

**MINUTES**  
**South Carolina Board of Dentistry**  
**Board Meeting**  
9:00 a.m., July 14, 2023

Members of the public who wished to observe may have done so by live streaming at  
<https://lir.sc.gov/bod/videos.aspx>

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:**

Murtuza A. Ansari, DMD - President  
Sherie W. Barbare, RDH – Secretary  
Carolyn L. Brown, DMD  
Charles Bumgardner, DMD  
Elizabeth Marchi, RDH  
Donald L. Marler, DMD  
Thomas A. McDonald, DMD, MD  
Britt K. Reagin, DMD

**SCLLR STAFF PRESENT:**

Bob Horner, Esq., Office of Advice Counsel  
Prentiss Shealey, Esq., Office of Disciplinary Counsel  
Casey Smith, Esq., Office of Disciplinary Counsel  
Amy Holleman, Board Administrator  
Norma McAllister, Program Assistant  
Shamone Breazeale, Administrative Assistant  
Yolanda Lewis, Administrative Assistant  
Ashley Bailey, Lead Investigator, Office of Investigations and Enforcement  
Lolei Bristow, Investigator, Office of Investigations and Enforcement  
Jennifer A. Hollis, Investigator, Officer of Investigations and Enforcement  
Patrick Jarvis, Manager, Finance Department  
April Wailing, Finance Department  
Xavier Kent, Media Resource Technician, Web Development Division

**PRESENT:**

Nicholas Stephen Morenz  
Maryann Jean Nelson-Fox  
Virginia Ellen Walsh  
Nadine A. Garrett, Court Reporter, Creel Court Reporting, Inc  
Julia K. Mikell, DDS – South Carolina Dental Association  
Dr. Sorin Teich – Medical University of South Carolina (MUSC)  
Dr. Rick Callan

**CALL TO ORDER:** Dr. Ansari, President called the meeting to order at 9:02 a.m.

### **APPROVAL OF AGENDA**

Dr. Ansari called for a motion to approve the agenda with the modification that the presentation for item #11 A directly followed item #5A.

**Motion:** To approve the agenda  
Marler/McDonald/approved

### **BOARD MISSION AND MEMBER STATISTICS**

Dr. Ansari stated the Board's mission is to promote the health, safety, and economic well-being of the public through regulation, and licensing of dentist, dentist hygienist, and dental technicians. The Board also investigates complaints; conducts application and disciplinary hearings in accordance with statute and regulations of the South Carolina State Board of Dentistry.

The Board currently has one vacant seat, for a public member and one at-large dentist expired seat. Interested individuals may submit a cover letter and résumé to the South Carolina Office of Boards and Commissions according to the SC Code of law 40-15-20(A). The terms of members are for six years or until their successor are appointed and qualified.

Congressional Districts 2 and 3 seats expire on December 31, 2023. Dentist in those districts received notice via email on March 31, 2023. A Dentist from each district has applied for the vacant seats. The applicant names will be submitted to the Governor for consideration.

### **INTRODUCTION OF BOARD MEMBERS:**

Members of the Board introduced themselves.

### **APPROVAL OF EXCUSED ABSENCES:**

Dr. Stewart and Dr. Eddy were absent.

**Motion:** To approve absences  
Marler/Marchi/Approve

### **APPROVAL OF BOARD MEETING MINUTES:**

The Board reviewed the minutes.

**Motion:** To approve the minutes for April 14, 2023  
McDonald/Marler/Approve

### **OLD BUSINESS**

#### **Discussion: Fees – Patrick Jarvis**

Mr. Jarvis presented a general overview of the Board's finances and current financial status. He informed the Board that the agency conducts a yearly comprehensive cost analysis for each Board. The Board questioned Mr. Jarvis regarding the Board's finances.

Ms. Holleman will provide a report to the Board members with the number of sedation permits issued to each provider/licensee within the past year.

## **PRESIDENT’S REMARKS**

Dr. Ansari stated concerns regarding the inspection of the Mobile Dental facilities.

## **STAFF REPORTS**

- a. Office of Investigations and Enforcement Statistical Report – Ashley Bailey, Lead Investigator  
Ms. Bailey reported for the period of January 3, 2023 to July 6, 2023, that the agency received sixty-seven (67) complaints and closed 60. The Board reviewed the report.

Dr. Bumgardner asked that the Board review the training process for sedation inspections at the October 6, 2023 Board meeting.

