

MINUTES

TENNESSEE BOARD OF DENTISTRY MEETING

Date: October 13, 2022

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

Members Present: Greg Kemp, DDS
Thao Kinsey, RDH
Naomi Martin, RDA
Maricela Rodriguez, DDS
Airica Puckett, RDH
Steven Zambrano, DDS

Staff Present: Ailene Macias, Director
Paetria Morgan, Senior Associate General Counsel

The meeting was called to order at 9:00 a.m. Due to the absence of the Board President and the Vice President, Ms. Kinsey (Board Secretary) was asked if she wished to lead the meeting. Ms. Kinsey stated she would prefer another board member take on this task. Dr. Rodriguez volunteered to act as Board President for the meeting. A roll call vote was taken to approve Dr. Rodriguez to serve as board president for this meeting.

Ms. Alicia Grice gave the fiscal report before the rulemaking hearing started. Ms. Grice went over the FY22 report, so the board members were able to review all information before making a decision to vote on a rule change for fee reductions to be approved. The carry over balance from FY22 came in at around \$4 million. The largest amount of revenue incoming to the board office was from license renewals and initial licensing applications. The target reserve balance is typically supposed to be around \$3 million, which showed the board was still over the target amount. Ms. Grice went over the proposed fee reductions to be discussed at the rulemaking hearing, for the purpose of reducing the reserve balance to be within the proper range. The projected target balance would be reduced to the required range within approximately 2 years with the proposed fee changes. The reduction of the reserve balance will also be aided by the contribution from the board towards upgrades to the LARS system in use for licensing/application processes. The amount each board will contribute to the LARS system is based upon the number of licensees for that board. A motion was made by Ms. Puckett to move forward with the drafted rule change document for fee reductions, to be discussed during the rulemaking hearing. Ms. Kinsey seconded the motion, and the motion carried.

The rule making hearing was called to order by Ms. Morgan. The purpose of the rulemaking hearing was to discuss the amended rules regarding the fee reduction for the various licensure, renewal, and permit fees, and to eliminate the registered dental assistant certification application fee. Ms. Morgan reminded the board members and audience that any members of the audience wishing to speak during the rulemaking hearing process, would need to sign up on the public comment sign-in sheet at the entrance of the board room. The notice of rulemaking hearing was posted online on the board website to ensure proper notification was given to the public and license holders, and the state dental associations were also

notified of the hearing. No one in attendance at the meeting signed the request sheet to address the board concerning the hearing. Ms. Grice notified the board members and Ms. Morgan that the proposed rule packet would need to make a minor change, due to the \$10 State Regulatory Fee not being able to be reduced with the rest of the fees as listed. The State Regulatory Fee is set by the Office of Finance and Administration, therefore the fee cannot be changed by the board during the proposed rule change for fee reductions. Ms. Puckett made a motion to accept the amended rule packet with the State Regulatory Fees staying at \$10, but reducing the other fees as listed in the packet. The motion was seconded by Ms. Martin. The motion carried following a roll call vote.

A motion was made by Dr. Zambrano to approve the to accept the State Regulatory Flexibility Analysis document, as written. Ms. Puckett seconded the motion, and the motion carried. The board members reviewed the State Economic Impact Statement document. A correction was made to #5 of the economic impact document to include the word “none.” Ms. Puckett made a motion to accept the economic impact statement with the listed change. Ms. Martin seconded the motion, and the motion carried following a roll call vote.

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

MINUTES

Ms. Puckett made a motion to approve the meeting minutes for the July 2022 Board of Dentistry Meeting. Dr. Zambrano seconded the motion, and the motion carried.

INTERVIEWS/REQUESTS

Bond, LaShana- Ms. Bond was asked to come before the board due to a conviction being reported on her initial dental assistant registration application. Some documentation sent in with the application appeared to show Ms. Bond may have civil penalty payments and possibly be on criminal probation at that time. When asked about the convictions reported on the licensure application, Ms. Bond stated the assault charge was dropped, but she did get charged with speeding and driving on a suspended license. She had also missed her court date for the driving charge. Ms. Bond was not on probation and didn't have any additional civil penalties to pay for the charges. Dr. Zambrano made a motion to approve Ms. Bond's application for licensure. Ms. Martin seconded the motion, and the motion carried.

Hummer, Susquahanna- Ms. Hummer was asked to come before the board due to convictions being reported on her application for initial licensure as a registered dental assistant. The charges included a history of substance abuse and possession of controlled substances. Ms. Hummer is on criminal probation until December of 2023. Ms. Hummer stated that she has been sober for 3 years, and she is now heavily involved in her church. She got into the dental field after losing all her teeth due to drug use, and she now hopes to help others improve their lives by working as a dental assistant. Dr. Rodriguez asked Ms. Hummer about any programs she is involved in help with recovery. Ms. Hummer stated she goes to therapy sessions, has a sponsor, is part of recovery support groups, is involved in the church, and is also stays busy as a soccer mom. Ms. Puckett made a motion to grant a conditional license to Ms. Hummer. The license will be placed on probation to run concurrent with the criminal probation, as well as require her to have an evaluation with the Wellness Foundation before the conditional license will be approved. Ms. Kinsey seconded the motion, and the motion carried.

