

**MINUTES
TENNESSEE BOARD OF DENTISTRY**

Date: May 24 and 25, 2007

Location: Tennessee Department of Health
227 French Landing, Iris Room
Heritage Place Metro Center
Nashville, TN 37243

Members Present: Jeffrey Clark, D.D.S., President
Michael Tabor, D.D.S., Vice-President
John M. Douglass, D.D.S., Secretary/Treasurer
Ruth M. Bailey, D.D.S.
Beth Casey, R.D.H.
Katherine Cherry, R.D.H.
Betty Gail Fox, R.D.A.
Lawrence Hsia, D.M.D.
Randall Prince, D.D.S.
James Smith, D.D.S.
Agnes Young, Consumer Member

Staff Present: Dea Smith, Executive Director
Sheila Bush, Board Manager
Ernie Sykes, Advisory Attorney
Jerry Kosten, Rules Coordinator
Melissa Haggard, Office of the Investigation

Dr. Jeffrey Clark, President, called the meeting to order at 9:10 a.m. Dr. Clark determined that a quorum was present in order to conduct Board business. Dr. Clark also welcomed Dr. Lawrence Hsia as the newest member of the Board.

Conflict of Interest

Mr. Ernie Sykes explained to Dr. Hsia, as a new member, the Board duties, the Conflict of Interest statement and what his duties were to the Board. Mr. Sykes asked Dr. Hsia to read and sign the Conflict of Interest statement and return it to Ms. Dea Smith.

Minutes

Ms. Katherine Cherry made a motion to accept the minutes from the January 11 and 12, 2007 meeting with a correction from “doable requirements” to “delegable duties” on page 4 of the minutes. Ms. Casey seconded the motion. Motion carried.

Financial Report

Dr. John Douglass gave the financial report. Dr. Douglass stated that he would like to propose raising the per deim rate for each board member and to see if a survey could be done for all the Boards under Health Related Board to see what the other Boards were being paid. Mr. Sykes stated that he would ask the other Boards that he represents if they would consider raising their per deim rate. Dr. Douglass also wanted to know how to speed up the process for the approval of travel to out of state conferences. Mr. Sykes informed the Board that the travel process goes through the Department of Finance and Administration and there are rules and regulations that must be followed.

Executive Director's Report

Ms. Smith introduced Ms. Christy Allen as the new Assistant Commissioner for Health Related Boards. Ms. Smith gave a brief overview on the American Association of Dental Administrator (AADA) meeting held March 25 thru 27, 2007 in Chicago. Ms. Smith also informed the Board of the next scheduled AADA and American Association of Dental Examiners (AADE) meeting that will be held in San Francisco, CA. Dr. Prince made a motion to send Ms. Smith to the next AADA and AADE meeting. Ms. Casey seconded the motion. The motion carried. Ms. Smith also presented to the Board an audit that she did of the dental assistant schools with the number of students that graduated versus the ones who actual applied for and received registration as a dental assistant. The Board decided to have Ms. Smith send the report to all the schools listed.

Office of General Counsel

Mr. Sykes informed the Board that there are a total of 84 open disciplinary cases in the Office of General Counsel. Mr. Sykes also discussed with the Board about establishing a policy statement regarding the acceptance of regional examinations which are no longer approved by the Board (North East Regional Board (NERB) and Central Regional Dental Testing Service CRDTS). After discussion, Dr. Douglass made a motion to have a policy statement drafted to state that as of June 19, 2007 the Board will no longer accept NERB and CRDTS exam scores taken and passed after June 19, 2006. Dr. Randall Prince seconded the motion. The motion carried with Dr. John Smith voting in the negative.

Mr. Sykes also presented correspondence submitted by Dr. Dania Tamimi, an Oral and Maxillofacial Radiologist. Dr. Tamimi wanted to inquire about the use of teledentistry in the State of Tennessee. Dr. Tamimi would like to assist Tennessee dentists by interpreting radiographs which the dentist would refer to her over the internet to her out of state location. Dr. Tamimi is not licensed in the State of Tennessee. Mr. Robert Kraemer, Advisory Attorney for the Board of Medical Examiners, gave the Board a brief overview how telemedicine works and the requirements for licensure as a medical doctor in the State of Tennessee. Mr. Sykes will submit a letter to Dr. Tamimi explaining the statutes and rules that govern the Board of Dentistry and how it pertains to licensure and the practice of dentistry.

