- Dental Hygienist Renewal Applicant – The Board recommended approval scheduling an appointment with the DLOC.
25. V.L.S.-Dental Hygienist Reinstatement Applicant-The Board recommended scheduling an appointment with the LOC.
26. K.T.S.-Dental Renewal Applicant – The Board recommended scheduling an appointment with the LOC.

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27. E.J.G.- Dental Renewal Applicant- The Board recommended renewal with a Public Consent Order, a \$500.00 fine and double the deficient CE.

Investigative Committee Report – Dr. Logan Nalley, Jr.

- The Board recommended approval as amended

Licensure Overview Committee Report – Dr. Isaac Hadley

- S.A. – Foreign Trained Dental Applicant – The Board recommended denial.
- E.J.J. - Credentials Applicant – The Board recommended approval.
- C.W. – Dental Renewal Applicant – The Board recommended renewal under a Standard Impairment Consent Order.
- A.V. – Dental Hygienist Renewal Applicant – The Board recommended approval.
- R.F. – Terminate Private Consent Order – The Board recommended approval.
- Dr. Henry L. Cook, Jr. - Early Termination of Probation – The Board recommended denial.

Executive Director's Report – Ms. Anita Martin

- Ms. Martin presented to the Board a Renewal Application on D. H. – The Board recommended scheduling an appointment with the LOC.

Attorney General's Report – Mr. Reagan Dean

- Mr. Dean presented to the Board for acceptance a signed Consent Order on Dr. Christopher Cansler.

Miscellaneous

- The Board recommended referral on Dr. L.F.E.,DDS to the Attorney General's office regarding a license issued in error in August 2011.
- The Board recommended referring DENT070118 to the Investigative Committee for discussion.

Open Session

Dr. Hadley declared the Board back into open session.

Miscellaneous

- The Board stated the LOC will meet on February 3, 2012 starting at 9:00 a.m.

Dr. Carlon motion to approve the applications, Dr. Bennett seconded the motion and it carried unanimously. Dr. Andrews made a motion to approve the recommendations of the LOC and the IC. Ms. Bynum seconded the motion and it carried unanimously. Dr. Holcomb made a motion to

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accept all the recommendations made for the Attorney General's Report. Dr.Nalley seconded the motion and it carried unanimously.

The next Dental Board meeting will be on February 10, 2012. The Board meeting adjourned at 1:15 p.m.

Minutes recorded by:

Carol White, Board Support Specialist

Minutes reviewed and edited by:

Anita O. Martin, Executive Director