

## MINUTES

### TENNESSEE BOARD OF DENTISTRY MEETING

**Date:** July 14, 2022

**Location:** Tennessee Department of Health  
665 Mainstream Dr.  
Nashville, TN 37243

**Members Present:** Phillip Kemp, DDS- President  
Robert Caldwell, DMD  
Greg Kemp, DDS  
Thao Kinsey, RDH  
Edward Moody, DDS  
Maricela Rodriguez, DDS  
Jayson Tabor, DDS  
Airica Puckett, RDH

**Staff Present:** Ailene Macias, Director (Electronically)  
Michael Brown, Administrative Manager  
Paetria Morgan, Senior Associate General Counsel

The board meeting came to order at 9:06 AM, with Ms. Macias participating electronically.

### CONFLICT OF INTEREST

The conflict-of-interest statement was reviewed by Ms. Morgan before the meeting was turned back over to Dr. Phillip Kemp.

### MINUTES

The board members reviewed the meeting minutes for the April 2022 Board Meeting and the June 2022 Anesthesia Committee Meeting.

Dr. Caldwell made a motion to approve the minutes from the April 2022 meeting as written, and Ms. Kinsey seconded the motion. The motion carried.

Ms. Kinsey made a motion to accept the minutes from the June 2022 Anesthesia Committee meeting as written, and Dr. Caldwell seconded the motion. The motion carried.

## **INTERVIEWS**

Hummer, Susquahanna – Ms. Hummer was not present in the board room when called for her interview.

Meeks, Geandra – Ms. Meeks was asked to come before the board due to previous criminal convictions that were reported on her application for licensure. Ms. Meeks informed the board that after a tumultuous life she decided to go back to school at TCAT-Memphis, to pursue Dental Assisting where she graduated with a 4.0 GPA. Ms. Morgan reminded the board members that they would need to make a motion and vote on whether Ms. Meeks should be granted a license, due to her being on judicial diversion until August 2025 for theft. Ms. Morgan stated that according to the submitted paperwork, if Ms. Meeks complies with everything set forth to her by the terms of the probationary period, this record may be expunged at that time. Dr. Phillip Kemp asked if the occurrence happened before she went back school, and Ms. Meeks confirmed the incident happened in 2014. Ms. Meeks informed the board that she paid the restitution and would just need to complete the probationary period. Ms. Puckett asked for clarification concerning whether the approval of Ms. Meeks' license needs to run concurrent with the legal probation period. Ms. Morgan stated that she has done so in the past, but if they did so then Ms. Meeks' license being in a probationary status would result as a hit on the National Practitioner Databank. Ms. Morgan also informed the board they could grant her the license free and clear, without any condition if they wished to do so. Ms. Puckett made the motion to approve the license without any conditions, and Ms. Kinsey seconded the motion. The motion carried.

## **RATIFICATIONS**

Dr. Rodriguez made the motion to approve the following:

1. New licenses, reinstatements/reactivations, and retirements
2. Specialties, certifications, and permits
3. Administrative revocations

Ms. Puckett seconded the motion. The motion carried.

## **APPROVAL OR DENIAL OF WAIVERS AND EXEMPTIONS**

Ms. Puckett made the motion to approve the following waivers/exemptions:

- |                           |                          |
|---------------------------|--------------------------|
| a. Aiken, Robert DDS      | f. Crabtree, Gregory DDS |
| b. Allen, Valencia RDA    | g. Foulk, David DDS      |
| c. Burke, Tommy DDS       | h. Stinson, Jessica RDA  |
| d. Chipman, Stephanie RDH | i. Vaughn, Jeana RDA     |
| e. Cosey, Gurlethea RDA   | j. Watson, Jennifer RDH  |

Ms. Kinsey seconded the motion, and the motion carried.

## **APPROVAL OR DENIAL OF CONTINUING EDUCATION, CPR COURSES, AND/OR COURSES SUBMITTED BY INDIVIDUALS**

Ms. Kinsey made the motion to approve the following courses:

- a. "Forensic Anthropology and Dentistry"- Dr. Jack Kenney DDS, MS
- b. "Dental Industry Update and Hot Topics in The Dental Industry"- Dental ROI Associates

Dr. Tabor seconded the motion, and the motion carried.

## **DENTAL ASSISTING PROGRAM**

Ms. Kinsey made a motion to approve the following Dental Assisting Programs:

- a. Competitive Edge Dental Assisting Academy- Chattanooga
- b. Competitive Edge Dental Assisting Academy- Nashville
- c. Dental Staffing & School of Knoxville, PLLC
- d. Genesis Career College
- e. Greater Memphis Career Institute

Ms. Puckett seconded the motion, and the motion carried.

## **PROGRAMS AND CERTIFICATION COURSES**

Ms. Puckett made the motion to approve the following Coronal Polishing Course:

- a. Chattanooga College- Medical, Dental & Technology

Dr. Tabor seconded the motion, and the motion carried.

Dr. Rodriguez made the motion to approve the following courses:

### Sealant Application

- a. Chattanooga College- Medical, Dental & Technology
- b. Greater Memphis Career Institute

### Nitrous Oxide Monitoring

- a. Chattanooga College- Medical, Dental & Technology

### Restorative Functions

- a. UT College of Dentistry

### Prosthetic Functions

- a. UT College of Dentistry

Ms. Puckett seconded the motion, and the motion carried.

