

Minutes of the South Carolina Board of Dentistry  
Business Meeting, Application Hearings, Disciplinary Issues  
July 11, 2014  
Synergy Business Park, Kingstree Building, Room 108  
110 Centerview Drive, Columbia, SC 29210

Board members present were:

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

Staff and others present were:

Kate K. Cox, LLR Administrator  
Lorie Graham, OIE Investigator  
Sheryl H. Green, DDS  
Pat Hanks, LLR Litigation Attorney, Office of General Counsel (OGC)  
Lisa Hawsey, LLR Administrative Assistant  
Maurice Jones, RPP  
David Love, OIE Chief Investigator  
Sara McCartha, LLR Advice Attorney  
Marinda Moore, RDH  
Lorette M. Polite-Young, DDS  
Adrian Rivera, OIE Investigator  
Prentiss Shealey, LLR Attorney  
Robin Spaniel, Thompson Court Reporter  
Robert L. Thomas, DMD  
Richard Wilson, RPP

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CALL TO ORDER:

The Regular Session of the South Carolina Board of Dentistry was held at the Synergy Office Park, Kingstree 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. Whittington, President, called the meeting to order at 9:05 a.m. All votes referenced herein were unanimous unless otherwise noted.

APPROVAL OF THE AGENDA:

**Motion:** A motion was made by Mr. Schweitzer to approve the Agenda. Dr. Coombs seconded the motion. The motion carried.

APPROVAL OF THE MINUTES:

**Motion:** A motion was made by Dr. Alterman to approve the Minutes of the April 11, 2014 Board meeting. Dr. Bruce seconded the motion. The motion carried.

DISCIPLINARY ISSUES REPORTS:

Investigative Review Committee (IRC) Report:

The IRC report was presented by Mr. Love.

**Motion:** A motion was made by Dr. Morgan approve the IRC report authorizing sixteen (16) Dismissals. Dr. Bruce seconded the motion. The motion carried.

**Motion:** A motion was made by Dr. Goins to approve the IRC report authorizing two (2) Formal Complaints. Dr. Morgan 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.

APPLICATION HEARINGS:

Sheryl H. Green, DDS

An application hearing was held for Dr. Green due to yes answers in the personal history section of the application. Ms. McCarthy advised the Board. Dr. Green was present and represented herself. A court reporter was present. The hearing commenced.

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

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

**Motion:** Dr. Alterman made a motion to approve the application for licensure by examination for Dr. Green with conditions. Mr. Schweitzer seconded the motion. The motion carried. It was stated that a Public Order will be written.

Lorette M. Polite-Young, DDS

An application hearing was held for Dr. Polite-Young due to yes answers in the personal history section of the application. Ms. McCarthy advised the Board. Dr. Polite-Young was present and represented herself. A court reporter was present. The hearing commenced.

**Motion:** Dr. Hazel made a motion to go into Executive Session for legal advice. Dr. Bruce seconded the motion. The motion carried.

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

**Motion:** Dr. Bruce made a motion to not allow licensure by credentials based on Statute 40-15-275 (5) for Dr. Polite-Young and that she may apply by examinations for licensure. Mr. Schweitzer seconded the motion. The motion carried.

DISCIPLINARY ISSUES:

MOA with Stipulations Hearing for Cases 2010-79 and 2013-44:

These cases were postponed and will be addressed at a later date by agreement of all parties.

MOA Hearing for Case 2013-20:

A Memorandum of Agreement with Stipulations hearing was held for Robert L. Thomas, DMD. Ms. McCartha advised the Board. The Respondent was present. Dr. Thomas represented himself. A court reporter was present. It was noted Dentistry Board hearings are closed. The hearing commenced.

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

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

**Motion:** Dr. Coombs made a motion to accept the MOA, issue Public Reprimand in the matter, require a \$2500.00 fine, and place dentist on probation until he has completed the RPP program. Dr. Martin seconded the motion. The motion carried. It was stated a public order will be written.

Consent Order Presentation for case 2013-63:

This Consent Agreement presentation was postponed as the Agreement was not received back in Legal for the meeting date.

ADMINISTRATIVE REPORTS:

Administrative Report:

The administrative staffing report was given by Mrs. Cox who regretfully announced that Ms. McCartha will be leaving LLR and the Board of Dentistry. In thanking Ms. McCartha for her work for the South Carolina Board of Dentistry, Mr. Schweitzer made a motion to **Adopt a Resolution** to thank her and it was seconded by Dr. Morgan. He noted her hard work for the Board, her dedication to the Board and her invaluable assistance in the legislative matter regarding drafting of the Sedation Bill. The motion passed.

The Administrative Report continued to note the Board has 11,157 credentialed licensees and registrants on file. Mrs. Cox mentioned that the biennial renewal will be announced by mail and email to all licensees in October. She noted the District Seven (7) Election petitions for interested dentists are due in the Board office by July 25, 2014 and an election will be held as necessary. Mrs. Cox announced that Dr. Morgan will report on the AADB meeting in Chicago, IL held April 6 -7, 2014 at the next meeting; and dental hygienist, Sherie Williams-Barbare, reported on the CODA site visit to Midlands Tech that was done March 25 - 27, 2014. She stated details of the site visit cannot be reported due to confidentiality; however, she reported on the excellence of the program.

