

GEORGIA BOARD OF DENTISTRY
Board Meeting
May 9, 2008

The Board Meeting for the Georgia Board of Dentistry was held on Friday, May 9, 2008 at the Professional Licensing Board, 237 Coliseum Drive, Macon, Georgia.

The following Board members were present:	Others Present:
Dr. Clyde Andrews, DDS – President Dr. Becky Carlon, DMD Ms. Pam Bush Dr. Clark Carroll, DMD Dr. Henry Cook, DDS Dr. Tom Godfrey, DMD Dr. Isaac Hadley, DMD Dr. Steve Holcomb, DMD Dr. Barry Stacey, DDS Ms. Elaine Richardson	Anita Martin, Executive Director Eva Holmes, Board Secretary Reagan Dean, Board Attorney Martha Phillips, GDA Melana McCatchey, GDA Jeff Godwin, Shurett Dental Pamela Patterson, Shurett Dental

Dr. Andrews established that a quorum was present and the meeting that was scheduled to begin at 9:30 a.m., was called to order at 9:55 a.m.

Minutes from the April 18, 2008 board meeting:

Dr. Cook moved to approve the minutes as amended. Dr. Carlon seconded and the motion carried unanimously.

Conscious Sedation/General Anesthesia Committee – Drs. Clyde Andrews and Barry Stacey

- Dr. Andrews reported that the Sedation rules will be revised and brought before the board for consideration at the June meeting.
- Dr. Stacey reported on Automated External Defibrillator (AED's).

Dental Hygiene Committee – Ms. Pam Bush

- The committee will meet at the conclusion of this meeting.

Legislative Committee – Drs. Steve Holcomb and Henry Cook, Sr.

- Dr. Cook reported on dental whitening kiosks and the ADA workforce model. He informed the board that in Minnesota there is a license for Oral Preventative Assistants.
- Martha Phillips of the GDA gave the following reports:
 - i) GDA may seek legislation next year to require disclosure to the public for teeth whitening practice not under the supervision of a dentist concerning the possible dangers of such practice.
 - ii) HB1234 – The Governor is signing legislation that will assist dentists with managed care issues. The GDA will provide an analysis.
 - iii) SB363 – Did not know if legislation will be signed by the Governor.
 - iv) SB276 – Did not know if legislation will be signed by the Governor.

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- v) Reported that the budget outcome from the 2008 session was positive.
- vi) Reported that several pieces of legislation that had impacts on dentistry were not successful during the 2008 session.
- vii) May consider opening up other sections of the Georgia law to deal with disclosure, allowance for work excuses for dental necessity and disclosure of lab information as to where lab work is being conducted.

Rules Committee – Dr. Clyde Andrews

- Board Rule 150-14-.01: Definitions and Board Rule 150-14-.02: Fabrication of Dental Appliances, Caps, Coverings, Prostheses, and Cosmetic Coverings are Practice of Dentistry.
 - **Recommendation:** Dr. Holcomb moved to table both of these rules and send back to the rules committee. Dr. Cook seconded the motion and it carried unanimously.
- Board Rule 150-7-.04: Dental Provisional Licensure by Credentials and Board Rule 150-7-.05: Dental Hygiene Provisional Licensure by Credentials
 - **Recommendation:** Dr. Godfrey moved to table both of these rules and send back to the rules committee. Dr. Hadley requested to participate in the discussion of this rule when discussed by the committee. Dr. Hadley seconded the motion and it carried unanimously. An
- Board Rule 150-9-.01: General Duties of Dental Assistants and Board Rule 150-9-.02: Expanded Duties of Dental Assistants
 - **Recommendation:** Dr. Carlon moved to post both rules. Ms. Bush seconded the motion and it carried unanimously.

150-9-.01 General Duties of Dental Assistants.

