

GEORGIA BOARD OF DENTISTRY
Board Meeting
May 12, 2006

The meeting for the Georgia Board of Dentistry was held on Friday, May 12, 2006, at the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia.

| The following Board members were present: | Others Present: |
|---|---|
| Dr. Clark Carroll, President Dr. Clyde Andrews Ms. Pamela Bush Dr. Becky Carlon Dr. Tom Godfrey Dr. Stephan Holcomb Dr. Logan Nalley Dr. Pete Trager | Anita O. Martin, Executive Director Eva Holmes, Board Secretary Reagan Dean, Board Attorney Martha Phillips, GDA Joe Rhodes, HCS Candice Kendall, ADHS Dr. Frederick Sams |

Dr. Carroll established that a quorum was present and the Public Hearing for Board Rule 150-5-.02 that was schedule to begin at 9:30 was call to order at 9:45. No public or written comments were received. The Public Hearing was adjourned at 9:50 a.m.

Dr. Carroll established that a quorum was present and the meeting that was scheduled to begin at 9:35 am was called to order at 9:53 am.

Minutes from the April 14, 2006 conference call: Dr. Nalley made a motion, Dr. Andrews seconded and the Board voted to **approve** the minutes.

C.E. Audit Committee: Dr. Tom Godfrey

- No report.

Conscious Sedation/General Anesthesia Committee: Dr. Clyde Andrews

- No report.

Credentialing Committee: Dr. Becky Carlon

- The Board requested that the Executive Director draft a letter to use when potential applicants request a response from the board as to whether or not they meet the conditions for licensure by credentials.

Dental Hygiene Committee: Ms. Pamela Bush, RDH

- Dr. Carroll welcomed Ms. Bush as the new dental hygiene board member.

Examination Committee: Dr. Logan Nalley, Jr.

- Dr. Nalley reported that the exam is next week at the Medical College of Georgia. A hygiene re-examination will be held July 21-23. All Board members were encouraged to attend the exams when possible. Dr. Nalley has been appointed to the ADEX Dental Examination Committee.

Investigative Committee: Dr. Logan Nalley, Jr.

- No report.

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Legislative Committee: Dr. Steve Holcomb and Dr. Pete Trager

- Discussed Senate Bill 78 which will be monitored by the GDA during the next session. Ms. Martha Phillips of the Georgia Dental Association notified the Board that the GDA would monitor all scope legislation for all of the healthcare boards to assure that none impacted dental practice.

Licensure Overview Committee: Dr. Tom Godfrey

- No report.

Rules Committee: Dr. Peter Trager

- Presented information on Board Rules 150-3-.01, 150-5-.02, 150-5-.06, 150-7-.02, 150-7-.04, 150-7-.05, 150-9-.03 and 150-13-.01.
- Dr. Andrews motioned, Dr. Holcomb seconded and the Board voted to post Board Rules 150-5-.06, 150-9-.03 and 150-13-.01. Based upon information obtained during the public hearing and based upon the above vote, Board Rule 150-5-.02 was also posted as amended.

150-5-.06 Temporary Permits for Dental Hygienists.

~~(1) An application to take the next regularly scheduled examination must have been completed and on file before the Board will consider an application for a temporary permit. An applicant applying for a temporary permit must be currently licensed to practice as a dental hygienist in another state and meet the conditions as specified in O.C.G.A. §§ 43-11-70 and 43-11-71.~~

~~(2) A person requesting a temporary permit must submit proof of current CPR certification in one and two rescuer and the management of obstructed airway for infant, child and adult. An application to take the required examination must have been completed and on file before the Board will consider an application for a temporary permit.~~

~~(3) It shall be the responsibility of the dental hygienist to inform the Board of the name of the dentist/employer where he/she will be practicing. A person requesting a temporary permit must submit proof of current CPR certification in one and two rescuer and the management of obstructed airway for infant, child and adult.~~

~~(4) A temporary permit shall be valid from the date of issuance until the date of release of the results of the next examination. It shall be the responsibility of the dental hygienist to inform the Board of the name of the dentist/employer where he/she will be practicing.~~

~~(5) If applicant fails the examination or fails to appear at the examination, the temporary permit shall automatically stand revoked, without a requirement of prior notice of such revocation. A temporary permit shall be valid from the date of issuance or until the date of the release of the results of the next examination scheduled for the applicant.~~

~~(6) No temporary permit will be issued to an applicant who has previously failed the examination. If applicant fails the examination or fails to appear at the examination, the temporary permit shall automatically stand revoked, without a requirement of prior notice of such revocation.~~

~~(7) No temporary permit shall be issued more than one time. No temporary permit will be issued to an applicant who has previously failed the examination.~~

~~(8) A temporary permit shall be posted and displayed in the place in which the dental hygienist is employed. No temporary permit shall be issued more than one time.~~

~~(9) All fees are due at the time of making application. Fees are as shown in the schedule of fees adopted by the Board of Dentistry. Fees are not refundable. A temporary permit shall be posted and displayed in the place in which the dental hygienist is employed.~~

~~(10) All fees are due at the time of making application. Fees are as shown in the schedule of fees adopted by the Board of Dentistry. Fees are not refundable.-~~

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Authority O.C.G.A. Secs. 43-11-8, 43-11-70, 43-11-70.1.

