

MINUTES
South Carolina Board of Dentistry
Board Meeting
9:00 a.m., January 19, 2024

Public notice of this meeting was properly posted at the S.C. Board of Dentistry office, Synergy Business Park, Kingtree 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:

William D. Stewart, DMD, President
Thomas A. McDonald, DMD, MD, Vice-President
Sherie W. Barbare, RDH, Secretary
Murtuza A. Ansari, DMD, Member
J. Brent Copeland, DMB, Member
Elizabeth Marchi, RDH
Julia K., Mikell, DDS Member
Britt K. Reagin, DMD

SCLLR STAFF PRESENT:

Bob Horner, Esq., Office of Advice Counsel
Donnell Jennings, Assistant Deputy Director of Investigations and Enforcement
Prentis Shealy, Esq., Office of Disciplinary Counsel
Amelia Leeks, Program Manager, Office of Investigations and Enforcement
Amy Holleman, Board Executive
Norma McAllister, Program Coordinator
Ashley Bailey, Lead Investigator, Office of Investigations and Enforcement
Lolei Bristow, Investigator, Office of Investigations and Enforcement
Jennifer A. Hollis, Investigator, Office of Investigations and Enforcement
Jessalyn Goode, Investigator, Office of Investigations and Enforcement
Pete Siepert, Investigator, Office of Investigations and Enforcement
Allen Gay, Department of Technology and Security IT Services Specialist

PRESENT:

Dr. Charles Bumgardner
Kaitlyn Marie Thompson, DMD
Dr. Mark Edwards, Director of Dental Examinations, CRDTS
Rachael Cobler, Executive Director for CRDTS
Tina Behles, Court Reporter, Capital City Reporting, Inc.

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

APPROVAL OF AGENDA

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

Motion: To approve the agenda
Ansari/Marchi/Approved

PRESIDENT’S REMARKS

Dr. Stewart welcomed the new Board members, Dr. Copeland and Dr. Mikell.

Dr. Stewart 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.

INTRODUCTION OF BOARD MEMBERS:

Members of the Board introduced themselves.

APPROVAL OF BOARD MEETING MINUTES:

The Board reviewed the minutes.

Motion: To approve the minutes for October 6, 2023
Ansari/Reagin/ Approved

APPROVAL OF EXCUSED ABSENCES:

Dr. Brown and Dr. Eddy were absent.

Motion: To approve absences
Reagin/McDonald/Approved

PUBIC COMMENTS

Dr. Bumgardner made a brief statement to the Board regarding the Board’s adverse events forms.

STAFF REPORTS

- a. Office of Investigations and Enforcement Statistical Report – Ashley Bailey, Lead Investigator
Ms. Bailey reported for the period of September 18, 2023 to January 10, 2024 that the agency received forty-one (41) complaints and closed twenty-three (23). The Board reviewed the report.

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

Motion: To move into closed session
Marchi/Reagin/Approved

- b. Investigative Review Committee Report – Ashley Bailey, Lead Investigator
Ms. Bailey reported the IRC Committee recommended eighteen (18) cases for dismissal, one (1) letter of caution, and one (1) formal complaint.

Motion: To return one case (#8) to the IRC for further investigation
McDonald/Ansari/Approved

Motion: To accept the 30 cases for dismissals.
Mikell/Copeland/Approved

Motion: To accept one (1) case for a Cease and Desist
McDonald/Ansari/Approved

Motion: To accept the five (5) cases for a formal complaint
Ansari/Reagin/Approved.

- c. Office of Disciplinary Counsel (ODC) Report – Prentiss Shealy, Esquire
Ms. Shealy reported there are currently twenty-two (22) open cases. Of the open cases, one (1) pending a Consent Agreement; eighteen (18) pending Memorandum of Agreements (MOA); two (2) pending Panel Hearings; one (1) pending a Board Hearing, and twenty-nine (29) cases closed within the past twelve (12) months.

Discussion: Oral Maxillofacial Surgeon (OMS) Dental Reviewers with Pterygoid Implant Experience

Ms. Shealey asked that the Board consider recommending and approving an Oral Maxillofacial Surgeon with Pterygoid Implant experience as an Expert Reviewer. The Board recommended that Dr. McDonald head the search for the surgeon and refer those names to the Office of Disciplinary Counsel.

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

Motion: To return to open session
Mikell/Ansari/Approved

- d. Board Executive Report – Amy Holleman
Ms. Holleman provided the Board's current staffing update and provided a brief report regarding the CE audits.

OLD BUSINESS

Discussion – Periodontal Exam Requirements

Dr. Ansari presented a letter addressed to the Board from Dr. Ellis, a periodontist and professor at the Medical University of South Carolina (MUSC) providing guidance with placing relevant periodontal questions on a periodontal exam for licensing in South Carolina. Dr. Ellis recommended a periodontal exam for both, the dentist and dental hygienist that requires a probing depth component, a calculus detection component, and a calculus removal component.

