

GEORGIA BOARD OF DENTISTRY
Board Meeting
2 Peachtree St., N.W., 5th Floor
Atlanta, GA 30303
November 6, 2015
9:30 a.m.

The following Board members were present:

Dr. Steve Holcomb
Dr. Bert Yeargan
Ms. Becky Bynum
Dr. Greg Goggans
Dr. Logan Nalley
Dr. Antwan Treadway

Staff present:

Tanja Battle, Executive Director
Bryon Thernes, Asst Attorney General
Ryan McNeal, Chief Investigator
Anil Foreman, Legal Officer
Brandi Howell, Business Operation Spec

Visitors:

Stephanie Lotti
TJ Kaplan, JCM
Kim Turner
Lynne Slim, GDHA
Russ Lipari
Tracie Battle
Carol A. Mashke
Anh-Thu Jex

Open Session

Dr. Holcomb established that a quorum was present and called the meeting to order at 9:46 a.m.

Introduction of Visitors

Dr. Holcomb welcomed the visitors.

Dr. Greg Goggans made a motion and Dr. Bert Yeargan 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 and receive information the Assistant Attorney General's report. Voting in favor of the motion were those present who included Ms. Becky Bynum, Dr. Greg Goggans, Dr. Steve Holcomb, Dr. Logan Nalley, Dr. Antwan Treadway and Dr. Bert Yeargan.

Executive Session

Attorney General's Report Open Session – Mr. Bryon Thernes

The Board received legal advice regarding pending litigation.

No votes were taken in Executive Session. Dr. Holcomb declared the meeting back in Open Session.

Open Session

Approval of Minutes

Dr. Nalley made a motion to approve the Public and Executive Session minutes for the October 9, 2015 meeting. Dr. Yeargan seconded and the Board voted unanimously in favor of the motion.

Licenses to Ratify

Dr. Yeargan made a motion to ratify the list of licenses issued. Dr. Nalley seconded and the Board voted unanimously in favor of the motion.

Correspondence from James E. Talbot, DN011299

The Board considered this correspondence regarding Dr. Talbot's public consent order and the effect it has with insurance companies and credentialing. The Board directed staff to respond that it now has an additional option called a "reporting period" versus probation that would not have an effect on credentialing.

Correspondence from Eric Klein

The Board considered this correspondence asking whether the Board interprets Rule 150-8-.02 ("A dentist shall not give rebates or split fees with a referral source.") as prohibiting any form of discount. The Board directed staff to respond to Mr. Klein by stating that this matter has been referred to the Board's Rules Committee for further review.

Correspondence from Dr. Dora Gonzalez

The Board considered this correspondence from requesting to be exempt from having to take the required certificate courses and instead only be required to take the competency examination based on the fact that she is a foreign-trained DMD specialized in endodontics. The Board recommended approving the request based on the information provided.

Correspondence from Ella Voloshina

The Board considered this correspondence requesting clarification regarding Board Rule 150-8-.01(a) and the Centers for Disease Control and Prevention (CDC) guidelines. Ms. Voloshina specifically asks are the CDC's Guidelines for Infection Control in Dental Health Care Settings, as a whole, adopted by the Rules of Georgia Board of Dentistry and alternatively, has the Georgia Board of Dentistry adopted a rule relating to the quality of water used in dental settings? The Board directed staff to respond to Ms. Voloshina by stating the Board does follow the CDC's current guidelines and that it has not adopted a rule relating to the quality of water used in dental settings as that is regulated through the EPA.

General – Dr. Steve Holcomb

Dr. Holcomb reported that the December meeting is a conference call. Ms. Battle stated that the Board's Investigative Committee is scheduled to meet on December 11th, but as of right now, it does not have a quorum. Dr. Holcomb suggested reaching out to the board members to see who may be available to assist the Committee.

CE Audit Committee Report – Dr. Richard Bennett

Ms. Battle discussed the Board's request to conduct a post-renewal audit. The Board suggested sending notices out to those who will be audited in February 2016.

Conscious Sedation/General Anesthesia Committee Report – Dr. Randy Daniel

No report.

Credentialing Committee Report – Dr. Greg Goggans

No report.

Dental Hygiene Committee Report – Ms. Rebecca Bynum

No report.

Examination Committee Report – Dr. Steve Holcomb

Dr. Holcomb reported that the new name for Georgia Regents University (GRU) will be Augusta University.

Investigative Committee Report – Dr. Bert Yeargan

No report.

Legislative Committee Report – Dr. Greg Goggans

No report.

Licensure Overview Committee Report – Dr. Tracy Gay

No report.

Rules Committee Report – Dr. Tom Godfrey

No report.

Education Committee Report – Dr. Tom Godfrey

No report.

Long Range Planning Committee Report – Dr. Steve Holcomb

No report.

CRDTS Steering Committee – Dr. Logan Nalley

No report.

IP Committee Report – Dr. Richard Bennett

No report.

