

GEORGIA BOARD OF DENTISTRY
Board Meeting
November 3, 2006

The Board Meeting for the Georgia Board of Dentistry was held on Friday, November 3, 2006, at the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia.

The following Board members were present:	Others Present:
Dr. Clark Carroll, DMD – President Dr. Clyde Andrews, DDS Ms. Pamela Bush, RDH Dr. Becky Carlon, DDS Dr. Henry Cook, DDS Dr. Issac Hadley, DMD Ms. Elaine Richardson Dr. Pete Trager, DDS	Anita Martin, Executive Director Eva Holmes, Board Secretary Reagan Dean, Board Attorney Robert Renjel, GDA Don Benton, GDA Cheryl Haynes, GDHA Keasha Myrick, GDHA Darryl Smith, SDG/HCS Richard Kinsey, GSOMS

Dr. Carroll 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.

Introduction of visitors – Dr. Carroll welcomed the visitors.

Minutes from the October 6, 2006 board meeting: Dr. Hadley made a motion, Dr. Cook seconded and the Board voted to **approve** the minutes.

C.E. Audit Committee: - Dr. Henry Cook, Sr.

- No report

Conscious Sedation/General Anesthesia Committee: Dr. Clyde Andrews

- Requested that statements be added to the application:
 - What is last degree earned?
 - Please specify any post-graduate or residency training below.

Credentialing Committee: Dr. Becky Carlon

- No report

Dental Hygiene Committee: Ms. Pamela Bush, RDH

- Ms. Bush reported that she had attended and given a report at the GDHA Annual meeting.
- Ms. Bush also requested that the Dental Hygiene Committee meet at the conclusion of the January meeting.

Examination Committee: Dr. Logan Nalley, Jr. – Dr. Clark Carroll reported in Dr. Nalley's absence.

- Dr. Cook and Dr. Trager reported that the examinations at MCG and in Kansas City had gone well.

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Investigative Committee: Dr. Logan Nalley, Jr. – Dr. Clark Carroll reported in Dr. Nalley’s absence.

- No open session report

Legislative Committee: - Drs. Steve Holcomb & Pete Trager – Dr. Trager reported.

- No report

Licensure Overview Committee: - Dr. Issac Hadley

- No open session report

Rules Committee: - Dr. Pete Trager

- The committee recommended revision to Board Rule 150-7-.04. Dr. Carlon motioned, Dr. Hadley seconded and the Board voted to post the rule. Dr. Trager opposed the vote.

150-7-.04 Dental Provisional Licensure by Credentials.

- (1) For purposes of this rule “State” includes Washington D.C. and all U.S. territories.
- (2) “Provisional Licensure by Credentials” means a license to practice dentistry in the State of Georgia granted to individuals licensed to practice dentistry in another state who have not met all of the requirements for a regular dental license but who have met equivalent requirements for the practice of dentistry as set forth in O.C.G.A. § 43-11-41 and by board rule.
- (3) “Full Time Clinical Practice” means a minimum of 1,000 hours per year in the hands-on treatment of patients. Training programs do not qualify as full time clinical practice.
- (4) “Active Dental License” is defined as an unencumbered license held by an individual without restrictions.
- (5) “Full Time Clinical Faculty” means a minimum of 1,000 hours per year in the teaching of clinical dental skills at an ADA-accredited dental school/program. Training programs do not qualify as full time clinical faculty practice.
- (6) Only those applicants licensed and currently engaged in full time clinical practice as defined in sub-section (3) of this rule in a state that has a credentialing law similar to the licensure by credentials law in Georgia will be considered by the board for a provisional license by credentials. Applicants from states not issuing licenses by credentials are ineligible.
- (7) The board may, in its discretion, grant a provisional license by credentials to dentists licensed in another state who do not hold a Georgia license to practice dentistry.
- (8) As set forth in O.C.G.A. § 43-11-41, an applicant for a provisional license by credentials must also meet the following requirements:
 - (a) Must have an active dental license in good standing from another state.
 - (b) Must have received a doctor of dental surgery (D.D.S.) degree or a doctor of dental medicine (D.M.D.) degree from a dental school approved by the board and accredited by the Commission on Dental Accreditation of the American Dental Association (A.D.A.) or its successor agency.
 - (c) Applicants must have been in full time clinical practice, as defined in sub-section (2) of this rule; full time faculty as defined in sub-section (4) of this rule; or a combination of both for the five years immediately preceding the date of the application.

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(d) Candidates with any felony convictions are not eligible. Candidates convicted of a misdemeanor involving moral turpitude or dealing with the administering, dispensing or taking of drugs including, but not limited to controlled substances, are not eligible.

