

Minutes of the South Carolina Board of Dentistry
Business Meeting, Reinstatement and Application Hearings, and Disciplinary Hearing
January 11, 2013
Synergy Business Park, Kingstree Building, Room 108
110 Centerview Drive, Columbia, SC 29210

Board members present:

Charles F. Wade, D.M.D., President
John M. Whittington, D.M.D., Vice President
Douglas J. Alterman, D.M.D., Secretary
Sherie Williams Barbare, R.D.H.
Arthur L. Bruce, D.M.D.
Felicia L. Goins, D.D.S.
Eric C. Schweitzer, Esquire

Excused Board member absences:

David W. Jones, D.M.D.
Z. Vance Morgan, IV, D.M.D.

Staff and others present were:

Francis M. Beylotte, Jr., D.M.D.
Dr. William Burn, AGD
Tia Cooper, RPP
Kate K. Cox, LLR Administrator
Suzanne Hawkins, LLR Litigation Attorney, Office of General Counsel (OGC)
Lisa Hawsey, LLR Administrative Assistant
Jon Hammond, Esq.
Maureece Jones, RPP
David Love, OIE
Sara McCartha, LLR Advice Attorney
Chris McCoy, RPP
Kathy Meadows, OIE
Dr. James Mercer, SCDA
Jerry Merritt, OIE
William Robert Miller, D.M.D.
Kathleen W. Monn., D.M.D.
Elaine A. Murphy, R.D.H.
Patrick A. Scioscia, D.M.D.
Robin L. Spaniel, Thompson Court Reporter
Calvin A. Weber, D.M.D.
Philip H. Witherspoon, D.D.S.

CALL TO ORDER:

The Regular Session of the South Carolina Board of Dentistry was held at the Synergy Office Park, Kingstree Building, 110 Centerview Drive, Room 108, in Columbia, South Carolina. Whereas, proper notice of date, time, place and agenda information having been properly provided to THE STATE NEWSPAPER AND ASSOCIATED PRESS and proper notice also having been posted at the LLR Office Building 24 hours prior to the time scheduled for the meeting and a quorum having been noted as present, Dr. Wade, President, called the meeting to order at 9:10 a.m. All votes referenced herein were unanimous unless otherwise noted. Dr. Wade welcomed Elaine A. Murphy, R.D.H. as an elected Board member waiting on appointment to the meeting as an observer.

APPROVAL OF THE AGENDA:

Motion: A motion was made by Dr. Alterman to approve the Agenda. Dr. Whittington seconded the motion. The motion carried.

APPROVAL OF THE MINUTES:

Motion: A motion was made by Dr. Whittington to approve the Minutes of the October 12, 2012 Board meeting. Dr. Goins seconded the motion. The motion carried.

DISCIPLINARY ISSUES REPORTS:

Investigative Review Committee (IRC) Report:

The IRC report was presented by Mr. Love.

Motion: A motion was made by Dr. Goins to approve the IRC report authorizing nine (9) Dismissals, two (2) Dismissals with Cease and Desist, eight (8) Authorizations for Formal Complaint, and issuance of two (2) Letters of Caution. Dr. Alterman seconded the motion. The motion carried.

OIE and OGC Management Reports:

The OIE and OGC Management Reports were presented and accepted as information. Discussion followed on the need for Panel Hearings which are used for full evidentiary hearings and for an updated list of Panel members. The Board agreed on the use of Panel Hearings when needed and would compile a new list of Panel members. Discussion was held to set three additional meetings for hearing use as needed due to the caseload for formal complaint authorizations for March 1, June 7, and September 6.

REINSTATEMENT HEARINGS for FULL LICENSURE:

Patrick A. Scioscia, D.M.D.:

A reinstatement hearing was held before the Board for Dr. Scioscia. Ms. McCarthy advised the Board. Dr. Scioscia was not represented by counsel. A court reporter was present. Mr. McCoy with RPP was present. The hearing commenced.

Motion: Mr. Schweitzer made a motion to go into Executive Session. Dr. Alterman seconded the motion. The motion carried.

Motion: Dr. Goins made a motion to return to Open Session. Dr. Bruce seconded the motion. The motion carried.

Motion: Dr. Whittington made a motion to reinstate Dr. Scioscia to full licensure based on his application and statements. Dr. Goins seconded the motion. The motion carried.

Francis M. Beylotte, Jr., D.M.D.:

A reinstatement hearing was held before the Board for Dr. Beylotte. Ms. McCarthy advised the Board. Dr. Beylotte was not represented by counsel. A court reporter was present. Ms. Cooper with RPP was present. The hearing commenced.

Motion: Mr. Schweitzer made a motion to go into Executive Session. Dr. Alterman seconded the motion. The motion carried.

Motion: Dr. Goins made a motion to return to Open Session. Dr. Alterman seconded the motion. The motion carried.

Motion: Dr. Whittington made a motion to reinstate Dr. Beylotte to full licensure based on his application and statements. Dr. Alterman seconded the motion. The motion carried.

REINSTATEMENT OF PRESCRIBING PRIVILEGES HEARING:

Kathleen W. Monn, D.M.D.:

A reinstatement hearing for reinstatement of prescribing privileges was held before the Board for Dr. Monn. Ms. McCartha advised the Board. Dr. Monn was not represented by counsel. A court reporter was present. Mr. Jones of RPP was present. The hearing commenced.

Motion: Dr. Alterman made a motion to go into Executive Session. Mr. Schweitzer seconded the motion. The motion carried.