Financial Report:

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

UNFINISHED BUSINESS:

Sedation Senate Bill 1036 Report:

It was reported that the bill passed and is now Act 222. Ms. McCartha noted that Regulations must be promulgated by the Board before Act 222 can take effect and fees must be set. Dr. Whittington said he will set the Committee to begin working. Ms. McCartha noted to the Board that implementation of the Sedation Act will not be ready until sometime late in 2015. The Regulations have to be passed and fees collected.

Teeth Whitening House Bill 3949 Update:

It was reported the bill did not pass and would have to be reintroduced if there was continued public interest.

NEW BUSINESS:

Regulations for Sedation Act 222:

Dr. Whittington will set up a Regulations Committee with Dr. Goins, Dr. Wade, Dr. Alterman and others to begin drafting Regulations. Mrs. Cox stated she and Ms. McCartha have developed a checklist of items that the Committee might want to consider for Regulations. Ms. Cox has also asked Ms. McCartha for a letter for the Board Newsletter regarding the Sedation Act. Inspectors will need to be set up by LLR and trained for their inspections.

DATS Radiology Safety Course:

The Dental Assisting Training School of SC applied for their radiology safety course to be reviewed by the Board. Upon review the Board did not approve DATS course based on it does not meet the requirements of SC Regulation 39-16 and does not appear to be substantially equivalent to the structured courses currently approved by the Board. DATS should not advertise that the SC Board approves the course. It was noted that any curriculum changes can be submitted for review in the future.

Marinda Moore and Georgetown-Horry Technical College Nursing Home Rotation:

Ms. Moore made a presentation regarding Georgetown-Horry Technical College Nursing Home Rotation. Discussion followed with questions. The Board wished Ms. Moore and Georgetown-Horry well with their program and noted that general supervision by dentists was a component of the rotation procedure. If volunteer dentists were to be used it was noted that a Volunteer Clinic would need to be approved by the Board with licensed restricted volunteer dentists.

SRTA Proxy Votes and Term for Service:

Ms. Barbare-Williams collected proxy votes from the Board members as needed. The Board asked Dr. Assey and Dr. Gordon Bray to fill out the 12 member roster. Ms. Barbare-Williams will let them know. It was discussed that Dr. David Jones is finishing his two-year term.

**Motion:** A motion was made by Dr. Alterman to nominate Dr. Dennis Martin for this term. Dr. Morgan seconded the motion. The motion passed.

Request to Exempt Infiltration Examination:

Stephanie Beshore, RDH sent a letter of request to be exempt from the infiltration examination for certification. Discussion followed and the exemption was denied. It was stated everyone must take the certification examination.

Letter for Clarification of CE and Policy Requests:

Dr. William D. Cranford, Jr. sent a letter of request for the Board to clarify CE policy, CE verification, audits, and courses. Discussion followed about on-line biennial renewal; about mechanics of CE verification by legal attesting, listings, sending materials, and audits; and about requiring additional courses in ethics and recordkeeping. Ms. McCartha said the Board would need to promulgate new regulations to name additional courses in a specific subject.

He also asked about restricted volunteer licenses and volunteer clinics. The Board discussed his concern for the DAD program and will get information to the DADs program for them to apply for a volunteer clinic so that can use restricted volunteer dentists from out of state.

Lastly Dr. Cranford expressed his concern for dental clinics and the possible need for them to be registered with the Board. Discussion followed. Ms. McCartha noted that a statute change would be needed and a group would need to be found to be found to get a sponsor for this legislation as the Board cannot lobby. The Board requested that Dr. Cranford be sent a letter to thank him for his interest in looking into this statute change.

Ratification of Licenses and Registrations:

Newly issued licenses and registrations were presented to the Board for ratification for dates from the last Board meeting through July 10, 2014.

**Motion:** Dr. Alterman made a motion to ratify the lists of licensed dentists, licensed dental hygienists, and registered dental technicians. Ms. Barbare-Williams seconded the motion. The motion carried.

LEGAL:

There was no legal business.

DISCUSSION TOPICS:

Credentialing licensure was discussed to note that all applications indicate Statute 40-15-275 (5). Ms. McCartha noted the statute reference is on the application. Mr. Schweitzer questioned if there was interest in changing any requirements for the credentialing. Ms. McCartha said it would require opening the statute to make any changes.

PUBLIC COMMENT:

There was none.

ANNOUNCEMENTS and ADJOURNMENT:

It was announced the remaining meeting for 2014 is scheduled to be on October 17, 2014. There being no further business or announcements Dr. Whittington adjourned the meeting at 12:30 p.m.

Respectfully submitted,

Kate K. Cox  
Administrator