Executive Director’s Report – Ms. Tanja Battle

Ms. Battle reported that 1048 dental hygienists and 1274 dentists have renewed. There are currently about fifty (50) licenses in “active-renewal pending” status.

Attorney General’s Report Open Session – Mr. Bryon Thernes

No report.

Dr. Logan Nalley made a motion and Dr. Bert Yeargan 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 and receive information on applications, investigative reports, and the Assistant Attorney General’s report. Voting in favor of the motion were those present who included Ms. Becky Bynum, Dr. Greg Goggans, Dr. Steve Holcomb, Dr. Logan Nalley, Dr. Antwan Treadway and Dr. Bert Yeargan.

Executive Session

Appearances

- A.T.N.J.
- T.M.B.
- C.A.M.

Licensure Overview Committee Appointments/Discussion Cases

- M.C.M.

- W.S.M.
- P.L.O.
- M.C.D.
- R.S.
- W.C.

Applications

- D.G.B.
- L.M.P.
- E.G.A.
- H.T.M.
- J.T.W.
- J.T.H.
- S.G.S.
- K.B.K.
- C.R.B.
- M.R.F.
- C.W.F.
- F.S.B.
- J.F.C.
- L.L.T.
- P.P.S.
- R.T.D.
- T.N.L.
- E.S.

Investigative Committee Report

Report presented:

- DENT150098
- DENT150399
- DENT140167
- DENT150038
- DENT150133
- DENT150195
- DENT130217
- DENT150036
- DENT130131
- DENT140019
- DENT150197
- DENT150401
- DENT150094
- DENT150408
- DENT160107
- DENT150121
- DENT160108
- DENT150414
- DENT160008
- DENT150411

- DENT160093
- DENT160111
- DENT160121
- DENT160125
- DENT160133
- DENT160140
- DENT160087
- DENT160066
- DENT160039
- DENT160037
- DENT160088
- DENT160026
- DENT150396
- DENT150389
- DENT160094
- DENT160106
- DENT160032
- DENT160033
- DENT160057
- DENT160082
- DENT140031
- DENT140032
- DENT140033
- DENT140034
- DENT140035
- DENT140036
- DENT140037
- DENT140038
- DENT140039
- DENT140040
- DENT140041
- DENT140042
- DENT140043
- DENT140044
- DENT140117
- DENT140118
- DENT140119
- DENT160040

- DENT160146
- DENT160040

Correspondence

- M.B.
- A.U.

Executive Director's Report – Ms. Tanja Battle

- No report.

Attorney General’s Report – Mr. Bryon Thernes

The Board received legal advice regarding Dental Support Organizations (DSO’s).

Mr. Thernes discussed the following case:

- A.D.

Mr. Thernes presented the following consent orders for acceptance:

- G.P.
- D.C.M.
- B.A.M.

Legal Services – Ms. Anil Foreman

No report.

No votes were taken in Executive Session. Dr. Holcomb declared the meeting back in Open Session.

Open Session

Dr. Nalley made a motion to approve all recommendations based on deliberations in Executive Session as follows:

Attorney General’s Report Open Session – Mr. Bryon Thernes

The Board received legal advice regarding pending litigation.

Appearances

- | | | |
|--|--|---|
| <ul style="list-style-type: none"> • A.T.N.J. • T.M.B. • C.A.M. | <ul style="list-style-type: none"> Denied Hygiene Credentials Denied Credentials Applicant Denied Hygiene Reinstatement | <ul style="list-style-type: none"> Uphold denial Table pending review of additional information provided Table pending receipt of additional information |
|--|--|---|

Licensure Overview Committee Appointments/Discussion Cases

- | | | |
|--|---|--|
| <ul style="list-style-type: none"> • M.C.M. • W.S.M. • P.L.O. • M.C.D. • R.S. • W.C. | <ul style="list-style-type: none"> Dental Hygiene Reinstatement Request to terminate consent order Dental Hygiene Reinstatement Dental Hygiene Reinstatement Dental Credentials Applicant Dental Exam Applicant | <ul style="list-style-type: none"> Approved application Approved request Approved application Approved application Approved application Approved application |
|--|---|--|

Applications

- | | | |
|--|---|---|
| <ul style="list-style-type: none"> • D.G.B. • L.M.P. • E.G.A. • H.T.M. • J.T.W. • J.T.H. • S.G.S. • K.B.K. • C.R.B. • M.R.F. | <ul style="list-style-type: none"> Dental Credentials Applicant Dental Hygiene Credentials Dental Credentials Applicant Dental Hygiene Reinstatement Dental Hygiene Reinstatement Dental Reinstatement Dental Faculty Applicant Dental Exam Applicant Dental Exam Applicant Dental Exam Applicant | <ul style="list-style-type: none"> Denied application Approved application Denied application Approved application Approve with public consent order Approved application Approved application Approved application Approved application Approved application |
|--|---|---|

