

Board of Dentistry

Minutes

Date: January 26-27, 2006

Location: Cumberland Room
Ground Floor, Cordell Hull Building
425 Fifth Avenue, North
Nashville, TN 37247

Members Present: Eben A. DeArmond, Jr., DDS, President
John M. Douglass, Jr., DDS, Vice-President
Harold L. Fitts, DDS, Secretary/Treasury
Beth Casey, RDH
Jeffrey M. Clark, DDS
Katherine Hawkins Cherry, RDH
Betty Gail Fox, RDA
Joe C. Greer, DDS
James L. Smith, DDS
Mike Tabor, DDS
Agnes S. Young

Staff Present: Dea Smith, Board Manager
Tammy M. Roehrich, Board Administrator
Robbie Bell, Director, Health Related Boards
Jerry Kosten, Regulations Manager
Laurie Doty, Deputy General Counsel
Ernie Sykes, Advisory General Counsel
Thomas Miller, Assistant General Counsel

Administrative
Procedures Staff: James Hornsby, Administrative Law Judge
Elizabeth Miller, Court Reporter

January 26, 2005

The Board's President, Dr. Eben DeArmond, determined a sufficient number of Board members were in attendance to constitute a quorum. The quorum was determined by the presence of Dr. DeArmond, Dr. Douglass, Dr. Fitts, Ms. Cherry, Dr. Clark, Ms. Casey, Ms. Fox, Dr. Greer, Dr. Smith, Dr. Tabor, and Ms. Young. Therefore, the meeting of the Tennessee Board of Dentistry was called to order at 9:05 AM.

Dr. DeArmond introduced and welcomed Ms. Young, to the Board. He also welcomed the dental assisting classes from the Technology Center of Murfreesboro, Technology Center of Dickson and Volunteer State Community College.

Conflict of Interest Policy

The Board members were asked to review the Conflict of Interest Policy which was included in their notebooks.

Approval of Minutes

After review, a motion was made by Dr. Fitts and seconded by Dr. Clark to approve the minutes from the September 21-23, 2005, meeting. All members present voted in the affirmative to approve the minutes. Ms. Smith explained that the minutes from the meeting in December would not be available for review and ratification until the next scheduled Board meeting.

Report from Division Director

Ms. Bell explained to the Board that the division was working on obtaining a new computer system to maintain records of the licensees. The system would be called MARS. She also informed the Board that the move would be in April of this year. Ms. Bell discussed with the Board the audit that was conducted by the Comptrollers Office and that she was pleased with the results.

Financial Report

Board members were referred to the financial report in Tab 2 which reflected revenue and expenses of the Board. Dr. DeArmond reviewed the report with Board. There were no questions from the Board members.

Office of General Counsel

Mr. Sykes reviewed the report provided under Tab 5 which included an update on rule amendments that the board had voted on at a previous meeting. He also discussed the new JCAHO standards regarding prescribing in the hospital setting. Mr. Sykes suggested that the Board adopt a policy and that a proposed rule change be brought back to the Board meeting in May. Ms. Casey made a motion and Ms. Fox seconded to adopt a policy and consider a rule change in May. The motion carried.

Report from Board's Executive Director

Mr. Paul David explained that one of the administrators, Carla McCord, had taken a position in another area of the Department of Health and that the position had been filled by Mr. David Hoffman. He informed them that this would be the last Board meeting he would be attending until he returned from his military training.

Concerned Dental Professionals Committee (CDPC)

Board members were referred to Tab 8 which contained the CDPC report. Dr. Goodrich reviewed the report and introduced Dr. Wayne McElhiney, the new director of the CDPC. Dr. McElhiney gave the Board an overview of the new programs that they were developing. Dr. DeArmond thanked Dr. Goodrich for his service and welcomed Dr. McElhiney.

Report on Southern Conference of Dental Deans & Dental Exam

Dr. DeArmond, Dr. Fitts, Ms. Casey, and Ms. Smith all attended the conference. Dr. Fitts reported on the conference. Ms. Casey informed the Board that the Tennessee Board of Dentistry was well represented at the conference.

