

**MINUTES**  
**TENNESSEE BOARD OF DENTISTRY**

**Date:** July 8, 2021

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

**Members Present:** Phillip Kemp, DDS- President  
Dan Meadows, DDS  
Robert Caldwell, DMD  
Airica Brooke Puckett, RDH  
Naomi Martin, RDA  
Edward Moody, DDS  
Maricela Rodriguez, DDS  
Jayson Tabor, DDS  
Steven Zambrano DDS (joined electronically)

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

The meeting was called to order at 9:04 a.m.

Ms. Richert and Ms. Kinsey were not in attendance. Ms. Puckett joined the meeting at 10:00 a.m. Dr. Zambrano attended the meeting via conference call.

Ms. Morgan read the script required for a meeting that involved electronic participation. Dr. Zambrano confirmed that he was connected via phone and was able to hear everyone in the board room. Dr. Zambrano stated no one was present at the location where he was participating in the meeting. 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. Ms. Martin made a motion to continue with the meeting for that purpose. Dr. Rodriguez seconded the motion, and the motion carried following a roll call vote. A motion was made by Dr. Rodriguez that the meeting was necessary to be held with a member participating electronically. Dr. Tabor seconded the motion, and the motion carried following a roll call vote. All board members confirmed all necessary materials to be discussed prior to the meeting starting.

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

## **RATIFICATIONS**

Dr. Meadows made a motion to ratify the following:

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

Ms. Martin seconded the motion, and the motion carried following a roll call vote.

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

Dr. Moody recused himself from voting on any approvals or denials of the waivers or exemptions.

Dr. Meadows made a motion to approve the following:

1. Abston, Destiney RDA
2. Doss, Jessica RDA
3. Fancher, Mary DDS
4. Greene, Melissa RDA (CE Audit)
5. Helton, Leslie RDA (CE Audit)
6. Kraftmeier, Moira RDH
7. Lowhorn, Adriane RDA (CE Audit)
8. Massey, Shawn RDH
9. Mayne, Sherry RDH (CE Audit)
10. McBride, Royce DDS (CE Audit)
11. Moody, Edward DDS
12. Perez, Shannon RDH
13. Roller, Brandon DMD

Ms. Puckett seconded the motion, and the motion carried following a roll call vote.

Dr. Meadows made a motion to uphold the denial of the following request:

1. Walsh, Melissa RDA

Dr. Rodriguez seconded the motion, and the motion carried following a roll call vote.

## **DENTAL ASSISTING PROGRAM**

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

1. Academy of Dental & Medical Educators- Cookeville
2. Academy of Dental & Medical Educators- Nashville
3. Delta Technical College
4. Remington College- Memphis
5. Ross Medical Education Center- Johnson City
6. Ross Medical Education Center- Knoxville

7. Tennessee Professional Training Institute

Dr. Meadows seconded the motion, and the motion carried following a roll call vote.

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

Dr. Meadows made a motion to approve the following:

1. Julie Crisp, RDH- "HIPAA Including Privacy and Security, OSHA, Bloodborne Pathogens, COVID-19 Procedures"
2. Christina Beaty, RDA- "HIPAA Including Privacy and Security, OSHA, Bloodborne Pathogens, COVID-19 Procedures"
3. Velma Lankford, RDA- "HIPAA Including Privacy and Security, OSHA, Bloodborne Pathogens, COVID-19 Procedures"
4. Dr. Laurie Carlisle- "How to Deliver Exceptional Customer Service"
5. Dental Impact- "Dental Practice Built Right"
6. Brittany Doucey RDH- "Scheduling Institute: New Patient Experience"
7. TMJ Services, LLC- "TMJ/TMD Continuing Education Course"

Ms. Martin seconded the motion, and the motion carried following a roll call vote.

Dr. Rodriguez made a motion to uphold the denial of the following course:

1. Dr. James Horton- "Innovate Retina Session I"

Ms. Puckett seconded the motion, and the motion carried following a roll call vote.