150-5-.02 Qualifications for Dental Hygienists.

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

(2) All applicants must show 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. by policy and The board will only consider examination results from the Southern Regional Testing Agency (SRTA) that were attained between February 22, 1993 and December 31, 2005. SRTA retake examination results will be accepted until December 31, 2006. After December 31, 2005, the board will only consider the American Board of Dental Examiners' (ADEX) examination as uniformly administered by the Central Regional Dental Testing Service, Inc. (CRDTS) or any other ADEX certified testing agency designated and approved by the board. Applicants must also pass a jurisprudence examination on the laws and rules governing the practice of dental hygiene in the State of Georgia. Such examinations shall be administered in the English language. The Board may hold other examinations as may be required and necessary.

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

(4) 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) Copies of score of the National Board Examination;

(d) Proof of current CPR certification;

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

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

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

Authority O.C.G.A. §§ 43-11-7, 43-11-8, 43-11-9, 43-11-70.

150-9-.03 Prohibited Use of Technologies by Dental Assistants. Amended.

(1) General and expanded duty dental assistants shall not utilize laser equipment and technology in the course of the performance of their duties which are otherwise authorized by these rules. ~~Only dentists licensed by the Georgia Board of Dentistry shall be authorized to perform procedures involving laser technology.~~

(2) General and expanded duty dental assistants shall not utilize intraorally micro etching and/or air polishing equipment and technologies in the course of the performance of those duties otherwise authorized by these rules.

Authority O.C.G.A. §§ _____.

150-13-.01 Conscious Sedation Permits.

(1) 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 patient~~ 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 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

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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.

(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. Secs. 43-11-7, 43-11-8, 43-11-21, 43-11-21.1.

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

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

General: Dr. Clark Carroll

- **Consider for ratification licenses that have been administratively issued:** Dr. Carlton made a motion, Dr. Nalley seconded and the Board voted to **ratify** the following newly issued licenses.

| | | |
|----------|---------------------------|------------------|
| DH009754 | Conley, Kristie Renee | Dental Hygienist |
| DH009755 | Green, Amber Kristen | Dental Hygienist |
| DH009756 | Kelly, Paige Jensen | Dental Hygienist |
| DH009757 | Walker, Yvonne De' Vallae | Dental Hygienist |
| DN013298 | Davis, Byron A | Dentist |
| DN013299 | Holskin, Jonathan L | Dentist |
| DN013300 | Jones, Donna Cheryse | Dentist |
| DN013301 | Jones, Gillian Camille | Dentist |
| DN013302 | Shelton, Denese Francene | Dentist |
| DN013303 | Voegele, Rosanie M. | Dentist |

- **Correspondence from Dr. Ryan Allowitz regarding licensure by credentials – Board response:** Notify Dr. Allowitz that military practice is counted toward the practice requirement for licensure by credentials consideration but residency program is not.
- **Correspondence from Dr. Jack Thomas regarding faculty licensure – Board response:** Refer Dr. Thomas to the laws and rules governing faculty practice. If the applicant can meet the requirements, the board could consider licensure.
- **Correspondence regarding the products Toluidine Blue and Vesilite – Board response:** Viewed as informational.
- **Correspondence regarding 123rd AADE Annual Meeting** – Dr. Trager motioned, Dr. Godfrey seconded and the board voted for Dr. Nalley and Dr. Holcomb to be the representatives for the Board.
- **Nomination of Officers** – Dr. Holcomb nominated Dr. Clark Carroll as president and Dr. Clyde Andrews as vice-president. Dr. Carlton seconded and the Board voted to **accept** the nominations. Elections will take place at the June 9th Board meeting.
- **Request from Dr. Chester Little to waive the reinstatement application fee and allow him to utilize documents previously submitted to be used for his upcoming reinstatement request** – Dr. Carlson motioned, Ms. Bush seconded and the Board voted to **deny** request.

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CRDTS Examination Report - Dr. Clark Carroll

- Examinations are going well. Dr. Holcomb will contact Kimber Cobb at CRDTS to request that information be sent to all Georgia Dental Hygiene schools regarding re-examination sites.

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

- Dr. Trager made a motion, Ms. Bush seconded and Board voted to **deny** the request to release the application on Dr. Richard E. Walton.

Attorney General's Open Session Report: Reagan Dean

- No open session report.