Report from the Tennessee Dental Association (TDA) Task Force

Board members were referred to the copies of the TDA Task Force report which was forwarded in a package from the Board's Administrative Office. Dr. Tabor made a motion and Dr. Greer seconded to send the TDA Task Force's proposal to rule making hearing in its entirety. There was no vote and Dr. DeArmond asked for discussion. There were several members of the Tennessee Dental Assisting Association (TDAA) present, including Karen Castleberry, Mary Ellen Vaughn, and Carolyn Roach and there were also several members from the Tennessee Dental Association (TDA) present. Dr. Tom Flanagan and Dr. Roy Thompson spoke to the Board on behalf of the TDA Task Force and Ms. Castleberry and Ms. Vaughn represented the TDAA. Dr. Flanagan explained that the Task Force was appointed to address the problem of a shortage in dental assistants and the process in which an individual has to go through to become a registered dental assistant. Ms. Castleberry and Ms. Vaughn stated that the TDAA disagreed with the TDA and asked that the Board not remove the registered dental assistant education and examination. Ms. Vaughn stated that if the registered dental assistant education and examination is removed by the Board that Tennessee will be going backward instead of forward. Ms. Fox suggested that a committee be appointed to research and review the issue and bring recommendation to resolve this problem to the Board. She felt that this would serve the best interest of the public. Dr. Greer asked what the committee could bring back that was not already in the information they had received. A committee was not appointed. After discussion Dr. Tabor made a motion and Dr. Greer seconded to accept the TDA proposal as written and send to rule making. Roll call vote. The following members voted in the affirmative: Dr. Douglass, Dr. Clark, Ms. Cherry, Dr. Greer, Dr. Smith, Ms. Young, and Dr. Tabor. The following members voted not to accept the proposal: Dr. Fitts, Ms. Fox, and Ms. Casey. The majority vote carries and the proposal was sent to rulemaking.

Correspondence

Board reviewed the correspondence received for the board provided in Tab 9. Dr. DeArmond recapped the situation with the ADEX exam. Dr. DeArmond asks for a clarification on the letter from the Tennessee Dental Assistant Associations concerning the appointment of members to screening panels. Ms. Bell explained that they usually use former Board members. Ms. Lynda Gooden was recommended for the screening panels. Ms. Casey and Dr. Greer volunteered to attend the AADE meeting in March.

Applicant Interviews

Brenda Kay Gray, RDA- Conviction of felony or misdemeanor referred to full Board after review by the board's consultant. Board members reviewed the file. Ms. Gray explained the circumstances concerning the conviction and answered questions from the Board members. After review, Dr. Clark made a motion, seconded by Ms. Fox, to approve the application for licensure as a registered dental assistant. The motion carried.

Order of Compliance

Dr. James Hatfield, DMD—Mr. Sykes reviewed the previous order of the Board with the board members. He explained what Dr. Hatfield was required to do in order to be in compliance with the order. Ms. Phelps handed out the documents that Dr. Hatfield had submitted to show that he was in compliance with the Board's order. After review of the documents, Dr. Clark made a motion, seconded by Dr. Smith, that Dr. Hatfield was in compliance with the order. All member present voted in the affirmative.

Disciplinary Report

Ms. Lea Phelps, Disciplinary Coordinator from the Office of Investigations for Health Related Boards presented Disciplinary Report under Tab 7. No questions from the Board.

Investigations report

Ms. Lea Phelps also presented the Investigations Report under Tab 6. She explained that the Office of Investigation is hiring 3 new investigators. The Board asked that the investigators get complete dental records of the patients during investigations.

ADEX & National Exam

Board members reviewed the information concerning the ADEX and National Exam in Tab 10.

American Association of Dental Examiners (AADE) Liaison

Board members reviewed a letter from AADE in Tab 14 concerning appointment of a liaison to the AADE. There was no action taken.

Clinical Issues Committee

Ms. Smith referred the Board to the list of issues that the committee reviewed and discussed in Tab 15.

The committee decided that it was not necessary for the Board to make a policy or rule on the following issues:

1. Taking impressions for a making night guards and bite splints because it is not a “permanent restoration”, but dentist must place the appliance.
2. Light-curing an Zoom bleaching systems- both dental assistants and dental hygienist can use.
3. Flowable Composite if used as a sealant and charged as a sealant material hygienist and assistants with sealant certification can use but if used as a restorative material, must have the Restorative Function certification to perform.
4. Brush biopsies-already in scope of practice for both assistants & hygienist as “taking of oral cytologic smears.

After discussion, Ms. Fox made a motion, seconded by Dr. Fitts, to accept the committee’s recommendations on all issues listed above. The motion carried.