**INTERVIEWS/REQUESTS**

Brown, Jasmine RDA- Ms. Brown was asked to come before the board for an interview to discuss items disclosed on her Registered Dental Assistant application. She is currently on legal probation until May 2023, due to an incident involving her child being injured with a gun in her home while Ms. Brown was sleeping. She originally gave a false report to the police giving a statement saying she was awake during the time of the incident. Ms. Brown has been working at Castle Dental since May, while her application has been in process. She just graduated at the end of June 2021 from South College from the dental assisting program. Ms. Morgan informed the board that Ms. Brown is on a judicial diversion at this time, so if all terms of probation are completed the sentence would not be imposed and the charge could be expunged. Dr. Meadows made a motion to grant the license to run concurrent with her legal probation. It was explained to Ms. Brown that having her license granted on probation will mean it will be reported to the National Practitioners Databank, and the record will remain on her license forever. Dr. Moody let Ms. Brown know that she can withdraw her application, and then reapply when her probation is over in 2023 if she did not wish to have her license placed on probation. Ms. Brown stated she would prefer to have her license granted while on probation. Dr. Tabor seconded the motion made by Dr. Meadows to grant the license to run concurrent with her probation. The motion carried following a roll call vote.

## **PROGRAMS AND CERTIFICATION COURSES**

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

1. *Administration of Local Anesthesia*
  - a. Tennessee Wesleyan University
2. *Coronal Polishing*
  - a. Dr. Bob Dalsania DDS Family and Cosmetic Dentistry
3. *Dental Radiology*
  - a. Dental Pro Ed
4. *Sealant Application*
  - a. Dental Pro Ed
  - b. Dr. Bob Dalsania DDS Family and Cosmetic Dentistry
5. *Nitrous Oxide Monitoring*
  - a. Dental Pro Ed
6. *Prescriptive Authority*
  - a. TN Dental Hygienist Association

Dr. Meadows seconded the motion, and the motion carried following a roll call vote.

## **EQUIVALENCY OF COURSES**

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

1. *Local Anesthesia*
  - a. Dunn, Kathryn- Ohio State University
  - b. Meacham, Julia- University of New Haven
2. *Administering and Monitoring Nitrous Oxide*
  - a. Baker, Madison- Western KY University
  - b. Bardo, Vanessa- Cabrillo College
  - c. Beam, Amy- Carl Sandburg College
  - d. Bernards, Elvera- Portland Community College
  - e. Boreleau, Taylor- Northeast MS Community College
  - f. Childress, Macy- Western KY University
  - g. England, Kajsa- University of MD Baltimore
  - h. Espinosa, Laken- Wytheville Community College
  - i. Garrett, Heidi- Shawnee State University
  - j. Hood, Ryan- Harcum University
  - k. Iacoangeli, Melanie- Owens Community College
  - l. King, Haley- University of Oklahoma
  - m. Matlock, Reagan- Northeast MS Community College
  - n. McKinney, Myrissa- Carrington College
  - o. Murray, Hannah- Southern IL University
  - p. Olivo, David- Farmingdale State College

- q. Perryman, Elizabeth- Western KY University
  - r. Renteria, Andrea- Sacramento City College
  - s. Rinehart, Michelle- Bridge Valley Community College
  - t. Robinson, Allie- Northeast MS Community College
  - u. Rogers, Ashley- Western KY University
  - v. Stanton, Jennifer- Midlands Tech College
  - w. Stark, Dana- Waukesha County Tech College
  - x. Walther, Mary- Western KY University
3. *Radiology*
    - a. Aleo, Alana- The Medical Institute of Kentucky
    - b. Green, LaQuita- The Medical Institute of Kentucky
    - c. Jeanes, Kaitlyn- Accelerated Dental Assistant Academy
    - d. Rivera, Destiny- Elign Community College
    - e. Thomas, Claire- The Medical Institute of Kentucky
  4. *Nitrous Oxide Monitoring*
    - a. Runnels, Kristina- Advanced Training Powerful Workforce
  5. Restorative Function
    - a. Short, Gwendolyn- Indiana University School of Dentistry
  6. *Multiple Courses*
    - a. Cantu, Amy- Carrington College- Radiology, Sealants, Coronal Polishing
    - b. Hamid, Goulestan- Columbia College Calgary- Radiology, Coronal Polishing
  7. *Denied*
    - a. Gonzalez, Ashley- Dental Assisting Academy of the Palm Beaches- Radiology
    - b. Hamid, Goulestan- Columbia College Calgary- Sealant
    - c. Kelley, Deonna- Seattle Vocational Institute- Nitrous Oxide Monitoring, Restorative Function, Prosthetic Function
    - d. Moua, Michiyo- Colorado Dental Assisting School- Coronal Polishing
    - e. Rodriguez, Leidy- Dental Staff School of Tennessee- Radiology
    - f. Runnels, Kristina- Advanced Training Powerful Workforce- Coronal Polishing and Sealants
    - g. Scardo, Sarahena- Washington Skill Center
    - h. Smith, Melani- Gulf Coast State College- DH Program- Restorative and Prosthetic Functions
    - i. Tomlin, Joshua- Elign Community College- Coronal Polishing