## **EQUIVALENCY COURSES**

Ms. Kinsey made the motion to accept the approved equivalency courses:

### *Administering and Monitoring Nitrous Oxide*

- a. Agrella, Kimberly- Carrington College
- b. Allen, Lindsay- Western Kentucky University
- c. Almanza, Krystal- San Joaquin Valley College
- d. Arnold, Kristine- Oregon Institute of Technology
- e. Brown, Cristen- Western Kentucky University
- f. Castellanos, Abraham- San Joaquin Valley College
- g. Eggers, Skylar- Western Kentucky University
- h. Evans, Amanda- Hudson Valley Community College
- i. Green, Emily- University of Louisville
- j. Hartness, Taylor- Virginia Western Community College
- k. Jones, Natalie- University of Louisville
- l. Kelly, Michaela- Western Kentucky University
- m. King, Savanna- Western Kentucky University
- n. Leighton, Mary- Pacific University of Oregon
- o. Lille, Jalene- Western Kentucky University
- p. McMinn, Lindsey- Northeast Mississippi Community College
- q. Miller, Amy- San Joaquin Valley College
- r. Millish, Catherine- Western Kentucky University
- s. Moore, Hyden- Western Kentucky University
- t. Muth, Glenda- VCU School of Dentistry Continuing Education
- u. Rickman, Chandler- Northeast Mississippi Community College
- v. Shoup, Emily- Northeast Mississippi Community College
- w. Swisher, Stephanie- San Joaquin Valley College
- x. Wright, Susanne- Ivy Tech Community College

### *Radiology*

- a. Cobb, Marquita- Accelerated Dental Assisting Academy
- b. Davis, Alyssa- The Medical Institute of Kentucky
- c. Hawk, Monique- Eastern College of Health Vocations
- d. Hendrickson, Edna- The Medical Institute of Kentucky
- e. Hollins, Kristi- Ross Medical- Saginaw
- f. Johnson, Jaeya- The Medical Institute of Kentucky
- g. Phiffer, Yalonda- Accelerated Dental Assisting Academy

- h. Sheats, Ashley- Charlotte Technical College
- i. Stanfill, Victoria- The Medical Institute of Kentucky
- j. Talbot, Dorinda- American Dental Assistants Association
- k. Williams, Amber- Northeast Mississippi College

Nitrous Oxide Monitoring

- a. Cuadra, Maria- UT Health San Antonio School of Dentistry Continuing Education

Dr. Tabor seconded the motion, and the motion carried.

Ms. Puckett made the motion to accept the approved equivalency courses:

Multiple Courses

- a. Copelen, Sarah- Sealants, Restorative- Western Kentucky Community & Technical College
- b. Kellems, Victoria- Radiology, Coronal Polishing- Arkansas Northeastern College
- c. Madson, Kathleen- Radiology (Concorde, MI), Nitrous Monitoring (Sedation Consult)
- d. Morrow, Nicole- Radiology, Restorative- Owens Community College
- e. Posey, Charissa- Nitrous Monitoring, Sealant, Coronal Polishing- Francistuttle Technology Center
- f. Trull, Piper- Radiology, Coronal Polishing, Sealant- South College, DH Program
- g. Wyatt, Tracie- Radiology, Coronal Polishing- San Joaquin Valley College

Ms. Kinsey seconded the motion, and the motion carried.

Ms. Kinsey made the motion to accept the denied equivalency courses:

- a. Damren, Ariel- Radiology, Nitrous Monitoring, Coronal Polishing, Sealant- Bartram Dental Assisting School
- b. Kellems, Victoria- Nitrous Monitoring- Arkansas Northeastern College
- c. Petty, Jill- Nitrous Monitoring- Dent-Ed-Online
- d. Shaw, Aisha- Radiology- Tennessee Professional Institute
- e. Williamson, Amber- Nitrous Monitoring, Coronal Polishing- Northeast Mississippi Community College

Ms. Puckett seconded the motion, and the motion carried.

**REPORTS**

Olivia Spears, Legislative Liaison, gave the **Legislative Update**:

Ms. Spears informed the board that legislation passed, stating that healthcare providers can continue to utilize telehealth and receive reimbursement for telehealth services. The Board of Pharmacy and the

Board of Nursing will now hire and fire the Executive Director of the Board, which is different than it has been in the past.

Ms. Spears then went over the following public chapters:

Public Chapter 680—SB1909/HB1904. This public chapter exempts autoclaves from the clearance requirements of the Board of Boilers Rules if the autoclave sterilizes reusable medical or dental equipment used by an individual licensed under title 68 or 63, is installed in accordance with the manufacturer's recommendations, contains a boiler, and is regulated by the FDA. Effective as of March 28, 2022. The Governor did not sign this public chapter.

Public Chapter 749—SB2572/HB2465— This public chapter allows licensed healthcare workers to prescribe, directly or through standing order, naloxone or other similarly acting and equally safe drugs approved by the FDA to an organization or municipal or county entity, including but not limited to a recovery organization, hospital, school, or county jail. This public chapter also allows an individual or entity under a standing order to receive and store an opioid antagonist and provide an opioid antagonist directly or indirectly to an individual. Additionally, this public chapter authorizes a first responder acting under a standing order to receive and store an opioid antagonist and to provide an opioid antagonist to an individual at risk of experiencing a drug-related overdose or to a family member friend or other individual in a position to assist an at-risk individual. This public chapter includes “unresponsiveness, decreased level of consciousness, and respiratory depression” to be included within the definition of drug related overdose. Effective on July 1, 2022.

Public Chapter 766—SB2453/HB2655—Yager/Hawk Re Telehealth. This public chapter extends the ability for healthcare providers to receive reimbursement for healthcare services provided during a telehealth encounter. This public chapter also clarifies that a healthcare provider acting within the scope of a valid license is not prohibited from delivering services through telehealth. Lastly, this public chapter adds that the requirement of an in-person encounter between the healthcare services provider, the provider's practice group, or the healthcare system and patient within sixteen months prior to the interactive visit is tolled for the duration of a state of emergency declared by the Governor if healthcare services provider or patient, or both, are in the geographical area covered by the state of emergency. Effective as of April 1, 2022, and applies to insurance policies or contracts issued, entered, renewed, or amended on or after that date.

Public Chapter 833—HB1997/SB1936—Cochran/Jackson Re UAPA. Clarifies that the ALJ shall decide a procedural questions of law. Allows the director of the administrative procedures division of the secretary of state's office to issue subpoenas. Allows electronic participation in hearings, by agreement of the parties. The hearing officer may allow electronic testimony if the absence of the witness would otherwise cause of delay of the hearing. Requires that a final order be issued within 90 days. Allows that a petition for reconsideration be filed within 15 days of the entry of the final order or initial order. Effective as of April 19, 2022.