Office of Investigation

Ms. Melissa Haggard gave the investigation report. There are a total of 109 complaints against dentists, 1 complaint against a dental hygienist and 11 complaints against dental assistants as of March, 2007.

Disciplinary Report

Ms. Haggard gave the disciplinary report and explained about the cases that are being monitored by the Office of Investigations. Ms. Haggard cannot inform the Board if those individuals that are being monitored are in compliance or not.

Concerned Dental Professional Committee (CDPC)

Dr. McElhiney, Director for the CDPC, informed the Board that the CDPC formed a committee to discuss what would be probable cause to turn a licensee into the Office of General Counsel (OGC) for a summary suspension or other action. The committee decided that if the CDPC receives information on a licensee that may be a danger to him or herself, then 3 to 4 members of the CDPC will evaluate the licensee for mental and/or physical conditions and only after their findings will the decision be made on whether to turn this licensee over to OGC and the Bureau of Investigations for a summary suspension or other action.

Dr. McElhiney also informed the Board that the prescription writing course is set to start for the months of June and July. The program has been certified by Vanderbilt. The CDPC also met with the Nebraska Dental Associations and its representatives and will be helping them to establish a program in Nebraska for impaired professionals.

American Association of Dental Examiners

Ms. Beth Casey gave a brief overview of the AADE conference held in Chicago on March 25 - 27, 2007. Ms. Casey also explained the history of the national and regional exams. The board members ask Ms. Smith to check into obtaining memberships for all Board members to the AADE. Dr. Bailey made a motion that the full Board be approved to attend the annual AADE meeting to be held in September 2007 and the March 2008 mid-year meeting. Dr. Tabor seconded the motion. The motion carried. Each Board member will contact Ms. Smith on whether they will be attending the meetings or not.

National and Regional Testing

The Board had received a letter from the Southern Regional Testing Agency (SRTA) stating that the Board of Directors decided not to renew the contract of Executive Director Laura Slaughter. SRTA is in the process of looking for a new Executive Director. The Board reviewed the correspondence from the Western Regional Examining Board (WREB) and the Council of Interstate Testing Agencies (CITA).

Continuing Education Committee

Ms. Casey informed the Board about the committee's recommendation concerning rule changes for continuing education. After discussion, Dr. Michael Tabor made a motion to accept the committee's recommendation. Ms. Betty Fox seconded the motion. The motion carried with Dr. Douglass voting in the negative.

Rules

Mr. Jerry Kosten, Rules Coordinator, presented rules pertaining to continuing education credit for teaching courses and/or writing articles, changes to the continuing education rule, credits for certification courses and the use of titles. After discussion, Dr. Randall Prince made a motion to adopt the rules that were presented along with the continuing education committee's recommendations. Ms. Casey seconded the motion. The motion carried.

Correspondence

The Board had received correspondence from the Professional Renewal Center and Rio de Esperanze-River of Hope. Both facilities work with impaired professionals. The Board decided to refer both documents to the CDPC. No action was taken on the other correspondence reviewed.

Clinical Issues Committee

Dr. Hsia was been appointed to the committee to replace Dr. Joe Greer. Dr. Prince had topics that he would like for the Board to consider. The topics consist of the use of Restylane not being the same as Botox and should be exempt from the Board's policy on the use of Botox and Similar Cosmetic Products and whether dental hygienists should be able to use diode lasers. Dr. Prince was also appointed to the committee and will submit the topics for discussion at the next committee meeting for discussion.

Sedation and Anesthesia

The Board discussed the proposed changes by the American Dental Association (ADA) pertaining to sedation and general anesthesia guidelines. The Board decided to table the discussion until the ADA changes are final and in effect.

Continuing Education Audit

Ms. Smith presented the results of the continuing education audit for the 2003/2004 calendars years prepared by Mr. Rick Agee. Ms. Smith also presented copies of other Boards policies concerning penalties for licensee that do not comply with the continuing education audit. The Board voted for the continuing education committee to draft the policy for non compliance of the continuing education requirement and present the draft to the Board at the next meeting.

General Discussion

Ms. Casey discussed with the Board about the definition of full-time practice for dental hygienist applying for licensure as a dental hygienist by criteria and that most dental hygienists now work part-time instead of full-time. Board Rule 0460-3-.02 (13) states that “[a]n applicant must submit evidence satisfactory to the Board of all the following, (a) [a]fter, full-time, licensed practice of dental hygiene in a private office setting, or in post-graduate dental hygiene study or in service as a dental hygiene faculty member for three (3) or the five (5) years immediately preceding application. Temporary absences from employment during the three (3) year period may under individual circumstances not be considered as a disqualifying factor at the discretion of the Board. After discussion, Dr. Prince made a motion to delete the words “full-time” from Rule 0460-3-.02(13)(a). Dr. Smith seconded the motion. The motion carried.

