

MINUTES

S.C. Board of Dentistry

Board Meeting

September 9-10, 2005

Synergy Business Park, Kingstree Building

Columbia, South Carolina

On Friday, September 9, 2005, Dr. William H. Bragdon, President, called the meeting to order at 8:45 a.m. Other members present included: Dr. C. Timothy Assey, Dr. Michelle D. Bedell; Dr. William D. Cranford, Jr., Vice President; Ms. Genie M. Duncan; Dr. Amon A. Martin, Jr., Past President; Dr. Charles E. Millwood, Jr.; Tanya S. Riffe, R.D.H., and Dr. J. Douglas Snowden, Secretary.

Staff members present included: Rion Alvey, Administrator, Terri Zeman, Administrative Assistant, and Sheliah Jones, Administrative Specialist. Marvin Frierson, Esquire, and Louis Rosen, Esquire, were also present.

Public notice of this meeting was properly posted at the Board office, Synergy Business Park, Kingstree Building, and by notice mailed to The State newspaper, Associated Press, and all other requesting persons, organizations or news media in accordance with section 30-4-80 of the S.C. Freedom of Information Act.

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

Motion: Dr. Bedell moved that the Board go into Executive Session to conduct hearings. The motion received a second from Dr. Assey. Motion carried.

Following the hearing, Dr. Bragdon announced the Board back in public session.

Motion: Dr. Bedell moved that the South Carolina Board of Dentistry revoke the license of Dr. Rachel W. Phillips. The motion received a second from Dr. Assey. The motion carried. [It was noted that Dr. Cranford did not participate in the hearing or the vote.]

Board members reviewed minutes of the July 15-17, 2005 meeting. Motion: A motion was made by Dr. Bedell and seconded by Dr. Snowden to approve the minutes as presented. The motion carried.

Motion: Dr. Bedell moved that the Board ratify its previous decision to grant licensure to the following individuals to practice dentistry in South Carolina based on results of their SRTA examination, the Dental Practice Act Examination, and meeting all other requirements for licensure:

General Dentists

Dr. Catherine M. Kotz Dr. Misti S. Raman
Dr. Michael D. Trudeau Dr. Jachelle A. Garrett
Dr. Kristina L. Hapney Dr. Kyong H. Kim
Dr. Alicia J. Walker

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

Motion: Dr. Millwood made a motion that the Board ratify its previous decision to grant licensure to the following individuals to practice dental hygiene in South Carolina based on results of their SRTA examination:

Dental Hygienists

Allison L. Burkhart Katherine E. Carlton
Holly S. Chandler Emily W. Dasher
Elizabeth L. Dixon Katrina R. Eaddy
Lella D. Hanna Treva M. Page
Lisa M. Ballard Rachel G. Bowen
Angeline M. Costa Kim C. Hislop
Holly K. Hobart Stephanie B. Martin
Sheena M. Owens Tammy L. Stultz
Adrienne S. Long Leslie D. Todd
Araminta S. Pressley Sheena M. Jackson

Ms. Bedell seconded the motion. The motion carried.

At this time, the Board briefly reviewed the list of topics to be discussed on Saturday.

The meeting was adjourned at 1:00 p.m. to reconvene on Saturday, September 10, 2006.

On Saturday, September 10, 2005, Dr. Bragdon called the meeting to order at 9:00 a.m. All members of the Board were present. Mr. Alvey, Mr. Richard Wilson, Terri Zeman, Sheliah Jones and Annie Heyward were also present.

Motion: Dr. Bedell moved that the following individual be issued a dental hygiene licensed based on successful completion of SRTA and meeting all other requirements for licensure:

Melissa G. Odom

The motion received a second from Dr. Assey. Motion carried

Motion: Dr. Bedell moved the Board enter executive session to conduct oral licensing examinations and interviews. The motion received a second from Mrs. Riffe. The motion carried.

Following Executive Session, Dr. Bragdon declared the meeting back in public session.

Motion: Dr. Bedell moved that the following individuals be granted a license to practice dental hygiene based on results of their oral examination and meeting all other requirements for licensure, including completion of all required paperwork:

Dorothy R.V. Charland
Cynthia S. Clyburn
Danette Freeman
Tima R. Hammel
Theresa L. Hionis
Amy M. Killebrew
Gwen Lawson-Yeargin
Sonia Zoe Lear
Lyudmila Mateush
Margaret M. Mills
Krisha L. Zarra

Dr. Snowden seconded the motion. The motion carried.

Motion: Dr. Snowden moved that the Board reinstate the dental hygiene license of the following individuals following their appearance before the Board and upon completion of all required paperwork:

Debbie A. Mitchum
Tammy L. Valente

The motion was seconded by Dr. Assey. The motion carried.

Motion: Dr. Snowden moved that due to an unlicensed practice issue, the Board offer a Consent Agreement with a fine of \$500.00 as a pre-condition to reinstatement of the dental hygiene license of the following individual. Mr. Wilson will draft the Consent Agreement.