Public Chapter 856—HB2864/SB2889—Rudd/Gardenhire Re Public Meetings. Permits boards or agencies of state government to have electronic meetings. If an electronic meeting is being held, requires that members of the public be allowed to view and/or listen to the meeting in real time. There must also be a method of members of the public to participate in the meeting electronically if they would otherwise

be permitted to participate in person. Instructions for participate are to be included in the notice of the meeting. An electronic meeting shall be recorded, and that recording must be posted on the website of the organization within 3 days. The governing body shall maintain that electronic record of the meeting for at least 3 years. Effective on July 1, 2022.

After chapter 856 was discussed Dr. Phillip Kemp wanted to clarify if the board can request and hold an electronic meeting with this update. Ms. Morgan informed the board that since this just went into effect on July 1, the specifics will have to be looked at but this change means a notice of necessity is no longer required to hold the electronic meeting.

Public Chapter 865—SB1827/HB1903—Massey/Alexander Re Dentists and Continuing Education Hours. Allows dentists, dental hygienists, and dental assistants to use live, interactive webinars to qualify as in-person continuing education. Effective on July 1, 2022.

Dr. Phillip Kemp asked for clarification on how this would affect the CE requirements. Ms. Morgan stated that this mainly effects the registered dental hygienists by allowing “live- interactive” webinar CE courses to be counted as in person CE. Ms. Kinsey asked if this change in legislation included CPR certification. Dr. Phillip Kemp stated CPR certification courses would still require an in-person skills assessment and could not be done online. Mr. Brown explained that the Registered Dental Assistant and Dentist licensees can continue doing all their CE requirements online, and the change in legislation would allow for Registered Dental Hygienists to now count the “live-interactive” webinars as non-web-based CE hours. Ms. Morgan stated the CE course must have an interactive component so the health professional can participate in the course, to meet the requirement.

Public Chapter 911—HB2309/SB2464—Freeman/Reeves Re Professional License Requirements. Mandates that a person seeking a professional license have US citizenship or be authorized under federal law to work in the US as verified by the SAVE Program (allows DACA children who are now adults to obtain professional licensure if not otherwise prevented by the license). Effective July 1, 2022.

Public Chapter 1061—HB2228/S2465—Ramsey/Reeves Re Opioid Antagonists. Requires that a prescriber offer a prescription for an opioid antagonist when issuing a prescription for an opioid if the prescription is for longer than 3 days and there is a history of or suspicion of abuse. This does not apply in palliative care or veterinarian settings. Penalties are included for failure to comply. Effective on July 1, 2022 and applies to opioid prescriptions issued after that date.

Dr. Tabor asked for clarity on the term “opioid antagonist” to which Ms. Spears stated that Ms. Morgan may have to go into more detail with the board members, but she is interpreting the rule as the dentist must at least offer a prescription. Ms. Morgan told the board that the board can check the CSMD for the abuse part of the rule.

Public Chapter 1094—SB1891/HB1905—Hulsey/Doggett Re Mandatory Reporting of Fatal Drug Overdoses. Requires that a fatal overdose be reported to law enforcement, including by doctors and nurses. Effective July 1, 2022.

## **CORRESPONDENCE**

AADA and AADB Annual Meetings: Ms. Macias discussed with the board the upcoming AADA and AADB Annual Meetings, set to take place in Asheville, NC in October 2022. If the board wished to send the Ms. Macias and/or board members to the meetings, the board members would need to vote on who would attend before the travel authorization could be submitted for approval. Ms. Puckett made a motion for Ailene to attend the AABA and AADB meetings, and Dr. Rodriguez seconded the motion. The motion carried. Dr. Kemp then stated that the next order of business was clarification on whether any of the board members would like to attend the AADB meeting. Ms. Macias clarified needed the names of the board members who would like to attend, in order to submit the request for travel to F&A for approval. Dr. Rodriguez stated that she would like to attend the meeting. Ms. Puckett asked for clarity on how to make the motion (if names were needed now or not). Ms. Morgan suggested to just approve 3 board member slots and not add any names, to which Dr. Phillip Kemp agreed would be a good option. He advised the board members to contact Ms. Macias within a timely manner, if they wished to attend to ensure they could take one of the 3 slots allotted for attendance. Dr. Tabor made the motion to approve slots for 3 board members to attend the October 2022 AADB meeting, and Ms. Puckett seconded the motion. The motion carried.

Ms. Macias informed the board members that most of the information under correspondence found on the agenda is just information but that she wanted the board members to be aware that there was a merge between **CDCA, CITA, and WREB**, which was going into effect on August 1, 2022.

Dr. Douglas from Meharry came before the board to get **clarification on rule 0460-01-.05**. Dr. Douglas asked under this rule, whether the instructors of EFDA courses would qualify for up to 20 CE hours for teaching the course due to the amount of time the instructor has to put into preparing the 96-hour Restorative Course and the 64-hour Prosthetic Course. Dr. Douglas referred to rule 0460-01-.01 for the definition of a continuing education course and to rule 0460-01-.05 (3) (6) that states “Four (4) hours of continuing education credit shall be awarded, during each continuing education cycle that precedes the licensure or registration renewal year, to presenters for each hour of an initial presentation of a formal continuing education course that is a didactic and/or a participatory presentation to review or update knowledge of new or existing concepts and techniques. Hour-for-hour credit will be granted for repeat presentations. This category is limited to a maximum of (20) hours continuing education credit during each continuing education cycle that precedes the licensure or registration renewal year.”

Dr. Phillip Kemp asked where the clarification was needed for this rule. Ms. Morgan stated that the word “presenter” is currently in the rule, and Dr. Douglas was requesting for that to be interpreted as an instructor/professor of the course. Dr. Phillip Kemp asked why this question had not been brought to the attention of the board members before. Ms. Morgan clarified that historically the board has granted these hours to someone presenting at meeting such as the TDA Annual Meeting, or the various TN dental study club CE courses, and the teachers/instructors at the schools did not get the CE credit for teaching the courses within the board approved certification courses at a school. Ms. Macias stated she understood both sides, but from the board staff perspective it would be helpful to have clarification on whether the board was only wishing to grant hours for the presenters of the EFDA courses or other courses/programs as well. Dr. Phillip Kemp stated that he felt like if someone taking the course is getting CE, then the presenter should get CE credit as well. Ms. Puckett asked for clarity on if the EFDA course is a CE course



or if it was considered higher education, and whether CE hours were granted for the course. Mr. Brown reminded the board that RDA students would receive CE credit for the time spent in certification courses for EFDA, radiology, coronal polishing, sealants, and nitrous monitoring. Dr. Gray then emphasized that the instructor has not received CE credit in the past for teaching the certification courses, which was brought to their attention by Dr. Douglas recently. Dr. Caldwell inquired about how the school would document this information for instructors for the teaching of certification courses. Dr. Gray stated Meharry would give a completion certificate for the course hours would be given to the instructors. Dr. Tabor made the motion to clarify that rule 0460-01-05 (3) (D) (7) grants teachers/presenters/instructors of any board approved CE course, and dental professionals can obtain up to 20 CE hours during the 2-year CE cycle. Ms. Kinsey seconded the motion, and the motion carried.