Applicant Interviews

Hilary E. Baer, DDS – Dr. Baer submitted an application to apply for licensure by examination. Dr. Baer took and passed the NERB exam March 2006 and requested the Board consider acceptance of her examination results for licensure by exam. After discussion, Dr. Douglass made the motion to approve Dr. Baer’s application for licensure by examination. Dr. Prince seconded the motion. The motion carried.

Kredenna L. Beverly, DDS – Dr. Beverly submitted an application to apply for licensure by examination. Dr. Beverly took and passed the NERB exam December 2005 and requested the Board consider acceptance of her examination results for licensure by exam. After discussion, Dr. Douglass made the motion to approve Dr. Beverly’s application for licensure by examination. Dr. Prince seconded the motion. The motion carried.

Karen E. Micallef, DDS – Dr. Micallef submitted an application to apply for licensure by examination. Dr. Micallef took and passed the CRDTS exam May 2005 and requested the Board consider acceptance of her examination results for licensure by exam. After discussion, Dr. Douglass made a motion to approve Dr. Micallef’s application for licensure by examination. Dr. Smith seconded the motion. The motion carried.

Michael A. Micallef, DDS – Dr. Micallef submitted an application to apply for licensure by examination. Dr. Micallef took and passed the CRDTS exam March 2006 and requested the Board consider acceptance of his examination results for licensure by exam. After discussion, Dr. Douglass made a motion to approve Dr. Micallef’s application for licensure by examination. Dr. Smith seconded the motion. The motion carried.

Afrika K. Jimerson, DDS – Dr. Jimerson submitted an application to apply for licensure by examination. Dr. Jimerson took and passed the NERB exam December 2006 and requested the Board consider acceptance of her examination results for licensure by exam. After discussion, Dr. Douglass made a motion to approve Dr. Jimerson’s application for licensure by examination. Dr. Smith seconded the motion. The motion carried.

Amy Sue Thompson, RDH – Ms. Thompson submitted an application to apply for licensure by examination. Ms. Thompson took and passed the NERB exam April 2006 and requested the Board consider acceptance of her examination results for licensure by exam. After discussion, Ms. Casey made a motion to approve Ms. Thompson’s application for licensure by examination. Ms. Cherry seconded the motion. The motion carried.

David M. Kimler, DDS – Dr. Kimler submitted an application to apply for licensure by criteria. Dr. Kimler is currently on probation by the Maine Board of Dentistry. After discussion, Dr. Douglass made a motion to approve Dr. Kimler’s application for licensure by criteria with the condition that the Tennessee license be placed on probation until he has completed the terms of the order issued by the Maine Board of Dentistry and the probation has been lifted. Dr. Smith seconded the motion. The motion carried with Dr. Tabor voting in the negative.

Kimberly B. McCabe, RDA – Ms. McCabe submitted an application to apply for registration by challenging the education received is equivalent to the educational programs in the State of Tennessee. Ms. McCabe has several convictions that needed to be addressed by the Board. Ms. McCabe has not taken and passed the test required for registration. After discussion, the Board decided not to make a decision on Ms. McCabe application due to it being deemed incomplete. Once she has taken and passed the test required for registration, her application will be brought back before the Board.

LaRhonda Griffin, RDA – Ms. Griffin submitted an application to apply for registration as a dental assistant by certification. Ms. Griffin had several convictions that needed to be addressed by the Board. After discussion, Dr. Tabor made the motion to accept Ms. Griffin’s application for registration as a dental assistant by certification. Dr. Smith seconded the motion. The motion carried.

Susan Kormylo, RDH – Ms. Kormylo submitted an application to apply for licensure by criteria. Ms. Kormylo has worked over 40 years as a dental hygienist in various states but within the last five years she had only worked an average of 27 hours per week instead of 30 hours per week that the board had determined was considered full-time practice as a dental hygienist. After discussion, Dr. Douglass made a motion to approved Ms. Kormylo’s application by criteria based on Board rule 0460-3-.02 (13) An applicant must submit evidence satisfactory to the Board of all the following (a) After, full-time, licensed practice of dental hygiene in a private office setting, or in post-graduate dental hygiene study or in service as a dental hygiene faculty member for three (3) or the five (5) years immediately preceding application. Temporary absences from employment during the three (3) year period may under individual circumstances not be considered as a disqualifying factor at the discretion of the Board. Dr. Tabor seconded the motion. The motion carried.

