

MINUTES
South Carolina Board of Dentistry
Board Meeting

9:00 a.m., July 9, 2021
110 Centerview Dr., Kingstree Building, Room 108
Columbia, South Carolina.

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. Members of the public who wish to attend may do so by live stream. Contact the Board office at contact.dentistry@lir.sc.gov for live stream access information.

BOARD MEMBERS PRESENT:

Charles Bumgardner, DMD– President
Donald Marler, DMD - Vice President
Elizabeth Marchi, RDH - Secretary
Murtuza Ansari, DMD
Carolyn Brown, DMD
Thomas McDonald, MD, DMD

SCLLR STAFF PRESENT:

Bob Horner, Esq., Office of Advice Counsel
Meredith Buttler, Board Administrator
Prentiss Shealey, Esq., Office of Disciplinary Counsel
Rowland Alston, Esq., Office of Disciplinary Counsel
Lorie Graham, Office of Investigations and Enforcement
Christa Bell, Office of Investigations and Enforcement

PRESENT:

Creel Court Reporting	Jack Case, DDS, MS
John Comisi, DMD	Melissa Hinton, RDH
Kevin Collinis, DMD	Lyndon Alford, DMD
Guy Shampaine, DMD	John C. Bradley, Jr. Esq.
Hope Carter	Michael S. Sloan, DMD
Raymond Kessler, DMD	Amy N. Wilson, RDH
Jessica Buis, SRTA	Venesa Crumpley, DDS
Sarandeep Huja, DMD	Cheryl Woolwine, RDH
Kim Laudenslager	Mir Siddiqua, DMD
Kimber Cobb	William Gilliam, DMD
Megan Bickers, RDH	Joe Tienary, Esq.

CALL TO ORDER: President Bumgardner called the meeting to order at 9:01 a.m.

APPROVAL OF AGENDA

Motion: To approve the agenda.
Marler/Ansari/approved.

INTRODUCTION OF BOARD MEMBERS

Each Board member provided a brief introduction of themselves.

APPROVAL OF EXCUSED ABSENCES

Motion: To approve Dr. Reagin's absence.
Marler/Brown/approved.

APPROVAL OF MEETING MINUTES

Motion: To approve the minutes for the April 9, 2021 meeting.
Ansari/Stewart/approved.

Motion: To approve the minutes for the Sleep Apnea Committee Meeting on May 7, 2021.
McDonald/Marler/approved.

Motion: To approve the minutes for the Sleep Apnea Committee Meeting on June 28, 2021.
Ansari/Marler/approved.

PRESIDENT'S REMARKS

Dr. Bumgardner voiced appreciation for meeting in person. The past years has seen many changes and he looks forward to those changes being utilized for good in protecting the people of South Carolina.

STAFF REPORTS

- a. Office of Investigations and Enforcement Statistical Report
On behalf of Ms. Angela Baldwin, Ms. Christa Bell reported that in the second quarter of 2021 the Board had received forty-seven (47) complaints for a total of ninety-two (92) complaints year-to-date and closed ten (10) cases for a total of thirty-two (32) year-to-date.
- b. Office of Investigations and Enforcement Complaint Priority Report
Ms. Bell reported cases are classified based upon the category or factual allegations. Priority cases superceeds received order. Complaints of alcohol or substance abuse and mental health issues are referred for RPP evaluations. If it is found that complaint is true and there is an immediate threat to the safety of the public, then an immediate order of suspension can be ordered. The Agency is required to review case documents and ensure the burden of proof is met as an immediate order can be challenged. The most common categories of priority cases are: mental or physical impairment; over prescribing or diversion of controlled substance; alcohol and/or drug abuse or addition; criminal arrest or conviction of a serious

or violent nature; inappropriate sexual behavior; use of unsafe or dangerous devices; unlicensed practice; practicing outside the scope; and professional incompetence providing immediate threat to the public.

Dr. Ansari requested clarification as to when a respondent has multiple cases against them and they are continuing to practice, is there a way to prioritize those cases. Ms. Bell stated those are prioritized and the Board has the ability to enter an interim order restricting practice of the respondent. Issues of the need for additional staff to cut down on case time was asked of Ms. Bell. She stated the Board has seen a significant decrease in case processing time in the past few years due to some administrative procedure changes.

c. Investigative Review Committee Report

Ms. Bell reported the IRC Committee met on June 17, 2021, recommending ten (10) cases for dismissal, three (3) letters of caution and three (3) formal complaints.

