

MINUTES

S.C. Board of Dentistry

Board Meeting

February 6-7, 2004

Synergy Business Park

Kingstree Building, Conference Room 108

Columbia, SC

Dr. Dennis W. Newton, Jr., President, called the meeting to order at 8:30 a.m. Other members participating during the meeting included: Dr. Amon A. Martin, Jr., Vice President, Dr. William H. Bragdon, Dr. Michelle D. Bedell, Dr. William D. Cranford, Jr., Dr. John D. Snowden, Tanya S. Riffe, R.D.H. and Ms. Genie Duncan. Dr. C. Timothy Assey was granted an excused absence for the day.

Staff members participating included: Rion Alvey, Administrator, Jay Evans, Investigator, Terri Zeman, Administrative Assistant, and Sheliah Jones, Administrative Specialist. LLR employees participating during the meeting included: Lynne Rogers, General Counsel, Office of General Counsel, and Louis Rosen, Hearing Attorney.

Dr. Newton announced that the meeting was being held in accordance with section 30-4-80 of the S.C. Freedom of Information Act by notice mailed to The State newspaper, Associated Press, and all other requesting persons, organizations or news media.

Motion: Dr. Martin moved that the agenda be approved as presented with a proviso that the President may reorder agenda items as necessary to facilitate the meeting. The motion received a second by Dr. Bedell. The motion carried.

Motion: Dr. Martin moved that the Board enter into Executive Session to review disciplinary matters. The motion received a second from Dr. Cranford. The motion carried.

Following Executive Session, Dr. Newton announced the return to public session.

Motion: Dr. Cranford moved that the Board authorize Formal Accusations in the following cases: 03-103 and 03-65. The motion received a second from Dr. Bragdon. The motion carried.

Motion: Dr. Martin moved that the Board accept the Consent Orders as presented in the following matters: Dr. Louis O. Schwartz, Jr.; Dr. Seaborn M. Thurman, Sr.; Dr. Harry B. Rutherford, Jr.; Dr. Thomas F. Kelly; Dr. Karen McAbee Yeargin; Dr. Andrew E. Floyd, Jr., and Tracey B. Buddin, RDH. The motion received a second from Dr. Snowden. The motion carried. Following the acceptance of the Consent Orders, each of the above individuals appeared before the Board with the exception of Dr. Karen Yeargin who will be required to appear before the Board at its next meeting.

The following individuals appeared before the Board to report on the progress of their probation: Dr. Andrew J. Walker; Dr. James T. Murph, Jr., and Dr. Martin M. Manning. Dr. Newton noted for the record that these three individuals have met all conditions of their probation and their probationary periods are soon to be terminated.

Motion: Dr. Bedell moved that the Board enter into Executive Session to review the investigative report. The motion received a second from Dr. Snowden. The motion carried.

Following Executive Session, Dr. Newton announced the return to public session.

Motion: Dr. Snowden moved that the Board dismiss the following cases:

03-34 03-63 03-71 03-72 03-73 03-74 03-75 03-76 03-77 03-78 03-79 03-80
03-81 03-96 03-98 03-107

The motion received a second from Dr. Martin. The motion carried.

Motion: Dr. Snowden moved that the Board authorize a Formal Accusation in the following matters:

03-33 03-38 03-41 03-103 03-105 03-106

The motion received a second from Ms. Duncan. The motion carried.

Motion: Dr. Martin moved that the Board accept the Agreement to Relinquish License to Practice Dentistry in the following matter: 02-73.

The motion received a second from Dr. Snowden. The motion carried.

Lynne Rogers, General Counsel, briefed the Board regarding a complaint filed against it by the Federal Trade Commission (FTC). She stated that a hearing on this matter was held in January and, at this time, the Commission has not yet ruled.

At 11:30 a.m., the meeting was recessed for lunch. The meeting reconvened at 12:30 p.m. for an Examiner Calibration Session to be conducted in Room 105. At the conclusion of the calibration session, the meeting was continued until Saturday, February 7.

On Saturday, February 7, 2004, Dr. Newton called the meeting to order at 9:00 a.m. All Board members were present. Staff members present included: Mr. Rion Alvey, Administrator, Mr. Jay Evans, Special Investigator, Mrs. Terri Zeman, Administrative Assistant, and Mrs. Annie Heyward, Administrative Specialist. Mr. Louis Rosen, Hearing Attorney, was also present.

Dr. Newton welcomed the Board's newest member, Dr. C. Timothy Assey, of Mt. Pleasant, to the meeting.

Board members reviewed minutes of the following meetings: September 19, 2003; October 16, 2003 Conference Call, and December 16, 2003 Conference Call. Motion: Dr. Bragdon moved that the Board approve the minutes of the meetings. The motion received a second by Ms. Riffe. The motion carried.