2004 Alabama State Examination

Jennifer Welch, DDS – Dr. Welch submitted an application to apply for licensure by criteria. Dr. Welch took and passed the Alabama State Board Examination in June, 2004. After discussion, Dr. Douglass made a motion to approve Dr. Welch’s application for licensure by

criteria and accept the 2004 Alabama State Board Examination as equivalent to the Board approved exams. Dr. Prince seconded the motion. The motion carried.

2004 Florida State Examination

The Board has received a request for the Board to approve the 2004 Florida State Board Examination. After discussion, Ms. Casey made a motion to accept the 2004 Florida State Board Examination. Dr. Douglass seconded the motion. The motion carried.

Compliance with Board Order

Donna Pearson, RDH – Ms. Pearson is required by Board Order to come before the Board on an annual basis to show that she is still in compliance with her order. Ms. Pearson stated that she was following the Board's order and was in compliance. Ms. Haggard confirmed that she had submitted the documentation required by her order.

Ratifications

Ms. Casey made a motion to accept the newly licensed dentists, educational licenses, limited licenses, specialty certifications, and permit for limited and comprehensive conscious sedation, and deep sedation/general anesthesia, reinstatements, reactivations, and retirements, along with the requests from Dr. George F. Davis, Dr. Angela Garner Wilson and Dr. John Thomas Davis to waive the competency examination on reactivations if retired for five years or more. Dr. Tabor seconded the motion. The motion carried.

Ms. Casey made a motion to accept the newly licensed dental hygienists, reinstatements, reactivations, retirements and certification to administrator and monitor nitrous oxide, along with the request from Ms. Dorothy J. Kennedy, RDH, Ms. Deborah Seaver, RDH, and Ms. Teresa L. Roller, RDH to waiver the competency examination requirement on reactivations if retired for five years or more. Dr. Tabor seconded the motion. The motion carried.

Ms. Casey made a motion to accept the newly licensed dental assistants, reinstatements, reactivations, retirements and certifications. Dr. Tabor seconded the motion. The motion carried.

Ratification of Continuing Education Courses

Ms. Casey made a motion to accept the following for approval of the continuing education courses; So Your Next Patient Has Autism (2hrs), Maxillofacial Infection (2hrs), Oral & Maxillofacial Pathology (2hrs), Aesthetic Treatment Planning (2hrs), Biosphosphate Related Osteonecrosis of the Jaw (up to 2hrs), Modified Condylotomy (2hrs), Functional Disorders of the TM Joint Diagnosis & Treatment (2hrs), Substance Abuse & the Dental Hygienist/Assistant (2hrs), To Extract or Not To Extract and Dealing with Bone (1hr), Dealing With Soft Tissue and Immediate Gratifications (1hr), Cases That Can't Be Done Without Implants and Treatment Of Failing Implants (1hr) and Sharing Implantology (3hrs), Dr. Tabor seconded the motion. The motion carried.

Ratification of Approval of Continuing Education Courses submitted by Individuals

Ms. Casey made a motion to approve the continuing education course titled “ Implant & Oral Surgery Review for the General Practitioner” for the following individuals; Dr. Elliott B. Hills, Dr. Deborah S. Wallace, Dr. Charley N. Beard, Dr. Thomas W. Gallien, Dr. Michael P. McCain, Diana West Oliver, RDH, Rhonda R. Roach, RDH, Lindsey E. McPherson, RDH, Jennifer D. Elliott, RDA, Pamela G. Lemons, RDA, Joyce M. Melton, RDA, Brandi M. Himes, RDA, Jean Mapes, RDA, Tiffany N. Parker, RDA, Barbara K. Evans, RDA and Denise C. Taylor, RDA. Dr. Tabor seconded the motion. The motion carried.

Board Meeting Dates

Ms. Smith requested the Board set meeting dates for the 2008 calendar year. The Board agreed to meet on May 15 and 16, 2008 and September 11 and 12, 2008. September 13, 2008 will be the date for the coronal polishing examination. The Board had set the dates for the January, 2008 meeting previously.

MAY 25, 2007

Agreed Order

Beth Hendricks, RDA – Ms. Hendricks was charged with practicing as a registered dental assistant on a lapsed license. Ms. Hendricks agreed to pay a \$500 civil penalty and case cost. Ms. Casey made a motion to accept the Agreed Order. Dr. Bailey seconded the motion. The motion carried.

