

# MINUTES

## TENNESSEE BOARD OF DENTISTRY

**Date:** October 7, 2021

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

**Members Present:** Phillip Kemp, DDS - President  
Robert Caldwell, DMD  
Edward Moody, DDS  
Maricela Rodriguez, DDS  
Steven Zambrano DDS  
Airica Brooke Puckett, RDH  
Thao L. Kinsey, RDH  
Naomi Martin, RDA

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

### **RULE MAKING HEARING**

The meeting was called to order at 9:12 a.m. Dr. Tabor, Dr. Meadows, and Ms. Richert were not in attendance.

Attending the meeting were agency representatives from: The University of Tennessee School of Dentistry, Meharry College School of Dentistry, and the Tennessee Dental Wellness Foundation. Notices were sent and posted concerning the perspective rule making hearing, so the affected individuals would have ample time to respond or plan to attend the hearing. Those wishing to speak at the rule making hearing were asked to sign-up on the sheet available at the entrance of the board meeting room. Only those who signed up were able to speak during the rule making hearing.

#### 0460-02-.05 (1) (a) - Examinations

Discussion of this proposed rule change would allow for students to have the option for either a live human patient or a non-patient manikin-based exam when submitting for application with the board.

Dr. James Ragain, Dean of the University of Tennessee College of Dentistry, suggested that the rule be aligned with Tennessee statute 63-5-111 (a) (3) and that the term “manikin” be removed, so that in the future this rule is all inclusive to any non-patient-based type testing.

Dr. Cherae Farmer-Dickson, Dean of Meharry College of Dentistry, spoke in support of Dr. Ragain’s suggestion to have the word manikin removed from the rule.

After some discussion between Ms. Morgan and the board members regarding the statute already being law and trumping the rule, Ms. Puckett made a motion to have the term manikin removed from the rule and that the rule be aligned with the statute. After a roll call vote the motion carried. A second motion was needed to adopt the rule change, Dr. Zambrano made the motion which was seconded by Dr. Moody. Following a roll call vote this motion also carried.

#### 0460-01-.05 – Continuing Education and CPR

The proposed rule change was discussed, stating rule would be amended to add the Tennessee Dental Wellness Foundation to the list of organizations that can sponsor or approve continuing education courses that would automatically be accepted by the board. This would automatically grant continuing education hours for those courses sponsored/taught by the foundation, without individual courses needing to be approved by the board before they are given.

Dr. David Sain, Executive Director Tennessee Dental Wellness Foundation, stated that they wanted to be able to sponsor board approved continuing education course for two reasons: 1) they wish for their clients to have more in depth knowledge than just addiction/prescription writing every 2 years so that they can control the curriculum and know what they are receiving; and 2) to make sure the Tennessee Wellness Foundations information is getting out in the public so that if dental professionals need the help they know where to go.

Dr. Moody made the motion to accept the proposed rule change, which was seconded by Ms. Kinsey. Following a roll call vote, this motion also carried.

#### Rule 0460-02-.07 – Anesthesia and Sedation

There were no public comments or questions regarding this rule change. The rule changes included a change to the rules to change written protocol requirements, as well as changing the training and operating team protocol requirements.

Ms. Martin made the motion to accept the rule changes as written. Ms. Kinsey seconded the proposed rule change. The motion carried following a roll call vote.

### **CONFLICT OF INTEREST**

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

The purpose of the meeting was to ratify new licenses, certifications, permits, courses, and programs submitted since the last meeting, as well as to discuss other time sensitive matters.

### **MINUTES**

1. Board of Dentistry July 2021 Meeting Minutes - A motion was made by Ms. Puckett to accept the July 2021 Board Meeting minutes as written. The motion was seconded by Ms. Martin, and the motion carried.
2. Board of Dentistry Anesthesia Committee September 2021 - Ms. Kinsey made a motion to accept the minutes from the September 2021 Anesthesia Committee meeting. The motion was seconded by Ms. Puckett, and the motion carried

## **INTERVIEWS / REQUESTS**

Aldana, Claudia, DA – Ms. Aldana came before the board due to the criminal history reported on her application for licensure. In 2013, Ms. Aldana was charged with felonies for conspiracy to receive forged treasury checks and theft of public money. As a result of this conviction, Ms. Aldana had to serve a sentence, was placed on probation, and is currently paying \$20,000,000.00 in restitution. She stated that she has served her time, completed the conditions of probation, and makes her monthly restitution payments. After some conversation between Ms. Morgan and the board members regarding the Fresh Start Act, Ms. Kinsey made the motion to grant the license without any contingencies. Dr. Zambrano seconded the motion, and the motion carried.

