

Minutes of the South Carolina Board of Dentistry
Business Meeting, Application and Reinstatement Hearings, Disciplinary Issues
January 16, 2015
Synergy Business Park, Kingtree Building, Room 108
110 Centerview Drive, Columbia, SC 29210

Board members present were:

Douglas J. Alterman, D.M.D., President
Z. Vance Morgan, IV, D.M.D., Vice President
Arthur L. Bruce, D.M.D., Secretary
Paul S. Coombs, D.M.D.
Felicia L. Goins, D.D.S.
Samuel M. Hazel, D.M.D.
Walter J. Machowski, Jr., D.M.D.
Dennis A. Martin, D.M.D.
Sherie Williams-Barbare, R.D.H.
Eric C. Schweitzer, Esquire

Board members with excused absences were:

Elaine A. Murphy, R.D.H.

Staff and others present were:

Nicole M. Browning, RDH
Kate K. Cox, LLR Administrator
Jack Lee Crocker, DMD
Lorie Graham, OIE Investigator
Gordon A. Gray, DMD
Lisa Hawsey, LLR Administrative Assistant
Ashley S. Heslop, Esq.
Annie Heyward, LLR Administrative Assistant
Alex S. Imgrund, LLR Advice Attorney
David Love, OIE Chief Investigator
Christopher McCoy, RPP
Prentiss C. Shealey, LLR Litigation Attorney ODC
Jennifer Thompson, Thompson Court Reporter
Richard Wilson, RPP
Jing Zhou, DDS

CALL TO ORDER:

The Regular Session of the South Carolina Board of Dentistry was held at the Synergy Office Park, Kingtree Building, 110 Centerview Drive, Room 108, in Columbia, South Carolina. Whereas, proper notice of date, time, place and agenda information having been properly provided to THE STATE NEWSPAPER AND ASSOCIATED PRESS and proper notice also having been posted at the LLR Office Building 24 hours prior to the time scheduled for the meeting and a quorum having been noted as present, Dr. Alterman, President, called the meeting to order at 9:05 a.m. All votes referenced herein were unanimous unless otherwise noted.

APPROVAL OF THE AGENDA AND THE MINUTES:

Motion: A motion was made by Mr. Schweitzer to approve the Agenda for the meeting. Dr. Hazel seconded the motion. The motion carried.

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Motion: A motion was made by Dr. Morgan to approve the Minutes of the last meeting October 17, 2014. Dr. Goins seconded the motion. The motion carried.

Motion: A motion was made by Mr. Schweitzer to approve the Minutes of the teleconference meeting November 13, 2014. Dr. Goins seconded the motion. The motion carried.

Mrs. Cox reported the new Interim Director of LLR to be Richele Taylor. She reintroduced Alex Imgrund as the new Advice Counsel for the Board stating her had been before the Board on one other occasion. She also introduced the new board member, Walter J. Machowski, Jr., DMD, who had attended the last meeting as a guest. She also asked for an excused absence for Elaine A. Murphy, RDH and it was granted.

DISCIPLINARY ISSUES REPORTS:

Investigative Review Committee (IRC) Reports:

The two IRC reports were presented by Mr. Love. The first report was from September 25, 2014. Discussion followed. The second IRC Report was for October 9, 2014. Discussion followed.

Motion: A motion was made by Dr. Bruce made a motion to approve both IRC Reports as presented. Dr. Hazel seconded the motion. The motion carried.

OIE and OGC Management Reports:

The OIE Management Reports and OGC Management Reports were presented. Both were accepted as information.

EXECUTIVE SESSION FOR LEGAL ADVICE:

Motion: Dr. Coombs made a motion to go into Executive Session for legal advice on relinquishments. Dr. Morgan seconded the motion. The motion carried.

Motion: Mr. Schweitzer made a motion to come out of Executive Session and stated no votes were taken in Executive Session. Dr. Morgan seconded the motion. The motion carried.

APPLICATION HEARINGS:

Jing Zhou, DDS:

An application hearing by credentials was held for Dr. Zhou due to requirements for licensure. The staff questioned her accredited dental college form out of the country unless the Board would consider her accredited graduate degree in her specialty in the United States and her 5 years of combined private practice and teaching. Mr. Imgrund advised the Board. Dr. Zhou was present and represented herself. A court reporter was present. The hearing commenced.

Motion: Mr. Schweitzer made a motion to go into Executive Session for legal advice. Dr. Morgan seconded the motion. The motion carried.

Motion: Mr. Schweitzer made a motion to return to Open Session. Dr. Coombs seconded the motion. The motion carried.

Motion: Dr. Goins made a motion to accept Dr. Zhou's application based on credentialing, her training and teaching. Dr. Hazel seconded the motion. The motion carried 6 to 3. The nays were Dr. Martin, Dr. Bruce, and Dr. Morgan.

Nicole M. Browning, RDH:

An application hearing by credentials was held for Ms. Browning due to her being under a Consent Order in another state. Mr. Imgrund advised the Board. Ms. Browning was present and represented herself. A court reporter was present. The hearing commenced.

Motion: Dr. Morgan made a motion to go into Executive Session for legal advice. Ms. Williams-Barbare seconded the motion. The motion carried.

Motion: Dr. Bruce made a motion to return to Open Session. Dr. Goins seconded the motion. The motion carried.