## **REPORTS**

Executive Directors Report- Ms. Macias informed the members that the next meeting is scheduled for October 13-14, 2022. The tentative board meeting dates scheduled for 2023 are set for: January 12-13 and April 13-14. During the 2022 year (up to 6/30/2022) the board had currently received 214 dentist applications, 228, RDH applications 850 RDA applications, and 30 Dental Facility applications with new licenses for 128 Dentist, 189 RDH, 717 RDA's, 23 Facilities being granted. Since the start of 2022, 78% of dentists, 85% of registered dental hygienists, and 85% of registered dental assistants have completed their renewals online. There are a total of 20,850 active dental professional licenses. Ms. Macias went into the CE broker account to let the board know that currently 37% of dental professionals have account with CE broker.

Office of Investigations Report- Mr. Roger Nolten, Intake Coordinator for the Office of Investigations, gave the report. Since January 2022, the Office of Investigations has opened 161 new complaints on dental professionals and have closed 216 total complaints. There have been 129 new complaints were opened on dentists, and 168 complaints have been closed. There have been 5 new complaints had been opened on dental hygienists, and 12 complaints were closed. There have been 27 new complaints opened for registered dental assistants, and 36 complaints have been closed. The board had no questions for the Office of Investigations.

OGC Report- Ms. Morgan informed the board that 32 Consent Orders will be presented later in the meeting, there are 59 open cases in OGC currently, and that there were no appeals in Chancery Court at that time. Ms. Morgan also informed the board that the orofacial pain and oral medicine specialty certification rules are awaiting approval. On October 13, 2022, there will be a rulemaking hearing scheduled for the fee decrease rules. Ms. Morgan also informed the board of the number of licensees that the Disciplinary Coordinator is currently monitoring.

Tennessee Dental Wellness Foundation Report - Dr. David Sain came before the board to give this report. Dr. Sain informed the board that over the previous quarter, he was able to speak to the Capital City Study Club in Nashville, the Tennessee Department of Health, Dental Division via ZOOM, the Eighth District Dental Society in Clarksville, and Meharry's continuing education opportunity during their graduation weekend. The Wellness Foundation has had approximately 10 dental professionals use their website to obtain their continuing education on substance use disorder and prescription writing. In all, the foundation spoke to approximately 350 dental professionals during the second quarter.

Dr. Sain then stated that due to the pandemic and the lack of contact with dental professionals with one another, and also the foundations lack of contact with dental professionals in Tennessee, he would like the Board to consider sending out an email to all licensed dental professionals in Tennessee reminding them of the services available to them. Dr. Sain gave the following example:

Working in the dental profession can be emotional, stressful, physically demanding, and mentally exhausting. As dental professionals, we are only human, but many times feel the pressure to perform with superhuman perfection and at an unrealistic pace. In 1981, an organization supported by the Board of Dentistry was formed to discreetly assist dental professionals. Since that time, hundreds of members of our dental family (dentists, dental hygienists, and dental assistants) have benefited when they might have succumbed to difficulties that are capable of impacting their performance.

In 2019, this original organization became the Tennessee Dental Wellness Foundation (TDWF). The TDWF is a nonprofit, 501c3 that works with all dental professionals in a time of need with complete confidentiality. If you need assistance, know someone that does, or just have questions about what we do, feel free to visit our website at [www.tndentalwellness.com](http://www.tndentalwellness.com) or call (615) 628-3200. We assist dental professionals most commonly with chemical dependence also known as substance use disorder, but we can assist in other conditions such as burnout, or with physical, emotional, and mental disorders.

Dr. Sain came back later in the meeting to ensure that a motion was made to have the drafted email sent to licensees concerning the services available from the foundation. It was clarified that the exact language in the draft email may not be used, but the board staff would work ensure the proper information was sent out Ms. Puckett made the motion to have the board staff to work on drafting an email to send on behalf of the Wellness Foundation to licensees. Dr. Caldwell seconded the motion, and the motion carried.

#### Updates from the Schools of Dentistry

Dr. Julie Gray gave the update for Meharry School of Dentistry. Meharry recently had their first in person graduation ceremony since before the start of the pandemic. The D1's for the class of 2026, started in June and increased from 62 to 75 students. Dr. Gray stated they still have 6 students finishing their clinical competencies, and they should be finished by July 15, 2022. The EFDA program from Meharry is currently taught 4 times a year and each course are capped at 25 students. The majority of the EFDA students are from middle Tennessee.

Dr. Jerry McKinney gave the update for the UT School of Dentistry. Dr. McKinney informed the board that the programs are on track for the 2022-2023 school year. UT had 1162 applicants for their D1 (class of 2026), and they accepted about 120 students. The RDH program has accepted 35 students for the class of 2024. UT is in the process of getting 2 new D4 rotation sites approvals, and the new Delta Dental Building in Memphis is on track to open April 1<sup>st</sup> of 2023. The EFDA program currently has a manageable wait list, with the course having 6 restorative and 4 prosthetic classes scheduled for 2022. UTHSC taught their first course in Knoxville this past year and the school is looking at sites to possibly teach classes at the campus of UT – Chattanooga.

Dr. McBride gave the update for Lincoln Memorial University. The school has 80 dental students and 30 hygiene students, with classes scheduled to start on September 12th. The school is currently awaiting

CODA accreditation, but a meeting is scheduled for August 5, 2022 where they are expecting to receive their approval.