Miscellaneous:

- Dr. Andrews motioned, Dr. Holcomb second and the Board requested that a letter be mailed to Cathy Cox regarding the IT computer issues during renewal. Dr. Carroll will work with Executive Director to draft letter.

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

Appointments with Board

- **Dr. S.C.** – appeal request – No Show
- **Dr. M.F.** – appeal request – No Show
- **Dr. F.D.S.** – appeal request – Recommend denial.
- **Dr. R.M.** – disciplinary request – Recommend denial; require in-patient treatment program

Licensure Overview Committee: Dr. Tom Godfrey

- **R.T. – renewal applicant that has not met CE requirements** – Recommend renewal under public consent order for failure to acquire required CE for 2004-2005 renewal period, \$1000 fine, must acquire 62 hours of CE within one year. Hours acquired cannot be used for the 2006-2007 renewal period.
- **Dr. Shirley Lathon – Request to terminate probation** – Recommend denial. Must show proof of continuing education in compliance with the consent order.
- **S.P. - renewal applicant that has not met CE requirements** – Recommended renewal under public consent order for failure to acquire required CE for 2004-2005 renewal period, \$500 fine, must acquire 26 hours of CE within one year. Hours acquired cannot be used for 2006-2007 renewal period.
- **Dr. M.D.W. requesting to keep license on “active” status** – Recommend approval of Dr. M.D.W.'s request for a private consent order to remain on active status – restriction is to not allow treatment on patients.
- **Dr. M.P.W. – credentials applicants** – Recommend approval.

Dr. Trager motioned, Dr. Nalley seconded and the Board voted to **approve** the recommendations made by the Licensure Overview Committee.

Applications/Licensure

- **C.V.S. - requesting refund of late fee – recommend denial.**

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- **R.R.P. - requesting to take SRTA exam 4th time** – Recommend referring R.R.P. to the examination rule. Also, notify R.R.P. that SRTA rules require that all re-exams must have been completed within one year.
- **R.E.F. – renewal applicant’s evaluation report** – Recommended renewing license.

Investigative Report – Dr. Logan Nalley, Jr.

- No report

Executive Director’s Report – Ms. Anita Martin

- **Recommend acceptance of consent orders for:** Dr. Lee Cohen, Dr. Kerry Crocken, Dr. Erik Goodwin, Dr. Fred Hannan, Dr. J.T.K., and Dental Hygienist E.M.
- **Request from Dr. Mark Justice** – Recommendation to deny request and accept the consent order.
- **Request from Dr. D.R. regarding proposed consent order** – Recommended denial.
- **Request from Dr. V.G. regarding proposed consent order** – Recommended to deny.
- **Request from Mel Goldstein regarding proposed consent order for Dr. Z.P.** – Recommended denial.
- **Request from Dr. L.W. regarding proposed consent order** – Recommended to be scheduled for investigative interview with Investigative Committee.
- **Request from Dr. E.T. regarding proposed consent order** - Recommended to be scheduled for investigative interview with Investigative Committee.
- **Due to renewal IT issues recommend acceptance of private consent orders upon receipt for the following:** Dr. J.B.F., J.J.H., L.M.M., Dr. W.K.K., K.S., Dr. S.M.S.

Attorney General’s Report – Mr. Reagan Dean

- Recommend issuance of the Conscious Sedation permit for Dr. Bradley Cox
- Recommended that Summary Suspension for Dr. C.A.-J. be served on the Division Director.

Dr. Carlon motioned, Dr. Holcomb seconded and the Board **voted to accept** the above recommendations concerning applications, the Executive Director’s and Attorney General’s reports.

The next meeting is scheduled for June 9, 2006 at **9:30 a.m.**

There being no further business to come before the Board, the meeting was adjourned at 2:08pm.

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The Rules Committee of the Georgia Board of Dentistry was held on Friday, May 12, 2006, at the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia.

In attendance: Dr. Pete Trager, Dr. Clyde Andrews and Ms. Anita O. Martin.

The Committee meeting that was scheduled to begin at 8:30 was called to order at 8:32. The committee discussed and revised the following rules and will make recommendations to the board as follows:

- 150-3-.01 Examination for Dental Licensure – Present to Board
- 150-5-.02 Qualifications for Dental Hygienists – Further work needed
- 150-5-.06 Temporary Permits for Dental Hygienists – Present to Board
- 150-7-.02 Teaching Licenses – Discussed. However; no legal authority to make these changes exists in the law.
- 150-7-.04 Dental Provisional Licensure by Credentials – Present to Board
- 150-7-.05 Dental Hygiene Provisional Licensure by Credentials – Further work needed
- 150-9-.03 Prohibited Use of Technologies by Dental Assistants – Present to Board
- 150-13-.01 Conscious Sedation Permits – Present to Board.

The committee meeting adjourned @ 9:05 a.m.

Minutes recorded by: Eva Holmes, Board Secretary

Minutes reviewed and edited by: Anita O. Martin, Executive Director