

**GEORGIA BOARD OF DENTISTRY
Board Meeting
November 12, 2010
Professional Licensing Board
237 Coliseum Drive
Macon, GA 31217**

The following Board members were present:	Others Present:
Dr. Emma Rebecca Carlon Dr. Isaac Hadley Dr. Clyde Andrews Ms. Pamela Bush Dr. Clark Carroll Dr. Henry Cook Ms. Elaine Richardson Dr. Barry Stacey	Dr. Don Benton Mr. Reagan Dean, Board Attorney Ms. Melana McClatchey Ms. Anita Martin, Executive Director Ms. Carol White, Board Support Specialist Ms. Elizabeth J. Appley

Public Rules Hearing – 9:30 a.m.

Dr. Carlon called the Public Rules Hearing to order at 9:36 a.m.

1. Chapter 150-15 – Teledentistry
2. Board Rule 150-15-.01 – Definition. The GDA provided a written response concerning Board Rule 150-15-.01. The Board did not vote to adopt Board Rule 150-15-.01.
3. Board Rule 150-8-.02 – Fee Splitting
4. Board Rule 150-7-.02 Faculty Licenses
5. Board Rule 150-13-.01 Conscious Sedation Permits

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

Dr. Carlon established that a quorum was present and the meeting that was scheduled to begin at 9:35 a.m., was called to order at 9:38 a.m.

Introduction of visitors – Dr. Carlon welcomed the visitors.

Minutes from the October 8, 2010 Board meeting

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

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Conscious Sedation/General Anesthesia Committee – Dr. Barry Stacey

- Dr. Stacey discussed that he is aware of some anesthesia practices that are not aware that each and every practice location must have a sedation permit. Dr. Stacey requested that a blast e-mail be sent to all sedation permit holders to remind them of this requirement. Dr. Stacey will draft a statement concerning permitting requirements email distribution to all of the permit holders. The information will also be provided to the Georgia Dental Association, Georgia Dental Hygienists Association and the Georgia Dental Society.

Dental Hygiene Committee – Ms. Pamela Bush, RDH

- Ms. Bush attended the Annual Georgia Dental Hygienists Association meeting in October 2010.

Rules Committee – Dr. Clyde Andrews

- Dr. Andrews provided to the board a report from the October 26, 2010 committee meeting.
- Dr. Andrews presented Board Rule **150-5-.03 Supervision of Dental Hygienists**. Ms. Bush made a motion to post. Dr. Carroll seconded the motion and it carried unanimously.
- **150-5-.03 Supervision of Dental Hygienists.**
 - (1) Any reference to a dental hygienist in this rule means a Georgia ~~licensed~~ registered 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 (CODA ADA).
 1. Dental hygiene programs shall follow the rules and standards as outlined in the CODA ADA standards.
 - (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,~~ Community Health, county boards of health or the Department of Corrections.
 1. In all instances of supervision of dental hygienists employed or under contract with approved dental facilities of the Department of Community Health, county boards of health, or the Department of Corrections, the dentist assumes responsibility for

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determining in the basis of diagnosis the specific treatment patients will receive and may only designate performance by dental hygienists of those treatments specifically identified in subsection (5)(a) through (e) and (g) of this rule.

2. Dental hygiene duties performed at approved dental facilities of the Department of Community Health, county boards of health or the Department of Corrections shall be allowed under indirect supervision. Indirect supervision as it pertains to procedures delegated to a dental hygienist shall mean that the licensed dentist is not on the premises but has given either written or oral instructions for the treatment of the patient.

(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.

(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 planing 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

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"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 presented to the Board; **Board Rule 150-3-.01 Examination of Dental Licensure**. Dr. Carroll made a motion to post. Dr. Stacey seconded the motion and it carried unanimously.

150-3-.01 Examination for Dental Licensure.

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

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

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

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

(a) Once the candidate shows written proof of successful completion of the approved course of study, the Board will grant the candidate one additional attempt at successful passage of ~~the~~ a clinical licensing examination approved by the board.

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

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

(a) Once the candidate provides written proof of successful completion of this one-year course of study, the board will grant the candidate one additional attempt at successful passage of ~~the~~ a clinical licensing examination approved by the Georgia Board.