Motion: The South Carolina State Board of Dentistry requires the Periodontal Exam for licensing as a Dentist and/or Dental Hygienist to comprise of at least three components, probing depth, calculus detection and calculus removal inclusive with a diagnosis.
Ansari/Barbare/Approved

Discussion – Teaching for Continuing Education Credit

Deferred to the April 5, 2024 meeting

NEW BUSINESS

Central Regional Dental Testing Service (CRDTS) Presentation

Dr. Mark Edwards, Director of Dental Examinations, CRDTS and Ms. Richael Cobler, presented before the Board.

Appointment of a Representative for the CRDTS Steering Committee

Motion: To appoint Dr. J. Brent Copeland as the Board's representative for the CRDTS' Steering Committee.
Reagin/Mikell/Approved

Discussion – Dental Hygiene Reinstatement for Applicants Out of Practice for More than Six Years

The Board discussed the current guidelines for approval for Dental Hygiene Reinstatement applicants that have not practiced within six years, and granting the Board President the authority to approve the reinstatement with the established competency guidelines without requiring the applicant to initially appear before the full Board. The approved competency guidelines are as follows:

- The applicant must find employment with a licensed South Carolina Dentist, submit the name of the supervising dentist, and practice location to the Board for worksite approval.
- The dentist must understand the terms and agree to provide the requirements set forth by the Board that
 - Upon approval, the dental hygienist must undergo 10 hours of observation of a dental hygienist in the approved worksite office before engaging in clinical procedures on a live patient.
 - In-patient clinical procedures on a live patient must be done under direct supervision. Direct supervision means that a dentist is in the dental office,
 - personally diagnoses the condition to be treated,
 - personally authorizes the procedure, and
 - before the dismissal of the patient, evaluates the performance of the dental hygienist.*(This requirement does not mandate that the dentist be present in the room with the patient at all times, but he or she must be on the premises where the clinical procedures are occurring.)*
 - The applicant must complete thirty (30) days of clinical procedures under direct supervision of the approved dentist.
 - At the conclusion of the thirty (30) days of clinical procedures, the supervising dentist must notify the Board as to whether he/she believes the Applicant is competent as a dental hygienist in all aspects, including
 - clinical care
 - charting, and
 - Technology employed by the dentist.
 - Upon receipt of the Dentist’s recommendation, the Board will review and advise applicant of his/her licensure status.
- In the event that the supervising dentist does not believe that the Applicant is competent in dental hygiene after observing the dental hygienist for thirty (30) days, the supervising dentist must notify the Board of such fact. At that point, in time, the Applicant **must cease practicing** dental hygiene **immediately** and appear before the Board for consideration as to whether the Applicant should be required to
 - take additional remediation of their dental hygiene skills
 - retake a dental hygiene examination, or
 - Any other measures the Board deems necessary for the Applicant to establish high professional fitness.
- With respect to the applicant’s Infiltration Anesthesia and Nitrous Oxide Monitoring Certifications, the applicant will have their anesthesia certifications reinstated if:
 - Applicant complete a two (2) hours course related to anesthesia by dental hygienists and
 - Provide proof of completion to the Board at the end of the thirty (30) day evaluation period, provided the supervising dentist deems the applicant competent.

Motion: To grant the Board President authority to approve dental hygienists' reinstatement applications that have not practiced for more than six years without the requirement of a full Board appearance granted that the applicant must complete the Board's approved guidelines competency guidelines prior to reinstatement.
Ansari/Reagin/Approved

Travel Request: AADB Mid-Year Meeting, Chicago, IL, April 12-13, 2024

Motion: To approve one staff member, legal counsel and all of the Board Members.
McDonald/Reagin/Approved

Travel Request: CRDTS Annual Meeting, Kansas City, MO, August 23-24, 2024

Motion: To approve one staff member, legal counsel and all of the Board Members.
Marchi/McDonald/Approved

Legislative Contact

Motion: To approve Dr. Julie Mikell, as the legislative contact for the South Carolina Board of Dentistry.
Stewart/Reagin/Approved

DISCIPLINARY HEARING

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

Motion: To move into closed session
McDonald/Mikell/Approved

Memorandum of Agreement

1. Case No.: 2022-71
Prentiss Shealy, Disciplinary Counsel, representing the State, presented the Memorandum of Agreement. The Respondent appeared before the Board without legal representation.

The Respondent addressed the Board and answered questions regarding this matter. The State gave a closing statement.

Dr. Stewart 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
Regain/Ansari/Approved

Return to Public Session

Motion: To come out of Executive Session
McDonald/Ansari/Approved

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

Motion: To issue a Letter of Caution
McDonald/Ansari/Approved

ADJOURNMENT

Dr. Stewart, after ensuring there being no further business to discuss, adjourned the January 19, 2024 meeting for the South Carolina Board of Dentistry at 12:08 p.m.

NEXT MEETING

The next scheduled Board meeting for the South Carolina Board of Dentistry is April 5, 2024.