

GEORGIA BOARD OF DENTISTRY
 BOARD MEETING
 July 24, 2009
 Professional Licensing Boards
 237 Coliseum Drive, Macon, GA
 9:35 a.m.

The following Board members were present:	Others Present:
Dr. Stephan Holcomb Dr. Becky Carlon Dr. Clark Carroll Dr. Henry Cook Dr. Thomas Godfrey was meeting with Secretary of State Handel before arriving at 2:05 p.m. Dr. Isaac Hadley Dr. Logan Nalley Ms. Elaine Richardson	Anita Martin, Executive Director Carol White, Board Secretary Reagan Dean, Board Attorney Julie Fisher, Legal Staff Melana McClatchey, Georgia Dental Association Dr. Don Benton, Georgia Dental Association Jeff Godwin, Shurett Dental Group Janet Jackson (via teleconference during Review Hearing)

Dr. Holcomb 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. Dr. Holcomb recessed the meeting and called the Public Hearing to order at 9:37 a.m.

Introduction of visitors – Dr. Holcomb welcomed the visitors.

Public Hearing 9:30 a.m.

Board Rule 150-5-.05: Amendment to Requirements for Continuing Education for Dental Hygienists– Adopted

The Hearing was adjourned at 9:38 a.m.

The Dental Board meeting was reconvened at 9:38 a.m.

Board Review Hearing

11:00 a.m. – Dr. Denise Moore-Ebhohimen – Dr. Godfrey was recused from the board’s deliberation and vote on the Board Review Hearing. The Board rendered a Final Decision.

2. Minutes from the June 5, 2009 board meeting:

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

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3. C.E. Audit Committee – Drs. Henry Cook, Sr. & Barry Stacey – Dr. Holcomb asked about the status of the form for CE hours for Volunteer work. Dr. Cook and Ms. Martin had worked on the form which is posted on the web. The Executive Director, Ms. Martin, will ask that the title of the link be retitled. Dr. Cook asked how the information was to be disseminated. Dr. Holcomb stated that it was posted on the web and that the GDA representatives who attend the meeting can disseminate the information to its membership. Dr. Holcomb asked that Dr. Cook assure the information be made available to the membership of the Society. Executive Director, Ms. Martin will contact the Hygiene member and ask that she provide information to the GDHA membership.

4. Conscious Sedation/General Anesthesia Committee – Drs. Clyde Andrews & Barry Stacey
The Board discussed Dr. Holcomb's suggestion for a public forum on proposed sedation rules. Executive Director, Martin will coordinate a date, time, and location for a public forum. Ms. Martin, will notify Ms. McClathey of the date, time location, etc. when determined. Ms. Martin will also check to see if there is an option to coordinate a teleconference from a location in Atlanta.

5. Credentialing Committee – Dr. Becky Carlon

Dr. Holcomb discussed his July 11, 2009 e-mail regarding acceptance of credentials applicants received from states not requiring a clinical examination. See attachment # 1.

Dr. Holcomb requested that Dr Carlon develop a checklist that can be used as a cover sheet as part of the credentials review process. Dr. Carlon stated that the committee can work from the Epiware website in the review of credentials applications. If the committee members find that the website does not work they can move to a thumb drive. Board staff will notify Dr. Carlon if they don't hear back from the committee members in a timely manner. Dr. Holcomb stated that he finds it is important that all committee members be provided an opportunity to make a decision/provide input on an applicant.

6. Dental Hygiene Committee: - Ms. Pamela Bush, RDH – In Ms. Bush's absence Dr. Holcomb reported that work on the format of the exam for next year is underway.

7. Examination & CRDTS Committee Reports: – Dr. Logan Nalley, Jr.

Dr. Nalley reported that we are short one restorative examiner for the August 14-16, 2009 MCG examination. Dr. Hadley stated he will attend as an examiner for the exam. Dr. Carlon will give the perio part of the exam and Dr. Hadley will give the restorative part of the exam.

Dr. Nalley again encouraged all of the Board members to attend the CRDTS annual meeting in August 2009. All Board members present and the Board attorney state that they will attend the meeting.

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Dr. Nalley stated that Division Director Randy Vaughn came to the meeting a couple of months ago and stated that funding for AADE may be revisited after the new fiscal year. Dr. Nalley requested that a formal request be made to the Division Director and the Secretary of State for funding of state membership of AADE to have access the clearing house, and access to the liaison forms/position with AADE. The Board members state that this issue is embarrassing to the Board.(AADE may possibly be having a name change to the Federation of State Dental Boards.)

Dr. Holcomb discussed applicants who have passed all parts of ADEX and not passed the DSCE. DSCE has been breached and compromised. Most likely most state boards will not require a re-exam for failure of the DSCE only.