The motion was seconded by Ms. Martin. The motion carried following a roll call vote.

## **CORRESPONDENCE**

*AADA Annual Meeting*- Ms. Puckett made a motion to send Ms. Macias to the AADA annual meeting in October. Ms. Martin seconded the motion, and the motion carried following a roll call vote.

*AADB Annual Meeting*- A motion was made by Ms. Puckett to send Dr. Rodriguez to the AADB meeting in October and also to have 2 other available spots open for other board members who would wish to attend the meeting as well. Dr. Zambrano seconded the motion, and the motion carried following a roll call vote.

*ADEX Exam Meeting/Representative*- Dr. Meadows made a motion to have Dr. Jubran to attend the upcoming ADEX Meeting. Mr. Puckett seconded the motion, and the motion carried following a roll call vote.

## REPORTS

Tennessee Dental Wellness Foundation Update- Dr. Sain joined the meeting to give the Wellness Foundation Update. The foundation currently has 48 active clients, with most of them being dentists. 30% of their clients are dental assistance and hygienists, which that number has doubled over the last 3 years. Most dental assistants and hygienists only are able to receive 28 days of outpatient treatment due to economic concerns. The foundation is hoping to have Phil Herndon working with the foundation full time starting in July 2022. Dr. Sain has given presentations to over 255 dental professionals this quarter. In June the foundation held their first board director's retreat, and they are hoping to make it an annual event.

Legislative Update- Mr. Patrick Powell attended the meeting to give the board the legislative update:

### *Public Chapter 5*

This act extends the board of dentistry to June 30, 2026. This act took effect March 23, 2021.

### *Public Chapter 37*

This act prohibits agencies subject to sunset review from promulgating rules or adopting policies to exempt members solely by virtue of their status as members. This act took effect March 23, 2021.

### *Public Chapter 136*

This act was of the of the Department of Health's legislative initiatives, relative to the CSMD. First, the act authorizes the state's chief medical examiner, or county medical examiner, to allow designees to approve death investigations. Next, this act allows deidentified CSMD data, rather than only aggregate, to be shares, with the intent of improving information access. Additionally, this act allows for CSMD data to be shared with additional state, county, or federal agencies outside of Tennessee. Lastly, this act decreases the quorum requirements of the CSMD committee by one member, but still have a majority of members present to conduct regular committee business (6). This act took effect April 13, 2021.

### *Public Chapter 150*

This act simply adds FQHC's in Tennessee to the definition of healthcare organizations pursuant to the law around quality improvement committees. This act took effect July 1, 2021.

### *Public Chapter 153*

This act creates a new definition of "store-and forward telemedicine services" to include the use of asynchronous computer-based communications between the healthcare provider and the patient for the purpose of diagnoses, consultation, or treatment of a patient at a distant site where there may be no in-person exchange. This act took effect April 13, 2021.

### *Public Chapter 179*

This act authorizes unlicensed graduates of certain medical training programs to provide telehealth services, provided they maintain the same existing standards for telehealth that licenses providers must meet. This act took effect April 20, 2021.

### *Public Chapter 230*

This act revises the definition of marijuana to clarify that it does not include a product approved as a prescription by the FDA. This act took effect April 22, 2021.

### *Public Chapter 231*

This act removes the restriction on appointments to the Tennessee Board of Dentistry relative to individuals affiliated with educational institutions. This act took effect April 22, 2021.

### *Public Chapter 242*

This act authorizes records custodians to petition a court for injunctive relief from individuals making frequent public records requests with the intent of disrupting government operations, following a 5<sup>th</sup> public records request. A records custodian can only petition a court if they notify the person in writing stating the specific conduct may constitute intent to disrupt government operations, and the person continues to do so. The individual upon a court injunction would not be able to make public requests at the agency for up to 1 year. This chapter took effect April 28<sup>th</sup>, 2021 and will sunset July 1, 2025.