Carroll, Danielle, DA – Ms. Carroll came before the board concerning criminal history being reported on her licensure application. She discussed the excessive amounts of warrants between the years 2009-2011, while living in Washington state. Ms. Carroll stated since the incidents leading to the warrants, she has completed numerous educational courses such as anger management, and that she has not been in any kind of legal trouble since leaving the state of Washington. Ms. Kinsey made a motion to grant the license fully. Dr. Rodriguez seconded the motion, and the motion carried.

Flint, Rakell, DA – Ms. Flint came before the board concerning criminal history being reported on her initial licensure application. She reported previous narcotics charges, as well as charges for driving on a suspended license on multiple occasions. Ms. Flint states that she currently does not have a valid driver's license, although all her fines are paid off. She has been unable to reapply for her driver's license due to having open lawsuit against her stemming from a car accident. The settlement must be paid before the license can be obtained by Ms. Flint. She stated that she must continue to drive on a suspended license, due to the necessity of needing to get to work and back home. The board members were concerned that although Ms. Flint was not on criminal probation at this time, her continual driving on a suspended license could lead to additional criminal charges that would affect her dental assistant license, if it is granted. Ms. Puckett suggested that Ms. Flint find alternative means of transportation to get around, to avoid breaking the law by driving on a suspended license. Dr. Zambrano was concerned that if Ms. Flint continuously breaks the law for her driver's license, that she may have issues with abiding by the rules for her dental assisting license in the future. After some dialogue between Ms. Morgan and the board members of the options for their vote on whether to grant the approval or denial of Ms. Flint's license, in light of her admitting she would continue to drive on a suspended license. Dr. Moody suggested that the board hold Ms. Flint's application until she takes the necessary steps to obtain her driver's license, and then have the board consultant review her application again for approval. He stated granting a free and clear license would give the appearance that the board did not have a problem with her continuing to drive on a suspended license. Ms. Puckett made the motion to grant the license contingent upon Ms. Flint paying the settlement, obtaining a valid driver's license, and then have her application reviewed by the board consultant at that time. Dr. Zambrano seconded the motion, and the motion carried.

Olney, Courtenay Sr. DS - Dr. Olney came before the board due to his National Provider Data Bank report showing a \$75,000 settlement. Dr. Olney stated that they decided to settle rather than go back to court. He stated he treated the patient, then informed them to be in contact if he needed anything looked over or there were any issues. The patient never reached back out to Dr. Olney about any concerns after treatment. Ms. Kinsey made a motion to grant the license. Dr. Rodriguez seconded the motion, and the motion carried.

Vaughn, Gracie, DA - Ms. Vaughn was not in attendance when her name was called during the meeting.

## **RATIFICATION**

New licenses, reinstatements/reactivations, and retirements - Ms. Puckett made a motion to approve all new licenses, reinstatements/reactivations, and retirements. Dr. Rodriguez seconded the motion, and the motion carried.

Specialties, certifications and permits - Ms. Puckett made a motion to approve all new specialties, certifications, and permits. Ms. Kinsey seconded the motion, and the motion carried.

Administrative revocations - Ms. Kinsey made a motion to approve all administrative revocations. Ms. Puckett seconded the motion, and the motion carried

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

Ms. Puckett made a motion to approve the following waivers:

1. McSwain, Desiree RDA (CE audit)
2. Pelot III, Rebuen DDS (CE audit)
3. West, Brian DMD (Sedation audit)

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

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

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

1. "Scheduling Institute: New Patient Experience"- individual CE credit
2. "Advanced Hygiene Concepts"- Individual CE credit
3. Baird Dental Business Concepts- "Dealing with Difficult People in A Professional Setting"

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

## **DENTAL ASSISTING PROGRAM**

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

1. Tennessee College of Applied Technology at Dickson
2. Tennessee College of Applied Technology at Pulaski

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

## **PROGRAMS AND CERTIFICATION COURSES**

1. Administering and Monitoring Nitrous Oxide- Ms. Puckett made a motion to approve the following courses:

- a. Basic Dentistry Done Better
- b. Interfaith Dental
- c. Nitrous Oxide Administration & Monitoring Certification Program
- d. Remington College- Dental Hygiene
- e. Roane State Community College
- f. University of Tennessee College of Dentistry

