

MINUTES
South Carolina Board of Dentistry
Board Meeting
9:00 a.m., January 31, 2025

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:

Thomas A. McDonald, DMD, MD, President
K. Britt Reagin, DMD, Vice-President
Sherie W. Barbare, RDH, Secretary
J. Brent Copeland, DMD
Kip S. Covington, DMD
Harold N. Eddy, DMD
Julia K. Mikell, DDS
Amy E. Natoli, DH, BSDH
Robert P. Rodelsperger DMD

SCLLR STAFF PRESENT:

Bob Horner, Esq., Office of Advice Counsel
Prentis Shealy, Esq., Office of Disciplinary Counsel
Casey Smith, Esq., Office of Disciplinary Counsel
Maggie Murdock, Program Director
Amy Holleman, Board Executive
Norma McAllister, Program Coordinator
Celeste Scott, Administrative Assistant
Beverly Gould, Paralegal, Office of Disciplinary Counsel
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
Pete Siepert, Investigator, Office of Investigations and Enforcement
Valerie Eady, Investigator, Office of Investigations and Enforcement
Billie Chambers, IT Services Specialist

PRESENT:

Dr. Mark Edwards, CRDTS Director of Dental Examinations
Richael “Sheli” Cobler, CRDTS Executive Director
Jason Grubb, Engagement Manager, CE Broker
Jay Davis, Esquire
Dr. Jay Brian Reznick
Dr. Jina Lynn Kaiser
Dr. John E. Reese III
Dr. Charles Bumgardner
Tina Behles, Court Reporter, Capital City Reporting, Inc.

CALL TO ORDER: Dr. McDonald, President called the meeting to order at 9:07 a.m. Dr. McDonald welcomed the new Board members, Dr. Robert P. Rodelsperger, Dr. Kip Covington, and Ms. Amy E. Natoli.

APPROVAL OF AGENDA

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

Motion: To approve the agenda
Copeland/Reagin/Approved

PRESIDENT'S REMARKS

Dr. McDonald stated that the Mission of the Board of Dentistry is to promote the health, safety and economic well being of the public through regulation, and licensing of dentist, dental hygienist, and dental technician. The Board also investigates complaints; and conducts application and disciplinary hearings in accordance with State statutes and regulations.

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 successors are appointed and qualified. The Congressional District 5 dentist and at-large dental hygienist seat expires on January 1, 2026 and December 31, 2025, respectively. In March 2025 licensed dentist in District 5 will receive notice via email of the election to fill the seat for SC Code of law 40-15-20 and Regulation 39-6. Dental Hygienist interested in the at-large dental hygiene seat may submit a cover letter and résumé to the South Carolina Office of Boards and Commissions.

INTRODUCTION OF BOARD MEMBERS

Members of the Board introduced themselves.

APPROVAL OF EXCUSED ABSENCES

Dr. Brown was not in attendance.

Motion: To approve absent
Reagin/Mikell/Approved

APPROVAL OF BOARD MEETING MINUTES

The Board reviewed the minutes.

Motion: To approve the minutes for October 25, 2024
Copeland/Reagin/Approved

PUBIC COMMENTS

None

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

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

STAFF REPORTS

- a. Office of Investigations and Enforcement Statistical Report - Ashley Bailey, Lead Investigator
Ms. Bailey reported for the period of January 1, 2024 to December 31, 2024 that the agency received two-hundred and twenty-eight (228) complaints; has seventy-eight (78) active investigations, and closed one-hundred and eighty-five (185) cases.

b. Investigative Review Committee Report – Ashley Bailey, Lead Investigator

Ms. Bailey reported that the IRC Committee recommended nineteen (19) cases for dismissal, three (3) letters of caution and to issue three (3) formal complaints.

Motion: To accept the eighteen (18) cases for dismissals with stated corrections; further investigate Key #17 and dismiss based on the findings of the additional information.
Mikell/Reagin/Approved

Motion: To issue one (3) Letter of Caution with amended verbiage for Key #20.
Mikell/Reagin/Approved

Motion: To issue three (3) Formal Complaints
Reagin/Copeland/Approved

c. Office of Disciplinary Counsel (ODC) Report – Prentiss Shealey, Esquire

Ms. Shealey reported there are currently thirty (30) open cases. Of the open cases, ten (10) are pending hearings and agreements; zero (0) closed since October 3, 2024; and six (6) closed since January 1, 2024.

d. Parameters for Licensees Not in Compliance with CE Audit – Prentiss Shealey, Esquire

Ms. Holleman provided the audit report to the Board; 1017 licensees were audited; 249 licensees were not in compliance; 156 licensee signed private non-disciplinary Consent Agreement; three (3) dentists were suspended for Failure to Comply with signed CA Agreement; 93 licensees did not communicate with the Board and/or refused to sign a Consent Agreement, these individuals will be referred to the Office of Disciplinary Counsel.