### *Public Chapter 291*

This act requires the attorney general and reporter to not approve an emergency rule if the emergency rule does not meet the statutory criteria for adoption of the rule. This act took effect July 1, 2021.

### *Public Chapter 328*

This act requires that starting December 31, 2023, state agencies submit a report of their effective rules to the chairs of the government operations committee every 8 years. This report is required to include a brief description of the department's operations that each chapter affects, as well as each rule and its administrative history, which would include the original promulgated date and the dates the rule was last amended, if applicable. Additionally, the report would include a determination of each rule on whether it adheres to current state or federal law or court rulings, should be amended or repealed, reviewed further, or continue in effect without amendment. Lastly, if there are any intentionally false statements in the report, the government operations committee would have the ability to vote to request the general assembly to remove a rule or suspend the department's rulemaking authority for any reasonable period of time. This act took effect July 1, 2021.

### *Public Chapter 357*

This act authorizes an exception to existing telehealth requirements governing healthcare providers in Tennessee. In doing so, it allows individuals licensed in another state to practice telehealth in Tennessee while providing healthcare services on a volunteer basis through a free clinic. This act took effect May 11, 2021.

### *Public Chapter 453*

This act requires public or private entities or businesses that operate a building open to the general public to post signage regarding public restroom access in certain situations. Specifically, this applies to entities or businesses that have restroom policies allowing either biological sex to use any public restroom within their building. This act includes requirements for language, size, location, and even color for the signage. This act excludes unisex, single occupant restrooms or family restrooms intended for use by either sex. This act took effect July 1, 2021.

### *Public Chapter 461*

This act requires TDH licensing authorities, upon learning a healthcare prescriber was indicted of certain criminal offenses (controlled substance violations or sexual offenses), to automatically restrict the prescriber's ability to prescribe Schedule II controlled substances until the case reaches a final disposition. The restriction shall be removed upon sufficient proof of acquittal or dismissal/nolle prosequi. The act further requires licensing authorities to automatically revoke the license of a practitioner that is convicted of those same criminal offenses. A new license shall be granted if the conviction is overturned or reversed (but shall be restricted to prescribing if the case has not reached final disposition). In addition, the act requires the licensing authority to suspend the license of midlevel practitioner

(APRN/PA) upon finding the healthcare professional failed to comply with physician collaboration requirements. Finally, this act requires facility administrators to report certain disciplinary actions concerning licensed personnel to the professionals' respective boards. This act took effect May 18, 2021.

*Public Chapter 465*

This act allows a licensed dentist in Tennessee to administer COVID-19 vaccinations if the dentist has received appropriate training as recommended by the CDC. This act took effect May 18, 2021.

*Public Chapter 476*

This act revises portions of the Board of Dentistry's licensing process, to authorize the dental examination to be conducted on a live human patient or a non-patient based model. This act took effect May 18, 2021.

*Public Chapter 513*

This act prohibits the Governor from issuing an executive order and a state agency, department or political subdivision from promulgating, adopting or enforcing an ordinance or resolution that requires a person to receive an immunization, vaccination, or injection for the SARS-CoV-2 virus or any variant of the SARS-CoV-2 virus. It also deletes the previous override during an epidemic or immediate threat of an epidemic of an objection against vaccination that was made on the basis of religious tenets. The law prohibits requiring the COVID-19 vaccine to attend k-12 schools. The prohibition against requiring vaccines does not apply to governmental entities subject to federal or state statute or rule that prohibits the entity from requiring medical treatment for those who object on religious grounds or right of conscience. The law also does not apply to students of a public institution of higher education delivering healthcare services when the student is participating in/fulfilling requirements of a program in medicine, dentistry, pharmacy, or another healthcare profession. This act took effect May 25, 2021.

*Public Chapter 531*

This act limits an agency's authority promulgate rules without a public hearing. These are exceptions to the public hearing requirement. These exceptions include emergency rules, rules that are non-substantive modifications to existing rules (like clerical updates), rules that repeal an existing rule, or rules that eliminate or reduce a fee described by an existing rule. This act took effect July 1, 2021.

