

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

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 wishing to attend may do so by live streaming at <https://lr.sc.gov/bod/videos.aspx>

BOARD MEMBERS PRESENT:

Murtuza A. Ansari, DMD - President
William D. Stewart, DMD – Vice President
Sherie W. Barbare, RDH – Secretary
Carolyn L. Brown, DMD
Charles Bumgardner, DMD
Harold N. Eddy, 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
Katherine Barroll, Esq., Office of Disciplinary Counsel
Casey Smith, Esq., Office of Disciplinary Counsel
Amy Holleman, Board Administrator
Norma McAllister, Program Assistant
Amanda Branham, Chief Investigator, Office of Investigations and Enforcement
Sonya Morse, Paralegal, Office of Disciplinary Counsel
Lolei Bristow, Investigator, Office of Investigations and Enforcement
Pete Siepert, Investigator, Officer of Investigations and Enforcement.
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
Dr. Walter Renne

CALL TO ORDER: Dr. Stewart, Vice-President called the meeting to order at 9:00 am.

APPROVAL OF AGENDA

Dr. Ansari called for a motion to approve the agenda.

Motion: To approve the agenda
McDonald/Bumgardner/approved

PRESENTATIONS

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

Dr. Teich experienced significant technical difficulties during the initial phase of the presentation. The Board agreed that Dr. Teich should schedule an in-person presentation for the next Board meeting.

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. Any person with questions regarding the elections may contact the Board's Administrator, Amy Holleman.

INTRODUCTION OF BOARD MEMBERS AND OTHERS:

Members of the Board introduced themselves.

APPROVAL OF EXCUSED ABSENCES:

All Board members were present.

PRESENTATION

Accurate Objective Assessment Using Digital Technology – Dr. Rick Callan

Dr. Callan presented the usage of innovative and educational digital technology with virtual aids usage during testing to assess the student's knowledge of the application of dentistry practices. Dr. Callan entertained questions from the Board.

APPROVAL OF BOARD MEETING MINUTES:

The Board reviewed the minutes.

Motion: To approve the minutes for January 13, 2023
Reagin/Marler/Approve

PRESIDENT'S REMARKS

Dr. Ansari asked that the Board address the issues involving overtreatment.

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

Motion: To move into closed session
Brown/Marchi/approved

STAFF REPORTS

- a. Office of Investigations and Enforcement Statistical Report - Amanda Branham
Ms. Branham reported for the period of January 1, 2023 to April 5, 2023 that the agency received thirty-six (36) complaints and closed 17. The Board reviewed the report.
- b. Investigative Review Committee Report – Amanda Branham, Chief Investigator
Ms. Branham reported the IRC Committee met on December 1, 2022, 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 #5 accepted with the IRC logic recommendation for a letter of caution removed for dismissals.
Marler/Reagin/approved

Motion: To accept the six (6) letters of caution
Bumgardner/McDonald/approved

Motion: To accept the one (1) case for formal complaint
Reagin/Brown/approved.

- c. Office of Disciplinary Counsel (ODC) Report – Prentiss Shealey, Esq.
Ms. Shealey reported there are currently twenty-eight (28) open cases. Of the open cases, eight (8) are pending hearings and agreements; twenty-one (21) pending closure and twenty-three (23) cases closed since April 13, 2023.

Motion: To approve the ODC report as presented
Marler/Brown/approved

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

Motion: To return to open session
McDonald/Marler/approved

- d. Administrator Report – Amy Holleman

Ms. Holleman informed the Board of current staffing changes, on February 2, 2023 she officially accepted the position of Board Administrator for the South Carolina State Board of Dentistry. Also, staff member, Lisa Hawsy retired.

Ms. Holleman informed the Board that:

- Partick Jarvis will present to the Board on July 14, 2023 regarding license fees
- The 2019 decision to reduce fees was placed on hold due to the pandemic
- Congressional Districts 2 and 3 are open for elections
- CE Broker non-registrants will be audited and notified
- Mobile facilities and portable operations are currently in renewal. Licenses will expire June 30th.
- The American Association of Dental Boards' (AADB) Mid-Year meeting will be held April 21-22, 2023

Ms. Marchi addressed the Board regarding participating in reviewing and updating the current Dental Hygienist Infiltration Anesthesia Exam administered by PSI. The Board discussed the matter and made a motion to create a workgroup with members being, Ms. Elizabeth Marchi, Dr. McDonald, Sherie W. Barbare

Motion: Create a workgroup to review and update the Dental Hygienist Infiltration Anesthesia Exam.