Ms. Holleman informed the Board that as of today, 2044 licensees have not renewed. Ms. Holleman and Mr. Horner addressed the Board regarding this matter, a discussion ensued. As a reminder, Ms. Holleman informed the Board, that on or about 2005 its Policy determined that if a licensee is fully retired from the practice of Dentistry, Dental Hygiene, Dental Technology or Orthodontic Technology, then they could renew their license with an exemption; however, they had to apply for said exemption every renewal period with the understanding that if they decided to re-enter the practice of dentistry they then would be required to make up any continuing education (CE) deficit that occurred during the year(s) they were exempted from continuing education.

The Board granted the Board's Advice Counsel and Executive the discretion on determining the method to contact each licensee that failed to renew during for 2025-2027 licensure period, with the renewal period ending on March 1, 2025. The Board's Advice Counsel and Executive will communicate updates regarding the decision/method to the Board's President.

Ms. Shealey the addressed the Board regarding licensees not in compliance with the continuing education audit for the 2021-2023 licensure period, the Board discussed the matter. The Board considered disciplinary parameters for those licensees that failed to complete their CEs (2021-2023) and/or comply with the Board's continuing education audit for the licensing period ending March 1, 2025. They also discussed how to handle licensees whom Board staff has been unable to contact for the audit since licensees are required to update their contact information with the Board office within thirty (30) days of a change of address.

e. Parameters for Corporate Dental Practice Failure to Provide Records – Prentiss Shealey, Esquire

Ms. Shealey address the Board regarding this matter and a discussion ensued.

The Board recessed for ten (10) minutes.

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

Motion: To return to open session
Copeland/Natoli/Approved

Continuing Education Audit Compliance Parameters:

Motion: Consent Agreement (CA) parameters related to individuals who have not completed their Continue Education (CEs) for the 2021-2023 licensure period, for those who have either not complied or have signed a Consent Agreement prior to this time of which we suspect are about 90. The Consent Agreement (CA) parameters, for these identified licensees, if wishing to avoid further discipline will be a Public Reprimand; \$5,000 fine for the Dentist; \$1,500 for the Dental Hygienist, and Dental Technicians; 15 days from the date of the letter to sign the CA; As authorized by the Board, non-responsive licensees after the 15th day will be Administratively Suspended by staff for lacking the completion of required continuing education.

The licensee must submit fines and come into compliance with CEs (CEs can all be online) within 45 days of the date of the executed CA. Noncompliance with the signed CA after the 45 days, in that the licensee has not paid the fine and/or completed the required CEs for the 2021-2023 licensure period, for these individuals, their licenses would be Administratively suspended by staff, as authorized by the Board.

Read by Advice Counsel/Reagin/Mikell/Approved

Motion: Consent Agreement (CA) parameters related to Dental Hygienist and Dental Technicians who have not completed their Continue Education (CEs) for the 2021-2023 licensure period, for those who have not either complied or have signed a Consent Agreement prior to this time of which we suspect are about 90. The Consent Agreement (CA) parameters, for these identified licensees, if wishing to avoid further discipline will be a Public Reprimand; \$1,500 for the Dental Hygienist, and Dental Technicians; 15 days from the date of the letter to sign the CA; As authorized by the Board, non-responsive licensees after the 15th day will be Administratively Suspended by staff for lacking the completion of required continuing education.

The licensee must submit fines and come into compliance with CEs (CEs can all be online) within 45 days of the date of the executed CA. Noncompliance with the signed CA after the 45 days, in that the licensee has not paid the fine and/or completed the required CEs for the 2021-2023 licensure period, for these individuals, their licenses would be Administratively suspended by staff, as authorized by the Board.

Read by Advice Counsel/Reagin/Mikell/Approved

Consent Agreement Parameters for Corporate Dental Practice Failure to Provide Records

Motion: The discussion involved Consent Agreement parameters for the corporate practices of dentistry which excludes, a corporation that is owned by a dentist because the Board has jurisdiction over that dentist's specific license. This is corporate practice of

dentistry where the Board only has jurisdiction over their fail to timely provide patient's records when requested. So, when a person who is authorized by law whether it be a dentist with an appropriate release; a parent; or anyone else who holds the position of being able to request records from a corporate dentist office and makes that request in writing should those records remain in the possession of corporation due to the dentist who treated the patient, either is no longer at the practice or not having lawful access to those records, the Board may fine the corporate practice.