Motion: To accept the ten (10) cases for dismissal.
Marler/Ansari/approved.

Motion: To move to closed session due to sensitive health issues.
Brown/Marchi/approved.

Motion: To return to public session.
Stewart/Marler/approved.

Motion: To accept the two (2) cases for letters of caution.
Dr. Bumgardner to recused from 2019-119.
McDonald/Ansari/approved.

Motion: To accept case 2019-119 for letter of caution.
McDonald/Marler/approved.

Motion: To accept the three (1) case for formal complaint.
Dr. Bumgardner to recused from 2019-64
Stewart/Marchi/approved.

Motion: To accept case 2019-64 for formal complaint.
Brown/Marler/approved.

d. Office of Disciplinary Counsel

Ms. Shealey reported there are currently twenty-nine (29) cases open. Of the open cases, twenty-three (23) are pending agreements and three (3) are pending advice. Since the last meeting, nine (9) cases have been closed.

Motion: To enter into closed session for hearing of 2019-46, 2019-80, and 2019-139.
Brown/Marler/approved.

DISCIPLINARY HEARING

a. 2019-46, 2019-80, 2019-139

The respondent was present before the Board for a closed hearing. Respondent was represented by Joe Tienary, Esq.

Motion: To enter into executive session for legal advice. Ms. Buttler requested to remain. McDonald/Marler/approved.

Motion: To return to closed session. Stewart/Ansari/approved.

Dr. Bumgardner stated no votes were taken in executive session.

Motion: To accept the panel recommendations as written. Upon proof of restitution the respondent can petition the Board for a reduction in ruling. McDonald/Stewart/approved.

Motion: To return to open session. Stewart/Brown/approved.

APPLICATION HEARING

a. Melissa Hinton, RDH

Ms. Hinton appeared before the Board for an application hearing. Hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary.

Motion: To approve Ms. Hinton's application for reinstatement. Hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary. Marchi/Stewart/approved.

b. Amy Wilson, RDH

Ms. Wilson appeared before the Board for an application hearing. Hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary.

Motion: To approve Ms. Wilson's reinstatement application. Brown/Ansari/approved.

c. Megan Bickers, RDH

Dr. Bickers appeared before the Board for an application hearing. She was not represented by counsel and was sworn in by the court reporter. Hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary.

Motion: To approve Dr. Bicker's reinstatement application. Ansari/Marler/approved.

d. Cheryl Woolwine, RDH

Ms. Woolwine appeared before the Board for an application hearing. She was not represented by counsel and was sworn in by the court reporter. Hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary.

Motion: To approve Ms. Woolwine's reinstatement application.
Ansari/Brown/approved.

e. Venesa Crumpley, DDS

Dr. Crumpley appeared before the Board for an application hearing. She was not represented by counsel and was sworn in by the court reporter. Hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary.

Motion: To approve Dr. Crumpley's reinstatement application.
Brown/Marler/approved.

g. Michael Sloan, DMD

Dr. Sloan appeared before the Board for an application hearing. Hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary.

Motion: To approve Dr. Sloan's reinstatement application.
Marler/Brown/approved.

h. William Gilliam, DMD

Dr. Gilliam appeared before the Board for an application hearing. He was represented by counsel and was sworn in by the court reporter. Hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary.

Motion: To approve Dr. Gilliam's reinstatement application.
Brown/Marler/approved.

i. Lydon Alford, DMD

Dr. Alford appeared before the Board for an application hearing. He was represented by John C. Bradley and was sworn in by the court reporter. Hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary.

Motion: To enter into executive session for legal advice. Ms. Buttler to remain.
Marler/Stewart/approved.

Motion: To return to public session.
Ansari/Marler/approved.

Dr. Bumgardner stated no votes were taken in executive session.

Motion: To approve Dr. Alford's reinstatement application.
Brown/Ansari/approved.

j. Jack Case, DDS

Dr. Case appeared before the Board for a hearing. He was not represented by counsel and was sworn in by the court reporter. Hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary.