## **OTHER BUSINESS, RULE CHANGES AND/OR POLICY CHANGES**

Lapsed License Policy – Ms. Morgan informed the board that this policy has been in effect since 2016 and it is being asked to be brought to the boards attention. Ms. Morgan informed the board that if someone works on the license for more than 6 months the file is sent to OGC, the policy is being brought to the board to see if they want to set a “ceiling” for each level of licensure due to the amount of fines some people currently have. Dr. Phillip Kemp said that the reason this is being addressed is because the disparity in the amount of money a Dentist makes compared to an Assistant. Dr. Tabor made a motion to cap the amount of a civil penalty for working on a lapsed license as follows \$2,000 – RDA, \$3,000 – RDH, \$5,000 – Dentist. Dr. Greg Kemp seconded the motion, motion carried. Dr. Moody brought up a gap in the policy between 60 and 90 days. Ms. Morgan informed the board members that if they wanted clarity on the 60 and 90 days that they need to refer to administrative staff as they are the ones who currently work with the policy on a day-to-day basis. Mr. Brown explained that currently administrative staff doesn’t due 30 days we just go by month once the 60-day grace period ends if you work one day the month after the license expires you get the penalty. And once its over 6 month it goes to OGC. Mr. Moody made the motion to accept the language drafted and Ms. Kinsey seconded the motion, motion carried.

## **COMMITTEE AND TASKFORCE UPDATES**

Dr. Rodriguez made the motion to accept the denial of both of the following courses that went before the anesthesia committee:

- a. Stay in the Box Sedation Course- Limited Conscious Sedation
- b. Sedation Academy- Keep Calm with Oral Sedation- Comprehensive Sedation Course

Dr. Tabor seconded the motion, and the motion carried.

## **ORDERS OF COMPLIANCE**

Holly King –Ms. King was disciplined January 10, 2018, for habitual intoxication which resulted in her license being indefinitely suspended and she was assessed cost. Ms. King was also ordered to undergo an evaluation performed by the TN Dental Wellness Foundation within 30 days of the consent order and to follow any recommendations set forth by the foundation. The order also states that Ms. King’s RDA license will be placed on probation for 5 years once the suspension is lifted. Ms. King didn’t comply with the timeline of the order getting her evaluation and paying her fees after the due dates set forth by the order, but her registration was still suspended at this time. She has now had her evaluation completed by the TN Wellness Foundation and the advocate on her behalf at this time. Ms. King informed the board that she has undergone treatment and active in her recovery, Dr. David Sain from the Wellness Foundation gave Ms. King his full advocacy. Ms. Puckett made the motion to lift the suspension and Dr. Tabor seconded the motion, motion carried.

Donna Pearson – Ms. Morgan informed the board that Ms. Pearson’s RDH license was placed on 3-year probation in 2002 due to respondent failing to report a felony forgery charge. Respondent was assessed cost in the amount of \$4,000.00, an investigation was launched in 2004 due to respondent having outstanding balances and it was discovered that she had been convicted of multiple felony charges (theft, forgery, evasion of arrest, possession of drug paraphernalia) and failed to report the convictions to the Board. The respondent was then placed on a 5-year probation to run concurrent with the previous probation period and required to maintain advocacy through Cornerstone during the probation period while annually having to report to the board to report her compliance. Currently Ms. Pearson’s license is still on probation, there is no way to currently attest that Ms. Pearson is in full compliance due to the age of the cases along with the flood destroying some of the documentation. In 2017 Ms. Pearson entered into an agreement with the TDA and the Tennessee Dental Wellness Foundation with the wellness foundation advocating on her behalf. Ms. Pearson is just asking that the probation be removed from her license, Dr. Sain said the 5-year probation went into effect around 2005 and since Ms. Pearson entered the contract with the Wellness foundation in 2017, she has done everything they have asked of her. She has his total advocacy currently. Ms. Puckett made the motion to have the probation lifted from Ms. Pearson’s RDH license and approve the drafted language in the order of compliance Ms. Morgan, and Ms. Kinsey seconded the motion. The motion carried.

Alexis Nava – In 2019, Ms. Nava had her initial RDA license placed on probation, to run congruent with her criminal probation. She complied with the terms of probation and received a letter of expungement from the courts, while also obtaining full advocacy from the Tennessee Wellness Foundation after completing the contract with the foundation. Ms. Nava is just asking for the probation to be lifted, since the incident happened prior to her receiving her dental assisting license and she is currently enrolled in dental hygiene school. Dr. David Sain said she is a fine young lady and will do the dental profession proud. Ms. Puckett made the motion to approval the drafted order of compliance and Dr. Tabor seconded the motion, motion carried.

Warren Stinson – In 2018, Dr. Stinson had his license placed on probation for 3 years for inappropriate prescribing. Dr. Stinson was required to take in a CE course specific to prescribing protocols and pay civil penalties, both of which were completed. In 2020, Dr. Stinson entered a second consent order for poor infection control, which resulted in his probation being extended. Dr. Stinson has complied with the second consent order as well submitting quarterly infection control reports. Dr. Stinson informed the board that the infection control people came every 90 days, and the office is now trained on proper techniques and having the probation lifted will let him get back in with some of the insurance companies who will not credential him due to the probation. He is currently doing a lot of the work in his area for free. Ms. Morgan informed the board this situation is different than normal because he has 2 separate orders. Ms. Puckett asked if he is still compliant, and Dr. Stinson said yes everything is done to OSHA standard. Ms. Puckett made a motion to approve the drafted order and Dr. Greg Kemp seconded the motion. The motion carried.