The Board has agreed that in any open compliant that investigation once the realization has been made that the dentist himself worked for a corporate practice to retain the records so that dentist no longer has lawful right to access those records, the corporate practice will be notified of the issue of the complaint and those records will be requested. The corporate dentistry practice will then have 30 days to produce those records to LLR and/or the lawful recipient of the records, if this action occurs, that particular case will be closed. In the event that the 30 days past and the records have not been provided, the Board has authorized a Consent Agreement parameter for that corporate practice, which will be \$5,000 monetary sanction for failure to produce the records, per initial occurrence, per patient, per violation increasing \$1,000 every 30 days, per patient, per occurrence until the records are release or until maximum fine of \$10,000 which is the limitation set by the statute.

Read by Advice Counsel/Copeland/Natoli/Approved

f. Board Executive Report – Amy Holleman

Ms. Holleman provided an update regarding active South Carolina licenses; 4074 dentists of which 845 hold specialty and 4708 dental hygienists, of which 2519 hold an infiltration anesthesia certificate and 150 dental technicians of those, seven (7) are orthodontic technicians. Ms. Holleman informed the Board that the Dentistry's licensees are currently in renewal.

Ms. Holleman introduced, new staff member, Celeste Scott.

NEW BUSINESS

CRDTS Dental Exams Update

Dr. Copeland provided an update and a copy of the report. Dr. Copeland informed the Board that the CRDTS/SRTA merger has been completed. Dr. Copeland informed the Board that the CRDTS's dental hygiene exam review committee has a vacancy and has requested that the Board provide a representative.

Motion: To recommend Ms. Sherrie Barbara as the CRDTS Test Reviewer
Copeland/Natoli/Approved

CODA Report – Florence – Darlington Technical College

Ms. Holleman stated that Dr. Ansari witnessed the 2024 Florence – Darlington Technical College's CODA site visit. Dr. Ansari provided a report for the Board.

Board Meeting Date – April 2025

Proposal to move April Board meeting date to April 11, 2025 to April 4, 2025. All present Board members agreed on the April 4, 2025 Board meeting date.

CE Broker – Jason Grubb

Mr. Grubb, appearing via WebEx, presented information regarding CE Broker to the Board. Mr. Grubb's provided a general overview, information regarding its platform, the reason for its existence, where its existences, some of its features that existences within CE Broker; adoption and compliance trends across licensing populations; and recording functionality features of CE Broker. Mr. Grubbs responded to questions from the Board.

APPLICATION HEARINGS

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

Dentist

Dr. Jay Brian Reznick

Dr. Reznick, sworn in by the court reporter, appeared before the Board for an application hearing without legal counsel representation. Dr. Reznick addressed, and answered questions from the Board.

Motion: To approve application
McDonald/Eddy/Approved

Dr. Jina Lynn Kaiser

Dr. Kaiser, sworn in by the court reporter, appeared before the Board for an application hearing without legal counsel representation. Dr. Kaiser addressed, and answered questions from the Board.

Motion: To approve application
Reagin/Mikell/Approved

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

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

DISCIPLINARY HEARINGS

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

Case No.: 2019-64 – Memorandum of Agreement (MOA)

Prentiss Shealey, Disciplinary Counsel. representing the State, presented the Memorandum of Agreement. Jay Davis, attorney for the Respondent and the respondent addressed the Board. Both responded to questions from the Board. Both, Ms. Shealey and Mr. Davis gave closing statements.

Case No.: 2020-31 – Consent Agreement

Prentiss Shealey, Disciplinary Counsel, presented the Consent Agreement to the Board.

Executive Session: Legal Advice Regulation 39-1 Revisions

Return to open Session and immediately go into Executive Session

Motion: To return to open session, then to go into Executive Session to receive legal advice for these matters.
Copeland/Mikell/Approved

Return to Closed Session

Motion: To come out of Executive Session
Mikell/Reagin/Approved

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

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

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

Case No.: 2019-64 – Memorandum of Agreement (MOA)

Motion: Accept MOA, issue a private reprimand; fine \$1,210.00 payable within three (3) months of the date of the signed order.
Rodelsperger/Mikell/Approved

Case No.: 2020-31 – Consent Agreement

Motion: Accept the Consent Agreement in addition to the licensee's required continuing education hours that the licensee has an additional four (4) hours each of periodontic and operative. The additional hours must be completed within nine (9) months of the signed order.
Reagin/Eddy/Approved

ADJOURNMENT

Dr. McDonald, after returning to open session and ensuring there being no further business to discuss, adjourned the January 31, 2025 meeting for the South Carolina Board of Dentistry at 2:15 p.m.

NEXT MEETING

The next scheduled Board meeting for the South Carolina State Board of Dentistry is April 4, 2025.