(1) A dental assistant shall be defined as one who is employed in a dental office to perform certain duties that assist the dentist. It is expected that the dental assistant will be familiar with the operations performed in the conduct of a dental practice; specifically, the sterilization of instruments, the general hygiene of the mouth, secretarial work, making appointments and bookkeeping. Under no circumstances may he or she perform any of the operations catalogued as dental hygiene treatments in Board Rule 150-5-.03(5).

(2) Direct supervision and control as it pertains to a dental assistant 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 assistant and, before dismissal of the patient, evaluates the performance of the dental assistant.

(3) In addition to routine duties, the general duties identified below may be delegated to dental assistants under the direct supervision of a licensed dentist. These duties may only be delegated in those instances when they are easily reversible and will not result in increased risk to the patient:

- (a) Make impressions ~~with irreversible hydrocolloid~~ for diagnostic models and opposing models.
- (b) Place and expose radiographs with such training as may be required by law.

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- (c) Remove sutures — other than wire sutures.
 - (d) Remove periodontal dressing.
 - (e) Place and remove rubber dams.
 - (f) Apply topical anesthetic.
 - (g) Remove visible excess cement from supramarginal areas of dental restorations and appliances with non-mechanical hand instruments.
 - (h) Fabricate extraorally temporary crowns and bridges.
 - (i) Cement temporary crowns and bridges with intermediate cement.
 - (j) Remove temporary crowns and bridges seated with intermediate cement.
 - (k) Place intracoronal temporary restorations using intermediate cement.
 - (l) Place drying and deoiling agents prior to the cementation of permanent crowns and bridges.
 - (m) Remove dry socket medication.
 - (n) Place and take off a removable prosthesis with a pressure sensitive paste after the appliance has been initially seated by the dentist.
 - (o) Etch unprepared enamel.
 - (p) Polish the enamel and restorations of the anatomical crown; however, this procedure may only be executed through the use of a slow speed handpiece (not to exceed 10,000 rpm), rubber cup and polishing agent. This procedure shall in no way be represented to patient as a prophylaxis. This procedure shall be used only for the purpose of enamel preparation for: 1) Bleaching, 2) Cementation of fixed restorations, 3) Bonding procedures including supramarginal enamel restorations after removal of orthodontic appliances. No direct charge shall be made to the patient for such procedure.
 - (q) Dry canals with absorbent points and place soothing medicaments (not to include endodontic irrigation); and place and remove temporary stopping with non-mechanical hand instruments only.
 - (r) Place matrix bands and wedges.
 - (s) Select, pre-size and seat orthodontic arch wires with brackets which have been placed by the dentist. Adjustment of the arch wire may only be made by the dentist.
 - (t) Select and pre-size orthodontic bands which initially must be seated by the dentist.
 - (u) Place and remove pre-treatment separators.
 - (v) Cut and tuck ligatures, remove ligatures and arch wires, remove loose or broken bands.
 - (w) Remove and recement loose bands that previously have been contoured and fitted by a dentist, but only after a dentist has examined the affected tooth and surrounding gingiva and found no evidence of pathology.
- Authority O.C.G.A. Secs. 43-11-8, 43-11-9, 43-11-80, 43-11-81.

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

- (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

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assistant. An expanded duty dental assistant certificate may be issued by a vocational school, a dental hygiene school, a dental school or a professional association recognized and approved by the Georgia Board of Dentistry to a candidate who has successfully completed the required courses and met all other requirements of an expanded duty assistant. All such instruction must be taught by a licensed dentist with a minimum of sixteen (16) hours of instruction.

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

1. Possess current certification that the candidate is a Certified Dental Assistant.
2. Be a graduate of a one (1) year accredited dental assisting program or a dental assisting program approved by the Board.
3. Have been employed as a chair side assistant by a licensed dentist for a continuous six (6) month period within the previous three (3) years.

eligible for graduation. (Note: An expanded duties certificate would be issued to a candidate only upon proper proof of graduation.)