## **AGREED CITATIONS**

Dr. Tabor made the motion to approve the following agreed citations for continuing education:

- a. Bartlam, Amanda RDH
- b. Barzola, Sherri RDH
- c. Bletzacker, Richard DDS
- d. Branch, Roderick DDS

- e. Brown, Traci RDA
- f. Caheely, Christina RDA
- g. Calvillo, Christina RDA
- h. Cox, Andrew DDS
- i. Crowden, Peggy RDH
- j. Dave, Ajay DDS
- k. Davis, Alexandra RDA
- l. Faust, Kaylin RDH
- m. Floyd, Keri RDA
- n. Hayworth, Ashley RDA
- o. Henegar, Charlee RDA
- p. Hochhouser, Edward DDS
- q. Jones, Kimberly RDH
- r. Jones, Sunza RDA
- s. Lamb, Katelyn RDH
- t. Loveland, Ashley RDA
- u. MacGaw, Mark DDS
- v. McCord, Lauren RDA
- w. McGuiness, Stephanie RDA
- x. Massey, Tabetha RDA
- y. Miracle, Kayla RDA
- z. Parrott, Amanda RDA
- aa. Parsons, Beth RDH
- bb. Patrick- McClain, LaStacha RDH
- cc. Pedersen, Lindsey DDS
- dd. Phillips, Janette RDH
- ee. Rhines, Samantha RDA
- ff. Rogers, Rachel RDA
- gg. Rymer, Susan RDH
- hh. Salzano, Tammy RDH
- ii. Seybold, Evetta RDH
- jj. Sheppard, Suzanne RDA
- kk. Thomas, Sky RDH
- ll. Tickell, Kate RDH
- mm. Turner, Jodi RDA
- nn. Turner, Robert DDS
- oo. Vescovo III, Louis DDS
- pp. Watkins, Leah RDH
- qq. Williams, Michelle RDA
- rr. Williams, Teveas RDA
- ss. Winbush, Sharifa DDS
- tt. Woods, Katie RDA

Ms. Puckett seconded the motion, and the motion carried.

Ms. Puckett made a motion to approve the following citations for lapsed licenses:

- a. Norman, Kayla RDA
- b. Sharpe, Timothy DDS
- c. Snipp, Katelin RDA
- d. Spivey, Ashley RDA
- e. Woods, Jessica RDA

Dr. Moody seconded the motion, and the motion carried.

### **CONSENT ORDERS/ AGREED ORDERS**

Anthony, Brittney RDA – Ms. Anthony failed to respond to the notices of the 2017-2018 continuing education cycle and did not submit proof of compliance with the audit. As part of the order, she must pay a civil penalty in the amount of \$150.00, make up the 8 continuing education hours that she is deficient, pay costs associated with the presentation of the order, and provide proof of a current CPR certification. The disciplinary action will be reported to the National Practitioner Databank. Dr. Tabor made a motion to ratify the order, and Ms. Puckett seconded the motion. The motion carried.

Aroas, Jeanous RDH – Ms. Aroas performed the duties of a registered dental hygienist for 18 months on an expired license. As part of the order, she must pay civil penalties totaling \$4,800. Ms. Morgan then referenced the Lapsed license policy changes that the board discussed earlier and informed the board she would adjust the civil penalty to be \$3,000.00, pursuant with the policy changes discussed. Ms. Aroas must also pay the costs associated with the presentation of the order. The disciplinary action will be reported to the National Practitioner Databank. Ms. Puckett made a motion to ratify the order, and Dr. Tabor seconded the motion. The motion carried.

Bertrand, Archie DDS – Dr. Bertrand gave a patient a treatment plan to fill 16 cavities, however the dental records do not justify the diagnosis/treatment plan. As part of the order, he must complete 10 continuing education hours in the subject of dental ethics, 10 continuing education hours in the subject of dental billing best practices, with all 20 hours having to be preapproved by the board consultant before enrollment and completion. Dr. Bertrand must also pay a civil penalty in the amount of \$1,000, and he must also pay costs for the presentation of the order. The disciplinary action will be reported to the National Practitioner Databank. Ms. Puckett made the motion to ratify the order, and Ms. Kinsey seconded the motion. The motion carried.

Blood, Sheldon DDS – Dr. Blood allowed a dental assistant to perform the duties of a registered dental assistant for 12 months on an expired registration. As part of the order, he must pay a total of \$1,000.00 and associated with the presentation of the order. The disciplinary action will be reported to the National Practitioner Databank. Dr. Tabor made the motion to ratify the order, and Ms. Puckett seconded the motion. The motion carried.

Brock, Carrie RDH – Ms. Brock performed the duties of a registered dental hygienist for 14 months on an expired license. As part of the order, she must pay civil penalties in the amount of \$3,600.00. Ms. Morgan then referenced the lapsed license policy that the board discussed earlier in the meeting and informed the board she would adjust the civil penalty to be \$3,000, in accordance with the policy changes discussed. Ms. Brock must also pay the costs associated with the presentation of the order. The disciplinary action will be reported to the National Practitioner Databank. Ms. Puckett made the motion to ratify the order and Ms. Kinsey seconded the motion. The motion carried.

Cascio, Hannah RDA – Ms. Casico performed the duties of a registered dental assistant for 26 months on an expired license. As part of the order, she must pay civil penalties in the amount of \$7,200. Ms. Morgan then referenced the lapsed license policy the board discussed earlier in the meeting, and informed the board she would adjust the civil penalty to be \$2,000, in accordance with the policy changes discussed. Ms. Casico must also pay the costs associated with the presentation of the order. The disciplinary action will be reported to the National Practitioner Databank. Ms. Puckett made the motion to ratify the order, and there was no seconded motion. The motion carried.

Chapman, Felicia RDH – Ms. Chapman performed the duties of a registered dental hygienist for 8 months on an expired license. As part of the order, she must pay civil penalties in the amount of \$1,800, and pay costs associated with the presentation of the order. The disciplinary action will be reported to the National Practitioner Databank. Ms. Puckett made the motion to ratify the order, and Dr. Tabor seconded the motion. The motion carried.

Clemmons, Ateshia RDA – Dr. Caldwell recused himself from voting on this order. Ms. Clemmons performed the duties of a registered dental assistant for 10 months on an expired license. As part of the order, she must pay civil penalties in the amount of \$2,400. Ms. Morgan then referenced the lapsed license policy that the board discussed earlier in the meeting and informed the board she would adjust the civil penalty to be \$2,000, in accordance with the policy changes discussed. As part of the order, Ms. Clemmons must also pay the costs associated with the presentation of the order. The disciplinary action will be reported to the National Practitioner Databank. Ms. Kinsey made the motion to ratify the order, and Dr. Tabor seconded the motion. The motion carried.

