

Minutes of the South Carolina Board of Dentistry  
Business Meeting, Application Hearings, Disciplinary Issues  
October 17, 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  
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.

Board members with excused absences were:

Douglas J. Alterman, D.M.D., Vice President  
Eric C. Schweitzer, Esquire

Staff and others present were:

Kate K. Cox, LLR Administrator  
Lorie Graham, OIE Investigator  
Pat Hanks, LLR Litigation Attorney, Office of Disciplinary Counsel (ODC)  
Lisa Hawsey, LLR Administrative Assistant  
Alex S. Imgrund, LLR Advice Attorney  
Bryan Letteer, Esq., ODC  
Maurice Jones, RPP  
David Love, OIE Chief Investigator  
Jason W. Mathys, D.M.D.  
Matthew Morris Miller, D.D.S.  
Lori Paschall  
Adrian Rivera, OIE Investigator  
Prentiss C. Shealey, LLR Litigation Attorney ODC  
Robin Spaniel, Thompson Court Reporter  
James Joseph Swick, II, D.M.D.  
Richard Wilson, RPP

---

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 AND THE MINUTES:

**Motion:** A motion was made by Dr. Coombs to approve the Agenda and the Minutes of the last meeting July 11, 2014. Dr. Morgan seconded the motion. The motion carried.

INTRODUCE NEW ADVICE ATTORNEY:

Dr. Whittington introduced the new Advice Counsel for the Board, Alex S. Imgrund. He also introduced the new board member for District 7 to be seated in January of 2015, Dr. Walt Machowski.

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. Coombs 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:

Jason W. Mathys, DMD

An application hearing was held for Dr. Mathys due to training credit questions and totaling the years of practice in the military. Mr. Imgrund advised the Board. Dr. Mathys was present and represented himself. A court reporter was present. The hearing commenced.

Executive Session was postponed until the next application hearing was held.

Matthew M. Miller, DDS

An application hearing was held for Dr. Miller due to training credit questions and years of practice in the military. Mr. Imgrund advised the Board. Dr. Miller was present and represented himself. A court reporter was present. 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:** Dr. Morgan made a motion to return to Open Session. Ms. Murphy seconded the motion. The motion carried.

**Motion:** Dr. Whittington made a motion to approve the application for licensure by credentials for both Dr. Mathys and Dr. Miller. Dr. Martin seconded the motion. The motion carried.

DISPLINARY ISSUES:

Disciplinary Order Appeal:

Appeal to be released from prescribing limitations in a Final Order was held for James Joseph Swick, II, DMD. Mr. Imgrund advised the Board. The Respondent was present. Dr. Swick represented himself. A court reporter was present. Mr. Leeter represented the State. The hearing commenced.

## BOARD MEETING MINUTES

October 17, 2014

Page 3

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

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

**Motion:** Dr. Goins made a motion to remove prescribing restrictions. Dr. Martin seconded the motion. The motion carried. It was stated a public order will be written.

### Consent Order Presentation for Case 2013-63:

A consent order was presented to the Board regarding Christopher Thomas Steeley, DMD. Mr. Imgrund advised the Board. The Respondent was not present and was not represented. A court reporter was present. Ms. Shealey represented the State. The presentation commenced.

**Motion:** Dr. Coombs made a motion to accept the Consent Agreement. Dr. Goins seconded the motion. The motion carried.

### ADMINISTRATIVE REPORTS:

#### Administrative Report:

The Administrative Report was given with the staffing chart listed and to note the Board has 11,432 credentialed licensees and registrants on file. The new appointment to the Board for January 1, 2015 was noted to be Dr. Walter J. Machowski. Mrs. Cox mentioned that the biennial renewal was announced by mail and email to all licensees in October. It was noted fee correction was made for dental instructors on the renewal. The Ebola Protocol and Readiness procedures were reported on and it was noted that CDC Guidelines are the protocol.

