

**MINUTES  
TENNESSEE BOARD OF DENTISTRY**

**Date:** October 13-14, 2016

**Location:** Tennessee Department of Health  
665 Mainstream Drive  
Nashville TN 37243

**Members Present:** Nadim Jubran DDS, President  
Mary R. Warner, RDH, Vice-President  
Katherine N. Hall, DDS, Secretary/Treasurer  
Ernest J. DeWald DDS  
Richard E. Bateman, DDS  
Randall Prince, DDS  
Stephen J. Maroda Jr. DDS  
Donald D. Henson, DDS  
Airica Brooke Puckett, RDH  
Bettye Lynn Richert, Consumer Member

**Staff Present:** Dea Smith, Executive Director  
Sunny Heenan, Board Administrator  
Jennifer Putnam, Assistant General Counsel

Dr. Nadim Jubran, President, called the meeting to order at 9:00 a.m. Dr. Jubran declared that a quorum was present in order to conduct Board business. Dr. Jubran welcomed Dr. Richard Bateman as the new member to the board.

**RULE MAKING HEARING:** Jennifer Putnam called to order at 9:01am with a roll call. Ms. Putnam reviewed the changes to Rule 0460-05-.03 regarding dental assistant program. After reviewing the comments submitted by the Tennessee Dental Association, the board voted to approve the rule changes as presented.

**MINUTES:** Ms. Warner made a motion to approve the July 14-15, 2016 Minutes. Second was given by Dr. DeWald. Motion carried. Ms. Warner made a motion to approve the September 23, 2016 Teledentistry minutes. Second was given by Dr. Henson. Motion carried.

**APPLICATION / APPLICANT INTERVIEWS / REQUESTS:**

**Armstrong, Brianna, RDA** Ms. Armstrong requested approval of her application for dental assistant registration. Ms. Armstrong disclosed convictions for felony offenses in 2010. Dr. Hall made a motion to approve the application. Second was given by Ms. Warner. Motion carried.

**Davis, Ashley Maria, RDA** Ms. Davis requested approval of her application for dental assistant registration. Ms. Davis disclosed being on probation for selling narcotics in 2010. Dr. Henson made a motion to approve the application without conditions. Second was given by Dr. DeWald. Motion carried.

**Kilgore, Jack, DMD** Dr. Kilgore requested approval of his application for his dental license. Dr. Kilgore disclosed convictions for filing a false claim with Medicare in March of 2005. Ms. Warner made a motion to approve the application without conditions. Second was given by Dr. Prince. Motion carried.

**APPLICATION RATIFICATION:** Ms. Warner made a motion to approve the attached list of new licenses, reinstatements/reactivations, and retirement applications for dentists, hygienists and assistants from April 12, 2016 through July 12, 2016. Second was given by Dr. Hall. Motion carried.

Ms. Warner made a motion to approve certifications and permits for dentists, dental hygienists and registered dental assistants from April 12, 2016 through July 12, 2016. Second was given by Dr. Hall. Motion carried.

Ms. Warner made a motion to approve administrative revocations for dentists, dental hygienists and registered dental assistants from April 12, 2016 through July 12, 2016. Second was given by Dr. DeWald. Motion carried.

### **WAIVERS/EXEMPTIONS**

**Foster, Inga-** Ms. Foster requested a waiver for CPR certification for 2013/2014. Ms. Puckett made a motion to approve the waiver. Second was given by Dr. Henson. Motion carried.

**Gardner, Janette-** Dr. Gardner requested a waiver for 17.5 CE hours, 4 sedation hours and ACLS/PALS certification for 2013/2014. Ms. Puckett made a motion to uphold the Denial by the board consultant. Second was given by Dr. DeWald. Motion carried.

**Pope, Katherine-** Ms. Pope requested a waiver for CPR certification for 2013/2014. Ms. Warner made a motion to approve. Second was given by Dr. Hall. Motion carried.