Motion: To enter into executive session for legal advice. Ms. Buttler to remain.
Ansari/Marler/approved.

Motion: To return to public session.
Ansari/Marler/approved.

Dr. Bumgardner stated no votes were taken in executive session.

Motion: To deny Dr. Case's application for licensure by credential due to not meeting the clinical examination requirements.
McDonald/Ansari/approved.

Motion: To enter into open session.
Ansari/Marchi/approved.

NEW BUSINESS

a. Review of Manikin-Based Clinical Exam Acceptance

Due to flight conflicts, Ms. Laudenslager with CDRTS presented the 2020 report for the manikin-based clinical examination. Presentation was for Board information only.

REPORTS

a. Sleep Apnea Committee Report

Dr. McDonald reported the committee met twice, appointing a work group comprised of committee members Dr. Comisi, Dr. Barbieri, and Dr. Bayer. Dr. McDonald thanked the work group for their hard work and research supporting the following proposal: If screening suspicions dictate, a licensed dentist in South Carolina may order a Home Sleep Test (HST), which will be read, interpreted and a diagnosis be rendered by a South Carolina licensed sleep physician, with results, diagnosis and therapeutic recommendations provided by that physician as part of the dentist's ongoing care of their patients.

Motion: To approve the committee's recommendation.
Stewart/Ansari/approved.

b. Administrator Report

Ms. Buttler reported there are currently 3,574 general dental licenses; 716 specialty licenses; 4,225 dental hygiene licenses; 5,252 dental assisting with nitrous oxide monitoring certificates; 175 dental technician licensees; and 7 orthodontic technicians. The Board's current cash balance as of May 31, 2021 is \$4,410,841.02.

The Board held the election for the District 1 board seat. Following a double blind count conducted by Board staff, Dr. Britt Reagin has been declared the winner of the election.

The upcoming specialty examinations will take place on Friday, July 16, 2021 at the LLR Headquarters. Examinations will be conducted in two waves, with exams beginning at 9am and 1pm. Currently there are 21 applicants registered for the exams. The next state examination will be conducted in January 2022.

Ms. Buttler shared S.571/Act 22: Prescribers to Offer Prescription for Naloxone Hydrochloride & Provide Overdose Education adds Section [44-53-361](#) (Poisons, Drugs, and Other Controlled Substances) to require a prescriber to offer a prescription for naloxone hydrochloride or another drug approved by the FDA for the complete or partial reversal of opioid depression to a patient if certain requirements as listed in the statutes are met. The Act also requires a prescriber to offer the same patient, or the parent/guardian of a minor patient, overdose education. A prescriber who fails to comply with these requirements may be subject to discipline by the appropriate licensing board. This will become effective July 25, 2021.

The Commission on Dental Competency Assessment and the Western Regional Examining Board, have announced their intention to combine into one organization. A Memorandum of Understanding was signed on June 15, 2021, outlining the intent of the merger. The new entity will be known as CDCA-WREB. Together, the merged entity will administer the ADEX exams. The transition to fully operationalize the merger is expected to be ongoing throughout 2022. The combined organization intends to administer both the ADEX exam and the current WREB exam throughout 2022 and will begin to administer only the ADEX exam at all locations for the Class of 2023.

OLD BUSINESS

a. Board Clarification: Orofacial Myofunctional Therapy

Ms. Horner presented the Board with a revised FAQ for OMT.

Motion: To approve the proposed FAQ on OMT.
Brown/Marchi/approved.

b. Delegation of Reinstatement Application Approval to Board President

Ms. Buttler presented a revised delegation approval proposal and additional research supporting the request.

Motion: To approve delegation to the Board President the authority to determine whether an applicant for reinstatement meets the qualifications for reinstatement and has the authority to grant approval for reinstatement applications without appearance before the Board.
Marler/Ansari/approved.