Theandrew Clayborn, DDS – Dr. Clayborn was charged with violating T.C.A. 63-5-124 (a) (21): Disciplinary action against a person licensed to practice dentistry or dental hygiene or registered to practice as a dental assistant by another state or territory of the United States for any acts or omissions which would constitute grounds for discipline of a person licensed or registered in this state. Dr. Clayborn license will be placed on probation for a period of five years and in the event Dr. Clayborn’s medical condition prevents him from continuing to provide dental services to his patients, and to prevent a repeat occurrence of the underlying events, Dr. Clayborn is to develop a plan of implementation to promptly notify his patients of his unavailability and to provide a means of making access to his dental records available to the patient or other authorized individual(s) and to maintain all dental records in a secure fashion in accordance with the rules of the Board. Dr. Clayborn must pay case cost associated with this order within 30 days of receipt of the Affidavit of Cost. And five years from the effective date of the Agreed Order, Dr. Clayborn must appear to the Board to petition an Order of Compliance to modify the probationary status of his Tennessee dental license. Ms. Casey made a motion to accept the Agreed Order. Dr. Bailey seconded the motion. The motion carried.

Frank T. Farris, Jr., DDS – Dr. Farris was charged with unprofessional, dishonorable or unethical conduct; violation or attempted violation, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provision of this chapter or any lawful order of the board issued pursuant thereto, or any criminal statute of the State of Tennessee;

making false or misleading statements or representations, being guilty of fraud or deceit in obtaining admission to practice, or in being guilty of fraud or deceit in the practice of dentistry or dental hygiene or as a registered dental assistant; gross malpractice, or a pattern of continued or repeated malpractice, ignorance, negligence or incompetence in the course of professional practice; habitual intoxication or personal misuse of any drugs or the use of intoxicating liquors, narcotics, controlled substances or other drugs or stimulants, such as, but not limited to, nitrous oxide sedation, in such manner as to adversely affect the person's ability to practice dentistry, dental hygiene or as a registered dental assistant; dispensing, prescribing or otherwise distributing any controlled substance or any drug not in the course of professional practice, or not in good faith to relieve pain and suffering, or not to cure an ailment, physical infirmity or disease; engaging in the practice of dentistry, dental hygiene, or as a registered dental assistant when mentally or physically unable to do so. Dr. Farris immediately surrendered his license to practice dentistry in the State of Tennessee and immediately and permanently surrendered his Drug Enforcement Administration (DEA) license. Dr. Farris was also required to pay all case cost within 30 days from receipt of the Affidavit of Cost. Dr. Douglass made a motion to accept the Agreed Order. Dr. Prince seconded the motion. The motion carried,

Consent Orders

Noorjehan Yusuf – Ms. Yusuf was charged with unprofessional, dishonorable or unethical conduct; violation of or conspiring to violate, any provision of this chapter or any lawful order of the board issued pursuant thereto, or any criminal statute of the State of Tennessee; practice of dentistry and dental hygiene defined and states a person is practicing dentistry who offers to the public by any method to furnish, supply, construct, reproduce, reline, repair or otherwise process any prosthetic, bridge, appliance or other structure to be worn in the human mouth. Ms. Yusuf will refrain from offering to the public to furnish, supply, construct, reproduce, reline, repair or otherwise process prosthetic dentures, bridges, appliances or other structures to be worn in the human mouth until and unless she is licensed to practice as dentist in the State of Tennessee. Ms Yusuf will pay civil penalty in the amount \$2000 within 12 months of the effective date of the Consent Order and all case cost within 30 days from the receipt of the Affidavit of Cost. Ms. Casey made a motion to accept the Consent Order. Dr. Bailey seconded the motion. The motion carried.

Paul D. McGowan, DDS – Dr. McGowan was charged with unprofessional, dishonorable or unethical conduct; violation or attempted violation, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provision of this chapter or any lawful order of the board issued pursuant thereto, or any criminal statute of the State of Tennessee; conducting the practice of dentistry so as to permit directly or indirectly an unlicensed person to perform services or work that under the provision of this chapter can be done legally only by persons licensed to practice dentistry or dental hygiene or as a registered dental assistant; any other unprofessional or unethical conduct that may be specified by the board by the means of rules and regulations duly published and promulgated by the board, or the violation of any provision of this chapter; the board may revoke or suspend the license of, assess a civil penalty for each separate violation against, or otherwise lawfully discipline any dentist who permits any licensed and registered dental hygienist, registered dental assistant and/or practical dental assistant operating under that dentist's supervision to perform any acts or services other than