**CONTINUING EDUCATION COURSES and/or CPR COURSES** Dr. Prince made a motion to approve the following continuing education and/or CPR courses:

1. "Chemical Dependency"-Russell Kirk, DDS
2. "The Finger Focus-A Self Hypnosis Tool for Dental Fear"- Janet R. Crain, DMD
3. "Tongue-Tied a Story NOT Silence by Oral Cancer"/"Ignite the Power of Story Educate, Engage and Persuade"- Linda R. Finn, RDH
4. "Soft-Tissue Diode laser Periodontal Therapy Standard Proficiency Course"- Frank Licht, RDH
5. "The 2016-2017 Medical-Dental-Legal Updates

6. "To Tell, or Not to Tell, That is the Question: HIPPA in the Dental Practice"-Baird Concepts
7. "Adult Sedation & Anesthesia Review Course"-Dr. Matthew Yezerki
8. WorkForce Essentials, INC
  - a. "Hazardous Communication"
9. WorkForce Essentials, INC
  - a. "Bloodborne Pathogens"
  - b. "Exit Routes & Emergency Action Plans"
  - c. "Employee Drug Awareness"
10. Center for Oral & Facial Surgery
  - a. "Emergency Management of Fire"
  - b. "OSHA Bloodborne Pathogen & Hazard Communication Standard & Bloodborne Pathogens"
  - c. "Prevention & Care of Malignant Hyperthermia Emergencies"
11. Center for Oral & Facial Surgery
  - a. "Pediatric Airway Management in the PACU"
  - b. "Update on Documentation & Consent in the OMS Office"
  - c. "Herbs, Anesthesia & the OMS Office"
  - d. "New Drugs in the Treatment of Opioid Addiction"
  - e. "ASA Classification"
12. Jay Burton, DMD
  - a. "CBCT Use in Orthodontics & Dentistry"
13. Jay Burton, DMD
  - a. "Advances in Orthodontics"
  - b. "Early Treatment in Orthodontics When to Refer"

Second was given by Dr. DeWald. Motion carried.

Referred to board: Nashville Implant Institute / Simple Single Implants Course: Discussed but did not approve for attendees of the course not licensed in Tennessee to be exempted from obtaining licensure for the hands-on course.

## **PROGRAMS AND CERTIFICATION COURSES**

Ms. Warner made a motion to approve all of the following courses:

1. **Administration of Local Anesthesia**
  - a. Hiwassee College Dental Hygiene Program
2. **Administering and Monitoring Nitrous Oxide**
  - a. Hiwassee College
  - b. Interfaith Dental Clinic
  - c. Remington College Dental Hygiene
  - d. Roane State Community College
3. **Coronal Polishing**
  - a. Interfaith Dental Clinic
4. **Sealant Application**
  - a. Interfaith Dental Clinic
5. **Nitrous Oxide Monitoring**

- a. Interfaith Dental Clinic

Second was given by Dr. Prince. Motion Carried

## **EQUIVALENCY OF COURSES**

### **1. Administering and Monitoring Nitrous Oxide**

- a. Angelly, Jessica RDH-Western Kentucky
- b. Stringer, Summer RDH-Western Kentucky

Ms. Warner made a motion to approve. Second was given by Dr. Hall. Motion carried.

### **2. Coronal Polishing**

- a. Hunt, Savannah-Horry Georgetown Tech. College

Dr. Henson made a motion to approve. Second was given by Dr. Hall. Motion carried.

### **3. Dental Radiology**

- a. Butler, Jennifer-Lincoln College of Technology
- b. Gevedon, Marina-Kaplan/Brightwood College, CA
- c. Haskell, Karissa-Northwest Career College
- d. Wade, Riona, Missouri College

Dr. Henson made a motion to approve. Second was given by Dr. Hall. Motion carried.

### **4. Nitrous Oxide Monitoring**

- a. Haskell, Karissa-Northwest Career College
- b. Hunt, Savannah-Horry Georgetown Tech. College
- c. Wade, Riona, Missouri College
- d. Voland, Kristina-University of Arkansas Medical Sciences

Ms. Warner made a motion to approve. Second was given by Dr. Henson. Motion carried.

