

Minutes of the South Carolina Board of Dentistry  
Business Meeting, Reinstatement Application Hearing, and Disciplinary Hearing  
October 12, 2012  
Synergy Business Park, Kingstree Building, Room 108  
110 Centerview Drive, Columbia, SC 29210

Board members present:

David W. Jones, D.M.D., President  
Charles F. Wade, D.M.D., Vice President  
John M. Whittington, D.M.D., Secretary  
Douglas J. Alterman, D.M.D.  
Sherie Williams Barbare, R.D.H.  
Arthur L. Bruce, D.M.D.  
Felicia L. Goins, D.D.S.  
Z. Vance Morgan, IV, D.M.D.  
Eric C. Schweitzer, Esquire, Public Member

Staff and others present were:

Kate K. Cox, LLR Administrator  
Curtiss W. Daughtry, D.M.D.  
Robert E. Deane, D.M.D.  
Suzanne Hawkins, LLR Litigation Attorney, Office of General Counsel (OGC)  
Lisa Hawsey, LLR Administrative Assistant  
David Love, OIE  
Sara McCartha, Advice Attorney  
Elizabeth A. Marchi, R.D.H.  
Kathy Meadows, OIE  
Dr. James Mercer, Legislative Chair, SC Dental Association  
Jerry Merritt, OIE  
Kim Schneider, R.D.H.  
Robin Spaniel, Thompson Court Reporter  
Terri Stephens, OIE

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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. Jones, President, called the meeting to order at 9:05 a.m. All votes referenced herein were unanimous unless otherwise noted.

APPROVAL OF THE AGENDA:

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

APPROVAL OF THE MINUTES:

**Motion:** A motion was made by Mr. Schweitzer to approve the Minutes of the July 13, 2012 Board meeting. Dr. Goins seconded the motion. The motion carried.

The Board welcomed Dr. Arthur L. Bruce as the new Board member representing Congressional District 3.

The Board welcomed Sara McCartha as its new Advice Counsel. Ms. McCartha addressed the Board.

DISCIPLINARY ISSUES REPORTS:

Investigative Review Committee (IRC) Report:

The IRC report was presented by Mr. Love. There were no questions.

**Motion:** A motion was made by Dr. Goins to approve the IRC report authorizing eleven (11) dismissals, one (1) dismissal with a Cease and Desist, three (3) violations with Cease and Desist Orders reported to the ALC, three (3) Authorizations for Formal Complaint, and issuance of two (2) Letters of Caution. Dr. Wade seconded the motion. The motion carried.

OIE and OGC Management Reports:

The OIE and OGC Management Reports were presented and accepted as information. OGC case totals were reported to be 17 open cases plus what was authorized today. Panel hearings were discussed as a possibility in the future if need arises or additional days for disciplinary cases only to be heard. The Board agreed.

REINSTATEMENT APPLICATION HEARING: Curtiss W. Daughtry, D.M.D.

An application hearing was held before the Board for Dr. Daughtry. Ms. McCartha advised the Board. Dr. Daughtry was not represented by counsel. A court reporter was present. The hearing commenced.

**Motion:** Dr. Alterman made a motion to reinstate Dr. Daughtry based on his application and statements. Dr. Goins seconded the motion. The motion carried.

REINSTATEMENT APPLICATION HEARING: Robert E. Deane, D.M.D.

An application hearing was held before the Board for Dr. Deane. Ms. McCartha advised the Board. Dr. Deane was not represented by counsel. A court reporter was present. The hearing commenced.

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

The Board informally came out of executive session without motion.

**Motion:** Mr. Schweitzer made a motion for probationary reinstatement with Dr. Deane coming back before the Board to ask for any change in that status. It was stated any violations brought to the attention of the Board would mean immediate administrative suspension. Dr. Whittington seconded the motion. The motion carried.

DISCIPLINARY HEARING WITH CONSENT AGREEMENT: Lewis Jackson Cauthen, D.M.D

A disciplinary hearing was held with a Consent Agreement presented by Ms. Hawkins. Ms. McCartha advised the Board. Dr. Cauthen was not present due to medical emergency and he was not represented by counsel. A court reporter was present. The hearing with Consent Agreement presented commenced.

**Motion:** Dr. Wade made a motion to go into Executive Session. Dr. Morgan seconded the motion. The motion carried.

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**Motion:** Dr. Wade made a motion to come out of Executive Session. Dr. Whittington seconded the motion. The motion carried.

**Motion:** Dr. Whittington made a motion to defer the Consent Order matter until the next meeting to have more evidence presented as by an exhibit. Dr. Goins seconded the motion. The motion carried.

UNFINISHED BUSINESS:

**Anesthesia and 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, ADA interest in sedation being a specialty area of dentistry, and reviewing the SC Board of Dentistry's laws on anesthesia and sedation. Office inspections were discussed. Dr. Mercer spoke on legislation needs and association, as well as interested parties' support.