Motion: Dr. Goins made a motion to return to Open Session. Mr. Schweitzer seconded the motion. The motion carried.

Motion: Dr. Alterman made a motion to remove the two year probationary status for prescription privileges and to verify that the remaining portions of the Consent Order are still in effect. Dr. Goins seconded the motion. The motion carried.

APPLICATION BY CREDENTIALS HEARINGS:

Philip H. Witherspoon, D.D.S.:

An application hearing was held for D. Witherspoon. Ms. McCartha advised the Board. Dr. Witherspoon was not represented. A court reporter was present. The hearing commenced.

Motion: Dr. Bruce made a motion to go into Executive Session. Dr. Goins seconded the motion. The motion carried.

Motion: Dr. Alterman made a motion to return to Open Session. Dr. Goins seconded the motion. The motion carried.

Motion: Mr. Schweitzer made a motion to deny the Application for Licensure by Credentials as the Board cannot waive the required number of hours of practice required over the last five years prior to the application for licensure in South Carolina. Dr. Goins seconded the motion. The motion carried.

Discussion followed that Application by Examination is the other means rather than by Credentials to apply for licensure.

Calvin A. Weber, D.D.S.:

An application hearing was held for Dr. Weber. Ms. McCartha advised the Board. Dr. Weber was not represented. A court reporter was present. The hearing with MOA presented commenced.

Motion: Dr. Alterman made a motion to go into Executive Session. Dr. Goins seconded the motion. The motion carried.

Motion: Dr. Goins made a motion to return to Open Session. Mr. Schweitzer seconded the motion. The motion carried.

Motion: Dr. Bruce made a motion to deny the Application for Licensure by Credentials. Dr. Goins seconded the motion. The motion carried.

Discussion followed that Application by Examination is the other means to apply for licensure.

DISCIPLINARY MOA HEARING:

William Robert Miller, D.M.D:

A disciplinary hearing was held with a MOA presented by Ms. Hawkins. Ms. McCartha advised the Board. Dr. Miller was represented by Jon Hammond, Esq. A court reporter was present. The hearing with MOA presented commenced.

Motion: M. Schweitzer made a motion to go into Executive Session. Dr. Goins seconded the motion. The motion carried.

Motion: Mr. Schweitzer made a motion to return to Open Session. Dr. Goins seconded the motion. The motion carried.

Motion: Dr. Alterman made a motion to issue Dr. Miller a Private Order. Mr. Schweitzer seconded the motion. The motion carried.

ADMINISTRATIVE REPORTS:

Administrative Report:

The Administrative Report was given by Mrs. Cox to include: Board staffing list; biennial renewal process with fees as per statute 40-15-170; date for the Specialty Exam to be January 18, 2013; Board elections status; 2013 Board meeting dates to be April 5, July 12, and October 1; and review of due date for the Statement of Economic Interests

Dr. Goins Report on AADB Meeting:

The report by Dr. Goins was tabled until the next meeting.

Financial Report:

Financial Report of the Board was given as information by Mrs. Cox.

UNFINISHED BUSINESS:

Sedation Committee Update Report:

Dr. Wade reported on the Committee's draft report. Discussion followed on many points to include evaluating offices, putting together evaluation teams, designing forms to be used, checking other states' procedures, noting ADA interest in sedation to be a specialty in dentistry, reviewing the SC Board of Dentistry's laws on anesthesia and sedation, and discussing office inspections. It was noted the Committee will meet following the board meeting.

Joint letter from American Academy of Sleep Medicine and American Academy of Dental Sleep Medicine:

The joint letter of agreement was presented to the Board regarding the position of sleep medicine by physicians and dental sleep medicine. The letter states that MDs will diagnosis and dentists can make the appliance. The Board

accepted the joint letter of agreement is letter as information. Hospital privileges were discussed in regards to a dentist going to a hospital to make appliances. If the dentist has hospital privileges, there is not a problem.

NEW BUSINESS:

Question for the Board from Dr. Ann Bynam:

Dr. Bynam was not present.

Ratification of Licenses and Registrations and Volunteer Clinic Approval:

Newly issued licenses and registrations were presented to the Board for ratification for the dates June 26, 2012 through January 10, 2013. Clinic approval for a volunteer clinic was presented.

Motion: Dr. Alterman made a motion to ratify the lists of licensed dentists, licensed dental hygienists, and registered dental technicians. Dr. Whittington seconded the motion. The motion carried.

Clinic approval for a volunteer clinic, The Good Samaritan Clinic, was presented.

Motion: Dr. Whittington made a motion to approve the clinic. Dr. Whittington seconded the motion. The motion carried.

LEGAL:

There was no legal business.

DISCUSSION TOPICS:

National exam participation was discussed. Attending association and other meetings was discussed regarding Board information being given to the group; however, any questions from the group or individuals should be directed back to the Board as a group or persons questioning information can attend a Board meeting. Dr. Whittington was thanked for handling questions at the House of Delegates meeting appropriately.

PUBLIC COMMENT:

Dr. Burn complimented the board on its decision making and professionalism. Dr. Mercer stated that SCDA appreciate the Board's work on the sedation and anesthesia issue. He stated that SCDA will be interested in commenting when there is a final draft. Dr. Wade noted that all associations will be visited.

ADJOURNMENT:

There being no further business Dr. Wade adjourned the meeting at 1:30 p.m.

Respectfully submitted,



Kate K. Cox
Administrator