

## MINUTES

### SOUTH CAROLINA BOARD OF DENTISTRY LEGISLATIVE COMMITTEE MEETING

August 23, 2002

Synergy Business Center, Kingstree Building, Room 105  
110 Centerview Drive, Columbia, SC

On Friday, August 23, 2002, at 1:30 p.m., Dr. Dennis Newton, Jr., of West Columbia, Chairman of the Legislative Committee, called the meeting to order. Members of the Board present were: Dr. Michelle Bedell, of Blacksburg; Dr. William Cranford, Jr., of Rock Hill; Genie Duncan, of West Columbia, and Tanya Riffe, R.D.H., of Ravenel.

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. A quorum was present at all times.

Staff members present were H. Rion Alvey, Administrator, and Mr. James Evans, Special Investigator.

Randall Bryant, Assistant Deputy Director, POL Office of Business and Related Services; Sandra Dickert, Administrative Assistant; Deme Loftis, Deputy Director, Administration; Lisa Maseng, Legislative Liaison; and Rick Wilson, Deputy General Counsel, Office of General Counsel, were in attendance at the meeting.

Members of the public present included Tammie Byrd, of SCDHA; Richard Davis, of SC Dental Association; Beverly Dunbar, of SCDHEA and SCDHA; Robert C. Gordon, of SCDA; Dick Hatfield, of SCDHEC; Adrienne Huffman, of SC Dental Association; Jim Mercer, of SCOMS; Anthony Mollica, of SCDA; Lynn Wallace, of SCDHA; Katherine Wells, of SCDHEC; Sherie Williams, of SCDHA; Craig Young, of SCDA; and Hal Zorn, of SCDA.

Motion: Dr. Bedell moved the agenda be approved. The motion received a second from Ms. Riffe and carried unanimously.

Members of the staff introduced themselves.

Committee members reviewed the minutes of the July 19, 2002 Legislative Committee Meeting. Dr. Newton noted changes to the minutes including removing the title "Dr." from Anthony Mollica's name, adding the title "Dr." to Phil Latham's name, adding the term "oral diagnosis" to the discussion of Authorization on page four, and adding remarks from Beverly Dunbar asking to review the materials.

Motion: Dr. Bedell moved to approve the minutes with the amendments. The motion received a second from Ms. Riffe and carried unanimously.

### Public Health Issues

The first topic the committee discussed was the mobile dental van programs, its definition and the vans that come in from out-of-state. The discussion also included the lack of employees at DHEC to regulate such a program. It was noted that logistically every mobile van cannot have a dentist. Ms. Wells, from DHEC, stated that her agency would work with the committee on language for Section 40-15-110.

There was some discussion regarding whether or not the vans would operate with Memoranda of Agreement (MOA) issued through DHEC. It was noted that some vans are private practice vans. Staff noted that vans would come under the jurisdiction of the Department of LLR, which would propose regulations regarding this program. It was also noted that complaints regarding the vans would come through the Department of LLR.

It was suggested that the word "mobile" be defined within the statute.

The committee discussed authorization and supervision. Dr. Newton stated it was his impression that the Board's definition of "authorization" and interpretation of the definition is the same as that of the American Dental Association (ADA). During this discussion the committee discussed dental practices in nursing homes. It was noted that there are a couple of dental hygienists working in nursing homes and that there is supposed to be a dentist of record for each nursing home. Ms. Wells stated that DHEC randomly checks the patients' records, however, people don't stay long at assisted living facilities. Dr. Cranford noted that dentistry is a low priority in nursing homes.

Ms. Dunbar stated that neither the Hygienists' Association nor the Department of Education wants authorization defined as such. She indicated that the Department of Education would consult with the agency on the definition.

Ms. Rita McKinney, Director of the Department of LLR, thanked everyone for attending the meeting and for spending the time and energy on working on the practice act.

Dr. Newton asked that any comments regarding this matter be made within fifteen (15) days.

Ms. Dunbar discussed a written affidavit being used for a complaint. She indicated the engine act gives the Board authority to direct an investigation.

The committee recessed for fifteen minutes at 2:10 p.m. and reconvened at 2:25 p.m.

### Scope of Practice of Oral Surgery

Dr. Newton stated that oral surgeons operate under the dental practice act and can

perform procedures which they are properly trained to do. He indicated the Board has received a copy of guidelines from the State of Virginia regarding oral surgeons. He has asked Dr. Mercer to submit procedures performed by oral surgeons.

Dr. Mercer discussed the Virginia guidelines and what areas the guidelines do not address. He indicated he is in the process of setting up a committee to discuss the guidelines.

Dr. Newton stated he would set up a meeting with the Board of Medical Examiners at the Department of LLR.

Mr. Rick Wilson asked if there is a statutory model. Dr. Newton stated he did not bring the guidelines with him. He does not think Virginia has a specialty license. Mr. Wilson stated he would obtain a copy of the guidelines from Mr. Alvey to begin working on language. Dr. Mercer indicated that there are sections of the Virginia law which would not be applicable to South Carolina.

#### Engine Bill

The committee discussed the engine bill and its relation to the Board's practice act. The committee also discussed the Board updating or reformatting its practice act.

The committee briefly discussed the Board receiving a written document, an affidavit, for the Board's complaint or allegation. Ms. Dunbar feels it is important the Board choose the right members for the IRC.

Mr. Alvey discussed a formal accusation versus a formal allegation. He indicated the IRC would determine an appropriate action to recommend to the Board.

There being no further business, the meeting adjourned at 3:25 p.m.

Respectfully submitted,

H. Rion Alvey  
Administrator