Coble, Sandra RDH – Ms. Coble performed the duties of a registered dental hygienist for 12 months on an expired license. As part of the order, she must pay civil penalties in the amount of \$3,000, and pay costs associated with the presentation of the order. The disciplinary action will be reported to the National Practitioner Databank. Ms. Puckett made the motion to ratify the order, and Ms. Kinsey seconded the motion. The motion carried.

Fogaros, John DDS – Dr. Fogaros allowed a dental hygienist to perform the duties of a registered dental hygienist for 24 months on an expired license. As part of the order, he must pay civil penalties totaling \$2,200, and must also pay the costs associated with the presentation of the order. The disciplinary action will be reported to the National Practitioner Databank. Ms. Puckett made the motion to ratify the order, and Dr. Tabor seconded the motion. The motion carried.

Gardino, Robert DDS – Dr. Gardino allowed a dental assistant to perform the duties of a registered dental assistant for 26 months on an expired registration. As part of the order, he must pay a total of \$2,400 in civil penalties, and the costs associated with the presentation of the order. The disciplinary action will be reported to the National Practitioner Databank. Ms. Puckett made the motion to ratify the order, and Dr. Rodriguez seconded the motion. The motion carried.

Hart, Matthew DDS – Dr. Hart allowed a dental hygienist to perform the duties of a registered dental hygienist for 12 months on an expired license. As part of the order, he must pay a total of \$1,000.00 in civil penalties, and pay costs associated with the presentation of the order. The disciplinary action will be reported to the National Practitioner Databank. Ms. Puckett made the motion to ratify the order, and Ms. Kinsey seconded the motion. The motion carried.

Haston, Waymon DDS – Dr. Moody recused himself from voting on this order. Dr. Haston allowed a dental hygienist to perform the duties of a registered dental hygienist for 18 months on an expired license. As part of the order, he must pay a total of \$1,600 in civil penalties, and pay costs associated with the presentation of the order. The disciplinary action will be reported to the National Practitioner Databank. Ms. Puckett made the motion to ratify the order, and Ms. Kinsey seconded the motion. The motion carried.

Howard, James DDS – Dr. Howard allowed a dental assistant to perform the duties of a registered dental assistant for 10 months on an expired registration. As part of the order, he must pay a total of \$800 in civil penalties, and pay the costs associated with the presentation of the order. The disciplinary action will be reported to the National Practitioner Databank. Ms. Kinsey made the motion to ratify the order, and Dr. Greg Kemp seconded the motion. The motion carried.

Keeling, Thomas DMD – Dr. Caldwell recused himself from voting on this order. Dr. Keeling allowed a dental assistant to perform the duties of a registered dental assistant for 10 months on an expired registration. As part of the order, he must pay a total of \$800, and pay costs associated with the presentation of the order. The disciplinary action will be reported to the National Practitioner Databank. Ms. Puckett made the motion to ratify the order, and Ms. Kinsey seconded the motion. The motion carried.

Lilly, Jason DMD – Dr. Lilly failed to provide proof that during the 2017-2018 CE cycle he completed 4 continuing education hours in the subject of sedation/anesthesia needed to maintain his deep sedation permit. As part of the order, he must pay civil penalties totaling \$400, make up the 4 continuing education hours that he is deficient, and pay costs associated with the presentation of the order. The disciplinary action will be reported to the National Practitioner Databank. Ms. Puckett made the motion to ratify the order, and Ms. Kinsey seconded the motion. The motion carried.

Lipford, Veleska RDA – Ms. Lipford failed to provide proof that during the 2017-2018 CE audit cycle she completed 24 CE hours with 2 of those hours being in the subject of chemical dependency as well as maintained CPR certification during the cycle. As part of the order, she must pay a civil penalty in the amount of \$150, make up the 24 continuing education hours that she is deficient including the 2 hours in chemical dependency, provide proof of current CPR certification, and pay costs associated with the presentation of the order. The disciplinary action will be reported to the National Practitioner Databank. Ms. Kinsey made the motion to ratify the order, and Dr. Tabor seconded the motion. The motion carried.

McMahan, Donna RDA – Ms. McMahan performed the duties of a registered dental assistant for 12 months on an expired registration. As part of the order, she must pay a total of \$3,000 in civil penalties. Ms. Morgan then referenced the lapsed license policy that the board discussed earlier in the meeting and informed the board she would adjust the civil penalty to be \$2,000, in accordance with the policy changes discussed. Ms. McMahan must also pay the costs associated with the presentation of the order. The disciplinary action will be reported to the National Practitioner Databank. Ms. Puckett made the motion to ratify the order, and Ms. Kinsey seconded the motion. The motion carried.

Moore, Terry DDS -Dr. Moore allowed their dental hygienist to perform the duties of a registered dental hygienist for 16 months on an expired registration. As part of the order, he must pay a total of \$1,400 in civil penalties, and pay costs associated with the presentation of the order. The disciplinary action will be reported to the National Practitioner Databank. Ms. Puckett made the motion to ratify the order, and Ms. Kinsey seconded the motion. The motion carried.

Mort, Ian DDS – Dr. Mort failed to provide proof that during the 2019-2020 CE cycle he completed 4 continuing education hours in the subject of sedation/anesthesia needed to maintain his conscious sedation permit, along with proof of PALS/ACLS from June 1, 2020 – October 14, 2020. Dr. Mort must pay a civil penalty in the amount of \$900, make up the 4 continuing education hours that he is deficient, and pay the costs associated with the presentation of the order. The disciplinary action will be reported to the National Practitioner Databank. Ms. Puckett made the motion to ratify the order, and Dr. Rodriguez seconded the motion. The motion carried.



Park, Woo DDS – Dr. Moody recused himself from voting on this order. Dr. Park failed to provide proof that during the 2019-2020 CE cycle he completed 4 continuing education hours in the subject of sedation/anesthesia needed to maintain his comprehensive sedation permit, along with proof of ACLS/PALS from November 1, 2020 – December 31, 2020. As part of the order, he must pay \$600 in civil penalties, make up the 4 continuing education hours that he is deficient, and pay costs associated with the presentation of the order. The disciplinary action will be reported to the National Practitioner Databank. Ms. Puckett made the motion to ratify the order, and Dr. Tabor seconded the motion. The motion carried.