Nancy Morse

Ms. Riffe seconded the motion. The motion carried.

Motion: Dr. Martin moved that due to non-compliance with continuing education requirements, the Board offer a Consent Agreement with conditions including a \$1500.00 fine to the following individual:

Dr. Vance C. Shields

The motion received a second by Dr. Assey. The motion carried.

Motion: Dr. Assey moved that due to non-compliance with continuing education requirements, and failure to appear before the Board at this meeting, the following individuals be served with a Cease and Desist Order, effective two weeks after service,

until further order of the Board. The Board may follow up with a Consent Agreement and a \$2,000.00 fine.

Maureen A. Campbell Robert Armitage
Clarence H. Pearson

The motion received a second from Dr. Millwood.

Motion: Dr. Cranford moved that the following cases be dismissed due to insufficient evidence to warrant a formal accusation and hearing:

2005-11 2005-21 2005-27 2005-19 2005-31 2005-30
2005-38

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

Dr. Bragdon noted that effective immediately, Dr. Assey and Dr. Millwood are assigned to the Investigative Review Committee (IRC). It was also the consensus of the Board that the IRC Chairman will present the investigative reports at future Board meetings.

At 12:10 p.m., the Board recessed for lunch. The Board reconvened at 1:00 p.m.

Dental License by Credentials

Mr. Alvey reported that the Board's proposed regulation to set a fee for licensure by credentials for dentists would be reported to the State Register later that day. The proposed regulation sets the fee for credentials at \$500.00; however this will not go into effect until spring of 2006. Effective immediately, however, once the Board has approved its application for credentials, the Board may begin licensing by credentials with a fee of \$300.00 in accordance with current regulations. The Board may ask to increase the \$500.00 fee when the proposed regulation goes to Committee hearings.

Dr. Millwood asked a question regarding the issuance of a temporary licenses to individuals displaced by the recent hurricane who may not meet the five-year practice requirement for licensure by credentials. Staff was asked to review this issue and see if there is anything the Board can legally do to expedite the licensing of such individuals during emergency times. Mr. Alvey will contact the Louisiana Board of Dentistry to get a report on their status.

Motion: Ms. Riffe made a motion that the Board accept the proposed application for credentials for dentists with the current fee of \$300.00. The motion was seconded by Dr. Martin. The motion carried.

State Board Specialty Examinations

Dr. Bragdon reported that on August 4, a letter was mailed from the Board office to the

presidents of the South Carolina Specialty Societies informing them that the Board was considering eliminating its specialty board clinical examinations and seeking their input. From the responses received, the letter obviously had created some misunderstandings about the Board's intentions. He suggested that in an effort to clarify any misunderstandings, the Board should follow up with another letter explaining, in detail, its intentions regarding future specialty exams. The Board does intend to eliminate the clinical aspect of future specialty board exams. It will continue to deputize specialty examiners to orally examine specialty candidates and also to administer a written exam to the candidates. Each specialty group will be asked to develop and send a written exam and case presentation format to the Board office. Depending on how soon the Board receives everything, the next specialty exam may be offered in January 2006. Thereafter, the Board would like to offer the exams twice a year, once in the winter and once in the summer. As no clinical facility will be needed, the exams will be administered at the Board office during regularly scheduled meetings.

Motion: Dr. Snowden moved that the Board drop the patient aspect of the South Carolina State Board Specialty Examinations and require a written exam and case presentations. Each specialty group is to develop a written exam and case presentation format and send to the Board office. The Board will continue to deputize specialty examiners to administer the examinations.

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

Reinstatement of License

Mrs. Riffe reported that she is working on proposed revisions to the Board's reinstatement policy and hopes to have a draft ready to present at the next meeting.

2006 Reregistration

Mrs. Zeman reported that in accordance with LLR directives, licensees will not receive a 2006 license renewal form in the mail this year. Instead, licensees will receive a notice from the Board office with instructions on how to renew on-line. The notice will have a "user id" and a "password."

Fall 2005 Newsletter

Mrs. Zeman reported that in accordance with LLR directives, effective immediately, newsletters will no longer be mailed out to licensees - they are to be published in electronic form and posted on the Board's Website. Members expressed concern that some licensees may not have access to the Internet, or have/take the time to go online and read the newsletter. Dr. Snowden, editor of the newsletter, noted that he was including an article in the upcoming newsletter about the "hand over mouth technique" (HOME), and that it was important that all licensees are aware of the status of HOME in contemporary practice. Dr. Bragdon will contact the South Carolina Dental Association and ask if they will publish an article in their upcoming Bulletin regarding on-line renewal for 2006 and also publish Dr. Snowden's article.

H.3781 - Amendments to the "Engine" Bill

Mr. Wilson explained the "Engine" works as a default for powers and authorities not covered under the various Practice Acts. He stated that the proposed amendments basically clean up some of the language terms. Mr. Wilson provided copies of an explanation grid with the proposed amendments and asked the members to take it home and review. Board members are to call either Mr. Wilson or Mr. Alvey with any questions. This item will be placed on the agenda of the next Board meeting.

