

**GEORGIA BOARD OF DENTISTRY**  
**Board Meeting**  
**2 Peachtree St., N.W., 36<sup>th</sup> Floor**  
**Atlanta, GA 30303**  
**June 19, 2015**  
**9:30 a.m.**

**The following Board members were present:**

Dr. Logan Nalley  
Dr. Richard Bennett  
Ms. Becky Bynum  
Dr. Randy Daniel (*departed @ 2:19 p.m.*)  
Dr. Tracy Gay  
Dr. Tom Godfrey  
Dr. Greg Goggans  
Dr. Antwan Treadway  
Dr. Bert Yeargan

**Staff present:**

Tanja Battle, Executive Director  
Bryon Thernes, Asst Attorney General  
Ryan McNeal, Chief Investigator  
Anil Foreman, Legal Officer  
Brandi Howell, Bus Operations Specialist

**Visitors:**

Bill Head, ADSO  
Quinn Dufurrena, ADSO  
Randle Wells, ADSO  
Carin Cody  
JaVonya Harris  
James E. Barron, GDS  
Angela Scott, Fortis College  
Savannah Fordham, Fortis College  
Claire Parker, Fortis College  
Alix Fincher, Fortis College  
Jessica Duncan, Fortis College  
Stephanie Rosser, Fortis College  
Rosetta Brookins, Fortis College  
Jennifer Maclin, Fortis College  
Michelle Amador, Fortis College  
Hannah Cox, Fortis College  
Leanna Richards, Fortis College  
Lynn Livingston, Great Expressions  
Melana McClatchey, GDA  
Thomas Price, AGD  
Joseph Maclean, Great Expressions  
Neil Edens, Fortis College  
Mark Middleton, PDS  
Dr. James Paschal  
Candace DeVeaux

**Open Session**

Dr. Nalley established that a quorum was present and called the meeting to order at 9:45 a.m.

**Introduction of Visitors**

Dr. Nalley welcomed the visitors.

## **Appearance**

Appearance by Dr. Quinn Dufurrena, Association of Dental Support Organizations (ADSO): Dr. Dufurrena thanked the Board for the opportunity to speak to its members. Dr. Dufurrena gave the Board information regarding his background. He stated that he appreciated the Board holding off on creating regulations until they all had the chance provide input. Dr. Dufurrena stated that Dental Support Organizations (DSOs) would not exist if dentists did not want them or need them. He stated that the retirement age has gone from 64 to 69 and dentists coming out of school are heavy into debt. He explained that a whole series of events has changed the environment and DSOs have adapted to this change. Consumers are demanding affordability, convenience, but also demanding quality. Dr. Dufurrena stated that dentists are not the first to go through this change. He stated that medicine went through this 15 years ago. This occurred in 2008 and resulted in there being more positions in group practice than solo practice. 17% of physicians are working in traditional solo practice. The reason they did that is because their environment was rapidly changing. He stated that what is happening is the trend for these larger groups. The trend is for dentists to get together and create larger groups and then transition to a DSO. He stated the newest member is the California Dental Association (CDA). A survey conducted showed that they wanted help with human resources, marketing, finance, etc. What the CDA found is they wanted a DSO. He stated that there has been a lot of resistance from others regarding a DSO. There are things that will need to be addressed.

Dr. Dufurrena addressed questions and concerns from the Board members. Mr. Thernes stated he was interested about the resources the Board may want to reference and asked Mr. Dufurrena to provide any additional information he could so that the Board can use that as part of its deliberations regarding this matter. Dr. Dufurrena thanked the Board for allowing him to speak at its meeting. Chairperson Nalley responded that his talk was very informative and stated that he appreciated him coming.

## **Public Hearing**

Chairperson Nalley called the public hearing to order at 10:00 a.m.

### **Rule 150-8-.04 Animals**

Public comments from Dr. James Paschal were received. Dr. Paschal stated that about seven years ago he had a puppy brought to the office. The dog has been with him at the office since then and about two years ago he introduced another dog into his office. The dogs are therapy dogs and are used to console patients. Dr. Paschal shared a specific example of this. He stated that the way the rule is written would eliminate these animals from offering this benefit. As a practitioner in this state for over 20 years and for someone who has utilized pet therapy, he stated that he would like to oppose the rule as written as it does not address therapy dogs. Chairperson Nalley asked Dr. Paschal if his dogs were certified therapy dogs. Dr. Paschal responded no, but he is more than willing to get them certified. Dr. Nalley thanked Dr. Paschal for his comments and stated that he felt the Board needs to revisit this rule and consider therapy animals. Dr. Daniel made a motion to refer this rule back to the Rules Committee. Dr. Goggans seconded and the Board voted unanimously in favor of the motion.