8. Investigative Committee – Dr. Logan Nalley, Jr. – No Open Session Report.

9. Legislative Committee – Drs. Henry Cook & Steve Holcomb – No Report.
Ms. McClatchy stated that she does not know of any pending legislation.

10. Licensure Overview Committee - Dr. Issac Hadley

Ms. Richardson will develop a checklist to be used as a cover sheet/compliance sheet as part of the LOC review process.

11. Rules Committee – Dr. Clyde Andrews

The Board discussed matters referred to the Rules Committee.

- Discussion of Licensure by Credentials and Open Forum for sedation/Anesthesia.
- Faculty licensure off-site/VA practice
- Teledentistry
- Direct supervision of hygiene
- Definitions being used in dentistry (appliance, other definitions utilized in the ULP of dentistry, etc.) board would welcome input from the GDA. The Board requested that input from the GDA be sent to Dr. Holcomb in care of the Board office.
- Refer to rules committee – Revise rule to allow acceptance of NERB/ADEX retake examination scores through June 30, 2010.

12. CRDTS Examination Report – Dr Clark Carroll

Dr. Carroll encouraged the Board members to register and attend the annual meeting. During the annual meeting, there will be discussion of the MN licensure issues, mid-level provider issues, and there will be voting on officers. Also, ERC positions are voted on annually; Dr. Holcomb has announced his candidacy for a position on the ERC. The steering committee acts as nominations committee for officers.

13. Education Committee – Dr. Tom Godfrey

Dr. Godfrey reported that the Medix School is changing its name to the Medix College and will have a dental hygiene program beginning in the Fall of 2009.

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Dr. Cook reported on the MCG program sponsored by Delta Dental; discounts were available to CE program costs for Delta Dental members. Dr. Cook and Mr. Dean had previously discussed this issue and he advised that he found no improprieties as to this event.

14. Request from Denis Howard, EMT, ECSI information on Professional CPR & aACLS.
Tabled

15. Response from Dr. James McLelland re: Board's request for LOC meeting concerning Rule Waiver request on 150-3-.09. Dr. Nalley made a motion to approve the Rule Waiver request for a waiver of the CE requirements due to hardship for the 2009 renewal period and schedule an appointment with the LOC for January 2010. Ms. Richardson seconded the motion and it carried unanimously.

16. Open Records Act request from Diana S. Kim for any and all dental license applications and related documentation of William A. Hoskyns. Dr. Nalley made a motion to deny the request. Ms. Richardson seconded the motion and it carried unanimously.

17. Request from Dominick Moore re: correspondence sent to CRDTS. The Board was also provided a letter dated July 17, 2009 as received from Mr. Moore. Dr. Nalley made a motion to refer to the rules committee to revise rule to allow acceptance of NERB/ADEX retake examination scores through June 30, 2010. Prior to the rule revision, the Board will consider Rule Waiver/Variance request on a case by case basis. Ms. Richardson seconded the motion and it carried unanimously.

18. Correspondence from Dr. R. Mark Hinrichs, Chair, American Association of Dental Examiners Committee to Develop Guidelines on Recordkeeping. Dr. Hadley made a motion that the Board supports the guideline on record-keeping. Ms. Richardson seconded the motion and it carried unanimously.

19. Request from Bill Armour, Collee President Medix College to provide Donna Solovan-Gleason with a continuing Dental Hgiene Faculty . Ms. Richardson made a motion to request Ms. Solovan-Gleason provide the Board with a copy of the employment contract as required in 150-7-.02; when received the Board will consider at the September 2009 Board meeting. Dr. Hadley seconded the motion and it carried unanimously.

20. Rule Waiver Request from Kevin Christopher Nietzer for Board Rule 150-3-.01(7). Dr. Nalley made a motion to deny request; the examination is no longer acceptable in Georgia. Dr. Carlon seconded the motion and it carried unanimously.

21. Consideration of Board Rule 150-5-.05. Dr. Hadley made a motion to adopt an amendment to Board Rule 150-5-.05. Dr. Cook seconded the motion and it carried unanimously.

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150-5-.05 REQUIREMENTS FOR CONTINUING EDUCATION FOR DENTAL HYGIENISTS.

(1) Dental hygienists 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 twenty-two (22) 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 dental hygienist for at least three (3) years following the end of the biennium during which the course was 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 licensed dental hygienists 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 apply within the first biennium that a dental hygienist is licensed in Georgia. However, in order to meet the continuing education requirements during the first biennium, a newly licensed dental hygienist may submit as their continuing education hours proof of dental hygiene 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. Following the first biennium that a dental hygienist is licensed in Georgia such licensees shall comply with the continuing education requirements set forth in Rule 150-5-.05 (2) and (3).

(d) The continuing education requirements shall not apply to dental hygienists who are on inactive status.

