

GEORGIA BOARD OF DENTISTRY  
Board Meeting  
September 17, 2004

A meeting of the Georgia Board of Dentistry was held on Friday, September 17, 2004, at the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia.

The following Board members were present:	Others Present:
Dr. Peter Trager, President Dr. Clark Carroll, Vice President Tunde M. Anday, RDH Dr. Clyde H. Andrews Dr. Becky Carlon Dr. Henry Cook Dr. Stephan Holcomb Dr. Christopher McFarland Dr. Logan Nalley	Anita O. Martin, Executive Director Susan Hewett, Board Secretary Reagan Dean, Board Attorney Martha Phillips, GDA Robert Vedder, GDA Mark Shurett, Help A Child Smile Darryl Smith, Shurette Dental Group Edward Green, GDA Bill Longley, Scientific Intake John Freihaut, GSOMS Leon Pye Lester Jackson Felix Maher

Dr. Trager, Board President, established that a quorum was present, and the meeting scheduled to begin at 9:00 a.m. was **called to order** at 9:27 a.m.

**Minutes of the August 13, 2004 meeting:** Dr. Cook made a motion, Dr. Nalley seconded and the Board voted to **approve** the minutes as amended.

**Minutes of the July 13, 2004 meeting:** Dr. Nalley made a motion, Dr. Andrews seconded and the Board voted to **approve** the minutes.

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

- The memo to grant continuing education credits to Board consultants was **approved** by the Board.
- The continuing education program presented by Dr. John B. Taylor entitled "Guided Bone Regeneration to Dramatically Improve the success, Esthetics and Function of Dental Implants" is **approved** as long as it is in compliance with Rule 150-3-.09.
- The Board requested that a response be sent to Dr. Ron Mosley that a total of **4 hours** of continuing education credit can be claimed for any CPR courses.

**Conscious Sedation/General Anesthesia Committee:** Dr. Clyde Andrews

- The Rules Committee will address issues regarding conscious sedation/general anesthesia at a meeting which will be held at the conclusion of today's board meeting.

**Credentialing Committee:** Dr. Chris McFarland

- The Rules Committee will address issues regarding credentialing at a meeting which will be held at the conclusion of today's board meeting.

**Dental Hygiene Sub-Committee:** Ms. Tunde Anday, RDH

- Reported that she attended the Dental Hygiene Sub-Committee meeting at SRTA and proposed changes to the exam.

**Examination Committee:** Dr. Logan Nalley

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- Dr. Nalley reported that SRTA may be moving toward a Curriculum Integrated Format (CIF).
- Dr. McFarland will observe the CIF format in West Virginia.

**Legislative Committee:** Dr. Christopher McFarland

- No Report

**Licensure Overview Committee:** Dr. Jimmy Walker

- No Report for Open Session

**Rules Committee:** Dr. Peter Trager

- The Rules Committee will meet at the conclusion of the Board meeting.

**General:** Dr. Peter Trager

- **Board Policies:** The policy manual was **approved** as amended.
- **Ratify list of newly issued licenses:**
  - Dr. Cook made a motion, Dr. Carroll seconded and the Board voted to **ratify** the following list of newly issued licenses.

Lic No	Name	Lic Type
<b>NEWLY ISSUED LICENSES</b>		
DH009363	Reed, Glenda Ann	Dental Hygienist
DH009364	Desjardins, Zeri Syntyche	Dental Hygienist
DH009365	Eck, Marcy Jean	Dental Hygienist
DH009366	Harvard, Gudrun A.	Dental Hygienist
DH009367	Moore, Catherine Veronica	Dental Hygienist
DH009368	Perry, Jessica Amaniee	Dental Hygienist
DH009369	Tidwell, Veronica Aaron	Dental Hygienist
DH009370	Nguyen, Mytien Hoang	Dental Hygienist
DH009371	Kakas, Charlene Rose	Dental Hygienist
DH009372	Tison, Stephen David	Dental Hygienist
DH009373	Banks, Dorothy Elizabeth	Dental Hygienist
DH009374	Cordero, Robbie Lynn	Dental Hygienist
DN012999	Chin, Vanessa Leigh	Dentist
DN013000	Mixon, Kristopher Glenn	Dentist
DN013001	Stoeber, Christina Elizabeth	Dentist
DN013002	Van Tuyl, David Sean	Dentist
DN013003	McGhee, Erika Michele	Dentist
DN013004	Khan, Bilal Shah	Dentist
DN013005	Davis, Jonathan Keith	Dentist
DN013006	Earst, Makeba Sherron	Dentist
DN013007	Elamin, Nagwa Mahmoud	Dentist
DN013008	Rawlins, Kelly Nicole	Dentist
DN013009	Grill, Matt Tavis	Dentist