No written responses were received.

### **Rule 150-7-.04 Dental Provisional Licensure by Credentials**

No comments or written responses were received. Dr. Godfrey made a motion to adopt Rule 150-7-.04 Dental Provisional Licensure by Credentials. Dr. Bennett seconded and the Board voted unanimously in favor of the motion.

The hearing adjourned at 10:25 a.m.

At 10:27 a.m., Board members Dr. Daniel, Dr. Godfrey and Dr. Treadway left the full Board meeting so that the Sedation Committee meeting could reconvene.

**Approval of Minutes**

Dr. Yeargan made a motion to approve the Public and Executive Session minutes for the May 22, 2015 conference call and the Public and Executive Session minutes for the June 9, 2015 conference call. Dr. Gay seconded and the Board voted unanimously in favor of the motion.

**Ratifications**

Dr. Goggans made a motion to ratify the list of issued licenses. Ms. Bynum seconded and the Board voted unanimously in favor of the motion.

**Petition for Rule Variance from Christopher H. Wine**

Dr. Goggans made a motion to deny the rule variance petition. Dr. Bennett seconded and the Board voted unanimously in favor of the motion.

**Correspondence from Mike Long, Ambrosia Treatment Center**

At its March 20, 2015 meeting, the Board discussed this correspondence from Mr. Long requesting that Ambrosia Treatment Center be an approved treatment provider for the Board. At that meeting, the Board voted to table the matter pending receipt of additional information. Additional information has now been received and was presented to the Board for consideration. After further discussion, the Board recommended the Investigative Committee review the additional information at its July meeting.

**Correspondence from Jenell Stump, First Quality Management, Inc.**

The Board considered this correspondence regarding courses for dental assistants. Dr. Goggans made a motion to direct staff to respond to Ms. Stump by stating that courses taken from an accredited dental assisting program, a dental hygiene school, or a dental school or professional associations recognized and approved by the Board would be acceptable. Additionally, the Board accepts courses taken out of state as long as the course was taken from an accredited dental assisting program, a dental hygiene school, or a dental school or professional association recognized and approved by the Board. The certificate must document that he/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 may be performed by an expanded duty dental assistant. Lastly, she may refer to Board Rule 150-9-.02 for more information. Dr. Bennett seconded and the Board voted unanimously in favor of the motion.

**Correspondence from Ashley Akers, DH012322**

The Board considered this correspondence continuing education for a newly licensed hygienist. Ms. Bynum made a motion to direct staff to respond to Ms. Akers by stating that her college credit hours are sufficient for this biennium since she is a newly licensed hygienist. Dr. Yeargan seconded and the Board voted unanimously in favor of the motion.

**Correspondence from Nick Femyer**

The Board considered this correspondence regarding whether or not the AGD transcript is allowed as documentation of continuing education for renewal. Ms. Bynum made a motion to direct staff to respond to Mr. Femyer by stating that the AGD transcript is acceptable proof of continuing education. Dr. Bennett seconded and the Board voted unanimously in favor of the motion.

**Correspondence from Dr. Dennis M. Ward**

The Board considered this correspondence requesting a waiver of the application fees for Dr. Ward, along with six other individuals. Dr. Yeargan made a motion to deny the request. Ms. Bynum seconded and the Board voted unanimously in favor of the motion.

**Correspondence from Shaun M. Daugherty**

The Board considered this correspondence requesting clarification of Rule 150-8-.02 Fee Splitting and whether or not providing a gift card to an existing patient for referring in a new patient that becomes established would be considered a violation of this rule. Dr. Bennett made a motion to table this correspondence for consideration later in the day. Dr. Goggans seconded and the Board voted unanimously in favor of the motion.

**Correspondence from Brooks Egerton**

The Board considered this correspondence regarding the morbidity-mortality reporting law. Dr. Yeargan made a motion to table this correspondence for consideration later in the day. Dr. Bennett seconded and the Board voted unanimously in favor of the motion.