Dr. Ansari called for a motion to move into a closed session.

**Motion:** To move into closed session  
Brown/Marler/approved

- b. Investigative Review Committee Report – Ashley Bailey, Lead Investigator  
Ms. Bailey reported the IRC Committee met on July 6, 2023, recommending 16 cases for dismissal, two (2) Cease and Desist, two (2) letters of caution, and four (4) formal complaints.

**Motion:** To accept the 15 cases and case #2 accepted with the IRC logic recommendation for a letter of caution removed for dismissals.  
Bumgardner/Reagin/approved

**Motion:** To accept the three (3) letters of caution  
Bumgardner/Marler/approved

**Motion:** To accept the two (2) case for formal complaint  
Marler/McDonald/approved.

- c. Office of Disciplinary Counsel (ODC) Report – Prentiss Shealey, Esq.  
Ms. Shealey reported there are currently twenty-three (23) open cases. Of the open cases, nine (9) are pending hearings and agreements; and two (2) closed since April 14, 2023.

Dr. Ansari called for a motion to return to open session

**Motion:** To return to open session  
Bumgardner/Brown/approved

- d. Administrator Report – Amy Holleman  
Ms. Holleman informed the Board of current staffing changes and that staff mailed audit letters to licensees who did not claim their CE Broker accounts.

The Board’s cash balance as of May 31, 2023 was \$4,092,670.78.

**MOTION:** To move into closed session  
Brown/Barbare/approved

## **DISCIPLINARY HEARING**

**These proceedings were recorded by a certified court reporter in order to produce a verbatim transcript should one be necessary.**

A. Final Order Hearing

1. Case No.: 2015-49

Dr. McDonald recused himself from the hearing.

Prentiss Shealey, Disciplinary Counsel, representing the State, presented the Final Order. The Respondent's attorney, John Hudson and the Respondent appeared before the Board.

The Respondent's attorney addressed the Board and the Board questioned the Respondent regarding this matter. The State and the Respondent's attorney gave closing statements. Dr. Ansari called for a motion to go into executive session to seek legal advice.

**Executive Session**

**Motion:** To go into Executive Session to receive legal advice  
Brown/Barbare/approve

**Return to Public Session**

**Motion:** To come out of Executive Session  
Brown/Marler/approve

Dr. Ansari, President, noted for the record, there were no votes taken during Executive Session and called for a disposition in this matter.

**MOTION:** Accept dismissal recommendation of the Hearing Panel  
Bumgardner/Marler/approve

The Board recessed for 15 minutes.

Dr. McDonald returned to the session.

**PRESENTATION**

MUSC College of Dental Medicine – Dr. Sorin T. Teich

Dr. Teich presented to the Board and discuss competency, institutional compressing; assessment, comprehensive approach to Dental education offered to MUSC College of Dental Medicine students.

**APPLICATION HEARINGS**

**These proceedings were recorded by a certified court reporter in order to produce a verbatim transcript should one be necessary.**

**A. Dentist**

1. Brendan Manley

Dr. Manley, sworn in by the court reporter, appeared before the Board for an application hearing without legal counsel representation.

### **Executive Session**

**Motion:** To go into Executive Session to receive legal advice  
Brown/Marler/approve

### **Return to Public Session:**

**Motion:** To come out of Executive Session  
Marler/Bumgardner/Approved

Dr. Ansari, President, noted for the record, there were no votes taken during Executive Session and called for a disposition in this matter.

**Motion:** To approve the application after passing the jurisprudence exam  
McDonald/Reagin/Approved

#### 2. Susan Mary McMahan

Dr. McMahan, sworn in by the court reporter, appeared before the Board for an application hearing without legal counsel representation.

**Motion:** To approve the application after passing the jurisprudence exam.  
McDonald/Reagin/Approved

### **B. Dental Hygienist**

#### 1. Lynn M. Hall

Ms. Hall, sworn in by the court reporter, appeared before the Board for an application hearing without legal counsel representation.

### **Executive Session**

**Motion:** To go into Executive Session to receive legal advice  
Barbare/Marchi/approved

Dr. Brown left the meeting after the Board entered into Executive Session

### **Return to Public Session**

**Motion:** To come out of Executive Session  
Reagin/Marchi/approved

Dr. Ansari, President, noted for the record, there were no votes taken during Executive Session and called for a disposition in this matter.

