

Minutes of the South Carolina Board of Dentistry  
Business Meeting and Disciplinary Issues  
November 13, 2015  
Synergy Business Park, Kingstree Building, Room 202-02  
110 Centerview Drive, Columbia, SC 29210

Board members present were:

Douglas J. Alterman, D.M.D., President  
Z. Vance Morgan, IV, D.M.D., Vice President (Via Telephone)  
Arthur L. Bruce, D.M.D., Secretary  
Carolyn L. Brown, D.M.D.  
Samuel M. Hazel, D.M.D.  
Jessica M. Keisler, R.D.H.  
Walter J. Machowski, Jr., D.M.D.  
Dennis A. Martin, D.M.D.  
Elaine A. Murphy, R.D.H.  
Eric C. Schweitzer, Esquire

Board member with excused absence was:

Paul S. Coombs, D.M.D.

Staff and others present were:

Michelle Bedell, DMD  
Dr. Bruce Braatz, Past President of ADEX  
Kate K. Cox, LLR Administrator  
John Davidson, RPP  
Lorie Graham, OIE Investigator  
Jolee Gudmudson, SC Association of Nurse Anesthetists  
Lisa Hawsey, LLR Administrative Assistant  
Greg Hierholzer, DMD  
Kristen M. Holland, RDH  
Christine A. Keith, DDS  
Mary League, LLR Advice Attorney  
David Love, OIE Chief Investigator  
Jose E. Marquez, DMD  
Marc Muncy, DDS  
Peter M. Murphy, DMD  
Adrian Rivera, OIE Investigator  
Prentiss C. Shealey, LLR Litigation Attorney ODC  
Frank Sheheen, RPP  
Dylan Sitterle, LLR  
Jennifer Thompson, Thompson Court Reporter  
M.W. Wester, DMD, NC Dental Board and Treasurer of CITA  
Sherie Williams-Barbare, RDH  
Richard Wilson, RPP

---

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 202-02, 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. Alterman, Board President, called the meeting to order at 9:00 a.m. All votes referenced herein were unanimous unless otherwise noted. Excused absence was noted for Dr. Coombs.

APPROVAL OF THE AGENDA AND THE MINUTES:

**Motion:** A motion was made by Mr. Schweitzer to approve the Agenda. Dr. Hazel seconded the motion. The motion carried.

**Motion:** A motion was made by Mr. Schweitzer to approve the Minutes of the last meeting July 10, 2015. Dr. Hazel seconded the motion. The motion carried.

HAIL AND FAREWELL:

The new dental hygiene member, Jessica M. Keisler, RDH, was introduced to the Board. The out-going dental hygienist member, Sherie Williams-Barbare, RDH was thanked for her service.

UNFINISHED BUSINESS:

Sedation Committee Update:

Dr. Alterman and Ms. League noted that the Sedation Committee met on October 23, 2015 and drafted the sedation Regulations which were provided to the Board to support Article 3 in the Practice Act on Sedation; and they discussed the topics of interest for the regulation. The process to proposed regulations in the legislature was reviewed. Dr. Wade, a Committee member, was also asked to review what the Committee had drafted for the Board for education/requirements, permitting, costs/renewals, inspectors/inspections. He recognized the different groups that had been part of drafting the regulation and thanked the staff at LLR. He noted that dentists are being permitted; however, there are facility inspections where the dentists practice sedation. It was discussed that the dentist is responsible for only practicing in facilities that meet all requirements. Dr. Machowski asked a question regarding CRNAs and possible independent practice by them in the future. Dr. Wade stated that possible independent practice by CRNAs does not change that the dentist is responsible for what happens in the dentist's office. Discussion followed on private practice and hospital practice, who can order medications, and the two levels of permits. It was noted again that the dentist is being permitted. Part of that permitting is an inspection of the facility where sedation is done and for the level of sedation that the dentist has proven by his/her education. It was discussed that anesthesiologists can come into a practice; however, they cannot do more than what the dentists is permitted to do.

The regulations support the Statute beginning 40-15-400 which describes the different education proofs that are needed. Inspections were discussed that if you have been doing sedation dentistry prior to the effective date of the regulation, you can continue to do so during the dependency of the application for your permit. Dr. Wade noted that a checklist will be developed for the inspections and inspectors will be trained. Mrs. Cox stated there already has been a Notice of Drafting submitted for The State Register for this regulation.