**General – Dr. Logan Nalley**

Dr. Nalley discussed changes to committee assignments. Dr. Nalley stated that he will now be an ad-hoc member for the Investigative Committee and appointed Dr. Goggans to the Committee.

Dr. Bennett made a motion to elect Dr. Steve Holcomb as Chairman and Dr. Bert Yeargan as Vice-Chairman of the full Board. Dr. Goggans seconded and the Board voted unanimously in favor of the motion.

**CE Audit Committee Report – Dr. Richard Bennett**

No report.

**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**

No report.

**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.

**Education Committee Report – Dr. Tom Godfrey**

No report.

**Long Range Planning Committee Report – Dr. Steve Holcomb**

No report.

**CRDTS Steering Committee – Dr. Logan Nalley**

Dr. Nalley reminded everyone about the CRDTS Annual Meeting in August.

**IP Committee Report – Dr. Richard Bennett**

Dr. Bennett reported that the Committee recently received a course resubmission and encouraged all the committee members to review this information prior to the next meeting in July.

**Executive Director’s Report – Ms. Tanja Battle**

Ms. Battle reported that renewals will be coming up at the end of the year. The intent for this renewal cycle is to incorporate the census into the online process so that the forms do not have to be collected separately.

Dr. Bennett stated that email is the number one form of communication for the Board. He encouraged the member organizations present at the meeting to communicate to its members that it is very important that the Board has the correct email address on file.

Ms. Battle added that the goal is to have the online renewal functioning by September.

Ms. Battle reported that the AADB conference is coming up in November. Dr. Bennett made a motion for Dr. Goggans to attend on the Board’s behalf. Dr. Gay seconded and the Board voted unanimously in favor of the motion.

Ms. Battle discussed some frequent questions board staff receive in relation to continuing education. Specifically, does a recertification exam for oral surgery boards certified by the American Board of Oral and Maxillofacial Surgery count as continuing education? Dr. Yeargan made a motion to state that a recertification exam for oral surgery boards certified by the American Board of Oral and Maxillofacial Surgery would not be acceptable as continuing education.

Lastly, Rules 150-3-.09 and 150-5-.05 state that a newly licensed dentist or hygienist may submit as their continuing education proof of coursework taken within the previous two years of the date renewal application. What does a newly licensed dentist or hygienist that graduated from dental or hygiene school over two years ago submit as proof of coursework? The Board responded that the individual may submit continuing education taken within the last two years from another state he/she is currently licensed in.

At 11:11 a.m., Board members Dr. Daniel, Dr. Godfrey and Dr. Treadway returned to the full Board meeting as the Sedation Committee meeting adjourned.

Dr. Tom Godfrey made a motion and Dr. Richard Bennett 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. Richard Bennett, Dr. Randy Daniel, Dr. Tracy Gay, Dr. Tom Godfrey, Dr. Greg Goggans, Dr. Logan Nalley, and Dr. Bert Yeargan.

**Executive Session**

**Appearance**

- C.K.D.

### **Chief Investigator's Report – Ryan McNeal**

Mr. McNeal presented the following Cease and Desist for acceptance:

- B.D.M.

Mr. McNeal presented the following Voluntary Surrender for acceptance:

- H.S.S.

### **Licensure Overview Committee Appointments/Discussion Cases**

- B.L.I.
- C.A.C.
- T.C.R.
- K.D.S.
- R.C.K.
- J.E.C.
- P.D.R.

### **Applications**

- K.N.T.
- A.L.R.
- T.A.G.
- B.A.P.
- I.M.S.D.
- D.V.P.
- J.M.Y.
- L.A.H.
- R.G.

### **Investigative Committee Report**

Report presented:

- DENT130216
- DENT150041
- DENT140307
- DENT140226
- DENT130147
- DENT130153
- DENT130157
- DENT130159
- DENT130160
- DENT130161
- DENT130162
- DENT130163
- DENT130164
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- DENT130170
- DENT130171
- DENT130172
- DENT130173
- DENT130175
- DENT130176
- DENT150199
- DENT150034
- DENT150225
- DENT150015
- DENT140223
- DENT140242
- DENT140218
- DENT150193
- DENT150276
- DENT100034
- DENT150354
- DENT150355

### **Correspondence**

- Correspondence from T.L.W.