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

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

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12. Packing and removing retraction cord, as prescribed by the dentist, so long as said cord is used solely for restorative dental procedures.
 13. Changing of bleaching agent, following initial applications by the dentist, during the bleaching process of vital and non-vital teeth after the placement of a rubber dam; and applying the fiber-optic light source of a curing light for activation of the bleach (not to include the use of a laser device).
 14. Rebond brackets after a licensed dentist has examined the affected tooth and surrounding gingiva and found no evidence of pathology.
 15. Remove bonded brackets with hand instruments only.
 16. Make impressions for passive orthodontic appliances.
 17. Apply primer and bonding agents to etched enamel or dentin; and light cure with fiber-optic light source (not to include use of a laser device).
- Authority O.C.G.A. Secs. 43-11-7 to 43-11-9, 43-11-80, 43-11-81.

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 rule 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. Clyde Andrews

- **Consider for ratification licenses that have been administratively issued:**

Dr. Cook made a motion, Dr. Godfrey seconded and the Board voted to **ratify** the following newly issued licenses.

License #	Name	Profession	Status
DH010376	Suan, Christine F	Dental Hygienist	Active
DH010377	Plimouth, Jeenslie	Dental Hygienist	Active
DH010378	McGee, Felicia Janine	Dental Hygienist	Active
DN013685	Patel, Pratik Ramesh	Dentist	Active
DN013686	Kansal, Jay Kumar	Dentist	Active
DN013687	Kuhmichel, Amy Diane	Dentist	Active
DN013688	Sconion, Arnold, II	Dentist	Active
DN013689	Harvey, Thaddeus, Jr	Dentist	Active
DN013690	Hayes, Brittany T	Dentist	Active
DN013691	Gaston, Elizabeth Tait	Dentist	Active
DNES000172	Quintero, George	Enteral/Inhalation Sedation	Active
DNES000173	Bradley, Patricia June	Enteral/Inhalation Sedation	Active
DNES000174	McNeal, Felicia Angeline	Enteral/Inhalation Sedation	Active

Correspondence from Dr. Rudolf August petitioning for waiver of board rule 150-12-.01.

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- Board response: Dr. Hadley moved to deny request. Notify Dr. August that he must provide copies of his CE for 2006 & 2007 and a letter from his physician stating that he is able to practice with reasonable safety and skill to the public. Dr. Carlon seconded and the motion carried unanimously.

Dr. Andrews appointed a nominations committee consisting of himself and Drs. Holcomb and Nalley to present a slate of officers for 2009 at the June board meeting.

Correspondence from Kenneth Hammond re: policy of restricting parents from remaining with children during dental procedures

- Board response: Viewed as informational.

CRDTS Examination Report – Dr. Clark Carroll

- Dr. Carroll reported that Dental Hygiene exams are being held this month at Central Georgia Tech, Armstrong and the Medical College of Georgia.

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

- Discussed funding for Georgia Board of Dentistry to fund non-board members attendance at meetings.
 - Board response: Viewed as informational.
- Discussed GDA Advertising questionnaire/information.
 - Board response: Tabled until June meeting when a compilation of the board members opinions will be considered.
- Provided AADE Annual Conference Information
 - Board response: Viewed as informational
- Request from Dr. Scott Wade Smith to lift restrictions from his consent order.
 - Board response: Schedule for LOC

Executive Session -

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

Appointments –

- Dr. M.M.H. – denial appeal
recommendation: uphold decision to deny and inform applicant that she can be considered for licensure by examination.
- K.D.B. – denial appeal
recommendation: uphold decision to deny and inform applicant that she can be considered for licensure by examination.
- Dr. S.R. – denial appeal

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recommendation: uphold decision to deny