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

2. Coronal Polishing- Ms. Martin made a motion to approve the following courses:
- a. Basic Dentistry Done Better
  - b. Coronal Polishing Certification Program
  - c. Dental Staff School- Knoxville
  - d. Interfaith Dental's Interfaith Education Center for Community Dental Care
  - e. Tennessee College of Applied Technology- Knoxville

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

3. Dental Radiology - Ms. Puckett made a motion to approve the following courses:
- a. Basic Dentistry Done Better
  - b. Bob Dalsania, DDS Family & Cosmetic Dentistry
  - c. Dental Radiology Certification Program
  - d. Interfaith Dental's Interfaith Education Center for Community Dental Care
  - e. Tennessee College of Applied Technology- Knoxville
  - f. University of Tennessee College of Dentistry

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

4. Sealant Application - Ms. Kinsey made a motion to approve the following courses:
- a. Basic Dentistry Done Better
  - b. Cumberland Academy of Dental Assisting, PLLC
  - c. Dental Staff School- Knoxville
  - d. Interfaith Dental's Interfaith Education Center for Community Dental Care
  - e. Sealant Application Certification Program
  - f. Tennessee College of Applied Technology- Knoxville

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

5. Nitrous Oxide Monitoring Course - Ms. Puckett made a motion to approve the following courses:
- a. Basic Dentistry Done Better
  - b. Cumberland Academy of Dental Assisting, PLLC
  - c. Dental Staff School – Knoxville
  - d. Interfaith Dental's Interfaith Education Center for Community Dental Care
  - e. Lincoln Memorial University College of Dental Medicine
  - f. Nitrous Oxide Monitoring Certification Program
  - g. Tennessee College of Applied Technology- Knoxville
  - h. University of Tennessee College of Dentistry

Dr Rodriguez seconded the motion, and the motion carried.

## **EQUIVALENCY OF COURSES**

1. Administering and Monitoring Nitrous Oxide - Ms. Puckett made the motion to approve the following equivalency courses:

- a. Anderson, Caitlyn- Western Kentucky University
- b. Beam, Amy- University of Colorado
- c. Black, Sara- Utah College
- d. Botens, Jessica- SUNY Orange County Community College
- e. Caldwell, Nicole- Taft College
- f. Cary, Adriana- Northern Virginia Community College
- g. Cree, Jennifer- Portland Community College
- h. Deloney, Ashlee- Allegany College of Maryland
- i. Fesler, Shelly- Loma Linda University
- j. Honaker, Randi- Wytheville Community College
- k. Jennings, Laura- Old Dominion University
- l. Johnson, McKenzie- Louisiana State University
- m. Kentfield, Danelle- Pierce College
- n. Kostrzewski, Kaitlin- Minnesota State University
- o. LeFant, Mackenzie- Concorde Career College, Colorado
- p. Lords, Brooke- Fortis College
- q. Lowe, Tricia- Minnesota State University
- r. Mauvais, Alyssa- Eastern Washington University
- s. Mendez-Juarez, Guadalupe- Iowa Western Community College
- t. Napper, Amber- Bluegrass Comm and Tech College
- u. O'Donnell, Erin- Southern Illinois University
- v. Sadler, Mia- Western Kentucky University
- w. Saltgaver, Miranda- Southern Illinois University
- x. Schultz, Camille- New Mexico State
- y. Schultz, Courtney- New Mexico State
- z. Smith, Nancy- University of Missouri- Kansas City
- aa. Vaught, Jessica- Western Kentucky University
- bb. Whann, Morgan- Lakeland College

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

2. Radiology - Ms. Puckett made the motion to approve the below equivalency courses:

- a. Adams, Amanda- The Medical Institute of Kentucky
- b. Allen, Serna- Asheville Buncombe Technical Community College
- c. Carter, Morgan- The Medical Institute of Kentucky
- d. Poplin, April- The Medical Institute of Kentucky

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

3. Sealant Application - Ms. Puckett made the motion to approve the below equivalency course:

- a. Wagon, Melissa- Carrington College

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

4. Multiple Courses - Ms. Puckett made the motion to approve the below equivalency courses:

- a. Wagon, Melissa- Carrington College- Rad-CP

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

5. Denied - Dr. Caldwell made the motion to deny the below equivalency courses:

- a. Flanagan Amanda- UT Memphis- Prosthetic Functions
- b. Layton, Kimberly- UT Memphis- Coronal Polishing
- c. Williams, Whitney- UT Memphis- NOM, Sealants

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

## **CORRESPONDENCE**

No action needed; documents were uploaded just for the board members to review.