Schlothauer, Mark DDS- Dr. Schlothauer was asked to come before the board due to pending disciplinary and lawsuit involving a patient in Nebraska, where he is currently practicing dentistry. He joined the meeting via conference call for his interview, due to living out of state at that time. In January 2019, Dr.

Schlothauer saw a patient who had been hit in the face with a beer can, and he did endodontic surgery on tooth #25 due to irreversible pulpitis and acute periodontitis. The patient was referred to an endodontist for further treatment. Dr. Schlothauer did not hear from the patient again, until he was notified in May 2021 that she was filing a lawsuit against him for the treatment provided in 2019. Dr. Zambrano stated it seemed Dr. Schlothauer had not done anything out of the ordinary in this case, and had documented everything with the patient treatment properly. Dr. Schlothauer mentioned the patient had filed the suit in Nebraska less than 24 hours before the deadline in the legal system to file such a suit. Dr. Schlothauer was hoping to move to Tennessee to practice, after being offered a position to run the UT Bristol Dental Clinic. Ms. Puckett made a motion to grant Dr. Schlothauer his dentist license. Ms. Morgan interjected to remind the board that no disciplinary action has been taken against his Nebraska license, which would need to be noted for the record. Ms. Puckett stated that her motion stood, to grant Dr. Schlothauer his dentist license. Ms. Kinsey seconded the motion, and the motion carried.

RATIFICATIONS

Ms. Kinsey made a motion to ratify the following:

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

Dr. Zambrano 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. Bailey, Jessica RDA | 12. Kaiser, Matthew DMD |
| 2. Barcroft, Betsy DDS | 13. Lewis Jr. John DDS |
| 3. Brock, Steven DDS | 14. Muller, Lyle DDS |
| 4. Broyles, Carolyn RDA | 15. Narmore, Kimberly RDH |
| 5. Buchanan, Donald DDS | 16. Preston Charles DDS |
| 6. Craig, John DDS | 17. Reed, James DDS |
| 7. Dalton, Amber RDH | 18. Smith Elisha RDH |
| 8. Ericson, Tara DDS | 19. Spencer, Erin DMD |
| 9. Henderson, Jacqueline RDH | 20. Watts, Sam DDS |
| 10. Hobbs, Robin DDS | 21. West IV, George DDS |
| 11. Jones, William DDS | |

The motion was seconded by Ms. Kinsey, and the motion carried.

APPROVAL OR DENIAL OF CONTINUING EDUCATION, CPR COURSES AND/OR COURSES

Dr. Zambrano made a motion to approve the following courses:

1. Pulitzer Orthodontics- "Contemporary Orthodontics"
2. "Scheduling Institute- 5 Star Telephone Training" (15 individual licensees for CE credit)

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

DENTAL ASSISTING PROGRAM

Ms. Puckett made a motion to approve the following dental assisting programs:

1. Academy of Dental & Medical Educators Inc.
2. Competitive Edge Dental Academy, LLC- Lebanon
3. Concorde Career College- Memphis
4. Cumberland Academy of Dental Assisting
5. Dental Assisting School of Nashville
6. Dental Learning Center- Blountville
7. Dental Learning Center- Cookeville
8. Dental Learning Center- Maryville
9. First Class Dental Assisting School of Nashville
10. North Knoxville Dental Assisting School

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

PROGRAMS AND CERTIFICATION COURSES

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

1. Administration and Monitoring Nitrous Oxide
 - a. University of Tennessee College of Dentistry
2. Administering and Monitoring Nitrous Oxide
 - a. Basic Dentistry Done Better
 - b. Interfaith Dental
 - c. Nitrous Oxide Administration and Monitoring Certification Program
 - d. Remington College- Dental Hygiene
 - e. University of Tennessee College of Dentistry
3. Coronal Polishing
 - a. Basic Dentistry Done Better
 - b. Chattanooga State Community College
 - c. Clarksville Dental Assisting Program
 - d. Coronal Polishing Certification Program
 - e. Cumberland Academy of Dental Assisting
 - f. Dr. Bob Dalsania Family & Cosmetic Dentistry
 - g. Interfaith Dental
 - h. Tennessee College of Applied Technology at Knoxville
4. Dental Radiology
 - a. Basic Dentistry Done Better
 - b. Cumberland Academy of Dental Assisting
 - c. Dental Radiology Certification Program
 - d. Dr. Bob Dalsania Family & Cosmetic Dentistry
 - e. Interfaith Dental