**Motion:** A motion was made by Dr. Hazel to approve the draft of the Sedation Regulation and for it to be sent to the General Assembly. Dr. Machowski seconded the motion. The motion carried

DISCIPLINARY ISSUES REPORTS:

Investigative Review Committee (IRC) Reports:

The IRC report was presented by Mr. Love. The report was from September 17, 2015. Discussion was held to explain Dismissals and Letters of Cautions.

**Motion:** A motion was made by Mr. Schweitzer to approve the IRC Report as presented for 19 Dismissals and 7 Letters of Caution. Dr. Bruce seconded the motion. The motion carried.

BOARD MEETING MINUTES

November 13, 2015

Page 3

OIE and ODC Management Reports:

The OIE Management Reports and ODC Management Reports were presented. Both were accepted as information.

APPLICATION HEARINGS:

Kristen Michelle Holland, R.D.H.:

An application hearing by examination was held for Ms. Holland due to her coming back before the Board to apply by examination rather than by credentials. Ms. League advised the Board. Ms. Holland was present and represented herself with waiver of counsel. A court reporter was present. The hearing commenced.

**Motion:** Mr. Schweitzer made a motion to go into Executive Session for legal advice. Dr. Machowski seconded the motion. The motion carried.

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

**Motion:** Mr. Schweitzer made a motion to accept Ms. Holland's application for licensure contingent on her compliance with her Georgia Order and her noticing the Board of any information regarding the Order; if RPP is needed in South Carolina to require her to join SC RPP however there will not be dual testing in Georgia and South Carolina; and to issue her a license that is on Probation in South Carolina until her Order in Georgia is completed. Dr. Bruce seconded the motion and the motion carried.

Christine Ann Keith, D.D.S.:

An application hearing by credentials was held for Dr. Keith due to her answering "Yes" in the Personal History Section of the application to Question #2 on having a written complaint, formal accusation, final order, disciplinary action or consent order file against her. Ms. League advised the Board. Dr. Keith was present and represented herself with waiver of counsel. A court reporter was present. The hearing commenced.

**Motion:** Mr. Schweitzer made a motion to go into Executive Session for legal advice. Dr. Hazel seconded the motion. The motion carried.

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

**Motion:** Dr. Bruce made a motion to deny the application due to pending discipline in another state based on statute 40-15-275 A.5 and 6. Ms. Murphy seconded the motion. The motion carried. It was noted that if an application by credentials is not possible then South Carolina offers application by examination.

DISPLINARY ISSUES: Disciplinary hearings are closed for the Board of Dentistry.

Consent Agreement for Case # 2015-12:

A Consent Agreement presentation hearing was held for the Respondent. Ms. League advised the Board. The State was represented by Prentiss C. Shealey, Esq. The Respondent was noticed however did not attend. A court reporter was present. The closed presentation commenced.

BOARD MEETING MINUTES

November 13, 2015

Page 4

**Motion:** Mr. Schweitzer made a motion to go into Executive Session for legal advice. Dr. Bruce seconded the motion. The motion carried.

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

**Motion:** Dr. Hazel made a motion to accept the Consent Agreement for Stephen Sean Valis, DMD with a public reprimand, to order probationary status of his license for two years, to require a \$5,000.00 fine due in 6 months, and to require 4 hours of continuing education in prescription writing and ethics due in one year. Dr. Brown seconded the motion. The motion carried.

**MOA Hearing for Case # 2014-30:**

A MOA Hearing was held for the Respondent. Ms. League advised the Board. The State was represented by Prentiss C. Shealey, Esq. The Respondent was present and represented himself with waiver of counsel. A court reporter was present. The closed hearing commenced.

**Motion:** Mr. Schweitzer made a motion to go into Executive Session for legal advice. Dr. Hazel seconded the motion. The motion carried.

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

There was discussion. The closed hearing commenced.

**Motion:** Mr. Schweitzer made a motion to go into Executive Session for legal advice. Dr. Hazel seconded the motion. The motion carried.

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

**Motion:** Dr. Machowski made a motion to accept the MOA for Jose E. Marquez with a public reprimand; to require his license be placed on probation for 3 years; to require a fine of \$750.00; and to require continuing education of an infection control course with the protocol regarding needle sticks. Dr. Bruce seconded the motion. The motion carried.