(e) Those applicants who have received a doctoral degree in dentistry from a dental school accredited by the Commission on Dental Accreditation of the American Dental Association, or its successor agency, must provide the following in order to complete their application:

1. Certified copy of the applicant's testing results showing passage of all sections with a score of 75 or higher or its equivalent score on a clinical examination administered by the board or a testing agency designated and approved by the board.

(a) Any candidate who has failed any clinical examination more than four (4) times is not eligible for licensure by credentials in Georgia.

2. Show passage with a score of 75 or higher on a jurisprudence examination on the laws and rules governing the practice of dentistry in the State of Georgia. Such examination shall be administered in the English language.

3. Proof of current CPR certification;

4. Copies of any and all National Practitioner's Data Bank reports pertaining to the applicant;

5. Official transcripts under seal from a school or university from which the applicant received his/her doctorate in dentistry;

6. National Board scores showing passage of all sections of the examination with a score of 75 or higher;

7. Verification of licensure from all states where the applicant has ever held or currently holds a license to practice dentistry; and

8. Furnish a background check. The applicant shall be responsible for all fees associated with the performance of a background check.

(9) Those applicants who have received a doctoral degree in dentistry from a dental school not accredited by the Commission on Dental Accreditation of the American Dental Association, or its successor agency, in addition to the information required in sub-section (8)(a), (c), (d) and (e) of this rule must also provide the following in order to complete their application:

(a) Successful completion at an accredited dental school approved by the board of the last two years of a program leading to the doctor of dental surgery (D.D.S.) or doctor of dental medicine (D.M.D.) degree; and

(b) Certification by the dean of the accredited dental school where such supplementary program was taken that the candidate has achieved the same level of didactic and clinical competency as expected of a graduate of the school.

(10) All applicants must show passage of all sections with a score of 75 or higher on a clinical examination administered by the board or testing agency designated and approved by the board and a jurisprudence examination on the laws and rules governing the practice of dentistry in the State of Georgia. Such examinations shall be administered in the English language.

(11) Within the first two (2) years of being granted a provisional license by credentials, applicant must establish full-time clinical practice which is defined in sub-section (2) of this rule or the license will be automatically revoked.

(12) For the first five biennial renewal periods, the holder of a dental provisional license by credentials must attest to the fact that he or she has maintained full time clinical practice in the State of Georgia as defined in sub-section (2) of this rule.

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(13) The Board shall have the authority to refuse to grant a provisional license by credentials to an applicant, or to revoke the provisional license by credentials to a dentist licensed by the Board, or to discipline a dentist holding a provisional license by credentials in accordance with the provisions of O.C.G.A. § 43-11-47.

(14) The submission of an application for a dental provisional license by credentials shall constitute consent for performance of a criminal background check. Each applicant who submits an application to the board for provisional licensure by credentials agrees to provide the board with any and all information necessary to run a criminal background check, including but not limited to classifiable sets of fingerprints. The applicant shall be responsible for all fees associated with the performance of a background check.

Authority O.C.G.A. §§ _____

The Board voted that the formulation and adoption of this rule 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. Clark Carroll

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

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

License #	Name	Profession	Status
DNF000339	Roberts, Steven	Dental Faculty	Active
DH010004	Harrell, Jeanette DeVonda	Dental Hygienist	Active
DH010005	Kennington, Tacie J	Dental Hygienist	Active
DH010006	Iskander, Elaine N	Dental Hygienist	Active
DH010007	Rockwitz, Veronica Lynn	Dental Hygienist	Active
DH010008	Spies, Kimberly Rene	Dental Hygienist	Active
DH010009	Roese, Julie Ann Lucas	Dental Hygienist	Active
DH010010	Bailey, Joseph Waylon	Dental Hygienist	Active
DH010011	Nielsen, Kristen Nicole	Dental Hygienist	Active
DH010012	Salloum, Heidi A	Dental Hygienist	Active
DH010013	Rieth, Alison Jayne	Dental Hygienist	Active
DH010014	Dubiski, Amanda Brooke	Dental Hygienist	Active
DH010015	Rivers, Kantra Nikole	Dental Hygienist	Active
DH010016	Gonterman, Janet Lee Johnson	Dental Hygienist	Active
DH010017	McGough, Caroline Harp	Dental Hygienist	Active
DN013426	Malayter, Amanda Rae	Dentist	Active
DN013427	Page, Tracy Michelle	Dentist	Active
DN013428	Harris, Albert Lehman	Dentist	Active