- f. Tennessee College of Applied Technology at Knoxville
5. Sealant Application
 - a. Basic Dentistry Done Better
 - b. Chattanooga State Community College
 - c. Clarksville Dental Assisting Program
 - d. Cumberland Academy of Dental Assisting
 - e. Dr. Bob Dalsania Family & Cosmetic Dentistry
 - f. Interfaith Dental
 - g. Sealant Application Certification Program
 - h. Tennessee College of Applied Technology at Knoxville
 - i. University of Tennessee College of Dentistry
 6. Nitrous Oxide Monitoring Course
 - a. Basic Dentistry Done Better
 - b. Chattanooga State Community College
 - c. Competitive Edge Dental Assisting Academy, LLC- Chattanooga
 - d. Competitive Edge Dental Assisting Academy, LLC- Kingston
 - e. Competitive Edge Dental Assisting Academy, LLC- Nashville
 - f. Cumberland Academy of Dental Assisting
 - g. Interfaith Dental
 - h. Nitrous Oxide Monitoring Certification Program
 - i. Tennessee College of Applied Technology at Knoxville
 - j. University of Tennessee College of Dentistry

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

EQUIVALENCY OF COURSES

Ms. Martin made a motion to approve the following courses:

1. Local Anesthesia
 - a. Schoenfeldt, Kelly- University of Florida
 - b. Woods, Tosha- Pima Medical Institute
2. Administering and Monitoring Nitrous Oxide
 - a. Ackerman, Farah- Cabrillo College
 - b. Bass, Sarah- Western Kentucky University
 - c. Boutot, Sarah- Concord Career College- Aurora, CO
 - d. Chrzanowski, Dana- CO Northwestern Community College
 - e. Curtain, Julie- Santa Rosa Junior College
 - f. Derr, Tonya- Shoreline Community College
 - g. Duvall, Nettie- University of Minnesota
 - h. England, Nichole- Taft College
 - i. Fields, Nichole- Concord Career College- San Bernardino, CA
 - j. Fischer, Stacy- Ohio State University
 - k. Griffith, Alexandra- University of Texas, Health Science Center
 - l. Hobbs, Kimberly- Southern Illinois University
 - m. Hunstad, Shelby- Western Kentucky University
 - n. Isenberg, Lauren- Pierce College
 - o. Jacaruso, Danielle- Farmingdale State College
 - p. Johnson, Ashley- San Joaquin Valley College

- q. Krug, Jennifer- Carrington College, San Jose
 - r. Mullins, Madison- Big Sandy Comm & Tech College
 - s. Pakkala, Ann- Western Kentucky University
 - t. Rogerson, LeNae- Northern Arizona University
 - u. Sanders, Aariana- University of Arkansas Medical Science
 - v. Stinson, Kaitlin- Wytheville Community College
 - w. Vandeburgh, Susan- Loma Linda University
 - x. Watson, Emma- University of Michigan
 - y. Whyte, Heather- Ferris State University
 - z. Whitney, Torree- West Coast University
 - aa. Woods, Tosha- Pima Medical Institute
 - bb. Wisdom, Lucas- Western Kentucky University
3. Restorative
- a. Derr, Tonya- Shoreline Community College
 - b. Duvall, Nettie- University of Minnesota
4. Radiology
- a. Akinsiku, Aanuoluwapo- The Medica Institute of Kentucky
 - b. Baldwin, Jenna- San Diego Mesa College
 - c. Boyd, Tosenoa- Midwest Technical Institute
 - d. Brown, Hannah- Accelerated Dental Assisting Academy- Louisiana
 - e. Fowler, Kristine- North Georgia School of Dentistry
 - f. Gannotskiy, Olesya- Concorde Career College- Oregon
 - g. Martinez, Olga- CompuMed Vocational Careers Corp.
 - h. Matos Gonzalez, Destiny- The Medical Institute of Kentucky
 - i. Scott, Ebonen- Riverwest Dental Assisting
 - j. Whitehead, Mikaela- The Medical Institute of Kentucky
 - k. Wiegele, Andrea- Dalton Dental Assisting School
 - l. Yukhno, Lina- Northwestern Michigan College
5. Multiple Courses
- a. Baldwin, Jenna- San Diego Mesa College- CP, Sealant
 - b. Davis, Kaitlyn- Georgia Northwestern Technical College
 - c. Krueger, Kali- Kaplan College, CA; Loma Linda University- Radiology, Sealants, CP Restorative
 - d. Nichols, Shelby- Georgia Northwestern Technical College- Radiology, CP, Sealants, NOM
 - e. Stevens, Laurel- Westmoreland College- CP, Restorative, Prosthetic

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

Ms. Puckett made a motion to accept the denials of the following equivalency courses:

6. Denied
- a. Chastain, Bridget- University of Louisville School of Dentistry- Radiology
 - b. Copelen, Sarah- Western Kentucky Community & Technical College- Prosthetic Functions
 - c. Crowe, Heather- Dr. Rick Waters
 - d. Davis, Alexis- Dental Staff School of Knoxville- Radiology
 - e. Dempsey, Kristin- Excel Dental Training Institute- Radiology
 - f. Gannotskiy, Olesya- Concorde Career College- Oregon
 - g. Hunt, Rashuna- Concorde Career College, Southaven, MS- Radiology
 - h. Krueger, Kali- Loma Linda University- Prosthetic Functions

- i. Reid, Erica- TN College of Applied Tech, Dent-Ed-Online- Radiology, CP, Sealant
- j. Scott, Ebonen- Riverwest Dental Assisting- NOM & CP
- k. Smith, Chelse- Dent-Ed-Online

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

REPORTS

Executive Directors Report- Ms. Macias presented this report. The tentative meeting dates set for 2023 will be: January 12-13, April 13-14, July 13-14, and October 5-6. As of September 30, 2022, the total number of new applications received for licenses are: 272 for dentists, 320 for dental hygienists, 1,217 for dental assistants, and 50 for facility permits. The total number of new licenses issued (including reinstatements) is: 285 for dentists, 336 for dental hygienists, 1,174 for dental assistants, and 42 for facility permits. The total number of renewals processed was 1,449 for dentists, 1,808 for dental hygienists, and 2,936 for dental assistants. The majority of dental professionals so far this year have renewed their licenses online. As of September 30, 2022, there are a total of 20,863 active dental professional licenses.

Office of Investigations Report- Mr. Roger Knowlton, an intake coordinator from the Office of Investigations gave this report. As of September 30, 2022, the Investigations Office reprimanded 9 dentist licenses, 8 dental hygienist licenses, and 40 dental assistant licenses. For licenses on probation there were: 18 dentists, 2 dental hygienists, and 20 dental assistants. For licenses that have been revoked/surrendered, there were: 8 dentists, and 5 dental assistants. This year there were 240 total complaints opened, and 350 complaints were closed.

Office of General Counsel Report- Ms. Morgan stated there were 12 Consent Orders to present, there were 54 open cases in OGC, and there were no appeals in Chancery Court. The orofacial pain and oral medicine specialty certifications rules are awaiting approval from legislative affairs. Ms. Morgan gave an update on Public Chapter 856 which was discussed at the July meeting, where board members asked for clarification on how this would affect board meetings. Public Chapter 856 involves electronic meetings, which are possible if there is a necessity for a meeting to be held electronically, so long as the public was able to listen, view, and participate in the meeting in real time. There were no changes to the requirement for a physical quorum for meetings to be held. During the July meeting, board members asked for additional information on Public Chapter 1061, regarding the requirement of a prescription being offered for an opioid antagonist when issuing a prescription for longer than 3 days for an opioid, when there is a suspicion of or a history of abuse. There is clinical risk indicator information that appears on the CSMD reports, which can help the prescriber in deciding how to apply this statute. Ms. Morgan stated the board member sitting on the CSMD Committee may also be able to assist the board members with more information or questions regarding the functions of the CSMD available to dentists.

Tennessee Dental Wellness Foundation Update- Dr. Sain came to give the update for the Wellness Foundation. Dr. Sain discussed that Nationwide there has been a rise in relapses, overdoses, as well as overdose deaths. The CDC has reported over 100,000 overdose deaths in the US during the 12-month period ending in April 2021, which was a 28.5% increase in deaths during the same period the year before. The increase in these drug related overdoses and deaths is likely connected to the pandemic, and where the pandemic greatly affected the group support systems in place for those in recovery from substance abuse disorders. The leading cause of death of people between the age of 25–45-year old's is overdose related. Dr. Sain reported there have not been any dental professionals under the watch of the Wellness Foundation, who have died of an overdose to their knowledge. They have had 3 previous clients relapse in the last year, within 2 years of finishing their 5 year contract with the Foundation. Dr. Sain

reports there has been an increase for speaking engagements for the Wellness Foundation, in which he has presented to approximately 435 dentists. Ms. Angie Hostetler started working with them full time as of July 1st as a therapist with the foundation. The Wellness Foundation website offers a 2-hour video presentation available which will cover substance use disorders and prescription writing for the dental office, and that course satisfies the continuing education requirements for dental professionals. There is also now an option for a volunteer contract for clients who have finished their 5-year contract, which can help prevent potential relapses.