*Public Chapter 532*

This act authorizes the joint government operations committee to stay an agency's rule from going into effect for a period of time not to exceed 90 days. If the government operations committee determines that subsequent stays are necessary, the joint committee may issue consecutive stays, each for an additional 90 day period, so long as such stays do not extend beyond the 5<sup>th</sup> legislative day of the year following the year in which the rule was filed with the secretary of state. The initial stay may be done by either the house or senate government operations committee, but subsequent stays must be by agreement by the committees of both chambers. A stay is effective when the respective committee files written notice with the secretary of state, and the respective committee shall specify the length of effectiveness of the stay. This act took effect May 25, 2021.

*Public Chapter 577*

This public chapter establishes the medical cannabis commission which is administratively attached to the Department of Health for purposes of budgeting, audit, use of IT systems, HR support, clerical assistance and administrative support. The commission is composed of 9 members. The Governor appoints 3 members (1 from each grand division), the Lt. Governor appoints 3 members (1 must be a physician and 1 a pharmacist), and the Speaker of the House appoints 3 members (1 must be a physician and 1 a pharmacist). The commission must be impaneled and hold its first meeting by October 2021. The commission is required to meet at least once every 2 months prior to March 2023. The commission shall appoint an executive director.



The commission is to examine federal laws and other states' regarding medical use of cannabis, including issues relating to patient qualification patient registration, role of practitioners in recommending/prescribing, establishing guidelines for acceptable uses, development of a standard of care, etc. This act took effect May 27, 2021

Office of Investigations- Ms. Lori Leonard joined the meeting to give this report. Currently the number of new complaints that have been opened since January 2021 are: 99 for dentists, 5 for hygienists, and 16 for assistants. The number of closed reports since January 2021 for dentists was 65, for hygienists was 2, and for assistants was 2. There are many complaints close to being closed with licensees finishing their requirements.

Financial Report- Ms. Alicia Grice joined the meeting to give the financial report. The fiscal year closed at the end of June 2021, so no financial report was available at the time of the meeting. Ms. Grice's report included information on reductions on the fee structure that had been started during the April 2021 board meeting. The reserve balance is \$1.5 million over the recommended amount. She recommended reducing the fees required by the board, to allow the excess reserve fund balance to drop. The information provided gave options from least to most aggressive fee reductions, to show the board members what options they had available. These fee reductions would include the application fees and renewal costs for dentists, hygienists, and assistants. Dr. Moody was concerned that a major fee reduction would cause problems in the future with licensees/applicants being very upset over large fee changes in several years. Ms. Grice recommended adjusting fee schedules long term, to avoid excess reserve funds in the future as well.

Ms. Puckett asked if some of the excess funds can go to the Wellness Foundation or for other some good use to help people. Ms. Grice stated Finance and Administration (F&A) typically only approves improvements in technology or software for the boards, and it may be difficult to request the use of the reserve balance for other things. Ms. Puckett stated during her 8 years serving on the board, excess reserve funds seems to be a repeated issue that occurs every year. Dr. Kemp asked if the money in the excess reserve funds could be used to pay off student loans as an incentive to bring more dentists to rural areas of the state who do not have access to care. He said the board would like to make a request to utilize the reserve balance for certain things to help dental professionals across the state. Dr. Moody asked Paetria if the board has the authority to make a request with F&A to use the excess reserve funds for a specific purpose. Paetria let the board know they can make a request, but there is no guarantee F&A will approve a request. Dr. Tabor stated he thought it would be a great use of the excess reserve funds to help bring dental care to underserved areas of the state. Ms. Macias inquired about eliminating the \$15 application fee for the RDA certifications, to help with the reduction of the reserve balance as well as help board staff with the processing of the applications. Ms. Puckett agreed that eliminating the \$15 fee for RDA certification applications would be a great idea.

Dr. Kemp stated they would like to vote on a fee change to help reduce the reserve balance in the future, but that the board members would like to craft a proposal to send to F&A for a special use for the excess reserve funds. Ms. Morgan clarified that the board would have to decide what exactly they wanted to do with the fees if they were be changed, so a rule change packet could be drafted and the process for a rule change to be started. A rule change requires 18 steps total for the number of offices that are needed to review and approve the rule change packet, before it can possibly be reviewed.