Motion: Dr. Bragdon moved that the Board ratify its previous decision to grant licenses to the following individuals:

General Dentists

Dr. Jennifer P. Patterson Dr. Jessica Armstrong
Dr. Desiree C. Lewis Dr. Tu Minh Tran
Dr. Jonathan P. Wimer Dr. Daniel P. Lawless
Dr. Robert F. Andrus

The motion received a second from Ms. Riffe. The motion carried.

Motion: Dr. Bragdon moved the Board ratify its previous decision to grant licenses to the following individuals:

Dental Hygienists

Tonya M. Hall Kristen M. Starnes
Danyele R. Browder Bettina E. Harrell
Destiny A. Haselden James Z. Stroud
Janie D. Hoffmann Lindsey M. Martin
Angela G. Moorhead Sally L. Thompson
Shniece L. Cooper-Gregory Faith A. Luttrell
Amanda C. Mitchell

The motion received a second from Dr. Snowden. The motion carried.

Motion: Dr. Bragdon moved the Board grant licensure/registration to the following individuals:

Dentist

Dr. Stephen P. Graziani

Dental Technician

Donal P. Inman

The motion received a second from Dr. Bedell. The motion carried.

Motion: Dr. Bragdon moved the Board enter executive session to interview exam candidates. The motion was seconded by Dr. Cranford. The motion carried.

Following the interviews, Dr. Newton declared the meeting back in public session.

Motion: Dr. Bragdon moved the Board grant dental hygiene licenses to the following individuals:

Wendy L. Dunbar
Christine M. Eilerman
Renee Lynn Foley
Janelle L. Gottsacker
Jennifer N. Hindman
Molly Ann Mauricio
Dawn S. McFall
Christine M. Olcott
Karolyn Ann Peterka
Kimberly P. Skeens

The motion received a second from Ms. Riffe. The motion carried.

Motion: Dr. Bragdon moved that the Board grant reinstatement of the dental license of Dr. Robert Wolfe Comer. The motion received a second from Dr. Bedell. The motion carried.

Motion: Dr. Bragdon moved that the Board grant a license to practice the specialty of oral and maxillofacial surgery to Dr. Steven A. Taylor. The motion received a second from Dr. Bedell. The motion carried.

The Board elected officers for FY 2004-2005. Motion: Dr. Bragdon moved that Dr. William D. Cranford, Jr. serve as Secretary of the Board. Motion received a second from Dr. Bedell. Motion carried.

Motion: Dr. Bedell moved that Dr. William H. Bragdon serve as Vice President of the Board. Motion received a second from Ms. Riffe. Motion carried.

Motion: Dr. Bragdon moved that Dr. Amon A. Martin, Jr. serve as President of the Board. Motion received a second from Dr. Snowden. Motion carried.

Board members reviewed a draft of proposed legislation, Section 40-15-179, regarding the registration of mobile dental facilities and portable dental operations. Mr. Alvey noted that a copy of the draft had been provided to the South Carolina Dental Association and Richard Davis for their review and input. A final draft of the proposed bill is forthcoming in the near future.

Dr. Martin briefed the Board on the topic of the scope of practice of oral surgery. He stated that the Legislative Committee will present a full report at the next Board meeting. Dr. James Mercer spoke on behalf of the South Carolina Society of Oral and Maxillofacial Surgeons and congratulated the Board on taking a proactive approach to the

credentialing guidelines issue.

Dr. Snowden briefed the Board on the topic of conscious sedation and the concern that some dentists who use conscious sedation may not have adequate training in airway management or potentially life-threatening situations. Additionally, the facilities of some dentists may not be properly equipped to manage emergencies. The SC Society of Oral and Maxillofacial Surgeons had previously requested that the Board adopt the ADA's Guidelines for the Use of Conscious Sedation, Deep Sedation and General Anesthesia in Dentistry. Board members reviewed its current Regulation 39-17, Guidelines for Anesthesia and considered whether it should be amended or eliminated and replaced. Motion: Dr. Cranford moved that Regulation 39-17, Guidelines for Anesthesia, be eliminated and replaced by the following: "The dentist shall be solely in charge of conscious sedation which shall be administered under the current American Dental Association's 'Guidelines for the Use of Conscious Sedation, Deep Sedation, and General Anesthesia for Dentists' and the American Dental Association's 'Guidelines for Teaching the Comprehensive Control of Anxiety and Pain in Dentistry.'" The motion received a second from Dr. Bragdon. The motion carried. It was noted that the Board's attorney will be asked to review the wording of this motion and include whatever wording may be necessary to ensure that as the ADA Guidelines change, the Board will need to review the changes prior to agreeing with the changes. It was also noted that the question regarding anesthesia on the 2005 dentist license renewal form will need to be revised.