1. **From Associations**
  - a. American Association of Orthodontists
  - b. American Tele Dentistry Association
2. **From Accreditation and Testing Agencies**
  - a. The CRDTS Report

## **REPORTS**

Executive Directors Report - Ms. Macias gave the board the 2022 tentative meeting dates: January 6-7, April 7-8, July 14-15, and October 14-15, which are subject to change. Since January, the board has received initial applications for: 266 dentists, 311 dental hygienists, 1,224 dental assistants, and 68 for facilities. The total number of licenses issued to date were: 251 for dentists, 298 for dental hygienists, 1,117 dental assistants, and 64 facility permits.

Office of Investigations Report - Courtney Lilly gave the OGC report. There are currently 104 dental professionals (Dentists:33, Hygienists: 7, Dental Assistants: 64) being monitored by the investigations team. There are currently 192 open complaints being reviewed or investigated at this time.

OGC Report – Ms. Morgan informed the board that two consent orders would be presented during the meeting for their review. There were 21 open cases with the office at this time. Ms. Morgan reminded the board members that there would be a contested case on the docket for the meetings second day. On July 18, 2021 rules for Registered Dental Hygienist Prescriptive Authority Certification went into effect, the educational limited license no longer required a dentist to have a license for a year or more in another state, and Dental Anesthesiology became a recognized specialty that could be added to a dentist license.

Financial Report - Matthew McSpadden joined the meeting to give the financial report. He gave the preliminary report for the 2021 fiscal year. There were no questions from the board at that time regarding the report given. Dr. Kemp asked a question regarding the changing of fees which was voted on at the July Board Meeting, to which Mr. McSpadden stated there was no update at this time so keep things as is.

Tennessee Dental Wellness Foundation Update - Dr. Sain joined to give an update on the Wellness Foundation. He informed the board that the Wellness Foundation was having a retreat that upcoming weekend and they had just finished being audited by the State of Tennessee. Currently the Wellness Foundation has 53 active clients, and who met personally in their office, with 13 of those patients seen during the last quarter. Dr. Sain stated that there were only 2 facilities in the area to treat patients, and he believes that a third option for referrals is needed to treat the dental professionals. Dr. Sain also informed the board that a revised grant requesting an additional \$75,000 for foundation, would be submitted shortly to the board office for consideration. The board wanted to make a motion to approve the request revision brought to them by Dr. Sain, but after some discussion with Ms.

Morgan it was decided that additional information was needed since Ms. Morgan does not handle any grants and this would have to go through the appropriate channels. Dr. Sain came back and clarified that this was just an amendment to an already submitted grant approval. Ms. Puckett made the motion to amend the proposal. Ms. Martin seconded the motion, and the motion carried.

Update from Schools of Dentistry–

*UT School of Dentistry* – Dr. Ragain came to give the schools report. He stated that at that time the school was able to go back to being a full-time dental clinic. At the time of the meeting there was no report of any known COVID cases within the program. Dr. Cosby has been named chair of the school’s Endodontics program and they are currently searching for chairs for the Pediatric & Orthodontic program. Currently there are 399 students enrolled in their dentist program, and 62 students in the Bachelor of Science for their Dental Hygiene program. There were 521 students total, including those in their residency programs. The school is still doing full PPE currently. Dr. McKinney came to give the update for the expand functions program, and he reported that all classes for 2021 have been filled. Due to the pandemic, they are sticking with smaller class sizes, but are making up for it by offering additional sessions throughout the year. For 2020, there were 3 restorative classes and 1 prosthetic course, but 2021 they increased their course offerings to having 6 restorative courses and 3 prosthetic courses. Due to smaller class size the students were able to complete more restorations and had more one-on-one time with the instructors. Dr. McKinney reported that their expanded functions courses are currently booked through July 2022. A location has been secured on the campus of UT Knoxville for the school to teach the class restorative functions class off site for the first time beginning in 2022, and they are waiting to hear back from UT-Chattanooga in hopes of teaching a course there as well.