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DN013429	Lee, Jason Harriss	Dentist	Active
DN013430	Soni, Parag Harish	Dentist	Active
DN013431	Wright, Angela Dawn	Dentist	Active
DN013432	Bennett, James Brandon	Dentist	Active
DN013433	Hissam, Laura Hawkins	Dentist	Active
DN013434	Lee, Daniel J	Dentist	Active
DN013435	Zwickey, Mark Richard	Dentist	Active
DN013437	Fleming, John Wesley	Dentist	Active
DN013438	Lockhart, Laretha Urett	Dentist	Active
DNES000098	Ford II, Alan Dale	Enteral/Inhalation Conscious Sedation	Active
DPH000004	Taylor, Olivia	Public Health	Active

- **Correspondence from Dr. Keith McRae requesting approval for treatment facility** - Dr. Cook motioned, Dr. Hadley seconded and the Board voted to approve the request.
- **Correspondence from Dr. Larry Buford requesting an extension to obtain CE** - Dr. Hadley motioned, Dr. Andrews seconded and the Board voted to allow an additional 30 days to submit plan.
- **Correspondence from Joint Commission on National Dental Examinations re: assistance with exam held Dec. 11-12, 2006 at MCG** - Board response: Notify Joint Commission that no board members will be available.
- **Correspondence from Central Regional Dental Testing Service re: Failure Policy – Integrated Format** - Board response: Viewed as informational.
- **Correspondence from Amy Cundiff requesting waiver/variance for Risk Management course** – Dr. Carlon motioned, Dr. Hadley seconded and the Board voted to **deny** the request.
- **Correspondence from Marcia Collins requesting variance/waiver for Board Rule 150-7-.04 (3)** - Dr. Andrews motioned, Dr. Cook seconded and the Board voted to **approve** the request.
- **Correspondence from Dr. Robert Comer regarding CE courses** - Board response: Viewed as informational.
- **Correspondence from Dr. Mya Greenberg re: Botox/Restylane Injections being within the scope of practice of dentistry** – Board response: Send no-legal letter to Dr. Greenberg along with the AG’s advice memo on Dermafill.
- **Dr. Charles Coutler requesting variance/waiver** – Dr. Carlon motioned, Ms. Bush seconded and the Board voted to **deny** the request.

CDRTS Examination Report – Dr. Clyde Andrews

- No report

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

- Requested clarification on dental credentials rule.
- Provided information from Jane Walters of GDA re: treatment facilities – viewed as information.

Attorney General's Open Session Report: Reagan Dean

- No open session report

Miscellaneous –

- Cheryl Haynes, President of the GDHA addressed the Board. She expressed an interest in having the GDHA and the board work together on any upcoming legislation. Dr. Trager advised that if there were any change that they would like the Board to consider to please provide it in writing for the board's consideration.
- Correspondence from Dr. James Finot requesting proper interpretation of Georgia Regulation Rule 150-13-.01 (b) as it relates to his particular practice of dentistry – Dr. Hadley motioned, Dr. Andrews seconded and the Board voted to send a no-legal letter and cite the rule.
- Correspondence from Dr. J.B. Moreland concerning new teeth whitening system marketed to spas and hair salons – Dr. Trager motioned, Dr. Carlon seconded and the Board voted to open a case and refer to enforcement for Cease & Desist.

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

Appointments with Board

Dr. Andrews motioned, Dr. Cook seconded and the Board voted to accept the recommendations as follows.

N.P. – Denial appeal credentials applicant – approved.

J.S.M. – Denial appeal credentials applicant – denied.

C.A.D. – Denial appeal – approved.

Licensure Overview Committee – Dr. Issac Hadley

Dr. Carlon made a motion and Dr. Trager seconded and the Board voted to **approve** the recommendations from the LOC as follows:

- **Dr. Annamalai Nadarajan – requesting termination of probation.** - approve under public consent order.
- **D.W.P. – dental hygiene reinstatement applicant** – approve under a public consent order.
- **E.A.F. – dental hygiene applicant** – approve
- **Dr. H.A. – Dental applicant** – approve

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- **Dr. D.G.W. – Dental reinstatement applicant** – approve and lift probation

Applications/Licensure - Dr. Cook made a motion and Dr. Carlon seconded and the Board voted to **approve** the applications as follows:

- **C.C.S. – Dental hygiene applicant requesting approval to reinstate license without having to take LEAP course. Dental hygiene license was issued 6/2/1986 and was administratively revoked 12/31/1989 for failure to renew** – Request denied – must meet conditions as previously outlined.
- **J.P.P. – Dental applicant requesting approval for licensure contingent upon receipt of current CPR certification pursuant to Georgia Board Rule 150-5-.08** – Approve upon receipt of CPR from an approved provider.
- **C.L.W. – Dental hygiene applicant requesting approval for licensure** – Approve
- **E.M.P. – Dental hygiene applicant requesting approval for licensure** – Approve
- **M.A.A. – Request from Mr. Goldstein to appear before the board with applicant to appeal board’s decision** – Table until December meeting in order to review entire application file.
- **A.L. – Dental graduate requesting permission to retake ADEX/CRDTS exam** – Approve upon receipt of documentation that course was completed.