Update from the Schools of Dentistry-

UT School of Dentistry- Dr. Ragain reported that they have received their first funding from the Healthy Smiles Initiative, which is a state initiative to increase access to dental care. They are increasing their class sizes at the dental school and have additional clinical opportunities across the state. They are also on track with the opening of the new Delta Dental building on campus which should open in late Spring, which will help support increase class sizes. UT reports they are also hiring more faculty within the dental school. They are going to be having rotations at a new clinic opening in the Knoxville area soon. Dr. McKinney reported on UT's EFDA courses, which is still in very high demand for dental professionals. They are seeing an increase in dental offices which have multiple EFDA certified dental assistants working within the same office. UT is planning on increasing the number of both EFDA courses at the Memphis and Knoxville campuses. They report that every class is filling as soon as enrollment is opened for both the restorative and prosthodontic EFDA courses.

Meharry School of Dentistry- Dr. James Tyus gave the report for Meharry on behalf of Dr. Farmer Dickson and Dr. Grey. Meharry School of Dentistry was preparing for their CODA site visit during the time of the board meeting. The dental school is working on expanding the number of students for their class sizes to 75 per class. They have had their international student program now for 2 years, which is going very well with 10 students enrolled per class. Meharry is working to renovate their clinics to be modeled after a private practice setting for their students to see patients in. Their EFDA program is going extremely well, with 264 students having finished their EFDA courses through Meharry. Most students participating in their EFDA program are from Middle Tennessee.

CE Broker Update- CE Broker reports that there are a total of 7,118 dental professionals from Tennessee who have created an account as of the end of September 2022, which would be approximately 35% of licensees.

CORRESPONDENCE

SRTA Presentation- Dr. Mark Muncy came before the board to give a presentation on SRTA updates. The testing agency has changed their name to "States Resources for Testing and Assessments." The agency offers states the option to have any type of initial licensure exam given to applicants. They are offering testing in the format of live patient, manikin, and haptic, along with also offering off-site evaluations. Starting in 2023, SRTA will require candidates to complete a Diagnostic Skills Examination, which will be 80 questions covering: patient evaluations, comprehensive treatment planning, periodontics, prosthodontics, and medical conditions. This new examination will be computerized and will be able to be taken remotely, while being monitoring by a live proctor. The pandemic has resulted in a change in testing for dental students, due to not having the option over the last couple of years to work on a live patient for their exams. Dr. Callan discussed the haptic testing option using advanced technology to properly evaluate hand skills needed for students to be good dentists. This haptic system also helps students train and improve upon their hand skills, in order to improve the quality of the graduating dentists.

Dr. Jerry Cooper gave a presentation discussing Remediate+ Program which has partnered with the AADB and is now available to the state boards. When a board refers a dental professional to Remediate+,

the program requests a copy of any documentation involved in the required remediation, such as a consent or agreed order, which will help them tailor a course for that practitioner specifically. Dr. Cooper discussed some of the courses available such as treatment planning and record keeping. Remediate+ tries to schedule practitioners for their course within 2 weeks of the remediation being requested. They have facilities available for hands on skills assessments at Lincoln Memorial University, and locations in Knoxville and Athens, GA. A written assessment will be provided to the board to show what was covered and how the practitioner performed on the evaluations for the courses. The costs of the courses through Remediate+ vary greatly and is dependent on what is needed for the individual taking the remediation. Ms. Morgan requested a list of costs that may indicate the price range for licensees who are considering going to Remediate+ for the required courses. Ms. Morgan was concerned about the costs of the remedial courses may not be affordable for some licensees, which would have them be in violation of their board order if the order stated Remediate+ was to be utilized for their remediation. Dr. Cooper stated Remediate+ would provide a cost assessment for the required courses for an individual, so that Ms. Morgan and the licensee involved would be in acceptance of the costs of the course through that program before the order is drafted. Dr. Zambrano stated he believed Remediate+ would be good to have as an option available to licensees in need of courses for remediation ordered by the board. Ms. Puckett made a motion to have Remediate+ as an available option, when board ordered remediation is required. Ms. Kinsey seconded the motion, and the motion carried.

SRTA Committee Assignment- Correspondence was received from Dr. Katherine Hall, who offered to continue being the representative from Tennessee serving on the SRTA Committee. Ms. Kinsey made a motion to have Dr. Hall remain serving as our representative on the committee, and Dr. Zambrano seconded the motion. The motion carried.

OTHER BUSINESS/RULE CHANGES AND/OR POLICY CHANGES

Gateway/CSMD Discussion- Dr. Peter Phillips, the new Director of the CSMD, came to discuss the Gateway services extension and prescriber report. The new system will connect existing EHRs being used by dentists to the CSMD database. The database offers additional reports to assist dentists with determining if they have the right patient they are looking up and gives a list of clinical risk indicators for that patient. They are working to integrate Gateway with pharmacies at this time. From July 2020 to present, approximately 27.7 million Gateway reports have been requested by practitioners across the state. This system will also integrate information on the non-fatal overdose data into the reports.

