

**MINUTES**  
**South Carolina Board of Dentistry**  
**Teleconference Board Meeting**

9:00 a.m., April 3, 2020

Public notice of this meeting was properly posted at the S.C. Board of Dentistry office, Synergy Business Park, Kingstree Building, and on the board website 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.

**BOARD MEMBERS PRESENT:**

Carolyn Brown, DMD – President  
Walter Machowski, Jr., DMD – Vice President  
Charles Bumgardner, DMD - Secretary  
Murtuza Ansari, DMD  
Paul Coombs, DMD  
Elizabeth Marchi, RDH  
Donald Marler, DMD  
William Stewart, DMD

**SCLLR STAFF PRESENT:**

Bob Horner, Office of Advice Counsel  
Meredith Buttler, Board Administrator  
Prentiss Shealy, Office of Disciplinary Counsel  
Christa Bell, Assistant Deputy Director, OIE  
Angela Baldwin, Office of Investigations

**PRESENT:**

Phil Latham, SCDA  
James Mercer, DMD  
Mark Brown, SCDA  
Julia Mikell, DMD - SCDA  
Rocky Napier, DMD  
Sarandeep Huja, DMD - MUSC

**CALL TO ORDER:** President Brown called the meeting to order at 9:05 a.m.

**APPROVAL OF AGENDA**

**Motion:** To approve the agenda.  
Stewart/Machowski/approved.

**INTRODUCTION OF BOARD MEMBERS**

Each Board member provided a brief introduction of themselves.

**APPROVAL OF EXCUSED ABSENCES**

No absences for approval

## **APPROVAL OF MEETING MINUTES**

**Motion:** To approve the minutes for the January 17, 2020 meeting.  
Stewart/Bumgardner/approved.

## **PRESIDENT'S REMARKS**

Dr. Brown thanked those for attending the meeting and expressed gratitude to the board members and staff for all of the background work that has been undertaken in preparation for today's board meeting.

## **STAFF REPORTS**

### **OIE Statistical Report**

Ms. Buttler reported during first quarter for 2020, 48 cases have been received and 16 cases were closed. As of today's date, there are 35 active investigation.

### **IRC Report**

Ms. Buttler informed the Board that the IRC met on March 12, 2020. The IRC Report recommends 10 cases for dismissal and 2 letters of caution.

**Motion:** To approve IRC report.  
Stewart/Marler/approved.

### **ODC Report**

Prentiss Shealy reported there are currently 28 cases open, comprised of 23 respondents. Of the 28 cases, 1 is pending a Consent Agreement, 14 are pending an MOA, 3 are pending a Panel Hearing, and 4 are pending Board Hearings. To date, 3 cases have been closed.

**Motion:** To approve ODC report.  
Ansari/Machowski/approved.

## **REPORTS**

### a. **Dental Deans Conference Report**

Dr. Machowski presented a summary of his written report for the Dental Deans Conference Report took place in Birmingham, AL on February 7-9, 2020. The conference focused on dentistry, ethics, and how boards are addressing corporate dentistry. The conference also focused on the need to review campus safety during dental exam administrations.

### b. **Administrator Report**

Ms. Buttler reported the current licensure totals: 2,798 licensed general dentists, 699 dental specialists, 4,197 dental hygienists, 5,201 dental assistance with nitrous oxide certification, 210 Dental technician/Orthodontic technicians. Currently there are 256 sedation site's permitted for sedations. The number is a reflection of the sites that have been inspected and not the number of dentists holding permits. The Board's current cash balance as of February 29, 2020 is \$3,633,547.56.

Ms. Buttler reported that details are being finalized with CE Broker and following the CE Guidelines development. Due to extensive changes, it is taking a little longer than expected to restructure. Ms. Buttler is continuing to push to address all issues that have been raised to the Board office. As soon as the system is corrected, additional information will be posted to the Board website and licensees notified. Ms. Buttler reiterated that contrary to prior notice, CE Broker will not be mandatory for the upcoming renewal later in the year. Dr. Bumgardner inquired as to the progress with connecting to the AGD CE tracking system and emphasized the convenience for licensee CE information be transferred from one system to the other. Ms. Marchi brought to the boards' attention the American Dental Hygiene Association and the South Carolina Dental Hygiene Association are using CE Zoom. Ms. Buttler will work with CE Broker to build these reporting systems if possible.

Ms. Buttler reported that half of the board applications have been revised both in paper and online format. Work will continue to ensure all applications have been properly reviewed and both the online and paper systems are correct.

Mobile Dental Facility and Portable Operations Registration Renewals will open April 1, 2020 and, per LLR directive, the expiration date has been extended to September 30, 2020.

Ms. Buttler will begin working on the travel budget request shortly and has asked the Board members to bring to her attention any conferences and/or meeting they are wishing to attend on behalf of the Board. The budget will be crafted based upon previous board travel and Ms. Buttler will work to incorporate the Board's request to exceed the two board member limit for select conferences.