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DN013010	Velez, Shawn Michael	Dentist
DN013011	Campbell, Julian Harper	Dentist
DN013012	Kim, Janet Hyunjung	Dentist
DN013013	Smith, Jeremy Robert	Dentist
DN013014	Albzreh, Mohamad Husam	Dentist
<b>REINSTATEMENTS</b>		
DH008246	Leslie Hicks Sawyer	Dental Hygienist

- **Federal Student Loan Default:** Dr. Nalley made a motion to suspend Robert S. Gold's license to practice as a Dentist, License # DN011177, effective 30 days from the date of the "First Notice Letter of Suspension", for nonpayment status or default or breach of repayment or service obligation for his/her federal educational loan, service conditional loan repayment program, or service conditional scholarship program. Dr. Nalley further moved that such suspension shall be STAYED pending a request for an approach before the board and that this suspension shall be lifted upon receipt of a written release from the federal agency that Robert S. Gold is not the person at issue or is making payments on the loan, service conditional loan repayment program, or service conditional scholarship program satisfying the payment or service requirements in accordance with an agreement approved by the federal agency. Dr. Holcomb seconded the motion, and the Board voted to **suspend** Dr. Gold's license.
- **Federal Student Loan Default:** Dr. Nalley made a motion to suspend David Allen Lamothe's license to practice as a Dentist, License # DN010690, effective 30 days from the date of the "First Notice Letter of Suspension", for nonpayment status or default or breach of repayment or service obligation for his/her federal educational loan, service conditional loan repayment program, or service conditional scholarship program. Dr. Nalley further moved that such suspension shall be STAYED pending a request for an approach before the board and that this suspension shall be lifted upon receipt of a written release from the federal agency that David Allen Lamothe is not the person at issue or is making payments on the loan, service conditional loan repayment program, or service conditional scholarship program satisfying the payment or service requirements in accordance with an agreement approved by the federal agency. Dr. Holcomb seconded the motion, and the Board voted to **suspend** Dr. Lamothe's license.
- **Medical College of Georgia Site Visit - November 30, 2004:** Viewed as **informational**.
- **Draft Board Rule 150-3-.01 Examination for Dental Licensure:** Dr. Nalley made a motion, Dr. Holcomb seconded, and the Board voted to **post the rule as amended**.  
**150-3-.01 EXAMINATION FOR DENTAL LICENSURE.**  
 (1) Each candidate submitting an application for a dental license must have passed the National Board Theory Examination - Part II with a minimal acceptable grade of 75. 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 shall be required to pass an examination administered by the Georgia Board of Dentistry or a Regional Testing Agency designated and approved by the Board. The Board may hold other examinations as may be required and necessary.  
 (3) A candidate for a license to practice dentistry who passes the practical portion of the examination but who fails the law and rules portion of the examination shall not be required to retake the practical portion; provided, however, that the candidate retake and pass the law and rules examination with a scaled score of 75 given during one (1) of the next two (2) scheduled examinations.

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(4) A candidate for a license to practice dentistry who has failed section(s) of an examination administered by the Georgia Board of Dentistry and/or the regional testing agency on three (3) occasions, must first successfully complete a post-graduate course approved by the Board before permission will be granted by the Board for reexamination of the unsuccessful section(s) for a fourth or more time. After three (3) unsuccessful examination attempts of three (3) or more sections, the candidate must first successfully complete a one (1) year American Dental Association accredited course of post graduate study before permission will be granted to take the exam a fourth or more time. For the purposes of this rule, the proposed course of post-graduate study must be submitted in writing by the applicant to the Board for its approval prior to commencing the mandatory course of study.

(a) ~~After a fourth (4<sup>th</sup>) failure of three (3) or more sections of the examination, no further examination attempts will be allowed by the board for a candidate seeking Georgia licensure. A candidate for a license to practice dentistry who has failed the examination four times must comply with the requirement in subsection (4) each time a subsequent request for permission to take the examination is made.~~

(5) In determining whether an applicant has met the requirements for licensure, the Board will not consider examination results from the Southern Regional Testing Agency that were attained prior to February 22, 1993.