Dr. Phillips stated they are requesting the board to continue using Gateway and was asking the boards to help make this possible by providing funds to keep the system going. Data was provided showing breakdowns of costs across the different health boards, reserve balance data for the Dental Board, and what the board reserve balance would be if funding was granted to the CSMD and Gateway program. The CSMD is hoping to also obtain grants to help fund the Gateway program services to continue. Ms. Morgan asked if funds could go towards Gateway, and not towards the secondary program for Enhanced Provider Reports (EPR) program option due to overprescribing not being a large issue in dentistry. Dr. Phillips confirmed that they are separate projects, and the board can choose to fund Gateway and not EPR. The funding for the projects from grants was set to run out on December 31st. Dr. Zambrano questioned whether the presented financial information and reserve balances included the fee reductions that were presented during the rule making hearing. The financial information in the presentation did not include the fee decrease information, but the fee reductions discussed earlier in the meeting would take approximately 2 years to reduce the reserve balance sufficiently for the board. Ms. Morgan pointed out that if the board were to approve the requested funding for the CSMD and Gateway projects, it would reduce the amount of time needed to reduce the reserve balance for the board through the fee reductions to being less than 2 years. Dr. Zambrano made a motion to approve the funding for the Gateway program only, for the next 2 years. Ms. Puckett seconded the motion, and the motion carried. Dr. Zambrano made

a motion to deny the request for funding for the Enhance Prescriber Reports program, due to overprescribing not being a major issue for dentists. Ms. Kinsey seconded the motion, and the motion carried.

Rule Clarification: RDH Enrollment in Monitoring Nitrous Oxide Courses- Ms. Macias discussed with the board an inquiry from a dental assisting school who questioned a discrepancy in the rules which states that only registered dental assistants can enroll in a monitoring of nitrous oxide course. Board rules for dental hygienists allow licensees to have a certification added to their license in either administration and monitoring nitrous oxide or only in monitoring nitrous oxide. The monitoring nitrous courses are taught by dental assisting programs and schools, due to the certification most commonly being needed by dental assistants. While not as common, dental hygienists do opt to take monitoring nitrous oxide courses, which has resulted in RDA schools contacting the board office to get clarification on the rules which would appear to not allow RDH licensees from enrolling in these courses. The board office requested clarification from the board members on the rules for the nitrous monitoring courses under the dental assistant courses, to allow RDH licensees to enroll in the course in order to obtain the certification. Dr. Zambrano made a motion to update the rule (0460-05-.03(4)(d)(1)) for the monitoring of nitrous oxide courses to allow enrollment of both RDA and RDH licensees. Dr. Greg Kemp seconded the motion, and the motion carried.

COMMITTEE AND TASKFORCE UPDATES

CSMD Committee Appointment- Dr. Caldwell has been the board representative on the CSMD Committee, but due to many other commitments for the board such as doing case reviews, serving on the Anesthesia Committee, and as a board member, he has asked to be replaced on the CSMD Committee. The board members requested to table the discussion for a board member replacement on the CSMD Committee until the January 2023 meeting, due to the number of board members who were unable to attend the October meeting.

ORDERS OF COMPLIANCE

Patterson, Brian DDS- Ms. Morgan discussed the 2015 board order which suspended Dr. Patterson's license, requiring him to enter into a contract with the Wellness Committee for treatment related to addiction to oxymorphone and nitrous oxide. The order stated that after completing required contract with the Wellness Committee, Dr. Patterson would be able to request to have the suspension of his license lifted and have the license be placed on a 5-year probation. In 2017, Dr. Patterson was found to be in non-compliance with the guidelines of the Wellness Committee, and he had failed to pay the case costs from the 2015 board order. In July 2017, Dr Patterson entered into a 5-year contract with the Wellness Committee. The suspension of his license was lifted, and his license was placed on probation for 5 years. Dr. Patterson came before the board to request that the probation on his license be lifted. Dr. Patterson stated he completed his contract with the Wellness Foundation, but has entered into a voluntary contract with them to continue with their program. He stated the help he received from the Wellness Foundation has helped him improve his life greatly since he started working with them. He hopes to help others who have gone through similar situations as he has, and to encourage them to accept the help of the Wellness Foundation to better their lives. Dr. Sain spoke to the board on behalf of Dr. Patterson, stating he has done very well in the program and is always willing to help others who are battling addiction. Ms. Kinsey made a motion to have the probation lifted from Dr. Patterson's license. Ms. Puckett seconded the motion, and the motion carried. Ms. Morgan went over a draft of the order to lift the probation, which would need to be approved by the board members. Ms. Puckett made a motion to accept the drafted order of compliance to lift the probation from the license. Ms. Kinsey seconded the motion, and the motion carried.