Dr. Morgan reported on the AADB meeting in Chicago, IL held April 6 -7, 2014 where the meeting focused on scope of practice and standard of care issues, Botox and derma fillers, adding specialty areas, and sedation issues; and dental hygienist, Sherie Williams-Barbare, reported on the CODA site visit earlier in 2014. Dr. Whittington and Dr. Martin reported on the ADA from October in San Antonio, Texas which targeted consumer protection with ethics, prescriptions and record keeping, voting and dominating issues, competency of professionals, sleep apnea, and FTC discussions. Mr. Imgrund discussed Supreme Court rulings and the length of time for these very complicated cases where each and every document must be read. The Board went on the record to ask to send as many people as possible to the national meetings. Two excused absences were noted for Dr. Whittington and Mr. Schweitzer.

DATS was discussed again as not having an approved radiology course; the infiltration anesthesia examination was reported as being reviewed for defensible content which is periodically done; and legislation interests on CE as expressed and researched by Dr. Crawford are being sent to the legislative committee of the Board for comment. Meetings for 2015 were announced to be on January 16, April 10, July 10, and October 9.

#### Financial Report:

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

### UNFINISHED BUSINESS:

#### Sedation Regulation Committee Report:

This matter was tabled until the next meeting of the Board.

NEW BUSINESS:

Autoclaving and Sterilization:

Questions have come to the Board regarding sterilization and autoclaving. Dr. Coombs looked into the matter and asked Lori Paschall to do a presentation. Ms. Paschall preceded with her PowerPoint and discussion on infection control. She stated that there are CEs available also on infection control through OSHA. Legislative changes were discussed to add infection control CE. It was noted discussing legislative needs will need to go to the Legislative Committee of the Board and Mr. Imgrund can help guide that committee. It was discussed that legislation will need to be written, introduced, and passed before changes can happen; 2015 would be the work year; and changes would not come until 2016. If it is a statute change then stakeholder need to be gotten like SCDA and a lobbyist to help through SCDA. It was noted that Boards and LLR cannot be the lobbyist and sponsors would also be needed in the House and in the Senate. Mrs. Williams-Barbare expressed her interest to help

Specialty Licenses vs. General Dentistry Licenses:

Mrs. Cox discussed Specialty Licenses vs. General Dentistry Licenses distinction is in the law and when declaring a specialty that a dentist can only practice that specialty. Likewise, general dentists cannot advertise anything but general dentistry. She states all licensees need to be aware of 40-15-130 and 40-15-220. She noted to violate these statutes is grounds for discipline which the IRC is aware. Dr. Coombs and Dr. Hazel noted that this has been in the Board's Newsletter.

Ratification of Licenses and Registrations:

Newly issued licenses and registrations were presented to the Board for ratification for dates through October 1, 2014.

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

Election of Officers:

**Motion:** A motion was made by Dr. Whittington to elect Dr. Alterman as President, Dr. Morgan as Vice President, and Dr. Bruce as Secretary by offering a slate. Dr. Martin seconded the motion. The motion passed.

LEGAL:

There was no legal business.

DISCUSSION TOPICS:

Legislation needs were discussed to be sent to a Board Legislative Committee. Registering dental assistants was discussed to be considered. Infection control statutes were discussed as being needed. It was discussed about people offering a do-it-yourself braces product and the legality of doing this. Block anesthesia and use of lasers were discussed for legislation. It was discussed if anyone has any legislation needs or ideas that they need to look into the need, the education required for procedures, who are the stakeholders to be approached, who would support or disagree, and who would carry this forward for the Board like the dental association and/or dental hygienists association. It was asked that legislation ideas be placed in the January agenda.

It was discussed to ask to send dental hygienists to the AADB meetings. The Board was in agreement to ask for this type of travel as well.

BOARD MEETING MINUTES  
October 17, 2014  
Page 5

PUBLIC COMMENT:

There was none.

THANK YOU AND PRESENTATION OF PLAQUE TO DR. WHITTINGTON:

Dr. Morgan presented a plaque to Dr. Whittington and thanked him for his six years on the Board and his service to South Carolina and her citizens for public protection.

ANNOUNCEMENTS and ADJOURNMENT:

It was announced the next meeting is scheduled to be January 16, 2015. There being no further business or announcements Dr. Whittington adjourned the meeting at 12:35 p.m.

Respectfully submitted,

Kate K. Cox  
Administrator