**Appearance before the Board by Greg Hierholzer, DMD:**

A presentation was given before the Board as requested by the Respondent, Greg Hierholzer, DMD. Ms. League advised the Board. The State was represented by Prentiss C. Shealey, Esq. The Respondent was present. A court reporter was present. Dr. Hierholzer wanted to appear to have the record show he has been released from his Orders with the Board; and he has been compliant with RPP. The presentation commenced.

**Motion:** Mr. Schweitzer made a motion to go into Executive Session for legal advice. Dr. Hazel seconded the motion. The motion carried.

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

BOARD MEETING MINUTES

November 13, 2015

Page 5

**Motion:** Dr. Martin made a motion to accept the petition of release from Orders with the Board and to note his compliance with RPP over the required time with RPP. Ms. Murphy seconded the motion. The motion carried with two opposing votes by Ms. Keisler and Mr. Schweitzer.

NEW BUSINESS:

Advertising issue:

Dr. Peter M. Murphy made a presentation regarding truth in advertising regarding specialty licenses and general dentistry licenses and regarding the complaint process. He proposed a protocol to deal with infractions based on first time infraction with a fine, second time infraction with a higher fine, and third time infractions that would result in a heavy penalty. Discussion followed and a committee was suggested to be formed to look into this matter with the IRC and to look into developing resolution guidelines for the IRC in the advertising matters. The Board thanked Dr. Murphy for his concern and presentation on the matter and stated they will look into developing guidelines.

Dr. Morgan joined the Board meeting via telephone at this point in the meeting.

Clinical Examinations Topics:

Board Policy on Accepting Clinical Examinations:

Dr. Morgan reviewed the letter and materials he had provided the Board prior to the Board meeting with the history of the use of regional clinical examinations and dates involved. He reviewed SRТА membership by the Board for 20 years and CRDTS membership for a shorter period. He reviewed CDCA (NERB), CITA, WREB and ADEX. He reviewed testing criteria, grading points, failure types, and who is on the testing groups. Discussion followed.

Marc Muncy, D.D.S. Regarding SRТА:

Dr. Muncy, President of SRТА was invited to speak and he presented a letter to the Board. He discussed the mission of SRТА, development of the exam, and South Carolina's long relationship with SRТА.

Dr. M. W. Wester and Dr. Bruce Braatz:

Dr. Wester, NC Dental Board member and Treasurer of CITA, addressed the Board regarding CITA. Dr. Braatz, Past President of ADEX, attended with him and spoke. They discussed the CITA exam and encouraged South Carolina to participate in their examination as examiners and to support ADEX for use at MUSC. Grading and pass/fail was discussed. Acceptance of examinations in different states was discussed. Costs of examinations was discussed. Dr. Bedell spoke on exam administration.

Letter from Stanwood Kanna, DDS, President of ADEX:

Dr. Stanwood Kanna, DDS, President of ADEX sent a letter for consideration to the Board for their discussion regarding ADEX and SRТА.

Wolcott/Rivers/Gates Attorneys at Law Letter:

A letter was provided to the Board from this firm regarding SRТА – ADEX and CDCA (NERB). It noted points of concern why SRТА wants to separate from ADEX.

Sherie Williams-Barbare, RDH - Clinical Examinations:

Ms. Williams-Barbare reviewed the dental hygiene participation and use of SRTA for dental hygiene clinical examinations. A letter from Lee Muthig, RDH from Midlands Tech was also presented to the Board that discussed the clinical examination SRTA offered there. She noted that their school is being approached to offer additional clinical examinations. They stated that they are unsure if this is in their best interest. They are looking for guidance on what the Board will accept as approved clinical examinations in SC.

Discussion followed on varied points of testing, locations, grading, participation, costs, liability, and testing groups.

IN SUMMARY:

The South Carolina Board of Dentistry accepts credentials for licensing and can decide on what credentials (tests) it accepts.

MUSC is not giving a clinical examination. The school is providing a location for an exam, or is not going to provide a location.

Factual disputes in the letters presented to the Board by different entities such as SRTA, ADEX and others need to be decided by the others, not the Board.

If the Board does nothing, the examinations that the Board has been accepting remain the same at this time.