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

(6) For purposes of this rule, failure of the completed curriculum integrated format type examination shall only be counted as one (1) examination failure. The final

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section/sections failed with the curriculum integrated format type examination will be applicable to sections (4) and (5) of this rule.

(7) In determining whether an applicant has met the requirements for licensure, the board will only consider:

(a) The examination given by the Georgia Board of Dentistry prior to February 22, 1993.

(b) Results from the Southern Regional Testing Agency (SRTA) that were attained between February 22, 1993 and December 31, 2005; to include SRTA retake examination results until December 31, 2006.

(c) Results from the American Board of Dental Examiners (ADEX) examination as uniformly administered by the Central Regional Dental Testing Service (CRDTS) and the Northeast Regional Board of Dental Examiners (NERB) that were attained prior to June 30, 2009.

(d) Results from the Central Regional Dental Testing Service (CRDTS) examination or any other testing agency designated and approved by the Board attained subsequent to June 30, 2009. Results from the retake examinations administered by the Northeast Regional Board of Dental Examiners (NERB) or the Central Regional Dental Testing Service (CRDTS) are accepted through June 30, 2010. Such retakes must be from initial examinations taken prior to June 30, 2009 and must include at least one successful score from Parts II, III, IV or V.

(8) Each candidate for Georgia licensure must furnish a background check. The applicant shall be responsible for all fees associated with the performance of a background check.

(9) The Board may hold other examinations as may be required and necessary.

Ratify Licenses – Dr. Cook made a motion to approve the ratified license list. Ms. Richardson seconded the motion and it carried unanimously.

DH011149	Caldwell, Johanna Gail	Dental Hygienist
DH011150	Simmons, Sumaya Linnette	Dental Hygienist
DH011151	Farley, Calandra Portia	Dental Hygienist
DH011152	Toler, Ashley Loraine Hurt	Dental Hygienist
DH011153	Dannenfelser, Shannon Laura	Dental Hygienist
DH011154	Drennon, Melissa Wrotenberg	Dental Hygienist
DH011155	Harris, Joanna Lynn	Dental Hygienist
DH011156	Tran, Van T	Dental Hygienist
DH011157	Grantham, Natalie Page Hamilton	Dental Hygienist
DH011158	Long, Markisha S	Dental Hygienist
DH011159	Senter, Alicia Lynne	Dental Hygienist
DN014181	McClain Hooper, Joanna Kathryn	Dentist
DN014182	Li, Feiya	Dentist
DN014183	Chapman, Marshall Alexander	Dentist
DN014184	Nguyen, Vu A	Dentist

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DN014185	Herrin, Brent Edward	Dentist
DN014187	Robles-Velez, Jennibeth	Dentist
DN014188	Schnabel, Alexandra Dixon	Dentist
DN014189	Patel, Sejal Girish	Dentist
DN014190	Mosley, Monica Sherrell	Dentist
DN014191	Bauer, Jeffrey Clark	Dentist
DN014192	Behrbom, William John	Dentist
DNGA000243	Harrison, Farryn Jevanna	General Anesthesia Permit
DNGA000244	Stevens, Mark Richard	General Anesthesia Permit
DNGA000245	Harrison, Farryn Jevanna	General Anesthesia Permit

Chapter 150-15-Teledentistry / Board Rule 150-15-.01 – Definition

Dr. Andrews made a motion not to adopt Board Rule 150-15-.01. Dr. Carroll seconded the motion and it carried unanimously.

Board Rule 150-8-.02 – Fee Splitting

Dr. Andrews made a motion to adopt Board Rule 150-8-.02. Ms. Bush seconded the motion and it carried unanimously.

Board Rule 150-7-.02 – Faculty Licenses

Dr. Andrews made a motion to adopt Board Rule 150-7-.02. Ms. Bush seconded the motion and it carried unanimously.

Board Rule 150-13-.01 – Conscious Sedation Permits

Dr. Andrews made a motion to adopt Board Rule 150-13-.01. Dr. Stacey seconded the motion and it carried unanimously.

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Board Rule 150-13-.02 – Deep Sedation/General Anesthesia Permits

Dr. Andrews made a motion to adopt Board Rule 150-13-.02. Dr. Carroll seconded the motion and it carried unanimously.