Parkes, Kennett DMD – Dr. Parkes allowed a dental hygienist to perform the duties of a registered dental hygienist for 14 months on an expired license. As part of the order, Dr. Parkes must pay a total of \$1,200 in civil penalties, and pay the costs associated with the presentation of the order. The disciplinary action will be reported to the National Practitioner Databank. Ms. Kinsey made the motion to ratify the order, and Ms. Puckett seconded the motion. The motion carried.

Patel, Anupama DDS – Dr. Patel allowed a dental hygienist to perform the duties of a registered dental hygienist for 18 months on an expired license. As part of the order, Dr. Patel must pay a total of \$1,600 in civil penalties, and pay costs associated with the presentation of the order. The disciplinary action will be reported to the National Practitioner Databank. Ms. Puckett made the motion to ratify the order, and Dr. Tabor seconded the motion. The motion carried.

Perez, Sharon RDH – Ms. Perez performed the duties of a registered dental hygienist for 24 months on an expired license. As part of the order, Ms. Perez must pay \$3,000 in civil penalties, but the costs would be adjusted pursuant to the changes discussed earlier in the meeting regarding the lapsed license policy. The order would also require Ms. Perez to pay the costs associated with the presentation of the order. The disciplinary action will be reported to the National Practitioner Databank. Ms. Kinsey made the motion to ratify the order, and Ms. Puckett seconded motion. The motion carried.

Pittman, David, DMD – Dr. Pittman allowed a dental assistant to perform the duties of a registered dental assistant for 23 months on an expired registration. As part of the order, Dr. Pittman must pay a total of \$2,100 in civil penalties, and pay costs associated with the presentation of the order. The disciplinary action will be reported to the National Practitioner Databank. Ms. Puckett made the motion to ratify the order, and Ms. Kinsey seconded the motion. The motion carried.

Pryor, Haley RDH – Ms. Pryor performed the duties of a registered dental hygienist for 9 months on an expired license. As part of the order, Ms. Pryor must pay civil penalties totaling \$2,100, and pay costs for associated with the presentation of the order. The disciplinary action will be reported to the National Practitioner Databank. Dr. Tabor made the motion to ratify the order, and Ms. Kinsey seconded the motion. The motion carried.

Shelby, Daniel DMD – Dr. Shelby allowed a dental hygienist to perform the duties of a registered dental hygienist for 8 months on an expired license. As part of the order, Dr. Shelby must pay a total of \$600 in civil penalties, and pay costs associated with the presentation of the order. The disciplinary action will be reported to the National Practitioner Databank. Ms. Kinsey made the motion to ratify the order, and

Dr. Tabor seconded the motion. The motion carried.

Virtue, Rebecca RDH – Ms. Virtue performed the duties of a registered dental hygienist for 18 months on an expired license. As part of the order, she must pay civil penalties in the amount of \$3,000 (was \$4,500 prior to lapsed license policy update) and pay costs associated with the presentation of the order. The disciplinary action will be reported to the National Practitioner Databank. Ms. Puckett made the motion to ratify the order, and Dr. Tabor seconded the motion. The motion carried

Wallace, Leslie DMD – Dr. Caldwell recused himself from voting on this order. Dr. Wallace allowed a dental assistant to perform the duties of a registered dental assistant for 10 months on an expired registration. As part of the order, Dr. Wallace must pay a total of \$800 in civil penalties, and pay costs associated with the presentation of the order. The disciplinary action will be reported to the National Practitioner Databank. Ms. Kinsey made the motion to ratify the order, and Ms. Puckett seconded the motion. The motion carried.

Wells, Heather RDA – Ms. Wells performed the duties of a registered dental assistant for 10 months on an expired registration. As part of the order, she must pay civil penalties in the amount of \$2,000 pursuant to the lapsed license policy changes discussed, and pay the costs associated with the presentation of the order. The disciplinary action will be reported to the National Practitioner Databank. Ms. Puckett made the motion to ratify the order, and Ms. Kinsey seconded the motion. The motion carried.

Williams, Kyle DDS – Dr. Williams allowed a dental hygienist to perform the duties of a registered dental hygienist for 12 months on an expired license. As part of the order, he must pay a total of \$1,000 in civil penalties, and pay costs associated with the presentation of the order. The disciplinary action will be reported to the National Practitioner Databank. Ms. Puckett made the motion to ratify the order, and Ms. Kinsey seconded the motion. The motion carried.

Wray, Amber RDA – Ms. Wray failed to provide proof that during the 2017-2018 continuing education cycle she obtained non-online CPR certification for January 1, 2017, through August 30, 2018. As part of the order, Ms. Wray must provide proof of current CPR within 90 days, and she must pay the costs associated with the presentation of the order. The disciplinary action will be reported to the National Practitioner Databank. Ms. Kinsey made the motion to ratify the order, and Dr. Tabor seconded the motion. The motion carried.

Wright, Lee DDS – During an appointment on April 5, 2021, Dr. Wright struck a 4-year-old patient. As part of the order, Dr. Wright must enroll in and complete 5 CE hours in the subject of managing behavior of pediatric patients, 5 CE hours in the subject of anger management, and 5 CE hours in the subject of recognizing child abuse. All 15 CE hours must be preapproved by the board consultant prior to enrollment/completion. Dr. Wright must pay a \$1,000 civil penalty and pay the costs associated with the presentation of the order. The disciplinary Action will be reported to the National Practitioner Databank. Ms. Kinsey made the motion to ratify the order, and Dr. Caldwell seconded the motion. The motion carried.

## **ORDER MODIFICATION**

Parsons, Buckie DDS – Ms. Puckett and Dr. Moody recused themselves from voting on this order. Dr. Parsons had a board order that required him to take CE course, and the deadline for him to take the course was April 7, 2022. The deadline passed without Dr. Parsons being able to enroll in the required course. Dr. Parsons requested a modification to the Board order to allow for completion of the course, instead of being considered in violation of the order by not meeting the deadline. The course was taken in early July prior to the meeting. Dr. Greg Kemp made the motion to approve the language for the order Ms. Morgan drafted to allow this modification, and Dr. Rodriguez seconded the motion. The motion carried.

There were no public comments or questions, and the meeting was adjourned.