Gaddy, Melissa RDA- Ms. Morgan discussed the October 2017 consent order which had placed Ms. Gaddy's license on probation for 1 year, due to having performed the duties of a registered dental assistant for 64 months including exposing radiographs, on an expired license. The order also required the payment of civil penalties totaling \$6,200. Ms. Gaddy came before the board to request that the probation be lifted from her license. She stated it was a clerical error which resulted in her RDA license being expired for that period of time. Ms. Gaddy had both her DANB certification and her state license, and had mistakenly let her state RDA license lapse. Ms. Puckett made a motion to approve the drafted order of compliance to lift the probation from Ms. Gaddy's license. Ms. Martin seconded the motion, and the motion carried.

AGREED CITATIONS

Ms. Puckett made a motion to approve the following agreed citations for continuing education audit violations:

1. Continuing Education
 - a. Bare Jr., George DDS
 - b. Brower, Cynthia RDH
 - c. Brown, Emily RDH
 - d. Clark, Maranda RDA
 - e. Delaney, Monica RA
 - f. Dickert, Cortney RDH
 - g. Givens, Krysta RDA
 - h. Grant, Amy RDA
 - i. Grindstaff, Melissa RDA
 - j. Gronostaj, Lyndsay RDH
 - k. Klein, Todd DDS
 - l. Lane, Robert DDS
 - m. McCandless, Jessica RDH
 - n. McGee, James DDS
 - o. McLaughlin, Brooklyne RDA
 - p. McReynolds, Larry DDS
 - q. Mangum, Chelsey RDA
 - r. Messer, Jenna RDH
 - s. Norris, Amy RDA
 - t. Patel, Bhumika RDA
 - u. Ratcliff, Jessica RDH
 - v. Romanek, Daisy RDA
 - w. Santos, Fhany RDA
 - x. Shanks, Rebecca RDA
 - y. Stanton, Chelsea RDA
 - z. Tatman, Ashley RDH
 - aa. Williams, Jemond RDA
 - bb. Wintjen, Jessey RDA
 - cc. Yarbrough Kristen RDA

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

Ms. Puckett made a motion to approve the following agreed citations for lapsed license violations:

2. Lapsed Licenses
 - a. Cima, Mollena DA
 - b. Cross, Karen DH
 - c. Morgan, Debra DA
 - d. Raines, Kayle DA

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

CONSENT ORDERS/AGREED ORDERS

Artikhovich, Natalia RDH- Ms. Artikhovich submitted a reinstatement application indicating that she had performed all duties of a dental hygienist on an expired license for 16 months. She had submitted a license renewal application but failed to complete the required Jurisprudence Exam to finish the renewal

process. Her renewal fees were refunded after the renewal application had failed to be completed. As part of the order, Ms. Artikhovich must pay a total of \$2,700 in civil penalties and must 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 accept the order, and Ms. Kinsey seconded the motion. The motion carried.

Bumgarner, Jessica RDA- Ms. Bumgarner submitted a reinstatement application which indicated she had performed all duties of a registered dental assistant, including exposing x-rays, for 23 months on an expired registration. As part of the order, she must pay a total of \$2,000 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. Puckett made a motion to accept the order, and Ms. Kinsey seconded the motion. The motion carried.

Downall, Nicole RDA- Ms. Downall was notified of her selection for the random continuing education audit for the 2019-2020 cycle. After multiple attempts to contact Ms. Downall by certified mail, regular mail, and email concerning her non-compliance with the audit, she failed to submit the proof of continuing education and/or complete the agreed citation process. As part of the order, Ms. Downall must pay the \$150 civil penalty for audit non-compliance, the costs associated with the presentation of the order, complete the required make up continuing education hours, and provide proof of a current CPR certification. The disciplinary action will be reported to the National Practitioner Databank. Ms. Puckett made a motion to accept the order, and Ms. Kinsey seconded the motion. The motion carried.

Huey, Megan RDA- On numerous occasions, Ms. Huey used her supervisor's credentials (prescriptive authority) and the names of friends and family members to write and obtain controlled substance prescriptions for personal use. As part of the order, Ms. Huey will have her license suspended effective the date of entry of the order. Within 30 days she must undergo an evaluation coordinated through the Tennessee Dental Wellness Foundation, and a copy of the assessment must be sent to the board consultant following the completion of the assessment. Ms. Huey must follow all recommendations of the Wellness Foundation, including any that may require entrance to an inpatient treatment facility. Upon completion of the requirements set by the Wellness Foundation, Ms. Huey may request an Order of Compliance to have the suspension on her license lifted, and the license would then be placed on probation for 5 years. As part of the order, she must pay a total of \$1,500 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. Kinsey made a motion to accept the order, and Ms. Puckett seconded the motion. The motion carried.