*Meharry School of Dentistry* – Dr. Farmer-Dickson came to give the schools update. Their first group of students for their foreign trained dentist program started back in July. Total enrollment is currently 267 students, with 58% of the students being female and 42% being male. There are 62 new students in the school’s first-year program. The school has partnered with the Shelbyville community to provide dental services in their area twice a month, due to the lack of providers in the area. All students, faculty, and staff are currently fully vaccinated. Dr. Gray came to give an update on the school’s auxiliary programs, they are wrapping up there second restorative course for the year and all 26 students are on course to graduate. Also informed the board that all 35 students from the summer class have graduated. The course has moved to one full day (Saturday) as virtual only due to the pandemic.

CE Broker update - A few more people are starting to use the service and they have 410 active courses for licensees to take.

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

Ms. Morgan read the rules for the record regarding the rotating member to be added to the Anesthesia Committee. After some discussion between the board members, Ms. Puckett made the motion for Dr. Caldwell to serve as the rotating board member on the committee. Dr. Rodriguez seconded the motion, and the motion carried.

Ms. Morgan brought up the process/use of screening panels to the board members regarding disciplinary action and board orders. It was discussed among the board members that the use of screening panels would likely reduce the number of contested cases. There were four contested cases to be brought up for the January 2022 board meeting, which could cause a time constraint issue for that meeting date. The board members agreed that the use of screening panels could allow for fewer contested case hearings in the future.

Dr. Moody spoke regarding the Specialty Committee being dissolved since Dr. Travis has finished his term serving on the board, leaving Dr. Moody as the only remaining committee member. Dr. Moody stated he would handle getting the verbiage together for the board members regarding the two new recognized dental specialties



and a committee would not be needed. Dr. Zambrano made a motion to dissolve the specialty committee. Ms. Martin seconded the motion, and the motion carried.

## COMMITTEE AND TASKFORCE UPDATES

Anesthesia Committee Recommendation - Ms. Morgan advised the board to review rule 0460-02-.07, regarding the committee's recommendation. Ms. Morgan also informed the board members that there were some individuals in attendance at the meeting who wished to speak concerning the committee recommendation. She clarified that the board members were there to decide if the rule in question is clear as written, or whether they felt the rule needed to be amended to provide clarification, which would require a rule making hearing. Ms. Tausha Alexander from the Tennessee Association for CRNA's came forward to present some information regarding the CRNA's role within the rule in question. Dr. Zambrano asked that in hospital settings doesn't the physician take the supervisory role over the CRNA, to which Ms. Alexander stated they work hand in hand together according to the rules. Dr. Zambrano stated that more dentists are looking into anesthesia as they are having to more frequently sedate the pediatric population during treatment, and he was unsure of the qualifications of a CRNA to do that. Ms. Alexander stated that the CRNA's are trained specifically for sedation, and that is what they do in their profession daily. She stated that safety is the highest priority in their profession. Ms. Alexander stated that it was the association's recommendation to keep the rules written as is.

Dr. Matt Yezerksi, a Tennessee Dental Anesthesiologist, expressed his concern to the board that he was not able to attend the committee meeting in order to participate in this conversation leading to their recommendation. He stated that he would have liked to have been able to address the committee on the issue before any suggestions were made to the board members regarding CRNA usage in the dental office by dentists with a sedation permit. He feels like safety is their number one priority. Dr. Yezerksi also stated there are models in place in other types of settings that could make better use of the CRNA's in a dental office effectively. Ms. Morgan pointed out that the committee did not have a physical quorum at the last meeting due to the numbers being adjusted with the new laws and the committee members not being in place. Dr. Yezerksi expressed how happy he was to have his specialty application ratified for Dental Anesthesiology to be added to his license. Ms. Puckett made a motion to table this discussion until the next meeting. Dr. Rodriguez seconded the motion, and the motion carried.