NEW BUSINESS

a. **Review of Manikin-Based Clinical Exam Acceptance**

Dr. Bumgardner welcomed the various examination agency representatives: Jessica Bui with SRTA, Ms. Laudenslager with CRDTS, Dr. Collins with CITA, Ms. Cobb with CDCA and Dr. Huja and Dr. Kessler with MUSC. Dr. Bumgardner expressed concern over what the Board had been informed was to be done with the manikin-based exams and what is actually being done. The floor was then opened to other Board members for their feedback. Ms. Marchi stated most of South Carolina dental hygienists were taking the CRDTS examination and feedback from the various educational institutions were favorable. Dr. Ansari echoed Ms. Marchi's viewpoint that the manikin-based exam provided a fairer, more equalized scenario and testing environment. Dr. Kessler stated the pass/fail rate remained consistent with the patient based examination but allowed for more flexibility with examination schedules and reduced the burden on the student who usually had to paid patients to appear. Dr. Stewart recommended the Boards acceptance of the manikin-based exams be extended through 2023 allowing the Board to present their concerns to the examination agencies.

Motion: To extend the acceptance of the manikin-based clinical examinations for both dental and dental hygiene through December 31, 2022. The Board will present examination concerns to the testing agencies and will reevaluate exam acceptance following agency addressing of Board concerns.
Stewart/Brown/approved.

b. **Clarification: Performing Silver Dia Fluoride Treatment**

Dr. Bumgardner stated an inquiry had been received by Board staff as to whether a dental assistance could perform silver dia fluoride treatment. In review of Regulation 39-12(3), it was Dr. Bumgardner's opinion silver dia fluoride would be categorized as topical drug as prescribed by a licensed dentist.

Motion: To enter into executive session for legal advice. Ms. Buttler requested to remain.
Brown/Stewart/approved.

Motion: To return to public session.
Stewart/Brown/approved.

Dr. Bumgardner stated no votes were taken in executive session.

Motion: Application of Silver dia fluoride fall under Regulation 39-12(3) as a topical drug as prescribed by a licensed dentist.
McDonald/Marler/approved.

APPLICATION HEARING

f. Mir Siddiqua, DMD

Dr. Siddiqua appeared before the Board for an application hearing. She was not represented by counsel and was sworn in by the court reporter. Hearings are recorded by a certified court reporter in the event a verbatim transcript is necessary.

Motion: To approve Dr. Siddiqua's application for reinstatement.
Brown/Ansari/approved.

NEW BUSINESS

c. Travel Approval: CRDTS Annual Meeting on August 26-28, 2021 in Nashville, TN

Motion: To approve travel for two Board members and Board administrator to attend.
Marler/Ansari/approved.

d. Travel Approval: SRTA Annual Meeting on August 5-7, 2021 in Nashville, TN

Motion: To approve travel for Dr. Bumgardner, Dr. Brown, Dr. Ansari and Board administrator to attend. Dr. Brown sits on the Strategic Planning Committee, Dr. Ansari sits on the Board of Directors and Dr. Bumgardner sits on various committees for SRTA.
Marler/Ansari/approved.

e. Travel Approval: AADB Annual Meeting on October 30-31, 2021 in San Antonio, TX

Motion: To approve travel for all Board members, Board administrator, and Board advice counsel to attend. All members are requested to ensure continuation of knowledge for the Board.
Stewart/Brown/approved.

Dr. Bumgardner recommended voting on travel approval for the upcoming ADEX meeting on August 5-7, 2021 in Chicago, IL. Dr. Machowski has served as the ADEX representative.

Motion: To include the travel approval on the meeting agenda due to emergency circumstance.
Marler/Stewart/approved.

Motion: To approve travel for Dr. Machowski and one additional board members to attend the ADEX Meeting on August 5-7, 2021 in Chicago, IL.
Brown/McDonald/approved.

f. Approval: Additional Disciplinary Panel Members

Ms. Buttler presented the Board with a list of additional disciplinary Board members. All recommended licensees are former board members. Additional panel members are being requested due to increase in panel hearings.

Motion: To approve the presented licensees to serve on the Dental Disciplinary Panel.
Marler/Brown/approved.

g. 2022 Board Meeting Dates

Motion: To approve the 2022 Board Meeting Dates.
Marler/Marchi/approved.

h. 2022 Specialty Examination Dates

Motion: To approve the 2022 Specialty Examination Dates.
McDonald/Ansari/approved.

PUBLIC COMMENTS

None.

ANNOUNCEMENT

Next Board Meeting is on October 8, 2021.

ADJOURNMENT

Motion: To adjourn.
Stewart/Brown/approved.

The July 9, 2021, meeting of the S.C. Board of Dentistry adjourned at 2:50 p.m.