Board Rule 150-13-.03 – Renewal of Conscious Sedation & Deep Sedation/General Anesthesia Permits

Dr. Andrews made a motion to adopt Board Rule 150-13-.03. Dr. Hadley seconded the motion and it carried unanimously.

Rule Variance/Waiver request from Melvin Goldstein for his client, Kevin C. Nietzer re: Board Rule 150-3-.01(7). Dr. Hadley made a motion to deny the Rule waiver/variance request. The Board finds that strict adherence to the examination rule provides assurance that comprehensive practice will be provided to the citizens of Georgia. Dr. Andrews seconded the motion and it carried unanimously.

Correspondence from Guy G. Gebhardt re: Patient Care Ombudsman

Dr. Andrews made a motion to refer this issue to the Georgia Dental Association. The Board is unable to provide assistance in this matter. Dr. Stacey seconded the motion and it carried unanimously.

Rule Variance/Waiver request from Green Berry Starnes, IV, DDS, re: Board Rule 150-3-.01(7)(c) Dr. Andrews made a motion to deny. The Board finds that strict adherence to the examination rule provides assurance that comprehensive practice will be provided to the citizens of Georgia. Dr. Stacey seconded the motion and it carried unanimously.

Rule Variance/Waiver request from Michael Davis McLeary, DDS, re: Board Rule 150-3-.01 Dr. Cook made a motion to approve the rule waiver request; therefore Dr. McLeary will be approved for licensure. Dr. Hadley seconded the motion and it carried unanimously.

Open Records request from Samuel G. Alderman, III re: Dr. Nicole Kimberly Lewis

Dr. Cook made a motion to deny the open records request. Dr. Stacey seconded the motion and it carried unanimously.

Appeal of previous Rule Variance/Waiver Request from Anthony Koagel, DMD re: Board Rule 150-3-.01(3) . Dr. Cook made a motion to deny the rule variance/waiver request. An Examination Administrator has agreed to get Dr. Koagel into the December 2010 examination. Dr. Koagel will be notified as soon as the scheduling information is available. Dr. Hadley seconded the motion and it carried unanimously.

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Rule Waiver/Variance request from Jeff L. Dickson, DMD re: Board Rule 150-3-.01

Ms. Richardson made a motion to deny the Rule variance/waiver request. The Board finds that strict adherence to the examination rule provides assurance that comprehensive practice will be provided to the citizens of Georgia. Dr. Hadley seconded the motion and it carried unanimously.

Notice of Borrower Default on Repayment of student Loan on Erin M. Goddard.

Ms. Bush made a motion to suspend Erin M. Goddard's license to practice as a Dental Hygienist, License No. DH009229 , for failure to repay a student loan, and further move that this suspension will cease upon receipt by the Division Director of a "Notice of Release" From the Georgia Higher Education Assistance Corporation. Ms. Richardson seconded the motion and it carried unanimously.

Notice of Borrower Default on Repayment of Student Loan on Shervin Sharifi.

Ms. Bush made a motion to suspend Shervin Sharifi's license to practice as a Dental Hygienist, License No. DH010373 , for failure to repay a student loan, and further move that this suspension will cease upon receipt by the Division Director of a "Notice of Release" From the Georgia Higher Education Assistance Corporation. Ms. Richardson seconded the motion and it carried unanimously.

Executive Director's Open Session - Ms. Anita Martin

- Ms. Martin shared with the Board that she has the American Dental Association Volunteer Travel and Expense information.
- Ms. Martin stated that she is still working on the Board's requests about email notifications when rule changes and quarterly newsletters are posted.

Attorney General's Report – Mr. Reagan Dean

- Mr. Dean expressed his thanks to the Dental Board for its thoughts and prayers during this time of grief with the passing of his mother.

Executive Session

Dr. Hadley 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. Andrews, Carroll, Stacey, Ms. Richardson, and Ms. Bush. The Board concluded the **Executive Session** in order to vote on these matters and continue with the public session.

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Deliberation on September 2010 Hearing – Dr. Sara Farahani

The deliberation on the case on Dr. Sara Farahani was called to order in Executive Session at 12:55 p.m.