Loveday, Lindsey RDA- Ms. Loveday was notified of her selection in the random audit for the 2019-2020 continuing education cycle. She failed to respond to the notice of audit or resulting agreed citation for audit non-compliance. As part of the order, she must pay the civil penalty of \$150, pay the costs associated with the presentation of the order, submit the required continuing education make up hours, and submit proof of CPR certification. The disciplinary action will be reported to the National Practitioner Databank. Ms. Puckett made a motion to accept the order, and Ms. Kinsey seconded the motion. The motion carried.

Macgaw, Mark DDS- In 2021 Dr. Macgaw was involved with the interview and ultimate hiring of a new employee to fill a vacant registered dental assistant position at his dental clinic. The potential new employee provided a resume outlining her education, employment, and licensure history as a dental assistant and represented that her application for licensure was pending and being processed by the board office in Tennessee. The applicant was hired to begin working as a dental assistant pending the processing of her application for licensure in Tennessee. The dental assistant was terminated from employment after it was discovered that her resume and other representations had fraudulently described her education, employment, and licensure history as a dental assistant and that no application for licensure was pending

with the board office in Tennessee. The unlicensed dental assistant had been allowed to expose dental radiographs during their employment in the dental office. Dr. Macgaw will be required to pay \$500 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. Puckett made a motion to accept the order, and Ms. Kinsey seconded the motion. The motion carried.

Nur, Sagal DDS- Dr. Nur was sent the notice of audit for the 2017-2017 continuing education cycle, and failed to show proof of compliance with the audit. As part of the order, Dr. Nur must show proof of a current CPR certification, 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 a motion to accept the order, and Ms. Puckett seconded the motion. The motion carried.

Pate, Anna RDA- Ms. Pate was sent the notification of audit for the 2019-2020 continuing education cycle. She failed to respond to the notices of audit and resulting agreed citation for audit non-compliance. As part of the order, Ms. Pate must pay the civil penalty of \$150, submit proof of make up continuing education hours, and proof of a current CPR certification. She must also pay the costs associated with the presentation of the order. Ms. Puckett made a motion to accept the order, and Ms. Kinsey seconded the motion. The motion carried.

Peaks, Anne DDS- Dr. Peaks allowed a dental hygienist to practice on an as-needed basis in her practice on an expired license, including occasionally administering local anesthesia to patients for a total of 18 months. As part of the consent order, Dr. Peaks is required to pay a total of \$1,600 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. Kinsey made a motion to accept the order, and Ms. Puckett seconded the motion. The motion carried.

Pope, Brittney RDA- Ms. Pope was audited for the 2019-2020 continuing education audit cycle. The documents she submitted for the audit appeared to have been forged, prompting the course providers to be contacted to confirm attendance/completion of the courses. Ms. Pope was found to have not completed most of the course hours submitted to the board office and had forged the completion documents. As part of the order, Ms. Pope must make up the deficient continuing education hours for the audit, the pay a total of \$650 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 a motion to accept the order, and Dr. Zambrano seconded the motion. The motion carried.

Reddick, John DDS- Dr. Reddick was involved with the interview and hiring of a new employee in his dental clinic to fill a vacant registered dental assistant position. During the interview process, the new employee had provided a resume outlining education and dental assistant work history, she stated the application for her registration in Tennessee was currently being processed. The employee was hired and allowed to start working pending the processing of the application for registration. The dental assistant was terminated from employment after it was discovered her resume and other representations had fraudulently described her education, employment, and licensing history as a dental assistant and there was no application pending for registration with the board office. The unregistered dental assistant exposed radiographs while working in the dental office. As part of the order, Dr. Reddick must pay a total of \$600 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. Puckett made a motion to accept the order, and Ms. Kinsey seconded the motion. The motion carried.

Treppard, Lisa RDH- Ms. Treppard was sent the notice of audit for the 2019-2020 continuing education cycle. She submitted the signed citation and the \$300 civil penalty payment to the board office after being found non-compliant with the audit requirements. Ms. Treppard was sent multiple notices regarding the

need to complete the required continuing education make up hours. No make up hours were submitted to complete the citation requirements. As part of the order, Ms. Treppard must submit proof of completion of the 14 deficient hours of continuing education, and must 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 Ms. Martin seconded the motion. The motion carried.

Wake, Jennifer RDA- Ms. Wake submitted a reinstatement application for her dental assistant registration, which reported that she had worked on an expired license to include exposing radiographs and monitoring nitrous oxide, for a period of 8 months. The application also indicated that Ms. Wake had administered nitrous oxide for that 8 month period. As part of the order, Ms. Wake must pay civil penalties totaling \$2,300 for practicing on an expired registration as well as practicing beyond the scope of a dental assistant. She must also pay the costs associated with the presentation of the order. The disciplinary action will be reported to the National Practitioner Databank. A motion was made by Ms. Kinsey to accept the order, and the motion was seconded by Ms. Martin. The motion carried.

Ms. Puckett made a motion to adjourn the meeting at 12:56 p.m. Dr. Zambrano seconded the motion, and the motion carried.