(6) In determining whether an applicant has met the requirements for licensure, an applicant must receive a passing score of 75 or greater on the Georgia jurisprudence examination. Such score will be deemed valid for a period not to exceed one year from the date in which the examination was administered.

Authority O.C.G.A. Secs. 43-11-7, 43-11-8, 43-11-40.

- **Draft Board Rule 150-3-.09 – Continuing Education for Dentists:** Viewed as **informational** and decided to not add laws and rules course at this time.
- **Draft Board Rule 150-5-.05 – Requirements for Continuing Education for Dental Hygienists:** Viewed as **informational** and decided to not add laws and rules course at this time.
- **Board Member Roster for Update:** Information was provided by the Board members to update the roster.
- **Draft Sedation Rule:** Viewed as **informational**.
- **2005 Meeting Schedule:** Viewed as **informational**.
- **2004 Committees:** Viewed as **informational**.
- **Correspondence from ADA regarding Oral & Maxillofacial Pathology Program:** Viewed as **informational**.
- **Uniform National Exam:** Dr. Holcomb presented information on the AADE/ADLEC meeting of August 2004.

**SRTA Board of Director's Report – Dr. Clark Carroll:** Virginia RFP issue is still not resolved. It appears that Virginia may still utilize SRTA.

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

- Presented request from ADA regarding the 2004 Postdoctoral General Dentistry Accreditation Standards Validity and Reliability Study. The matter was referred to Dr. Holcomb who suggested that ADA be referred to the North Carolina Board who has recently completed a task analysis.
- Presented response to Dr. Grant Hogan's letter
- Provided Board members with a flowchart of the investigative process.
- Request from Richard Clifford presented to the Board. The issue is not within the jurisdiction of the Board, therefore permission cannot be granted or recommendations cannot be made.
- Dr. Holcomb made a motion, Dr. Nalley seconded and the Board voted to resubmit a request for the Board Attorney to be allowed to attend the Attorney's Roundtable at the September AADE meeting.
- Provided September 2004 statistics.

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**Attorney General's Open Session Report:** Reagan Dean

- Mastiguard and DDS systems were discussed regarding the issue that if an appliance is made, the appliance/impressions, construction and insertion of the appliance, and maintenance of the oral health of the patient must be performed by a dentist. The Board is awaiting advice from the Board Attorney regarding this matter.

**Appointment with Board - Dr. Jim Barenie, Medical College of Georgia (MCG):**

Presentation was viewed as informational. Dr. Carroll made a motion, Dr. McFarland seconded and the Board voted to **support** a program developed with MCG and the GDA (Georgia Dental Association) concerning law, ethics and professionalism.

**Appointment with Board - Ms. Joanne Weir and Ms. Renee Graham, Georgia Dental Hygiene Educator's Association:** Requested to be **rescheduled** due to inclement weather.

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

**Appointments with Board:**

- **C.R.C., DDS - Reinstatement of License:** Requested to be **rescheduled** due to inclement weather.
- **Dr. E.E. - Denial of request to re-take SRTA for 6<sup>th</sup> time:** Dr. McFarland made a motion, Dr. Holcomb seconded and the Board voted to **deny** the request to re-take SRTA.

**Licensure Overview Committee:** Dr. Chris McFarland

- **G.M. - Reinstatement of License:** Refer for an OMPE
- **W.K.W. - License Renewal:** Renew license upon receipt of resolution of Tennessee issue
- **S.S.R. - Reinstatement of License:** Reinstatement under **Public Consent Order**, and issue **Letter of Concern to supervising dentist.**
- **D.S.S. - Dental Applicant:** Deny
- **S.F., RDH - License Renewal:** Deny

Dr. McFarland made a motion, Dr. Holcomb seconded and the Board voted to **approve** the above recommendations by the LOC.

**Applications/Licensure**

- **J.W.D. - Dental Applicant:** Does not meet criteria - **must take SRTA.**
- **D.R.C. - Dental Applicant:** Table and obtain SRTA results/history for Board to review
- **G.A.C. - Dental Applicant:** Refer for OMPE
- **E.P.T. - Conscious Sedation Applicant:** **Must reapply for both permits** and Board will consider once the applications are received. **No temporary permits will be allowed.**
- **S.D.D. - Dental Hygiene Applicant:** Approved
- **D.M.T. - Dental Applicant:** Approved

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- **A.R.G. – Dental Applicant requesting to retake SRTA:** Needs one year of an AEGD or GPR and then must **reapply** to take SRTA.