Bumgardner/Barbare/approved

The Board's cash balance as of March 31, 2023 was \$3,213,016.71.

The Board recessed

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. Susan Mary McMahon

Dr. McMahon was not present. The application will be heard at a later date.

2. Nicholas Stephen Morenz

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

MOTION: To approve Dr. Morenz's reinstatement application after passing the Jurisprudence exam with the provision that he takes the required Infection Control and CPR in-person course within 60 days of the reinstatement.

Reagin/Eddy/approved with the majority "yay" and one "nay"

3. Michael Edward Whalen

Dr. Whalen was not present. The application will be heard at a later date.

B. Dental Hygienist

1. Maryann Jean Nelson-Fox

Ms. Nelson-Fox, 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
Bumgardner/Brown/approved

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

Return to Public Session

Motion: To come out of Executive Session
Marler/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. Nelson-Fox 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. Nelson-Fox is competent as a dental hygienist. If the dentist does not certify Ms. Nelson-Fox's competency then the Board might require additional remediation actions.

Marchi/Marler/approved

2. Virginia Ellen Walsh

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

Dr. Harold N. Eddy recused himself.

Executive Session

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

Return to Public Session

Motion: To come out of Executive Session
Stewart/McDonald/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. Walsh 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. Walsh is competent as a dental hygienist. If the dentist does not certify Ms. Walsh's competency then the Board might require additional remediation actions.

Marchi/Marler/approved

Dr. Eddy returned to the session.

NEW BUSINESS

A. CE Courses – Modern Optimized Dentistry (MOD) Institute Live Patient CE Courses

Dr. Walter Renne presented before the Board asking that the Board consider allowing temporary licensure for out-of-state dentist/practitioners to attend live training working directly with a licensed South Carolina dentist to provide comprehensive dental care to indigent and medically compromised patients that do not have other options. The services are at no cost to the patient. The provisional licensure would be for three (3) days.

The Board discussed the matter.

Executive Session

Motion: To go into Executive Session to receive legal advice
Bumgardner/McDonald/approved

Return to Public Session

Motion: To come out of Executive Session
McDonald/Marler/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: Form a workgroup for a provisional licensure with members being Dr. Reagin, Dr. Eddy and Dr. Stewart
Reagin/Stewart/approved

B. Teaching for Continuing Education Credit

Ms. Holleman asked the Board for guidance regarding continuing education credits received for teaching continuing education courses. The Board discussed the matter and SC code 38-79-30. The Board agreed that the Teaching for Continuing Education Credit be added to the Provisional/Temporarily licensure workgroup

C. CRDTS (Central Regional Dental Testing Services) Annual Meeting Approval

Ms. Holleman informed the Board that the CRDTS (Central Regional Dental Testing Services) will hold its annual meeting in Kansas City, Missouri, August 25-26, 2023, Ms. Holleman stated that the Board may choose to approve attendance to the meeting for the Administrator and two board members. Currently, Dr. Marler is the Board representative.

MOTION: To approved the Administrator and two Board members to attend the CRDTS annual meeting in Kansas City, Missouri, August 25-26, 2023.
McDonald/Bumgardner/approved

D. CRDTS Examiner

Ms. Marchi recommended a dental hygienist candidate, Diane Clyburn as a CRDTS Dental Hygienist Examiners. The Board reviewed the Ms. Clyburn's résumé and entertained a motion in favor of the candidate.

MOTION: Recommend Diane Clyburn as a CRDTS Dental Hygienist Examiner
Marchi/Marler/approved

PROPOSED RESCHEDULE DATE FOR THE OCTOBER MEETING

The Board discussed the matter. The Board's meeting date shall remain, October 6, 2023.

LEGAL BUSINESS

Executive Session

Motion: To go into Executive Session to receive legal advice
McDonald/Marler/approved

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.

PUBLIC COMMENTS

There were not public comments.

NEXT MEETING

The next scheduled Board meeting for the South Carolina Board of Dentistry is July 14, 2023.

ADJOURNMENT

MOTION: To adjourn
Reagin/Marler/approved

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