## **OLD BUSINESS**

- a. Request for Infiltration Anesthesia and Nitrous Oxide Examination Review Committee  
Tabled from the January 17, 2020 board meeting, Ms. Buttler is requested a committee be formed to review the current versions of the both the Nitrous Oxide exam and the Infiltration Anesthesia exam. The review is to ensure all information is correct. A list of the 2017 committee was presented to the Board for review and Ms. Buttler asked for additional recommendation for members. Ms. Marchi expressed a desire to be involved with the committee  
**Motion:** To approve the creation of the exam committee comprised of board member Ms. Marchi and listed members from the 2017 committee.  
Marchi/Bumgardner/approved.
- b. CE Requirement Clarifications: College Course Hour Equivalency and Study Group Regulation  
**Motion:** To table the item for the May 15, 2020 meeting.  
Machowski/Bumgardner/approved.

- c. Travel approval for Bob Horner to attend the RX Summit in Nashville, TN  
Mr. Horner informed the Board the conference has been cancelled and travel approval is no longer being sought.

#### **NEW BUSINESS**

- a. ADEX District Realignment Letter  
Dr. Machowski presented to the Board a letter addressed to the ADEX governing body requesting realignment of the districts. The Board has received the letter and will review for the next board meeting. Dr. Machowski informed the board the annual ADEX meeting is in August 2020.

**Motion:** For Board Members to review and letter be presented again at the May 15, 2020 Board Meeting for formalization.  
Stewart/Ansari/approved.

- b. Review of Regulation 39-5: Continuing Education

**Motion:** Due to Governor McMaster's order, to waive the board policy allowing 50% online continuing education and allowing 100% online continuing education be allowed for the CE cycle of January 1, 2019 to December 31, 2020.  
Bumgardner/Coombs/approved.

Dr. Stewart requested in the notice to licensees informing them of the CE waiver, information regarding the status of CE Broker also be included. Many licensees have voiced confusion and frustration regarding CE Broker and clarification that participation in CE Broker is not mandatory for the upcoming renewal will be helpful to many.

- c. Temporary Licensure: Examination Deficient Applications from New Graduates and Residents

Dr. Brown stated Dean Huja of MUSC sent a letter to the Board expressing concern regarding licensure hurdles for the senior dental students and incoming residents. Due to CODA rescheduling clinical examinations, there is potential for new graduate licensure to be inhibited.

**Motion:** To address the item in Executive Session.  
Marchowski/Bumgardner/approved.

- d. Teledentistry and Continuum of Care Delineation

Ms. Buttler stated due to the recent teledentistry order, there has been significant confusion between teledentistry and continuum of care. Ms. Buttler will be doing research and presenting to the Board at the May meeting, a document showing delineation between the two based upon past board interpretation of the subject. From this basis, the Board can choose to move forward with a committee to propose to look at how best to handle the issue of teledentistry after the conclusion of the emergency health order.

**Motion:** To address the item in Executive Session.  
Bumgardner/Machowski/approved.

- e. Scope of Practice for Licensees who volunteer at facilities to treat COVID-19 patients  
Mr. Horner has been placed on a task force in response to COVID-19 and asked to assess the various ways the healthcare professionals might contribute should the state implement field hospitals. Mr. Horner stated the medical practice act allows a licensed physician to delegate tasks to a qualified individual to assist in treatment of a patient. The issue the Dental Board is being asked to consider how they would handle potential cases of discipline for against licensed individuals who engaged in the field hospitals while not under delegated authority of an attending physician

**Motion:** To table further discussion if the issue arises.  
Bumgardner/Machowski/approved.

### **PUBLIC COMMENTS**

Dr. Mikell requested Board considerations of revisions to the teledentistry order allowing for licensed dentists to engage non-established patients who are unable to complete an in-person assessment. Dr. Mikell additionally requested the Board address the language which precludes treatment. Ms. Buttler stated the letters sent had not been distributed to the Board members as they had been received on Friday morning and could not be incorporated on the agenda.

Dr. Napier addressed teledentistry and the general confusion amongst the licensing body regarding the continuum of care.

### **EXECUTIVE SESSION**

**Motion:** To enter into executive session to seek legal advice on the agenda items 9c and 9d.  
Machowski/Ansari/approved.

**Motion:** To return to public session.  
Bumgardner/Machowski/approved.

Board President, Dr. Brown, noted for the record that no votes or actions were taken while in executive session.

### **9c. Temporary Licensure**

**Motion:** To approve the temporary creation of a Dental Resident Limited License for residencies starting in 2020. The limited license allows a resident to practice dentistry under the following conditions: licensees are limited in practice to the sponsoring hospital or institution named on the license and may only practice under the direction of the licensed attending dentist employed by the sponsoring hospital or institution. The limited license would be valid for one year and those holding limited license may apply to continue the limited

license. Board staff, in consultation with the Board, is authorized to develop an application.  
Machowski/Ansari/approved.

Mr. Coombs added that the clinical exams for senior dental students are still scheduled for May 2020 and the Board will readdress the issue of graduating students and licensure should the boards be rescheduled.

**ANNOUNCEMENT**

Next Board Meeting is a special called meeting on May 15, 2020.

**ADJOURNMENT**

**Motion:** To adjourn.  
Bumgardner/Machowski/approved.

The April 3, 2020, meeting of the S.C. Board of Dentistry adjourned at 12:26 p.m.

The next meeting of the S.C. Board of Dentistry is scheduled for May 15, 2020, in room 105.