Board members present

Dr. Becky Carlon

Dr. Isaac Hadley

Ms. Pam Bush

Dr. Clark Carroll

Dr. Henry Cook

Ms. Elaine Richardson

Dr. Barry Stacey

The deliberation was adjourned at 1:35 p.m.

1. Correspondence regarding request from LOC committee for September appointment with W.L.J. – Recommend lifting probation.

Appointments

10:30 a.m. – H.J.S. – Denied Credentials Applicant – Recommend allowing Dr. S. to take the prosthodontics portion of the CRDTS exam in December 2010. If passes, approved for licensure.

11:00 a.m. – A.P.B. – Denied Renewal Applicant – recommendation to uphold the denial.

Licensure Overview Committee – Dr. Isaac Hadley

1. J.G. – Recommend approved
2. R.T. – The committee reported that the subject is refusing to do the 4 extra CE hours in oral surgery as requested by LOC because CE hours mandated by Consent Order were completed late. The Board recommended referral of this information to the IC committee.
3. D.P. – Upon receipt of LEAP requirement back to LOC for discussion only
4. J.W. – Recommend termination of probation
5. W.B. – Recommend licensure:
Public Consent Order
5 Years Probation
Triplicate prescription records
Enroll in and remain in an aftercare program with the GDA program
Random screens as required by program
6. M.H.S. – Request verification of CE. If he can not verify, approve under a Consent Order. If he can provide CE verification, committee will reconsider request as discussion only.

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7. G.A.G. – The Board recommends either sign the Consent Order; or tender license for surrender.

Applications/Licensure

1. K.B. – Dental Hygienist Reinstatement – The Board recommended refer to AG’s office for a Standard Reinstatement Consent Order.
2. F.W. – Board Consultant - The Board upholds the prior decision to deny.
3. L.I.W. – Dental Hygiene Reinstatement – The Board states they will not consider reinstatement without completion of a refresher program and the Board does not have the legal jurisdiction/authority to compel a dental hygiene school/college to admit applicant into a program.

Investigative Report – Dr. Logan Nalley, Jr.

- Approved

Executive Director’s Report – Ms. Anita Martin

- Ms. Martin shared with the Board a Thank you note from Dr. Dara Barron.
- Ms. Martin shared with the Board a report of the Tennessee sanction on Dr. WK.W. The Board recommends issuance of an OMPE.
- Ms. Martin presented the following order for consideration for acceptance:
 - Samantha R. Ciccarielli
 - Walker B. Moore, DDS
 - Kevin S. Short, DDS
 - Heather N. Tobin
 - Tuan Q. Tong, DMD
 - Kenneth M. Wiggins, DDS
 - Cori L. Williams
- Ms. Martin presented to the Board to refer to the Ag’s Office DENT090299 and DENT090117. Board recommended referral.

Attorney General’s Report – Mr. Reagan Dean

- Dr. Carlon asked about the status of the two cases that have been referred to the AG’s office for foreign trained dentist who were licensed in error. Mr. Dean stated he would report on these two cases at the December 2010 board meeting.
- Mr. Dean presented to the Board for consideration of acceptance a Private Consent Order on Dr. W. L. The Board will allow Executive Director Anita Martin express permission to accept original upon receipt.
- Mr. Dean presented to the Board for consideration of acceptance a Private Consent Order on Dr. D.J.B.
- Mr. Dean presented to the Board for consideration of acceptance a Consent Order on Scott Wade Smith.

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Open Session

Dr. Carlon declared the Dental Board back into Open Session.

Deliberation on case of Dr. Sara Farahani

Dr. Carroll made a motion to refer the matter to Amelia Baker in the Attorney General's office to draft an order reflecting the Board's decision in this case. Dr. Hadley seconded the motion and it carried unanimously.

Dr. Cook motioned, Ms. Bush seconded and the Board voted to approve all recommendations made in Executive Session.

Miscellaneous

- Dr. Carlon appointed herself as Chair of the Education Committee. Dr. Hadley has also been appointed to the committee. The Executive Director, Anita Martin, will get a copy of the Farahani Hearing transcript to provide to Dr. Carlon.

The Board meeting adjourned at 1:51 p.m.

Minutes recorded by:

Carol White, Board Support Specialist

Minutes reviewed and edited by:

Anita O. Martin, Executive Director