Dr. Newton noted that he was in receipt of a letter from the Dental Organization for Conscious Sedation (DOCS) regarding an oral conscious sedation course based on the ADA's guidelines for teaching oral conscious sedation. He stated that DOCS had extended an invitation for one Board member to attend an upcoming course free of charge in Memphis, Tennessee, February 26-28, 2004. Dr. Bragdon stated that he would like to attend this course.

Motion: Dr. Martin moved that the Board enter Executive Session to interview an applicant for licensure and to consider a Consent Order in a disciplinary matter. The motion received a second from Dr. Bedell. The motion carried. Following Executive Session, Dr. Newton announced the return to public session.

Motion: Dr. Bedell moved that the Board grant a Certificate to Perform Dental Technological Work in South Carolina to Mr. Robert F. Rheinlander. Motion received a second from Dr. Snowden. The motion carried.

Motion: Dr. Bedell moved that the Board accept the Consent Order in the matter of Dr. Eugene W. Grace. The motion received a second from Dr. Snowden. The motion carried.

Ms. Riffe briefed the Board on dental hygiene issues and asked the Board to consider a restrictive instructor license for hygienists and also eliminating Regulation 39-4, regarding the 15-year National Board requirement. It was noted that 39-4 applies to both dentists and dental hygienists seeking licensure in South Carolina. Riffe asked that the

Legislative Committee, of which she is a member, look into these proposals. She was asked to chair a subcommittee to research these issues as well as requirements for dental hygiene licensure by oral examination.

Dr. Bragdon gave a report on the requests for waivers or extensions of the CE and CPR requirements received by the Board office to date. He reported that eight (8) requests for waivers had been received from individuals who were fully retired from active practice and who, according to Board policy, meet the requirements for a waiver. Dr. Bragdon reported that three (3) requests for extensions had been received and the requests appeared to be valid. He reported that one (1) individual had requested a waiver when, in fact, the individual was not retired and did not meet the Board's requirement for a waiver.

Motion: Dr. Bragdon moved that the following individuals be granted a waiver of the CE/CPR requirements:

Dr. James D. Arnold
Beverly S. Bull, RDH
Dr. Jack W. Cheek
Dr. John W. Corcoran
Dr. Michael Dukes
Jeannie H. Rhodes, RDH
Dr. N. Carl Wessinger
Mr. Terrence Harris, RDT

The motion received a second from Dr. Cranford. The motion carried.

Motion: Dr. Bragdon moved that the following individuals be granted an extension of time in which to complete the CE/CPR requirements:

Tabitha Campbell, RDH
Sherry Laney, RDH
Catherine Barnett, RDH

The motion received a second from Dr. Cranford. The motion carried.

Motion: Dr. Bragdon moved that the following individual be denied a waiver of CE/CPR requirements due to the fact that she is not fully retired from active practice and does not qualify:

Dr. Angela Hammonds

The motion received a second from Dr. Cranford. The motion carried.

Mrs. Zeman reported that on March 1, 2004, the Board will be sending out a notice of upcoming election for a Board member from the Second Congressional District. Nominations for the election must be received in the Board office by April 2, 2004.

Dr. Martin reported on the status of recruiting specialty deputies for the upcoming June

examinations. The specialty exams will be administered on Saturday, June 19, 2004 at MUSC in Charleston. Dr. Martin has recruited Dr. Chisolm to serve as the Oral and Maxillofacial Surgery deputy examiner and Dr. Goins to serve as the Pediatric Dentistry deputy examiner. Dr. Snowden will serve as the Endodontics examiner. Dr. Bedell noted that she will not be in attendance at the June exams. Deputy examiners in the areas of Orthodontics, Periodontics and Prosthodontics will be recruited in the near future.

Dr. Bragdon reported that the Board will publish a spring 2004 Newsletter and once a draft is completed, it will be presented to the Board for review.

Dr. Newton stated that a "mock Board examination" will be conducted at MUSC the weekend of February 14, 2004. The mock exam will be close to the SRTA exam specifications and Dr. Bedell will conduct the calibration.

Dr. Newton noted that Dr. Martin will attend the upcoming AADE winter meeting.

The Board scheduled the following meetings:

March 5, 2004 [tentative] - 9:00 am - Hearing

May 7-8, 2004 - 9:00 am - Hearing(s) / Board Meeting

The Board reviewed a letter from Dr. Jeffrey Craig Gourdine. Due to a change in SRTA's testing format, Dr. Gourdine requested that the Board accept scores from a previous exam. Mr. Alvey will respond to Dr. Gourdine's letter that he will be required to retake and successfully complete the SRTA exam in order to be considered for licensure in South Carolina.

There being no further business, the meeting was adjourned at 1:40 p.m.

Respectfully submitted,

H. Rion Alvey
Administrator