Update on ADLEX

Dr. Delma Kinlaw and Ms. Celeste Kohler, representatives from the Council of Interstate Testing Agencies (CITA) gave a presentation to the Board on their organization's desire to administer the ADEX licensing exam to candidates at MUSC. Dr. Jack Sanders, Dean at MUSC, College of Dental Medicine, and Dr. John Cosby were also present. Dr. Kinlaw explained that CITA is an independent non-profit corporation that contracts with state dental boards and ADEX to administer national/clinical licensure examination. He stated that CITA will serve as a clearinghouse that will assist each individual member state as they administer all aspects of the national examination. Each state will still use their board members who have passed the calibration exercises conducted by ADEX. If other graders are needed, then each state will have the ability to choose additional graders from a pool of graders they know and trust. Since each state will still be giving a licensure examination, each state's board members will stay knowledgeable regarding the examination process and can go back to giving their own exam if they choose. CITA will make available funding for a state board's expenses in sending its members to annual and mid-year meetings of the AADE so that state board members can remain current on licensure and examination issues. CITA maintains State Boards involvement. CITA helps with the logistics of the exam, reimbursement for examiners, grading, scoring, technology, database development, post exam analysis, etc., and that the front-line work is done by the Boards. It was noted that the CITA exam is the ADEX licensing exam.

Ms. Kohler presented information on the 2006 Curriculum Integrated Formal Application, how application files are maintained, samples of grade sheets, exam grading criteria, onsite scanning and tabulation of scoring data and spreadsheets, etc. CITA coordinates all activities associated with offering and reporting results of the examination.

Dr. Sanders stated that MUSC will allow both SRTA and ADEX (CITA) to offer their examinations at MUSC this year.

Dr. Cosby stated that ADEX offers numerous advantages to students, the number one advantage being mobility. He stated that erroneous information attacking the validity of ADEX has been circulating. Dr. Cosby distributed copies of the ADA's Resolution 64H, Examination Validation and the Use of Human Subjects in the Clinical Licensure Examination, published in 2001. Dr. Assey commended Dr. Cosby on his time spent and efforts toward the development of the ADEX exam. Dr. Martin personally thanked Dean Sanders for his continued support of the Board.

Motion: Dr. Cranford moved that upon review of the contracts, the Board sign a contract

with CITA as our testing agency to administer the ADEX dental examination at MUSC for 2005-2006. The motion received a second from Dr. Assey. The motion carried. [It was noted that this decision does not eliminate the SRTA exam.]

Hearing Panel Appointment

Dr. Cranford reported on the status of the Board's proposed policy regarding panel members. He stated that the proposed policy recommends three panel members and he would like the Board to consider five members, to include a public member. The Board will also need to develop a "pool" of panel members to assist the Board in hearings. The names of individuals interested in serving as hearing officers or hearing panel members will be submitted to the Board for consideration. The Board will appoint individuals who are licensed dental professionals (dentists and dental hygienists) residing in the State and practicing their profession, and public members, to serve as disciplinary hearing officers and panel members. They will be empowered to conduct hearings and other matters against dental professionals filed with the Board. Dr. Cranford recommended a panel of not more than five members and no less than three members. Once a "pool" has been developed, staff will provide a list of potential panel members to the president for his appointment.

If the panel finds and determines that a Respondent is guilty of misconduct meriting a sanction, it makes a certified report of the proceedings including its findings of fact, conclusions and recommendations. A hearing will then be held before the Board at which time arguments, but not testimony, will be heard in opposition to or in support of the recommendations of the hearing panel. Following the final order hearing, the Board may refer the matter back to the panel for further hearing, order a further hearing before the Board or proceed upon the certified report of the prior hearings before the panel.

Motion: Dr. Cranford moved that the Board approve the new policies and procedures with one change. The hearing panel is to consist of not more than five members and not less than three members. The motion received a second from Dr. Martin. The motion carried.

The Board asked Mr. Alvey to draft a letter to send to former Board members to inquire if they are interested in serving on a pool. Board members were asked to come up with a list of names of those that might be interested and bring the list to the next meeting.

Letter from SC Society of Oral and Maxillofacial Surgeons

The members reviewed a letter from the South Carolina Society of Oral and Maxillofacial Surgeons. The letter requested the Board's opinion regarding specialists such as periodontists and oral and maxillofacial surgeons placing permanent restorations on implants. Dr. Bedell stated that she believes it is outside the scope of practice for specialists to place permanent restorations on implants. It was noted that a small portion of specialist may be placing permanent restorations on implants.

Mrs. Riffe stated that she has received information that some dental hygienists are being taught and trained to use a certain type of laser. She is going to research this issue

further as hygienists are not allowed to use lasers in South Carolina.

There were no public comments made. There being no further business, the meeting adjourned at 5:15 p.m.

Respectfully submitted,

H. Rion Alvey, Administrator