**Midlands Technical College Dental Hygiene Externship Program Update:**

Ms. Marchi and Dr. Milejczak updated the Board on the Midlands Tech Externship program for dental hygienists with its Guidelines for Externship and suggested Contract. Discussion followed on the program details, its value as experiential training, and on the sharing of this information with other dental hygiene programs in the state as to how this helps with the transition from student education into private practice.

**Motion:** Ms. Barabre made a motion to state the Board is willing to approve externship programs on a case-by-case basis. Dr. Goins seconded the motion. The motion passed.

**Motion:** Dr. Alterman made a motion that the Board accepts the Midlands Tech Dental Hygiene Externship Program as comprehensive and meets the standards for training. Dr. Goins seconded the motion. The motion passed.

NEW BUSINESS:

**American Academy of Dental Hygiene, INC. (AADH):**

It was noted Ms. Brucato-Thomas, RDH, was not in attendance and had asked to be on agenda to ask for AADH to be an accrediting body on the Board's list for approved sponsors. Discussion followed.

**Motion:** Dr. Wade made a motion to defer this matter until another Board meeting and the group sends representation. Dr. Bruce seconded the motion. The motion passed.

**Course Approval Sought for Infiltration Anesthesia:**

Kim Schneider, RDH, from Midlands Tech discussed getting their existing course for the Infiltration Anesthesia, with all guidelines being met, approved to be offered away from the school site and given in dental offices. Handouts were provided. Discussion followed and it was decided that approval to do this is not needed. The course is the same course. The location is not an issue. The Board considered the presentation as information and thanked Ms. Schneider for appearing. No vote was required.

Sleep/Breathing Issues and Oral Alliance Therapy Letter and Presentation:

John R. White, D.M.D., discussed sleep/breathing problems, C-PAP treatment, home diagnostic sleep tests, dental sleep medicine, and oral appliances made by dentists. The Board accepted his presentation as educational information. It was noted the Board accepts the American Dental Association's standards for care.

American Academy of Sleep Medicine Letter:

Letter from Samuel A. Fleishman, M.D. of the American Academy of Sleep Medicine was presented to the Board regarding the position of sleep medicine by physicians versus dental sleep medicine. The Board accepted this letter as information. It was stated for the current time national guidance may be helpful; Medical Board consensus may be needed; and if there are complaints, the complaint matters will be on a case-by-case basis. It was stated no response is needed.

Question to the Board: Teeth Whitening in Dental Offices:

A question was presented on teeth whitening in dental offices by dental hygienists and dental assistants. The Board stated whitening in the dental office can be done by these staff members under direct supervision of the dentist. The Board discussed "groupon" use again by dentists for advertising. The Board considers this under the rebate/fee splitting regulation as not acceptable. Regulation 39-11, 1-H Ethics, Under Professional Conduct

Question to the Board: Laser Use and Laser CE:

The Board has stated that dental hygienists cannot use lasers and is stated in the fall 2009 newsletter. It was noted offering CE could be misleading that hygienists can use them and the course is considered is informational only. The Board made no other statement.

Question to the Board: Dentistry and Esthetic Services:

It was stated that dentists are trained in the perioral area and should only perform services in that specific area. There are policies on the Board web site and inquirers should be referred to the policies.

Ratification of Licenses and Registrations:

Newly issued licenses and registrations were presented to the Board for ratification for the dates June 26, 2012 through October 1, 2012.

**Motion:** Ms. Barbare made a motion to ratify the lists of licensed dentists, licensed dental hygienists, and registered dental technicians. Mr. Schweitzer seconded the motion. The motion carried.

Elections of Officers:

**Motion:** Mr. Schweitzer made a motion to elect as officers for 2013 Dr. Wade for President, Dr. Whittington for Vice President, and Dr. Alterman for Secretary. Dr. Bruce seconded the motion. The motion carried.

ADMINISTRATIVE REPORTS:

Administrative Report:

The Administrative Report was given by Mrs. Cox to include: the staffing report for the Board; the statistical report on number of licensees and licensing actions; the biennial renewal notification to begin in mid October; the dates for Infiltration Exam to be November 15, 2012 and Specialty Exams to be January 18, 2013; change of address and

finding correct congressional district instructions; travel approval for Dr. Goins to attend AADB; procedures for three Board seat elections; and 2013 Board meeting dates to be January 11, April 12, July 12, and October 11. Board members need to confirm these dates do not conflict with national meetings or testing obligations. I will reschedule April 12 for April 5, 2013.

Financial Report:

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

LEGAL:

Brief summary of the Insurance Reserve Fund (IRF) meeting was given by Ms. McCartha.

DISCUSSION TOPICS:

There were no discussion topics.

PUBLIC COMMENT:

There was no public comment.

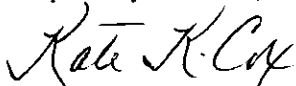
APPRECIATION TO DAVID W. JONES, D.M.D.:

Dr. Wade and the Board thanked Dr. Jones for his year of service as President of the Board; thanked him for his service and work for the Board over the years as a member, and presented him with a plaque of appreciation.

ADJOURNMENT:

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

Respectfully submitted,



Kate K. Cox  
Administrator