**Motion:** To approve reinstatement of the dental hygienist license. In addition, Ms. Hall will provide the Board with the name and practice location of the supervising dentist for worksite approval; complete 10 hours of observation of a dental hygienist at the approved worksite; must complete thirty (30) days of clinical procedures under the direct supervision of the approved dentist. At the conclusion of the thirty (30) days, the supervising

dentist must notify the Board whether Ms. Hall is competent as a dental hygienist. If the dentist does not certify Ms. Hall's competency

then the Board might require additional remediation actions. In addition, Ms. Hall must attend a two hour anesthesia course.

Marchi/Barbare/approved

## NEW BUSINESS

- A. Clarification of Moderate Enteral Sedation Education Live Patient Requirement In  
David Palmer, Legal Regulatory Counsel for Dental Organization for Continuing Sedation Education (DOCS), an educational provider for moderate enteral and parenteral sedation. Mr. Palmer asked for the Board's clarification regarding the 10 live patient requirements for moderate enteral sedation for educational purposes. Mr. Palmer stated that DOCS is an AGD PACE (Academy of General Dentistry, Program Approval for Continuing Education) approved provider since September 2000. Mr. Palmer explained that the curriculum is designed to maximize and measure competency through methodology that have been scientifically verified by entities such as the National Institute of Health and the US Department of Education. He explained the various educational methods offered by DOCS.

The Board upheld its decision that the educational requirement for moderate enteral sedation must include the student's interaction with ten (10) live patients.

- B. OIE Reorganization – Donnell Jennings  
The presentation will be rescheduled.

- C. Approval of Policy on Patient Records

The Board discussed and approved the policy on patient records

**Motion:** To approve the new patient records policy that a dental business upon being notified by the attending dentist, even if the dentist is no longer employed with the company have 30 days from the date of notification to release the patient's records as request.

Marler/Brown/Approved

**Motion:** A complaint filed against a dentist for failure to supply patient's records should be simultaneously submitted with a complaint against the dental practice.  
Bumgardner/Marler/Approved

- D. Updated Summary of Procedures for Dental Hygienists, Expanded Duty Dental Assistants, and Dental Assistants

Ms. Holleman informed the Board that the current summary of procedures listed on the Board's website requires updating. The Hygiene Committee appointed by the Board submitted an updated summary of procedures for the Board's approval. The Board discussed the new procedures.

## Executive Session

**Motion:** To go into Executive Session to receive legal advice  
Brown/Marchi/approved

Dr. Brown left the meeting after the Board entered into Executive Session

### **Return to Public Session**

**Motion:** To come out of Executive Session  
Brown/Bumgradner/approved

Dr. Ansari, President, noted for the record, there were no votes taken during Executive Session and called for a disposition in this matter.

The Board deferred the discussion of the updated Summary of Procedures for Dental Hygienists, Expanded Duty Dental Assistants, and Dental Assistants to the next Board meeting.

E. Discussion of Temporary Restricted License – For Live Patient CE

Mr. Horner presented the temporary restricted licenses for live patient continuing education workgroup’s recommendations. The Board will review the recommendations and discuss at the next Board meeting.

F. Travel Approval: American Association of Dental Administrators Annual Meeting (AADA) – October 18-19, 2023 and American Association of Dental Boards (AADB) 140<sup>th</sup> Annual Meeting – October 20-21, 2023

The Board approved travel for both, the AADA October 18-19, 2023 and AADB 140<sup>th</sup> Annual Meeting, October 20-21, 2023.

**Motion:** Travel approved for the AADB 140<sup>th</sup> Annual Meeting, October 20-21, 2023 for the Board’s Legal Counsel, Administrator, and Board members; and for the Board Administrator to attend the October 18-19, 2023 AADA meeting.

Reagin/Marler/Approved

G. Reschedule October 6, 2023 Board Meeting

The October 6, 2023 Board meeting date remains the same.

### **PUBLIC COMMENTS**

There were not public comments.

### **NEXT MEETING**

The next scheduled Board meeting for the South Carolina Board of Dentistry is October 6 2023.

### **ADJOURNMENT**

**Motion:** To adjourn  
Brown/McDonald/approved

Dr. Ansari, after ensuring there being no further business to discuss, adjourned the July 14, 2023 meeting for the South Carolina Board of Dentistry at 2:00 p.m.