Ms. Puckett made a motion to choose the least aggressive fee reduction option presented by Ms. Grice, and then draft a proposal to send to F&A to use the excess reserve funds for another purpose to help dental professionals. Dr. Meadows agreed with the motion from Ms. Puckett but added that he would like to eliminate the fee for the RDA certifications as well with that. Ms. Puckett suggested to add a dollar amount for the proposal for F&A for the use of the excess reserve funds. Dr Kemp wanted to have a

stipulation added to the student loan repayment option that the dentist must remain working in that shortage area for a certain period of time before they would get part of their loan repaid.

Dr. Regain spoke briefly about the program in the State of Arkansas for dentists who graduate from dental school, then go back to a rural area in Arkansas and get a contract to work in that area for a certain period of time, in order to have a portion of their student loan repaid. He also spoke about the desperate need for more dentists in Tennessee, and not just in areas such as highly populated areas in Middle Tennessee where many people are moving due to the ability to make more money providing dental services. The board members agreed that a program for student loan repayment for rural areas in need of dental providers, would be an excellent use for the reserve funds. Ms. Puckett wished to add the amount of \$1.2 million to the proposal for F&A for the use of the excess reserve funds, as part of her motion.

For the record, Ms. Grice read the amounts the board was requesting to have the fees changed to for the rule changes: \$175 for dentist license renewal, \$80 RDH renewal, \$45 for RDA renewals, \$150 for dentist application by exam, \$150 for dentist application by criteria, \$75 for dentist application for both types of limited licensing, \$25 for RDA initial applications, \$150 for dentist sedation permits, \$140 for dentist specialty certification applications, and then elimination of the \$15 fee for RDA certification applications. The motion from Ms. Puckett was seconded by Dr. Tabor. Ms. Morgan confirmed with Dr. Zambrano that although he could not see the numbers presented to the board members in the room, that he was comfortable voting on the motion based off the discussion of the board members and Ms. Grice. The motion carried following a roll call vote.

After a brief break, a roll call was taken to confirm all members were present. Dr. Kemp stated clarification was needed on the motion to ensure everyone knew what was expected for the proposal to be made to F&A, and who would be writing the proposal. Ms. Puckett clarified her motion stating Dr. Kemp with the help of several board members, along with assistance of Ms. Morgan and Ms. Macias, before getting the letter to the board members for review and approval before it is submitted to F&A. The clarified motion also included the fee changes as previously discussed and voted on by the board members. The motion was seconded by Ms. Martin. The motion carried following a roll call vote.

#### Updates from the Schools of Dentistry

Dr. Ragain spoke about the difficulties the dental schools faced during the height of the pandemic, but the UT School of Dentistry did not lower or alter any of their stringent requirements for dental students to graduate from the program. Dr. Ragain discussed the great need for more dentists to work across the state of Tennessee to adequately provide care to the growing population. He estimated the state of Tennessee currently is facing a shortage of about 700 dentists practicing across the state. Dr. Ragain provided maps showing Middle Tennessee is currently having the most newly graduated dentists moving to those areas, because they can make more money to pay down their student loans faster in those areas. This presents issues for access to care for other areas across the state where new dentists are not moving, and the dentists practicing in those areas may be nearing retirement without other dentists providing care to patients in those areas. The UT School of Dentistry is working on increasing their class size for their dentistry program, to have a class size of 130 students once the new building opens on their campus. They will need about 30 faculty members eventually to be added to their staff to properly teach the increased class size over the next few years. The current class has 8 students who came from rural areas of Tennessee. The program would like to add more students from rural counties to their dentistry program each year. Dr. Ragain is hoping some incentive programs can be created to help encourage recently graduated dentists to practice in rural counties to provide care to underserved populations. The D4 students will be doing rotations with Interfaith Dental and through the UT Hospital as well. The school is currently working on getting a new site for a dental clinic in the Knoxville area to be used for dental student rotations once it is opened.