(2) Coursework, including home study courses, sponsored or approved by any organization recognized under Rule 150-3-.09(2) will be accepted.

(3) Course content:

(a) All courses must reflect the professional needs of the hygienist providing quality dental health care to the public;

(b) At least fifteen (15) hours of the minimum requirement must be scientific 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 offered by the American Heart Association, the American Red Cross, the American Safety and Health Institute, or the National Safety Council may be used to satisfy continuing education requirements per renewal period.

(d) Up to eight (8) hours of continuing education per year may be obtained by assisting the Board with administering the clinical licensing examination or by assisting the Board with investigations of licensees. These hours shall be approved by the Continuing Education

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Committee of the Georgia Board of Dentistry and need not be sponsored by any agency or organization listed in 150-3-.09(2).

(e) Up to five (5) hours of continuing education per ~~year~~ biennium may be obtained by teaching 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.

(f) Up to five (5) hours of continuing education per biennium may be obtained by providing, uncompensated dental hygiene care at a public agency or institution, not for profit agency, not for profit institution, nonprofit corporation or not for profit association which provides dental hygiene services to indigent patients.

(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; and

(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;

(d) Effective January 1, 2008, at least eleven (11) of the required twenty-two (22) hours of credit must be acquired in person at an on-site course or seminar; you are not allowed to acquire all CE hours through on-line courses, electronic means, journal studies, etc.

(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 dental hygienist that teaches an approved continuing education course is eligible to receive two (2) credit hours for each hour of coursework that he or she presents at a particular course.

Credit will be given for teaching a particular course on one occasion only. A maximum of five (5) credit hours per biennium may be obtained by a dental hygienist by whom an approved

continuing education course is taught;

(c) Only continuing education course designated in rule 150-5.05(2) as being sponsored or approved by recognized organizations will be considered for credit pursuant to this subsection of the rule. Courses taught by a dental hygienist prior to or a part of the process of obtaining his or her R.D.H. shall not be eligible for consideration pursuant to this provision of the rule;

(d) In the event that an audit is conducted of the continuing education hours of a dental hygienist who has taught a course approved by a recognized organization, the following shall be required to document the dental hygienist's role in presenting a continuing education course:

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- (i) Documentation from an approved provider verifying that the dental hygienist 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 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 dental hygienist, continuing education credit will be given for those portions of course work in which the dental hygienist is directly involved and primarily responsible for the preparation and presentation thereof. Continuing education credit will not be available to a dental hygienist whose participation in preparing and presenting an approved course is not readily identifiable.
 - (6) Criteria for receiving credit for providing uncompensated indigent dental hygiene care.
 - (a) Up to five (5) hours of continuing education per biennium may be obtained by providing uncompensated dental hygiene care at a public agency or institution, not for profit agency, not for profit institution, nonprofit corporation or not for profit association which provides dental hygiene services to indigent patients.
 - (b) Dental hygienists may receive one hour of continuing education for every four hours of indigent dental hygiene care the dental hygienist provides, up to five (5) hours. Such continuing education credits will be applied toward the dental hygienist's clinical courses.
 - (c) All credit hours must be received during the two (2) year renewal period;
 - (d) Dental hygienists shall at all times be required to meet the minimal standards of acceptable and prevailing practice in Georgia;
 - (e) The Board shall have the right to request the following:
 - (i) Documentation from the organization indicating that the dental hygienist provided the services;
 - (ii) Documentation from the organization that it provided medical and/or dental hygiene services to the indigent and/or those making up the underserved populations;
 - (iii) Notarized verifications from the organization documenting the dental hygienist agreement not to receive compensation for the services provided;
 - (iv) Documentation from the organization detailing the actual number of hours spent providing said services; and
 - (v) Documentation from the dental hygienist and/or organization verifying the services provided.
- Authority O.C.G.A. Secs. 43-11-7, 43-11-8, 43-11-9, 43-11-73, and 43-11-73.1

22. Request from Gregory Shane Rozier, DMD re: Request for Georgia Dental Licensure:

Dr. Carlon made a motion to approved request. Applicant can request duplicate scores be sent to the state board for consideration. DSCE is not required. Applicant needs to submit application and required documents. Dr. Hadley seconded the motion and it carried unanimously.

General:

- Dr. Holcomb reported that Dr. Godfrey is meeting with Secretary of State Handel this morning and will express the concerns that the board has made over the last months.

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- Dr. Holcomb asked that all e-mails to committee members be copied to him.
- Query – Outside of the dental school, what other locations are full-time faculty and residents practicing. What type of license do these individuals hold? Dr. Carroll and Dr. Nalley will work on and will send information to Executive Director, Ms. Anita Martin. Once information is compiled, Dr. Holcomb will draft a letter. Dr. Carroll made a motion to approve, Dr. Nalley seconded the motion and it carried unanimously.