those authorized by this chapter. Dr. McGowan license was placed on probation for one year and he must complete within 12 months from the effective date of the Consent Order, the three day seminar entitled; “ Prescribing Controlled Drugs: Critical Issues and Common Pitfalls” and “Maintaining Proper Boundaries” which are offered at Center for Professional Health at Vanderbilt University Medical Center. Dr. McGowan must pay \$7,000 in civil penalties and also pay case cost within 30 days of the receipt of the Affidavit of Costs. Dr. McGowan is required to appear before the Board once the total period of probation and all of the conditions in this Consent Order has been satisfied to petition the Board to lift the probation and to present evidence to the Board that he has complied with all the terms and conditions of the Consent Order. Ms. Casey made a motion to accept the Consent Order. Dr. Tabor seconded the motion. The motion carried.

Carl M. Browder, DDS – Dr. Browder was charged with unprofessional, dishonorable and unethical conduct; violation or attempted violation, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provision of this chapter or any lawful order of the board issued pursuant thereto, or any criminal statute of the State of Tennessee. Dr. Browder has immediately surrendered his license to practice dentistry in the State of Tennessee and assessed a \$3,600 civil penalty, payable within 1 year from the effective date of this Consent Order. Dr. Browder was also been assessed case cost that must be paid within 30 days of the receipt of the Affidavit of Cost. Ms. Casey made motion to accept the Consent Order. Dr. Tabor seconded the motion. The motion carried.

Letters of Reprimand

Richard Heard, Jr., DDS – Dr. Heard was charged with violating T.C.A. 63-5-124(a) (1), (2) and (12) and T.C.A. 63-5-116 (a). Dr. Heard license was reprimanded and he must pay \$1,000 in civil penalties plus the assessment of costs within six months of the date of the Letter of Reprimand. Dr. Heard was also required to complete a continuing dental education course on the administration and monitoring of nitrous oxide. The continuing dental education course is in addition to the course required each year to maintain licensure. The continuing education course must be Board approved and must be completed within six months of the ratification of the Letter of Reprimand. Dr. Heard must provide proof of attendance and completion to the Board’s Disciplinary Coordinator. Dr. Prince made a motion to accept the Letter of Reprimand. Dr. Tabor seconded the motion. The motion carried with Ms. Fox and Ms. Cherry voting in the negative.

Contested Cases

William L. Hunter, III, DDS – Dr. Hunter was present and represented by Mr. Darrell Baker, Attorney. Ms. Laurie Doty represented the State. Judge Barber was the Administrative Law Judge hearing the case. Ms. Doty distributed the Notice of Charges. Dr. Hunter was charged with unprofessional, dishonorable or unethical conduct; violation or attempted violation, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provision of this chapter or any lawful order of the board issued pursuant thereto, or any criminal statute of the State of Tennessee; gross malpractice, or a pattern of continued or repeated malpractice,

ignorance, negligence or incompetence in the course of professional practice; failure to maintain proper patient dental records.

Ms. Agnes Young and Ms. Fox asked to be recused. Dr. Clark mentioned that he knew Dr. Gotcher, a witness, and Mr. Baker, but was not familiar with the case, and asked if he should be recused. Neither Ms. Doty nor Mr. Baker had any objection about Dr. Clark staying on the case. After hearing the case, Dr. Tabor made a motion to dismiss the charges against Dr. Hunter. Dr. Prince seconded the motion. The motion carried.

Theresa McAdoo – Ms. McAdoo was present and represented herself. Ms. Doty represented the State. Judge Barber was the Administrative Law Judge. Ms. Doty distributed the Notice of Charges. Ms. McAdoo was charged with unprofessional, dishonorable and unethical conduct; violation or attempted violation, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provision of this chapter or any lawful order of the board issued pursuant thereto, or any criminal statute of the State of Tennessee; the performance of procedures or duties requiring professional judgment, skill or professional licensure which may not be assigned to unlicensed/unregistered personnel. The Board found Ms. McAdoo guilty of all charges. Dr. Hsia made a motion to assess \$1,500 in civil penalties and case cost. Ms. Cherry seconded the motion. The motion carried with Dr. Tabor, Dr. Smith and Ms. Fox voting in the negative.

Meeting was adjourned at 12:25.

Ratified by the Board of Dentistry on September 13, 2007.