Motion: Ms. Williams-Barbare made a motion to approve the application for licensure by credentials for Ms. Browning at the time her GA order has been completed with compliance and GA has released her from her Order. It was stated that this is possible around January 31, 2015. Dr. Goins seconded the motion. The motion carried.

REINSTATEMENT APPLICATION HEARING:

Jack Lee Crocker, DMD:

A reinstatement application hearing was held for Dr. Crocker as he has been out of practice for 9 years. Mr. Imgrund advised the Board. Dr. Crocker was present and represented herself. A court reporter was present. The hearing commenced.

Motion: Mr. Schweitzer made a motion to go into Executive Session for legal advice. Dr. Coombs seconded the motion. The motion carried.

Motion: Dr. Hazel made a motion to return to Open Session. Dr. Goins seconded the motion. The motion carried.

Motion: Mr. Schweitzer made a motion to approve the application for licensure based on practice history, continuing education, and integrity. Dr. Goins seconded the motion. The motion carried.

DISPLINARY ISSUES:

MOA Hearing Dr. Gordon A. Gray:

A MOA hearing was held for Dr. Gray. Mr. Imgrund advised the Board. The state was represented by Prentiss C. Shealey, Esq. Dr. Gray was present and represented by Ashley S. Heslop, Esq. A court reporter was present. The hearing commenced.

Motion: Ms. Williams-Barbare made a motion to go into Executive Session for legal advice. Dr. Bruce seconded the motion. The motion carried.

Motion: Dr. Hazel made a motion to return to Open Session. Dr. Goins seconded the motion. The motion carried.

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Motion: Dr. Morgan made a motion to release the licensee from the terms of his past Consent Agreement; to accept the MOA before the Board; publicly reprimand the licensee; place him on probationary status for 5 years; require a pain management course by CE; require a prescription writing course by CE; and pay a \$5,000.00 fine. There will be no expungement of any orders. Mr. Schweitzer seconded the motion. The motion carried.

MOA Hearing Dr. William W. Gilliam:

By granting of a continuance, this matter was postponed until the April 10, 2015 Board meeting.

Relinquishment Agreement Presented:

The relinquishment of dentistry license number 1965 for Ronal Quentin Shermer, DMD was presented as information to the Board by Ms. Baldwin.

ADMINISTRATIVE REPORTS:

Administrative Report:

The Administrative Report was given with the staffing chart listed and to note the Board is now in renewals. Mrs. Cox mentioned that the biennial renewal was announced by mail and email to all licensees in October and the licensees are now renewing in the late time period but they may practice up to March 1, 2015. As per the dentistry law, she said certified letters will be sent to all who have not renewed on the first of February. It was noted the new fee correction was made for dental instructors for their renewal.

Stated The Board did not waive any fee requests for late fee waivers and the dentistry law states fees "must" double in the late period and in the February late period the fees not only double but an additional \$5.00 a day is added. One CE request for an extension was approved for six months. It was stated that the Board has 11,481 credentials that they work and numbers change daily in renewals. It was announced the Board staff is working with legal to plan hearing panels and many dates have been set.

Financial Report:

Financial Report of the Board was given as information by Mrs. Cox.

UNFINISHED BUSINESS:

Sanitation and Infection Control Regulation Committee:

This matter has been placed into Committee. It was announced that the Committee has been gathering information and is meeting at 2:00 following the Board meeting in Room 107.

NEW BUSINESS:

International Dentists and Expanded Duty Dental Assistants:

A request was presented to allow an international dentist to be considered an expanded duty dental assistant. This was denied in that a dentist is not a dental assistant with a CDC certificate or a letter from a US licensed dentist attesting that he has worked two years fulltime chairside.

Re-entry program for Dentists:

It was noted that the dental hygienists have a stated re-entry program after 6 or more years out of practice; however, the dentists do not. Dr. Morgan said he would look into this type of program from the ADA and possibly schools that might offer something. The dentist would pay the program or school directly. Mrs. Cox noted re-entry can be from program like this or retaking a clinical exam like NERB, CRDTS or SRTA.

Question to the Board Regarding CPR and On-line Courses:

The Board stated the CPR courses cannot be on-line.

S. 245 Regarding Dental Therapy and Dental Therapists:

Mrs. Cox copied the Board as FYI on Senate Bill 245 about the proposal legislation to license dental therapists in South Carolina. Discussion followed. Ms. Williams-Barbare said it is like having an additional degree past dental hygiene and being a mid-level practitioner. It was discussed that there are some simple dentistry procedures that they could do if this bill passes in full. Dr. Bruce stated he has looked into this bill with SCDA, Richard Davis, and Senator Davis who per-filed this bill. SCDA has stated that are not in support of this bill. The Board took no position; however, the bill will be tracked.

Ratification of Licenses and Registrations:

Newly issued licenses and registrations were presented to the Board for ratification for dates through January 16, 2015.

Motion: Dr. Bruce made a motion to ratify the lists of licensed dentists, licensed dental hygienists, and registered dental technicians. Dr. Coombs seconded the motion. The motion carried.

LEGAL:

There was no legal business.

DISCUSSION TOPICS:

There was no additional discussion.

PUBLIC COMMENT:

There was none.

ANNOUNCEMENTS and ADJOURNMENT:

It was announced the next Board meeting is scheduled to be April 10, 2015. There being no further business or announcements Dr. Alterman adjourned the meeting at 3:14 p.m.

Respectfully submitted,

Kate K. Cox
Administrator