### **Executive Director's Report – Ms. Tanja Battle**

- Personnel update

### **Attorney General's Report – Mr. Bryon Thernes**

Mr. Thernes presented the following consent orders for acceptance:

- J.D.M.
- J.B.B.

Mr. Thernes presented the following Voluntary Surrender for acceptance:

- D.B.J.

Mr. Thernes discussed the following case:

- M.S.W.

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

- M.C.
- J.W.T.
- Received legal advice regarding O.C.G.A. § 43-11-14.

### **Education Committee Report – Dr. Tom Godfrey**

The Board received information regarding practices related to prior applications in an effort to determine whether or not ongoing violations exist.

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

Dr. Goggans presented a report from the AADB meeting held in Chicago.

At 1:48 p.m., Board members Dr. Daniel, Dr. Godfrey and Dr. Treadway left the full Board meeting so that the Sedation Committee meeting could briefly reconvene. The full Board took a recess.

At 1:50 p.m., Board members Dr. Daniel, Dr. Godfrey and Dr. Treadway returned to the full Board meeting as the Sedation Committee meeting adjourned. The full Board meeting resumed.

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

The Board discussed the conduct of attorney Mel Goldstein during his appearance with a client/licensee at the Sedation Committee Meeting earlier that morning, and reached the opinion that Mr. Goldstein acted with indecorum and discourtesy toward the Committee. Dr. Bennett made a motion to request advice from the Attorney General’s office regarding the applicability of, and possible enforcement of sanctions under, code section O.C.G.A. § 43-11-14. Dr. Godfrey seconded and the Board voted unanimously in favor of the motion.

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

**Appearance**

- C.K.D.            Denied Credentials Applicant            Table pending receipt of additional information

**Chief Investigator’s Report – Ryan McNeal**

Mr. McNeal presented the following Cease and Desist for acceptance:

- B.D.M.            Cease and Desist Order accepted

Mr. McNeal presented the following Voluntary Surrender for acceptance:

- H.S.S.            Voluntary Surrender accepted

**Licensure Overview Committee Appointments/Discussion Cases**

- B.L.I.            Dental Hygiene Exam Applicant            Approved application
- C.A.C.            Request to terminate probation            Request approved
- T.C.R.            Dental Credentials Applicant            Approved application
- K.D.S.            Dental Credentials Applicant            Approved application
- R.C.K.            Dental Hygiene Reinstatement            Request denied
- J.E.C.            Request to terminate probation            Table pending receipt of additional information
- P.D.R.            Request to terminate probation            Table pending receipt of additional information

**Applications**

- K.N.T.            Dental Hygiene Reinstatement            Approved application
- A.L.R.            Dental Hygiene Reinstatement            Schedule to meet with Licensure Overview Committee
- T.A.G.            Dental Reinstatement Applicant            Schedule to meet with Licensure Overview Committee

- B.A.P. Dental Exam Applicant Approved application; denied request for refund of credentials application fee
- I.M.S.D. Dental Exam Applicant Approved application
- D.V.P. Dental Credentials Applicant Table pending receipt of additional information
- J.M.Y. Dental Credentials Applicant Table pending receipt of additional information
- L.A.H. Dental Credentials Applicant Denied application
- R.G. Injectable Pharmacologics Approved application

### **Investigative Committee Report**

Report presented:

<b>Complaint Number</b>	<b>Allegations</b>	<b>Recommendation</b>
DENT130216	Quality of Care/Substandard Practice	Close - no action
DENT150041	Quality of Care/Substandard Practice	Close - no action
DENT140307	Quality of Care/Substandard Practice	Refer to Department of Law
DENT140226	Fraud	Close - letter of concern
DENT130147	Overtreatment and Treatment Planning	Refer to Department of Law
DENT130153	Overtreatment and Treatment Planning	Refer to Department of Law
DENT130157	Quality of Care/Substandard Practice	Refer to Department of Law
DENT130159	Overtreatment and Treatment Planning	Refer to Department of Law
DENT130160	Quality of Care/Substandard Practice	Refer to Department of Law
DENT130161	Other	Refer to Department of Law
DENT130162	Other	Refer to Department of Law
DENT130163	Overtreatment and Treatment Planning	Refer to Department of Law
DENT130164	Quality of Care/Substandard Practice	Refer to Department of Law
DENT130165	Overtreatment and Treatment Planning	Refer to Department of Law
DENT130166	Overtreatment and Treatment Planning	Refer to Department of Law
DENT130167	Overtreatment and Treatment Planning	Refer to Department of Law
DENT130168	Overtreatment and Treatment Planning	Refer to Department of Law
DENT130169	Overtreatment and Treatment Planning	Refer to Department of Law
DENT130170	Overtreatment and Treatment Planning	Refer to Department of Law
DENT130171	Overtreatment and Treatment Planning	Refer to Department of Law
DENT130172	Quality of Care/Substandard Practice	Refer to Department of Law
DENT130173	Overtreatment and Treatment Planning	Refer to Department of Law
DENT130175	Patient Abuse	Refer to Department of Law
DENT130176	Failure to Perform Client Services	Refer to Department of Law
DENT150199	Unprofessional Conduct	Close - letter of concern
DENT150034	Quality of Care/Substandard Practice	Close - no action
DENT150225	Quality of Care/Substandard Practice	Refer to Department of Law
DENT150015	Quality of Care/Substandard Practice	Close - no action
DENT140223	Unsanitary conditions	Close - no action
DENT140242	Malpractice Report	Close - letter of concern
DENT140218	Quality of Care/Substandard Practice	Close - no action
DENT150193	Quality of Care/Substandard Practice	Close - no action
DENT150276	Quality of Care/Substandard Practice	Close - no action
DENT100034	Quality of Care/Substandard Practice	Close - no action
DENT150354	Morbidity and Mortality	Close - no action

**Correspondence**

- T.L.W. Directed staff to respond that individual would not qualify for licensure by credentials

**Executive Director's Report – Ms. Tanja Battle**

- Personnel update: No action taken

**Attorney General's Report – Mr. Bryon Thernes**

Mr. Thernes presented the following consent orders for acceptance:

- J.D.M. Public Consent Order accepted
- J.B.B. Public Consent Order accepted and approve application for Inactive Status

Mr. Thernes presented the following Voluntary Surrender for acceptance:

- D.B.J. Voluntary Surrender accepted

Mr. Thernes discussed the following case:

- M.S.W. No action taken

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

- M.C. Sedation Applicant Table for discussion with Full Board
- J.W.T. Sedation Applicant Approve pending receipt of additional information
- Received legal advice regarding O.C.G.A. § 43-11-14.

**Education Committee Report – Dr. Tom Godfrey**

The Board received information regarding practices related to prior applications in an effort to determine whether or not ongoing violations exist.

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

**Rules Committee Report – Dr. Tom Godfrey**

Dr. Godfrey discussed Rule 150-8-.04 Animals. He stated that at the Public Hearing held earlier that morning a member of the public opposed the rule as written. He stated that the Rules Committee has been working the last year on this rule and contacted other states to see how they addressed this issue. Dr. Godfrey expressed that the issue of therapy dogs was given ample consideration. Dr. Bennett made a motion to adopt Rule 150-8-.04 Animals. Dr. Yeargan seconded. Discussion was held by Dr. Nalley who stated that he was not in favor of the Board adopting the rule. Dr. Goggans stated he was in favor of tabling the rule to allow time for additional consideration. No further discussion was held. The Board voted, with the exception of Dr. Goggans, who opposed, in favor of the motion.

Ms. McClatchey asked if it would be appropriate for her to contact Dr. Paschal and tell him that the Board may consider amendments to this rule in the future as earlier in the day at the Public Hearing, the Board mentioned that it would amend the rule to address therapy dogs. Dr. Godfrey stated that he will contact Dr. Paschal.

**Miscellaneous**

The Board discussed the following draft policy statements/guidelines:

Social Coupon Advertising: The Board recommended tabling this statement/guideline until the July meeting to allow additional time to review.