Dr. McKinney spoke to the board about the EFDA program at UT. All EFDA classes have been filled for the remainder of the year at UT, and 2 classes are full for next year as well. Having one EFDA trained staff member in a dental office can greatly increase the number of patients seen in a single dental practice by up to 40% . UT has seen an increase in the number of dental offices who have more than one EFDA certified staff member in their offices. Dr. McKinney and Dr. Grey from Meharry School of Dentistry presented a proposal to the board to request an extension for permission to continue using Zoom presentations for the EFDA program students going forward. They have seen an increase in the success of students in the course with higher test scores when Zoom lectures are being used. Students who are being taught via Zoom lectures and with in class instruction as well have seen a higher success rate with more teeth completed during the restoration portions of the class. Dr. McKinney presented many positive reasons for having Zoom lectures continuing to be allowed as part of the EFDA courses. Ms. Morgan stated the rule being referenced in this case was 0460-05-.02(3)(c)(2), which requires the course to be taught at an educational institution. Ms. Morgan stated the board could choose to interpret this rule as allowing Zoom courses, because the course was being taught from the educational institution and was disseminated electronically. It was clarified the board would interpret the rule in this way, which would not require the schools to request permission to continue incorporating Zoom lectures into their classes.

Dr. Gray gave the update for both Meharry School of Dentistry and their EFDA program. Their EFDA program also has a goal of helping to increase the access to care for the state through getting more expanded functions trained dental assistants into dental offices. Their current class has 31 students. They recently added 3 additional instructors and had some staffing changes that were submitted to the board for approval. The majority of EFDA students are attending with their supervising dentist paying for the course, instead of the students paying their own course fees. For the School of Dentistry at Meharry, they have continued during the pandemic to properly train their dental students and worked to ensure their education continued despite the challenges they faced during the last school year. Meharry's mobile unit has been retrofitted with plexiglass to increase safety when traveling to rural areas to provide dental services. They are working to be able to increase their class size to help increase the number of students that can be trained each year. Meharry's international program is in its second year, and they currently have 20 students enrolled.

Executive Directors Report- Ms. Macias gave the director's report, with the next board meeting dates being October 7-8 2021, January 6-7, 2022, April 7-8, 2022, and July 14-15, 2022. Since January 1, 2021, the number of initial applications submitted were: 214 for dentists, 206 for dental hygienists, 765 for dental assistants, and 55 for facility permits. The number of new licenses issued were: 168 for dentists, 194 for dental hygienists, 759 for dental assistants, and 48 for facility permits. The majority of all license holders are renewing their licenses online. Since the beginning of the year, the number of licenses that have been retired were: 37 for dentists, 40 for dental hygienists, and 56 for dental assistants. As of July 1, 2021, the total number of active licensees were 20, 316.

Update on SRTA/ADEX Appointments- Dr. Caldwell made a motion to reappoint Dr. Hall to the committee. Dr. Meadows seconded the motion, and the motion carried following a roll call vote.

CE Broker update- as of July 2<sup>nd</sup>, there were 6,602 basic account registrations for TN dental professionals, 865 active professional subscriptions, and 60 active concierge subscriptions.

OGC Report- Ms. Morgan reported that 2 consent orders and 1 agreed order would be presented during the meeting. There were 21 open cases in OGC. The dental hygienist prescriptive authority rules, educational limited license rules, and dental anesthesiology rules would be affected as of July 18, 2021. A rulemaking hearing will be on October 7, 2021, which will concern live human patient, emergency management, and TDTWF rules will be discussed.

## **COMMITTEE AND TASKFORCE UPDATES**

The board members discussed the topic of adding a Dental Anesthesiologist as a member to the Anesthesia Committee. Dr. Tabor made a motion to add Dr. Katie Bradford as a committee member. Dr. Caldwell seconded the motion, and the motion carried following a roll call vote.

Dr. Kemp discussed the previous formation of the Access to Care Committee, that was created before the pandemic but had not had the opportunity to meet yet. Topics such as teledentistry rules could be discussed which may help with the access to care issue in the state.

Dr. Kemp discussed the idea of a possible Communications Committee, which could help the board get information out to license holders and applicants in a user-friendly manner. Ideas such as restarting the board newsletter and updating the board website were presented. Ms. Macias agreed that increasing communication would help license holders be more aware of the rules, renewal requirements, continuing education information, and other important items that could assist with reducing phone calls or emails to the board office with these common questions asked of board staff multiple times daily. Ms. Morgan reminded the board members about the need for task force and committee meetings requiring sunshine notices, and also having a physical quorum required for those meetings as well. Dr. Moody brought up the Specialty Committee that may need to meet after the next board meeting, to discuss needed changes for rules regarding specialties. Dr. Tabor volunteered to be part of the Communications Committee. Dr. Zambrano stated that he would be unable to be on the committee due to other obligations. Ms. Puckett made a motion to create the Communications Committee, and Dr. Rodriguez seconded the motion. The motion carried following a roll call vote.