CE Audit Committee Report

- No report

Examination Report

- No report

Investigative Report – Dr. Logan Nalley, Jr. – Dr. Carroll reported in Dr. Nalley’s absence.

Dr. Cook made a motion and Dr. Trager seconded and the Board voted to **approve** the Investigative Report as follows:

Complaint#	Recommendation
DENT 07-0048	Close
DENT 07-0073	Close with letter of concern RE: patient management
DENT 07-0021	Close
DENT 07-0019	Close with letter of concern RE: being responsible for his treatment regardless of where is he works.
DENT 07-0070	Close with letter of concern RE: direct supervision of assistant making temporary crowns.
DENT 07-0066	Close
DENT 07-0017	Refer patient to orthodontist consultant
DENT07-0034	Refer records to oral surgeon consultant.
DENT07-0038	Refer patient to general dentist consultant

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DENT 06-0344	Refer patient to general dentist consultant
DENT 06-0324	Refer patient to general dentist consultant
DENT 06-0326	Refer patient to general dentist consultant
DENT 07-0058	Further investigation needed
DENT 07-0090	Refer patient to general dentist consultant
DENT 06-0114	Close with letter of concern
DENT 07-0082	Refer to AG's Office for Private Consent Order
DENT 06-0089	Mitigating Circumstance Letter
DENT 03-0009	Further investigation needed
DENT 06-0299	Close with letter of concern
DENT 06-0211	Close
DENT 06-0124	Refer to Legal Services for 16 hrs CE in pediatric dentistry with prior approval by the Board, a 4 hrs Risk Management course and 3 years probation.
DENT 06-0119	Close
DENT 07-0055	Close
DENT 06-0091	Close
DENT 05-0160	Further investigation needed
DENT 05-0180	Further investigation needed
DENT 06-0220	Further investigation needed
DENT 06-0046	Close and inform Texas Board of complaint
DENT 06-0165	Refer to Enforcement
DENT 06-0285	Close
DENT 06-0202	Further investigation needed
DENT 06-0293	Close
DENT 06-0164	Further investigation needed
DENT 06-0309	Further investigation needed
DENT 06-0139	Further investigation needed
DENT 06-0026	Refer to Enforcement
DENT 06-0027	Refer to Enforcement
	Further investigation needed
DENT 06-0027	Table until November meeting
DENT 06-0265	Further investigation needed
DENT 06-0345	Close

Attorney General's Report – Mr. Reagan Dean.

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- Updated on cases in his office.

Legal Service Report – Mr. Jeff Clements

Ms. Richardson made a motion and Dr. Carlon seconded and the Board voted to **approve** the recommendation made in the Legal Services report as follows:

- Accept consent orders on Richard Vollmer and approve reducing the Risk Management CE requirement to 4 hours, Dr. Wesley Burke, Dr. John D. Engel, Dr. Braswell Collins, Lisa Barnes, and Dr. William Thomas.
- Refer case 050168 to AG's office to file a Notice of Hearing
- Voted to close DENT040093 because license has lapsed. Flag file if reinstatement is ever applied for and refer the cases to the Florida Board for consideration.

Dr. Cook made a motion and Dr. Carlon seconded and the Board voted to **approve** the recommendation made in the Legal Services report as follows:

Executive Director's Report – Ms. Anita Martin

- Request from Dr. R.W.J. to renew rather than reinstate. Request denied – must reinstate pursuant to board's policy. Board voted to accept order upon receipt.
- Accept consent orders on Dr. Michaela McKenzie, Dr. Denise Patrick Noel, Dr. D.R. upon receipt and Dr. D. O. upon receipt.

The next meeting is scheduled for December 1, 2006 at **12:00 p.m.**

There being no further business to come before the Board, the meeting was adjourned at 1:47 p.m.

The Rules Committee of the Georgia Board of Dentistry was held on Friday, November 3, 2006, at the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia.

In attendance: Dr. Pete Trager, Dr. Clyde Andrews, Dr. Becky Carlon, Mr. Robert Renjel, GDA, Ms. Cheryl Haynes, GDHA and Ms. Anita O. Martin.

The Committee meeting that was scheduled to begin at 9:00 a.m. was called to order at 9:10 a.m. The committee discussed and voted to submit Board Rule 150-7-.04 to the Board for a vote to post a revision. Dr. Trager opposed.

The committee meeting adjourned @ 9:40 a.m.

Minutes recorded by:

Eva Holmes, Board Secretary

Minutes reviewed and edited by:

Anita O. Martin, Executive Director

These minutes were signed and approved on December 1, 2006.