Dr. McFarland made a motion, Dr. Holcomb seconded and the Board voted to **approve** the above recommendations regarding applications.

**Investigative Report:** Dr. Logan Nalley, Jr.

Dr. McFarland made a motion, Dr. Holcomb seconded and the Board voted to **approve** the following recommendations regarding the Investigative Report.

<b>RECOMMENDATION</b>	<b>CASE NUMBER</b>
<b>CLOSE</b>	<b>DENT040107</b>
<b>CLOSE</b>	<b>DENT040114</b>
<b>CLOSE</b>	<b>DENT040120</b>
<b>CLOSE</b>	<b>DENT040142</b>
<b>CLOSE</b>	<b>DENT040184</b>
<b>CLOSE</b>	<b>DENT040275</b>
<b>CLOSE</b>	<b>DENT040304</b>
<b>CLOSE</b>	<b>DENT040305</b>
<b>CLOSE w/LOC</b>	<b>37-01-02-00046</b>
<b>Refer to Legal Services</b>	<b>DENT030079</b>
<b>Refer to Legal Services</b>	<b>DENT050069</b>
<b>Refer to Consultant</b>	<b>DENT040209</b>

- **Case DENT040127: Matter reviewed by the entire board. Recommendation to refer the matter to a consultant. Upon receipt of consultant report – matter to be referred back to the board for possible disciplinary action.**

**Executive Director's Report:** Anita O. Martin

- **Edward P. Trimmier, D.M.D.:** Correspondence was received from Melvin Goldstein requesting a waiver of the fine for Dr. Trimmier, as well as submission of the 12 hours of continuing education in the area of risk management. Dr. McFarland made a motion, Dr. Holcomb seconded and the Board voted to **deny the waiver of the fine**. The Board also requested that a response be sent to Mr. Goldstein that the continuing education was not submitted to the Board for prior approval as required in the consent order, therefore, they are **not approved** as meeting the requirements set forth in the consent order.
- **S.W., RDH:** A letter was received from Dr. A.H. reporting unlicensed practice of dental hygienist, S.W. The Board requested that a **letter of concern** be sent to Dr. A.H. for aiding and abetting unlicensed practice.
- **S.M.:** A request to amend the consent order for S.M. was tabled until the October meeting.

**Attorney General's Report:** Reagan Dean

- **A.B. – Renewal Application:** Provided draft consent order for A.B. Dr. Holcomb made a motion, Dr. Carroll seconded and the Board voted for the order to be accepted upon receipt by the Executive Director on behalf of the Board.
- **Dr. M.M.:** Accept order lifting suspension upon receipt.

The next meeting is scheduled for October 8, 2004 at 9:00 a.m. at the Capitol Education Center in Atlanta.

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There being no further business to come before the Board, the meeting was adjourned at 2:05 p.m.

**RULES COMMITTEE MEETING—JULY 16, 2004**

The Rules committee convened at 2:15

Committee Members in Attendance

Dr. Pete Trager, Chair  
Ms. Tunde Anday  
Dr. Clyde Andrews  
Dr. Chris McFarland

Others in Attendance

Anita O. Martin, Executive Director  
Reagan Dean, Board Attorney  
Martha Phillips, GDA  
Robert Vedder, GDA  
Edward Green, GDA  
John Freihaut, GSOMS  
Lester Jackson  
Felix Maher

**The Committee discussed, reviewed & revised the following draft rules:**

150-3-.01 - Examination Requirements  
150-3-04 - Applications  
150-3-.08 - CPR requirements for dentist  
150-3-.09 - Requirements for Continuing Education  
150-5-.02 - Qualifications for Dental Hygienist  
150-7-.02 - Teaching Licenses  
150-7-.03 - Volunteers in Dentistry  
150-7-.04 - Licensure by Credentials for Dentist  
150-7-.05 - Licensure by Credentials for Dental Hygienist  
150-9-.02 - Expanded Duties for Dental Assistants  
150-11-.01 - Specialties  
150-12-.01 - Fees  
150-13-.01 - Sedation Permits

No rules were voted on by the committee. The committee adjourned at 4:25.

**Minutes recorded by:** Susan S. Hewett, Board Secretary

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