Revised Reinstatement Policy: Dr. Yeargan made a motion to amend the reinstatement policy to read as follows:

*For licensees that state that they **have been practicing** without a license since the date that the license lapsed are reinstated and the matter is referred to Legal Services to send a public consent order citing the dates of the unlicensed practice with a \$1,000 fine to be paid within 120 days of the effective date of the order, 3 years probation, completion the Law Ethics and Professionalism (LEAP) course within one year of the effective date of the order, 5 4 hours CE in Risk Management within one year of the effective date. A letter of concern is to be mailed to all employers of hygienists with a lapsed license concerning aiding and abetting unlicensed practice.*

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

Policy Statement of Release of Confidential Information: Dr. Goggans made a motion to amend the following policy statement regarding Release of Confidential Information:

***Release of Confidential Information***

~~All requests from other state agencies or licensing boards for the release of investigative or confidential application materials will be approved without the necessity of a prior Board vote. (adopted 3/9/01)~~

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

Guidelines for Practice Closure: Dr. Yeargan made a motion to adopt the following policy regarding Guidelines for Practice Closure.

*Requirement of Notice to Patients: A retiring dentist or a dentist selling his/her dental practice must notify current and previous patients in advance of the retirement or sale. The dentist must notify all patients of record. Notice shall be sent to all current patients at least fourteen (14) days in advance to the last known addresses of the patients.*

*Form of Notice to Patients: At a minimum, notice shall include:*

- *The date that the sale or retirement shall become effective, and the date on which the dentist/patient relationship may resume, if applicable;*
- *A location at which the patient may receive emergency dental care for at least thirty (30) days following the termination of the dentist/patient relationship;*
- *A statement of further dental treatment required, if any; and*
- *A means for the patient to obtain a copy of his/her dental records.*

*Public Notice: The Board also suggests that a retiring dentist or dentist selling his/her practice announce the sale or retirement in a newspaper of general circulation in a county where s/he practiced at least once a week for at least four (4) weeks to contact patients whose records the dentist still maintains, even though those patients may not have visited the practice in the previous year.*

*Retention of Patient Records: A retiring dentist or a dentist selling his/her practice is not required to keep his/her patients' records for ten (10) years under O.C.G.A. §31-33-2(a)(1)(B)(i), but s/he shall not cause or permit the destruction of any patient's records without first providing not less than fourteen (14) days of notice to the patients records under Ga. Comp. R. & Regs. r. 150-8-.01. The Board*

*suggests waiting a minimum of ninety (90) days to allow patients to obtain their records prior to any final disposition.*

*Destruction of Patient Records: The Georgia Board of Dentistry does not endorse a particular method of destruction of patient records.*

*Sale of Patient Records: Patient records should be transferred to the dentist of the patient's choice and/or to the patient, if the patient so requests. **At no time should a dentist transfer any patient's record to an unlicensed party.** Aside from a patient or his/her representative, only a dentist actively licensed in Georgia may control or maintain the custody of a patient's dental records.*

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

Dr. Greg Goggans made a motion and Dr. Richard Bennett 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. Voting in favor of the motion were those present who included Ms. Becky Bynum, Dr. Richard Bennett, Dr. Randy Daniel, Dr. Tracy Gay, Dr. Tom Godfrey, Dr. Greg Goggans, Dr. Logan Nalley, and Dr. Bert Yeargan.

### **Executive Session**

#### **Sedation Committee Report – Dr. Randy Daniel**

- M.C.

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

### **Open Session**

Dr. Godfrey made a motion to approve M.C. for a general anesthesia permit for sixteen (16) additional sites. Dr. Yeargan seconded and the Board voted, with the exception of Dr. Daniel and Dr. Treadway, who opposed, in favor of the motion.

#### **Correspondence from Shaun M. Daugherty**

The Board considered this correspondence requesting clarification of Rule 150-8-.02 Fee Splitting and whether or not providing a gift card to an existing patient for referring in a new patient that becomes established would be considered a violation of this rule. Dr. Bennett made a motion to direct staff to respond to Mr. Daugherty by stating that the Board states that giving a patient a gift card for referring a new patient is not a violation of this rule. Dr. Yeargan seconded. The Board voted unanimously in favor of the motion.

#### **Correspondence from Brooks Egerton**

The Board considered this correspondence regarding the morbidity-mortality reporting law. The Board directed staff to respond to Mr. Egerton by stating that under fact-specific circumstances, the provision may apply to cases of injury or death after discharge.

With no further business, the Board meeting adjourned at 2:22 p.m.

The next scheduled meeting of the Georgia Board of Dentistry will be held on Friday, July 10, 2015, at 9:30 a.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