• C.W.F.	Inactive Status Applicant	Approved application
• F.S.B.	Inactive Status Applicant	Approved application
• J.F.C.	Inactive Status Applicant	Approved application
• L.L.T.	Inactive Status Applicant	Approved application
• P.P.S.	Inactive Status Applicant	Approved application
• R.T.D.	Inactive Status Applicant	Approved application
• T.N.L.	Inactive Status Applicant	Approved application
• E.S.	Inactive Status Applicant	Approved application

Investigative Committee Report

Report presented:

Complaint Number	Allegations	Recommendation
DENT150098	Unprofessional conduct	Close with a letter of concern
DENT150399	Quality of care/substandard practice	Close with a letter of concern
DENT140167	Malpractice	Refer to the Department of Law
DENT150038	Quality of care/substandard practice	Close with a letter of concern
DENT150133	Quality of care/substandard practice	Refer to the Department of Law
DENT150195	Quality of care/substandard practice	Refer to the Department of Law
DENT130217	Quality of care/substandard practice	Close with no action
DENT150036	Malpractice	Close with a letter of concern
DENT130131	Failure to perform client services	Close with no action
DENT140019	Quality of care/substandard practice	Close with no action
DENT150197	Quality of care/substandard practice	Refer to the Department of Law
DENT150401	Quality of care/substandard practice	Refer to the Department of Law
DENT150094	Unethical conduct	Close with no action
DENT150408	Impairment/substance abuse	Close with no action
DENT160107	Records release	Close with no action
DENT150121	Quality of care/substandard practice	Refer to the Department of Law
DENT160108	Quality of care/substandard practice	Close with no action
DENT150414	Quality of care/substandard practice	Close with no action
DENT160008	Quality of care/substandard practice	Close with no action
DENT150411	Quality of care/substandard practice	Close with no action
DENT160093	Unprofessional conduct	Close with no action
DENT160111	Quality of care/substandard practice	Close with no action
DENT160121	Unethical conduct	Close with no action
DENT160125	Quality of care/substandard practice	Close with no action
DENT160133	Quality of care/substandard practice	Close with no action
DENT160140	Billing	Close with no action
DENT160087	Quality of care/substandard practice	Close with no action
DENT160066	Quality of care/substandard practice	Close with no action
DENT160039	Billing	Close with no action
DENT160037	Fraud	Close with no action
DENT160088	Quality of care/substandard practice	Close with no action
DENT160026	Quality of care/substandard practice	Close with no action
DENT150396	Unprofessional conduct	Close with no action
DENT150389	Unprofessional conduct	Close with no action
DENT160094	Quality of care/substandard practice	Close with no action

DENT160106	Quality of care/substandard practice	Close with no action
DENT160032	Other	Close with no action
DENT160033	Quality of care/substandard practice	Close with no action
DENT160057	Quality of care/substandard practice	Close with no action
DENT160082	Billing	Close with no action
DENT140031	Quality of care/substandard practice	Close with no action
DENT140032	Quality of care/substandard practice	Close with no action
DENT140033	Quality of care/substandard practice	Close with no action
DENT140034	Quality of care/substandard practice	Close with no action
DENT140035	Quality of care/substandard practice	Close with no action
DENT140036	Quality of care/substandard practice	Close with no action
DENT140037	Quality of care/substandard practice	Close with no action
DENT140038	Quality of care/substandard practice	Close with no action
DENT140039	Quality of care/substandard practice	Close with no action
DENT140040	Quality of care/substandard practice	Close with no action
DENT140041	Quality of care/substandard practice	Close with no action
DENT140042	Quality of care/substandard practice	Close with no action
DENT140043	Quality of care/substandard practice	Close with no action
DENT140044	Quality of care/substandard practice	Close with no action
DENT140117	Quality of care/substandard practice	Close with no action
DENT140118	Quality of care/substandard practice	Close with no action
DENT140119	Quality of care/substandard practice	Close with no action
DENT160040	Advertising	Refer to the full Board for discussion
• DENT160146	Refer to Medicaid	
• DENT160040	Close case with no action	

Correspondence

- M.B. Correspondence Directed staff to respond that this would be allowed as long as the patient is informed and there is appropriate documentation.
- A.U. Request for approval of CE hours Request approved

Executive Director’s Report – Ms. Tanja Battle

- No report.

Attorney General’s Report – Mr. Bryon Thernes

The Board received legal advice regarding Dental Support Organizations (DSO’s).

Mr. Thernes discussed the following case:

- A.D. No action

Mr. Thernes presented the following consent orders for acceptance:

- G.P. Public consent order accepted
- D.C.M. Private consent order accepted
- B.A.M. Private consent order accepted

Dr. Treadway seconded and the Board voted unanimously in favor of the motion.

With no further business, the Board meeting adjourned at 2:11 p.m.

The next scheduled meeting of the Georgia Board of Dentistry will be held via conference call on Friday, December 11, 2015, at 12:00 p.m. at the Department of Community Health's office located at 2 Peachtree Street, N.W., 36th Floor, Atlanta, GA 30303.

Minutes recorded by Brandi P. Howell, Business Operations Specialist
Minutes edited by Tanja D. Battle, Executive Director