DENIED- Butler, Jennifer-Lincoln College the coronal polishing course attended by Jennifer Butler, at Lincoln College was denied by the board consultant. Dr. Prince made a motion to uphold the denial by the board consultant. Second was given by Ms. Warner. Motion carried

DENIED-Wood, Patricia-Alamance Community College the sealant course attended by Patricia Wood at Alamance Community College was denied by the board consultant. Ms. Warner made a motion to uphold the denial by the board consultant. Second was given by Ms. Puckett. Motion carried.

DENIED-Wood, Patricia- Alamance Community College the coronal polishing and nitrous oxide monitoring courses attended by Patricia Wood at Alamance Community College were denied by the board consultant. Dr. Dewald made a motion to uphold the denials by the board consultant. Second was given by Dr. Prince. Motion carried.

## **CORRESPONDENCE**

The board voted to send Dr. Nadim Jubran and Ms. Mary Warner to the 62nd Southern Conference of Dental Deans and Examiners.

**REPORTS** The Board received the following reports for review:

**Executive Director** Dea Smith, director, reviewed the statistics since the first of 2016. As of September 30, 2016 there are 3,872 dentists, 4,790 dental hygienists and 9,551 registered dental assistant with active licenses.

**Office of Investigation** Nichelle Dorroh provided the Board with a report detailing the number of complaints currently open in Investigations as well as a summary of currently monitored practitioners.

**Office of General Counsel** Ms. Putnam reviewed the report. The next teledentistry taskforce committee meeting will be held on November 18, 2016.

**Wellness Committee** Dr. Wayne McElhiney provided the Board with the Quarterly Report of Activities of the Wellness Committee along with financial documentation. He also introduced Dr. Sang who will take over for Dr. McElhiney next year when he retires.

**Update from Schools of Dentistry** Dean Hottel updated the board on the progress of opening clinics associated with the University of Tennessee School of Dentistry across the state.

**ADEX Report** Dr. Dewald made a motion to keep Dr. Holt on at ADEX. Second was made by Dr. Maroda. Motion Carried. The board also recommended a possible rule making hearing to remove WREB from the list of exams the board accepts.

**Performance Audit** The board discussed inspections of the offices of sedation/anesthesia permit holders and referred this to the Anesthesia Committee for recommendations.

**Practitioner Profile Policy** The board voted to adopt a policy that assesses a penalty for failure to update the practitioner profile within 30 days of a change. An Agreed Citation will be issued and the fine would be \$100 for every month the profile has not been updated in excess of thirty days. If the licensee refuses to accept the Agreed Citation or did not update the profile for six months or longer, the licensee will be referred to the Office of Investigations for formal disciplinary action. The fine if formal discipline is taken will be \$300 per month for every month in which the practitioner did not update the profile.

## **CONTESTED CASES**

**Alfred Brown, DDS** Docket No. 17.12-138633A in the matter of Alfred Brown DDS. Presiding at the hearing was the Honorable Jerome Cochran, Administrative Judge. The Office of General Counsel of the Tennessee Department of Health was represented by Jennifer Putnam, Assistant General Counsel. Respondent, Brown was represented by Van Turner. After consideration of the Notice of Charges, arguments of counsel and review of the records as a whole, the board revoked Dr. Brown's license to practice dentistry in the state of Tennessee. Dr. Brown must pay the costs of the hearing. Motion carried by unanimous vote.

## **ORDERS OF COMPLIANCE**

**Johnson, Valerie, RDH** –Requested to have probation lifted. Dr. Hall made a motion to approve lifting probation. Second was given by Dr. DeWald. Motion carried.