Executive Director's Open Session: Ms. Anita Martin

- Ms. Martin discussed processing timelines on applications with the Board.
- Wall certificate processing. Ms. Martin publicly apologized to Dr. Godfrey concerning the error. Dr. Godfrey was provided his wall certificate at the meeting today. Ms. Martin stated that she has requested the numbers of wall certificates that were issued during Dr. Godfrey's presidency. Dr. Holcomb asked that the numbers be reported at the next Board meeting.
- Julie Fisher is going to help with the Board rules.
- Ms. Martin states the surge toward technology continues on.
- Ms. Martin discussed with the Board on-line application is much like the renewal process and is currently under testing.
- Ms. Martin shared with the Board verifications, duplicate licenses, and wall certificates is currently under testing for on-line requests.
- Ms. Martin stated our system will be upgraded by January 2010.
- Ms. Martin received a call from Dr. Gail McLaurin of Good Samaritan clinic. Licensure ability for indigent clinics (404-313-1792 gain@goodsamatlanta.org) can't find any way to work except with a regular Georgia licensure.

Attorney General's Open Session – Mr. Reagan Dean

Mr. Dean updated the Board concerning the Judicial Review on Dr. Edward Trimmier. Mr. Dean states he is awaiting the decision of Judge Sizemore in the appeal.

Miscellaneous

The Board will review the 2010 meeting calendar at the September 2009 meeting.

The Board reviewed the meeting calendar for the remainder of year 2009.

The dates for the remainder of year 2009 are as follows:

August 7, 2009 – Conference Call and IC meeting

September 11, 2009 Dental Board meeting

September 25, 2009 IC meeting

October 9, 2009 Dental Board meeting

October 23, 2009 IC meeting

November 13, 2009 Dental Board meeting

November 16, 2009 IC meeting

December 4, 2009 Dental Board meeting

December 11, 2009 IC meeting or to be announced.

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Dr. Godfrey reported on meeting with Secretary of State Handel. Dr. Holcomb asked that a report be provided to the Board that could become a part of the Board's record. Dr. Godfrey asked that the Executive Director, Anita Martin send him a reminder.

Executive Session

Dr. Nalley made a motion, Dr. Cook 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 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. Carlon, Carroll, Godfrey, Hadley, and Ms. Richardson. The Board concluded the **Executive Session** in order to vote on these matters and continue with the public session.

Appointments:

1:00 p.m. J.M.B. – Denial Appeal Applicant – Request to continue by attorney Matt Coles.

Licensure Overview Committee: Dr. Issac Hadley

1. 8:20 a.m. – L.I.C. - Approved
2. 8:30 a.m. – F.H. – Approved and flag for CE audit
3. 8:40 a.m. – S.M.P - Approved
4. 8:50 a.m. – T.S.B. – Approved & flag for CE audit

Applications/Licensure:

1. J.L.G. – Dental Hygiene Applicant. – Approved
2. M.J.P. – Dental Applicant, arrest conviction – Approved
3. N.M.M.. – Dental Hygiene Applicant. – Approved
4. N.G.L. – Dental Hygiene Applicant. – Approved
5. E.E.L. – Dental Hygiene Applicant - Approved
6. R.S.J. – Dental Applicant - Approved
7. L.G.V. – Dental Hygiene Applicant - Approved
8. W.M.H. – Dental Hygiene Applicant - Approved
9. P.J.P – Dental Applicant – Schedule for a LOC appointment in September 2009
10. L.G.B. – Dental Hygiene Applicant - Approved
11. W.B.K. – Dental Applicant – Schedule for a LOC appointment in September 2009
12. A.D.J. – Dental Applicant – Schedule for a LOC appointment in September 2009
13. V.N.S. – Dental Applicant - Approved
14. D.C. C. W. – Dental Applicant – Approved

Investigative Report - Dr. Logan Nalley – Approved

Executive Director's Report: - Ms. Anita Martin

Ms. Martin provided information on the CRDTS Dental Score information through June 2009.

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Attorney General's Report: Mr. Reagan Dean

Mr. Dean updated the Board on the cases in his office.

Mr. Dean requested the Board with a Consent Order to accept upon receipt on A.G.B.

Mr. Dean presented the Board with a Public Consent Order on Daniel E. Ferman, DN008855 for acceptance.

Staff Attorney: Ms. Julie Fisher – No report

Dr. Nalley motioned, Dr. Carlon seconded and the Board voted to approve all recommendations made in Executive Session.

The Board meeting adjourned at 4:15 p.m.

Minutes recorded by:

Carol White, Board Secretary

Minutes reviewed and edited by:

Anita O. Martin, Executive Director