

## MINUTES

### SOUTH CAROLINA BOARD OF DENTISTRY CONFERENCE CALL

12:00 P.M., Thursday, October 16, 2003

Synergy Business Center, Kingstree Building, Room 306-21  
110 Centerview Drive, Columbia, SC

On Thursday, October 16, 2003 at 12:00 p.m., Dr. Dennis W. Newton, Jr., President, of West Columbia, called the meeting to order. Members of the Board present were: Dr. Amon A. Martin, Jr., Vice President, of Seneca; Dr. Michelle Bedell, Secretary, of Blacksburg; Dr. Dale F. Finkbine, Past President, of Summerville; Dr. William H. Bragdon, of Greenville; Dr. William D. Cranford, Jr., of Rock Hill, Dr. John D. Snowden, of Florence, Tanya Riffe, RDH, of Ravenel, and Genie Duncan, of West Columbia.

Rion Alvey, Administrator, Lynne Rogers, General Counsel, and Richard Wilson, Deputy General Counsel, Office of General Counsel, were in attendance at the meeting. Attorney Ken Woodington was also in attendance.

Dr. Newton announced that public notice of this meeting was properly posted at the main entrances of the Kingstree Building, Synergy Business Center, and provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act. He noted that a quorum was present at all times.

Motion: Dr. Martin moved that the Board go into executive session to receive legal advice. The motion received a second from Dr. Bragdon. The motion carried. Following executive session, Dr. Newton announced the meeting returned to public session.

Motion: Dr. Martin moved that the Board adopt the following Resolution:

RESOLUTION ADOPTED OCTOBER 16, 2003: "The Board is aware that an issue has arisen about the Board's understanding of the 2003 amendments to the Dental Practice Act. In order to clarify the Board's understanding of the meaning of those amendments, the Board expresses its understanding as follows:

(1) The 2003 amendments (Act No. 45 of 2003) provide that the Board may not, directly or indirectly, require that a dentist conduct an examination of a patient as a condition of a dental hygienist who is working in a public health setting pursuant to S.C. Code Ann. Section 40-15-110(A)(10), or any recodification thereof, performing oral prophylaxis or applying sealants or topical fluoride to that patient, unless the examination requirement is adopted by the South Carolina General Assembly after the date that the order becomes final.

(2) The Board is bound by, and in full agreement with, the legislative policy set forth in the 2003 amendments as recited above and does not plan to seek any change to that policy.

(3) A discussion on page 4 of the March 6, 2003 Minutes of the Board meeting of that date (paragraph beginning with "Discussion followed as to whether or not a dentist sees a patient in a public health setting.") was related solely to the Board's understanding of the state of the law as it existed prior to the 2003 amendments, and was not intended to express the Board's understanding or intent with respect to the requirements of the 2003 amendments if those amendments were to pass. Instead, the Board's understanding of the effect of the 2003 amendments was then and is now as set forth in Paragraph (1) above."

The motion received a second by Dr. Bragdon. The motion carried. It was noted that a copy of the March 6, 2003 Board Minutes is to be attached to the Minutes of this date.

There being no further business, the meeting adjourned at 12:35 p.m.

Respectfully submitted,

H. Rion Alvey  
Administrator