## AGREED CITATIONS

### Continuing Education

Ms. Puckett made the motion to approve following:

1. Beachy, Hannah RDA
2. Case, Mercedes RDA
3. Childers, David DDS
4. Clark, Miranda RDA
5. Crutcher, Jacquelyn RDA
6. Dagley, Meghan RDA
7. Fusner, Ashley RDH
8. Humphrey-Bone, Karen
9. Lakin, Leandra RDA
10. Lindley, Kashaundra RDH
11. Marandi, Nadia RDH
12. Perez, Evelyn RDA
13. Pickard, Donna RDH
14. Sampson, Debra RDA
15. Sewell, Whitney RDA
16. Sneed, Alisha RDA
17. Stowers, Kristin RDH
18. Thom, Michelle RDA
19. Walsh, Melissa RDA
20. Williams, Courtney RDH
21. Wood, April RDA

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

### Lapsed Licenses

Ms. Martin made the motion to approve the following lapsed license citations:

1. Holbrooks, Sherry RDA
2. Kraus, Katherine RDA

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

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

1. Johnson, Jennifer DDS - Dr. Caldwell was to be recused from hearing this order. Ms. Morgan went over the rules that were violated and the fines that Ms. Johnson was to pay. Ms. Johnson's statement was read to the board, and it was clarified that she did sign the consent order. Ms. Puckett made the motion to approve the consent order. Dr. Rodriguez seconded the motion, and the motion carried.
2. Parsons, Buckie DDS - Dr. Moody was to be recused from the review and on the record, Ms. Puckett recused herself as well. Ms. Morgan read the violations of rules along with what was needed to be completed by Dr. Parson. Dr. Zambrano made a motion to approve the signed consent order. Ms. Martin seconded the motion, and the motion carried.

### **PUBLIC COMMENTS/ Q&A OPPORTUNITY**

1. *Brett, Tennessee Dental Association* – came to thank Dr. Kemp and Ms. Macias for speaking at the TDA Annual Meeting over the summer. He stated the Q&A session was very well received by the attendees.

The meeting was adjourned at 2:41 p.m.

**October 8, 2021**

### **CONTESTED CASE HEARING**

Members Present: Dr. Zambrano, Dr. Rodriguez, Ms. Kinsey, Ms. Martin, Dr. Caldwell, and Dr. Kemp.  
Staff Present: Ms. Paetria Morgan; Senior General Counsel, Ms. Ailene Macias; Board Director, Richard Mural;  
Administrative Judge

The contested case hearing was called to order at 9:03 a.m.

Dr. Eric Hall requested to file a motion for an extension, due to not having legal counsel present at the hearing. Dr. Hall stated he had been in the contact with several lawyers in Tennessee and Texas regarding the matter at hand. At this time, he has retained counsel in the State of Texas for the disciplinary action taken against his license by the Texas Board of Dentistry. At the time of the hearing, he had not retained counsel in the State of Tennessee in order to represent him in front of the board for his contested case.

Ms. Morgan replied that the state objected to the motion for an extension due to the egregious nature of the charges brought against his dental license in Texas, and Dr. Hall has had ample time to obtain counsel in Tennessee. Ms. Morgan also confirmed that the notice of charges was filed on August 30<sup>th</sup>. Dr. Hall stated he

would be unable to move forward with the contested case hearing that day due to financial constraints, not locating counsel that will stick with him for the long haul fighting the disciplinary action in two states at the same time, and he was currently working with a Dr. Wynn to find counsel in Tennessee to represent him.

The judge informed him that the fact the financial matters were not a valid reason for an extension to be granted, but the amount of time that he had between the meeting and notice of charges was too short to allow him to retain counsel. The judge asked Ms. Morgan of the date for the next board meeting, to which Ms. Morgan informed him January 6-7, 2022. Judge Mural informed Dr. Hall that there will not be a second continuance, so on January 7<sup>th</sup> Dr. Hall will be expected to go forward either with the contest case hearing with or without counsel. The motion for an extension was granted, and Dr. Hall was informed to have his attorney contact Ms. Morgan for any matters concerning his case. Judge Mural informed the board that due to getting assigned to the case at the last minute, as the original judge had to undergo a medical procedure. For this reason, the only way for Dr. Hall to request a continuance for his case was to verbally request one from the board during the meeting. The judge stated the notice of hearing was only 30 days out from the meeting, which compelled him to grant Dr. Hall the continuance to allow for due process.

With the granting of the requested motion for continuance, the hearing concluded at 9:13 a.m.