## **AGREED CITATIONS**

**Continuing Education** Ms. Warner made a motion to approve the following Agreed Citations for failure to maintain sufficient continuing education hours and/or CPR certification during the years audited:

- |                              |                               |
|------------------------------|-------------------------------|
| a. Adock, Paulette M., RDH   | n. Kilgour, Chynae L., DA     |
| b. Ballard, Whitney M., DA   | o. Langston, Sharon L., DA    |
| c. Brady, Cynthia J., DA     | p. Leslie-Moore, Rene N., RDH |
| d. Brown, Brittany N., DA    | q. Miller, Kenisha S., DA     |
| e. Buford, Latanya D., DA    | r. Monger, Alexis, DA         |
| f. Cockrell, Tonya D., DA    | s. McMillan, Douglas W., DDS  |
| g. Dressler, Keith B., DDS   | t. Owens, Bethany L., RDH     |
| h. Duncan, Mercedes L., DA   | u. Parks, Kennett B., DDS     |
| i. Green, Martha M., DA      | v. Riley, Shawn A., DA        |
| j. Greene, Beverly L., RDH   | w. Torbenson, Esther R., DA   |
| k. Holloway, Kristin H., RDH | x. Webb, Sharhonda L., DA     |
| l. Jenkins, Patricia M., RDH | y. Wolfe, Amber D., RDH       |
| m. Johnson, Holley B., RDH   | z. Vinyl, Ettienner R., DDS   |

Second was given by Dr. Hall. Motion carried

**Lapsed License** Dr. Prince made a motion to approve the following Agreed Citations for practicing on a lapsed license.

- |                                |                                 |
|--------------------------------|---------------------------------|
| a. Ackerman, Stephanie L., RDH | e. Smith, Nina Bach, RDA        |
| b. Bucklin, Jennifer, RDH      | f. Smith, Tamesha LaTrease, RDA |
| c. Dotson, Deborah, RDH        | g. Vetter-Lopez, Angela, RDH    |
| d. Drolet, Alison, RDH         |                                 |

Second was given by Ms. Warner. Motion carried

## **CONSENT / AGREED ORDERS / LETTERS OF REPRIMAND**

**Alex Anderson, RDA** Mr. Andersons entered into a Consent Order wherein he stipulated to failing to adhere to his conditional license by failing a drug screen while in an aftercare contract with the Wellness Committee. Mr. Anderson agreed to a reprimand and voluntarily surrendered his license. Motion was made by Dr. Hall and second was given by Ms. Warner. Motion Carried

**Paul Cullum, DDS** Dr. Cullum entered into a Consent Order wherein he stipulated to failing to maintain current certification in ACLS (a pediatric dentist may substitute PALS). Dr. Cullum agreed to a reprimand and was assessed a \$100 civil penalty for each month he was deficient for a total of \$600. Motion made by Ms. Puckett and second was given by Dr. Hall. Motion Carried

**John Diddle, DDS** Dr. Diddle entered into a Consent Order wherein he stipulated to allowing a registered dental assistant to expose radiographs without the proper certification. Dr. Diddle agreed to a reprimand and was assessed a \$500.00 civil penalty. Motion made by Dr. Hall second was given by Dr. Maroda. Motion Carried

**Laura B. Dove, DDS** Dr. Dove entered into a Consent Order wherein she stipulated to failing to submit proof that all patients had been reimbursed per the terms of a previous consent order requiring Dr. Dove to reimburse payments to patients. Dr. Dove agreed to the suspension of her license. Motion made by Dr. DeWald and second was given by Dr. Hall. Motion Carried.

**Terry L. Etter, DDS** Dr. Etter entered into a Consent order wherein he stipulated to failing to have all the required emergency equipment and drugs present and easily accessible from the operatory and recovery room as well as failing to obtain a minimum of four (4) hours of continuing education in the subject of anesthesia and/or sedation and failing to maintain current certification in ACLS (a pediatric dentist may substitute PALS). Dr. Etter agreed to a reprimand and was assessed \$3500.00 civil penalty. Motion made by Dr. Hall and second was given by Dr. DeWald. Motion Carried.

**Chris Getman, DDS** Dr. Getman entered into a Consent Order wherein he stipulated to allowing two unlicensed staff members to expose radiographs. Dr. Getman agreed to a reprimand and was assessed a \$100.00 civil penalty. Motion made by Dr. Hall and second by Dr, Henson. Motion Carried.