## **ORDER OF COMPLIANCE**

The order of compliance for Dr. Clarence Nabers DDS was brought before the board. Dr. Nabers' attorney, Jed Crumbo spoke to the board members concerning the consent order from July 2019, which had placed Dr. Nabers' license on probation for multiple violations of the board rules. Dr. Nabers completed the 2-year probation period as well as all the requirements as stated in the consent order. Mr. Crumbo requested the board lift the probation that had been placed on Dr. Nabers' license. Ms. Puckett made a motion to approve the order of compliance, to lift the probation as of July 11, 2021. Dr Meadows seconded the motion, and the motion carried following a roll call vote.

## **AGREED CITATIONS**

### *Continuing Education*

Ms. Puckett made a motion to approve the following agreed citations:

1. Augustino, Lori RDH
2. Ballard, Jill RDA
3. Brock, Amanda RDA
4. Cole, Misti RDA
5. Collins, LeAnna RDA
6. Cortes, Maria RDA
7. Giannini, Angela RDA
8. Gonzalez, Michelle RDA
9. Harrison, Jessica RDA
10. Holt, Dyron DDS
11. Hudson, LaShonda RDA
12. Hunter, Emily RDA
13. Kulisek, Cheryl RDH
14. Lasater, Hailey RDA

15. Lindquist, Nicole RDH
16. Marley, Erika RDH
17. Mata Cynthia RDA
18. Morton, Kimberly RDH
19. Price, Laura RDA
20. Pritchard, James DDS
21. Profitt, Katie RDA

22. Ramos Camacho, Edgar RDA
23. Rosenbaum, Logan RDA
24. Schwitzerlett, Melissa RDH
25. Smith, Leah RDH
26. Ulrich, Rebecca RDA
27. Waller, RDH

Dr. Tabor seconded the motion, and the motion carried following a roll call vote.

### Lapsed Licenses

Ms. Puckett made a motion to approve the following:

1. Hunter, Courtney RDA
2. Kennon, Sarah RDH
3. Montgomery, Cathy RDA
4. Morton, Chera RDH
5. Powell, Brittany RDA

Dr. Tabor seconded the motion, and the motion carried following a roll call vote

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

Hodgkin, Keith DDS- Dr. Rodriguez was recused from this order. Dr. Hodgkin allowed a dental assistant to expose x-rays for 28 months without a registration. It was also found that Dr. Hodgkin failed to adequately safeguard blank prescriptions, keeping them in an open box on a bookshelf. The total civil penalty amount required to be paid by Dr. Hodgkin was \$3,100. The disciplinary action will be reported to the National Practitioner Data Bank. Ms. Martin made a motion to approve the order, and Dr. Moody seconded the motion. The motion carried following a roll call vote.

Martin, Pamela RDA- Dr. Moody and Dr. Caldwell were recused from this order. Ms. Martin failed to respond to multiple notifications of audit for the 2017-2018 continuing education cycle. She also did not respond to multiple notifications of the resulting agreed citation for audit non-compliance. As part of the order, Ms. Martin will voluntarily retire her license, and must pay the costs for the presentation of the order. If reactivating her license in the future, she must submit the civil penalty payment, continuing education make up hours, and proof of current CPR certification at that time. The disciplinary action will be reported to the National Practitioner Data Bank. Ms. Puckett made a motion to approve the order. Dr. Rodriguez seconded the motion, and the motion carried following a roll call vote.

Dallas, Shavarsea RDA- Dr. Moody was recused from this order. Ms. Dallas failed to respond to multiple notifications of audit for the 2017-2018 continuing education cycle. She did not respond to multiple notices sent concerning the resulting agreed citation for audit non-compliance. Her license will be reprimanded, and she must pay the \$150 civil penalty, complete the continuing education make up hours, provide proof of CPR certification, and must pay all costs associated with presenting the order. The disciplinary action will be reported to the National Practitioner Data Bank. Ms. Puckett made a motion to approve the order. Ms. Martin seconded the motion, and the motion carried following a roll call vote.

The meeting was adjourned at 1:20 p.m.