- Dr. J.L.G. – denial appeal

recommendation: uphold decision to deny

Licensure Overview Committee – Dr. Isaac Hadley

- Dr. M.B.A. – dental credentials applicant –
 - **recommendation:** denied as he stated that he would only be working for 1 to 1½ days per week and cannot establish the 1000 hours of full-time practice that is required by law.
- B.W.J. – dental hygiene applicant –
 - **recommendation:** approved
- Dr. C.G.S. – dental reinstatement applicant –
 - **recommendation:** refer to the OIG to investigate (board requests Bob Sise to conduct the investigation)
 - Interview Dr. Hedland to see if she completed the recommendation for Dr. S. and verify her signature.
 - Subpoena the practice production reports that include “all providers” at the clinic from 2003 to present.
 - Verify employment – suspension of practice prior to reinstatement.
- Dr. B.L.B. – dental credentials applicant
 - **recommendation:** approved
- J.G.D. – dental hygiene reinstatement applicant
 - **recommendation:** refer to legal for consent order
- Dr. M.L.B. – dental credentials applicant
 - **recommendation:** approved
- Dr. A.T.M. – request for termination of probation
 - **recommendation:** approved

Applications/Licensure -

- C.R.K. – dental hygiene credentials applicant –
 - **recommendation:** deny; does not meet credentials guidelines of 1000 hours of practice for 2 years immediately preceding application.
- Dr. A.W.M. – dental credentials applicant -
 - **recommendation:** deny; does not meet credentials guidelines of 1000 hours of practice in an acceptable state. Also has not practice since November 2007.

Investigative Report – Dr. Logan Nalley, Jr.

Complaint#	Recommendation
DENT 08-0218	Close w/ Mitigating Circumstance letter
DENT 08-0072	Close
DENT 08-0153	Close w/ Mitigating Circumstance letter

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DENT 08-0046	Close/w Mitigating Circumstance letter
DENT 08-0093	Refer to Legal Services for Public Consent Order
DENT 08-0222	Close
DENT 08-0217	Close

Recommendation: approve

Executive Director's Report – Ms. Anita Martin

- Consider recommendation to accept Public Consent Order on Dr. Joi M. Freemont.

Attorney General's Report – Mr. Reagan Dean

- Informed the board that Dr. Edward Trimmier has filed for a Judicial Review here in Bibb County. He has also filed an emergency action to have the suspension for revocation stayed until the Judicial Review.
- Informed the board that Dr. Boeckh's issue with OSAH is still under review.
- Updated on other cases in his office.

Staff Attorney's Report – Ms. Julie Fisher

- DENT05-0227 – Dr. J.A.
 - **recommendation:** refer to AG's office for a Notice of Hearing for revocation.

Dr. Cook made a motion to accept the recommendations made in the Executive Session. Dr. Holcomb seconded and the motion carried unanimously.

The next meeting is scheduled for June 6, 2008 at **9:30a.m.** There being no further business to come before the Board, the meeting was adjourned at 1:45 p.m.

A meeting of the Dental Hygiene Committee was held on Friday, May 9, 2008, at the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia.

In attendance:

Committee members present:

Ms. Pamela Bush
Dr. Becky Carlon
Dr. Steve Holcomb

Others Present:

Dr. Clark Carroll
Dr. Isaac Hadley
Anita Martin, Executive Director

Ms. Bush established that a quorum of the committee was present and called the meeting to order at 2:00 p.m.

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Ms. Bush distributed a copy of a draft rule, the State Chart containing information on states that provide for local anesthesia administration by dental hygienist, and the course description information from MCG on Pain and Anxiety Management: Local Anesthesia and Nitrous Oxide/Oxygen Sedation for Dental Hygienists.

Ms. Bush will bring the matter back to the board to request direction on the issue of expansion of delegated duties and the local anesthesia administration by hygienist. Because the expansion of scope would require examining on these competencies, the committee requests that this issue be discussed at the next meeting in executive session because it will deal with exam content

Being no further business, the committee meeting adjourned at 2:35 p.m.

Minutes recorded by: Eva Holmes, Board Secretary

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

These minutes will be signed and approved on June 6, 2008.