**Motion:** Mr. Schweitzer made a motion to set-up a committee to research the clinical examination issue to be headed by Dr. Morgan and have as members Ms. Murphy, Dr. Bruce, Dr. Machowski, and Ms. Williams-Barbare, as a past board member to consult. Dr. Hazel seconded the motion. The motion passed.

Fluoridation of Water:

Ms. Williams-Barbare asked for a statement of support from the Board for fluoridation of water. Discussion followed.

**Motion:** Mr. Schweitzer made a motion to support the ADAs statement supporting fluoridation of water. Ms. Murphy seconded the motion. The motion passed.

REPORT:

Governor's Taskforce on Domestic Violence:

Alex Imgrund spoke to the Board to summarize the work of this taskforce. He spoke about continuing education for professionals also on this issue and sources of courses and referrals.

RETURN TO NEW BUSINESS:

Consistency of Acceptance of WREB; Consistency in Accepting Residencies as Part of 5 years of Practice:

It was reported the staff needs clarity on consistency in accepting WREB for different types of applicants and for clarity of accepting, residencies as part of the 5 years of practice for different types of applicants. It was stated at this time the Board will only accept WREB from applicants who hold a license in another state but will not accept WREB for initial license applicants. It was noted with residencies the Board has begun to accept them as part of the 5 years of practice for military applicants but has not accepted residencies to count for civilian applicants. A short discussion was held. Dr. Alterman asked Dr. Morgan to look into the acceptance of WREB in his clinical examination committee work. The Board discussed acceptance of documented practice in the civilian residency programs as part of the practice experience to count towards the 5 year practice requirement for credentialing.

**Motion:** Mr. Schweitzer made a motion to recognize the residencies from CODA approved programs towards the five years of practice immediately preceding the application for a license in South Carolina. The motion was seconded by Dr. Martin. The motion passed.

Approval of Volunteer Clinic:

Two Volunteer clinics submitted applications for approval, The Samaritan Health Clinic in Pickens and Georgetown Helping Hands Dental Clinic in Georgetown.

**Motion:** Mr. Schweitzer made a motion to accept the two named clinics, The Samaritan Health Clinic in Pickens and Georgetown Helping Hands Dental Clinic in Georgetown. Dr. Machowski seconded the motion. The motion passed.

Ratification of Licenses:

The number of applications and credentials processed every three months is around 200. Working applications is a very large workload for a small staff, along with other board preparation work, scheduling hearings and committees, responding to calls and inquiries, renewals, audits, testing, and agency compliance.

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

Election of Officers for 2016:

**Motion:** Dr. Alterman presented a slate of officers to nominate Dr. Morgan for President, Dr. Bruce for Vice President, and Dr. Martin for Secretary for 2016. Dr. Machowski seconded the motion. The motion passed.

ADMINISTRATIVE REPORTS:

Administrative Report:

The Administrative Report was given with the staffing chart. The new Board member was recognized again. It was announced that Dr. Morgan, Ms. Murphy and Dr. Martin attended AADB meeting. It was noted that the District 1 election has been conducted with one candidate nominated who therefore becomes the nominee. The dentist is Dr. Philip M. Prickett and his name has been sent to the Governor. Mrs. Cox reported that the panel hearings are being held and that the Board does finalize the panel recommendation or can change. A full transcript of the hearing is provided. Board meeting dates and panel hearing dates were noted for 2016. It was noted all meetings have a transcript whether it is a board meeting, a committee meeting or panel hearing; and all minutes produced are action minutes.

Dr. Martin reported on the AADB meeting by handing out a written report. Dr. Martin thanked the staff for working to get more than 2 people approved for the meeting attendance travel and spoke about the importance of attendance.

Financial Report:

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

LEGAL:

There was no legal discussion.

DISCUSSION TOPICS:

There were no discussion topics.

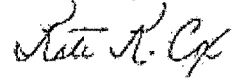
PUBLIC COMMENT:

There was none.

ANNOUNCEMENTS and ADJOURNMENT:

It was announced again that the Board meeting for 2016 are January 15, April 15, July 8, and October 14, 2016. There being no further business or announcements Dr. Alterman adjourned the meeting at 2:49 p.m.

Respectfully submitted,



Kate K. Cox  
Administrator