**Andrea Henry, DDS** Dr. Henry entered into a Consent Order wherein she stipulated to failing to maintain current certification in ACLS (a pediatric dentist may substitute PALS). Dr. Henry agreed to a reprimand and was assessed a \$100 civil penalty for each months he was deficient for a total of \$600. . Motion made by Ms. Warner and second was given by Dr. Hall. Motion Carried.

**Ronald P. Lubovich, DDS** The board reviewed the consent order signed by Dr. Lubovich. Motion made by Dr. Henson to reject the consent order and second was given by Ms. Puckett. Motion Carried. The board requested that the order be modified to required 60 hours in a board approved course and that his permit be suspended until the course is completed. Ms. Putnam will revise the order and present to Dr. Lubovich.

**Alicia J. Mickles, DDS** Dr. Mickles entered into a Consent order wherein she stipulated to performing services which were not authorized by the patient, specifically extractions of

teeth not authorized by the patient. Dr. Mickles agreed to a reprimand and was assessed \$4500.00 civil penalty. Motion made by Dr. Henson and second was given by Dr. Maroda. Motion Carried.

**Michael O. Oakes, DDS** Dr. Oakes entered into a Consent Order wherein he stipulated to failing to obtain a minimum of four (4) hours of continuing education in the subject of anesthesia and/or sedation and failing to maintain current certification in ACLS (a pediatric dentist may substitute PALS). Dr. Oakes agreed to a reprimand and was assessed a \$800.00 civil penalty. Motion made by Dr. Prince and second was given by Ms. Warner. Motion Carried.

**Osayamore Osawe-Eguakun, DDS** Dr. Osawe-Eguakun entered into a Consent Order wherein she stipulated to failing to obtain a minimum of four (4) hours of continuing education in the subject of anesthesia and/or sedation. Dr. Osawe-Eguakun agreed to a reprimand and was assessed a \$400 civil penalty. Motion made by Dr. Prince and second was given by Ms. Warner. Motion Carried.

**Larry Propst, DDS** Dr. Propst entered into a Consent Order wherein he stipulated to allowing two unlicensed individuals to expose radiographs without the proper certification. Dr. Propst agreed to a reprimand and was assessed a \$1,000 civil penalty. Motion made by Ms. Puckett and second was given by Dr. DeWald. Motion Carried.

**Stephen J. Sammons, DDS** Dr. Sammons entered into a Consent order wherein he stipulated to failing to maintain current certification in ACLS (a pediatric dentist may substitute PALS). Dr. Sammons agreed to a reprimand and was assessed a \$700 civil penalty. Motion made by Ms. Warner and second was given by Dr. Maroda. Motion carried.

**Gary D. Simpson, DDS** Dr. Simpson entered into a Consent Order wherein he stipulated to unprofessional, dishonorable or unethical behavior. Dr. Simpson agreed to a reprimand and was assessed a \$1,000.00 civil penalty. Motion made by Dr. Henson and second was given by Dr. Hall. Motion carried.

**Courtney Stewart, RDA** Ms. Stewart entered into a Consent order wherein she stipulated to practicing on a lapsed license. Ms. Stewart agreed to a reprimand and was assessed a \$500 civil penalty. Motion made by Dr. Hall and second was given by Ms. Warner. Motion Carried.

**Charlyn Wilson, DDS** Dr. Wilson entered into a Consent Order wherein she stipulated to allowing a registered dental assistant to practice on a lapsed license. Dr. Wilson agreed to a reprimand and was assessed a \$900.00 civil penalty. Motion made by Dr. Prince and second was given by Ms. Warner. Motion Carried.



**John Yezerski, DDS** Dr. Yezerski entered into a Consent order wherein he stipulated to failing to maintain current certification in ACLS (a pediatric dentist may substitute PALS). Dr. Yezerski agreed to a reprimand and was assessed a \$600 civil penalty. Motion made by Dr. Maroda and second was given by Dr. DeWald. Motion Carried.

## **ADJOURNMENT**