The committee decided that the Board should adopt policies on the following issues:

1. Lasers – licensed dental hygienists and registered dental assistants can use lasers that are not capable of cutting or removing hard or soft tissue of tooth structure without being in violation of the rules and statutes of the Board of Dentistry. If the laser is for diagnostic purposes, the findings must be verified by the dentist.
2. Appliances Used for Weight Loss - create a policy similar to the Georgia Board of Dentistry policy saying making an appliance used for weight loss is within the scope

of practice for a dentist, but only under the orders of a physician who is treating the patient for weight loss.

3. Acupuncture for Treatment – create a policy similar to the Georgia Board of Dentistry statement that the board neither endorses nor encourages the use but if a dentist does utilize this treatment in their practice, they must obtain certification from the Tennessee Board of Medical Examiners Advisory Committee for Acupuncture before utilization of this technique.

After discussion a motion was made and seconded to adopt policies on each of the above. Ms. Smith directed the members to draft policies for each in the board books. After reviewing the Policy for the use of Lasers, Dr. Douglass made a motion and Dr. Clark seconded to adopt the policy after deleting the name Diagnodent Laser. All members present voting in the affirmative. After reviewing the Policy for Acupuncture for Treatment, Ms. Casey made a motion and Ms. Fox seconded to adopt the policy as written. All members present voted in the affirmative. After reviewing the Policy for Appliances Used for Weight Loss, Ms. Fox made a motion and Dr. Clark seconded to adopt the policy as written.

After discussion of the issue of the use of Botox, the Board made the decision to table the issue until the May meeting so more information could be presented.

Local Anesthesia

Dr. Carl Sebelius reported on the discussions and decisions of the Local Anesthesia Committee.

Proposed Rules (to send to Rulemaking Hearing)

The proposed rules included revisions to the mobile clinic rule, fee, scope of practice for dental hygienist, create process and qualifications for administration of local anesthesia, create certification of courses in administration of local anesthesia, create scope of practice for practical dental assistants, revise the process for registration of dental assistants, revise coronal polishing certification qualifications, revise sealant application certification qualifications and revise monitoring nitrous oxide certification qualifications. The Board also included the TDA Task Force recommendations to the following proposed rules:

Rule 0460-1-.02- Fees- adds \$50.00 application fee for a Administration of Local Anesthesia Certification.

Rule 0460-1-.14 -Mobile Dental Clinics-adds new paragraph which states that it is not required for school based programs who use mobile dental clinics for preventive hygiene only to have the equipment listed in subparagraphs (3)(c), 3(e), and (3)(f) of this rule.

Rule 0460-3-.09- Scope of Practice-delete subparagraph (1)(u) in its entirety and renumber the remaining subparagraphs accordingly. Delete, in its entirety, subparagraph (6)(h) which prohibits the administration of local anesthesia, conscious sedation, or general anesthesia by a dental hygienist and substituting the following language as new subparagraph (6)(i), which only prohibits the administration of conscious sedation, or general anesthesia by a dental hygienist, and renumbering the remaining subparagraphs accordingly adding the new subparagraph which prohibits the administration of local anesthesia on patients by a dental hygienist without certification. Insert new subparagraph (5) which requires that the administration of local anesthesia must be under the direct supervision of a licensed dentist who, at the time, is

physically present at the same office location, and that the dental hygienist must possess proper certification.

Rule 0460-4-.01-Levels of Practice- Delete parts (1)(b)2 in its entirety and replace with the proposed rule submitted by the Tennessee Dental Association's Task Force.

Rule 0460-4-.02-Registration Process- Delete parts (8)(b)1 and (8)(b)2 in its entirety and replace proposed rule submitted by the Tennessee Dental Association's Task Force.

Rule 0460-4-.04- Coronal Polishing Certification- Delete subparagraphs (2)(a), (2)(b), and (2)(c) in its entirety and substitute language which allows an applicant to submit a coronal polishing course from another state to be reviewed and deemed equivalent by the Board consultant to be eligible to take the exam.

Rule 0460-4-.05- Nitrous Oxide Certification- Add a new paragraph (3), which allows for a dental assistant to submit a Nitrous Oxide Certification course completed in another state to be reviewed for equivalency by the Board's consultant and have the certification added to their registration. Renumber the remaining paragraphs accordingly.

Rule 0460-4-.09-Sealant Application Certification- Delete subparagraph (2)(c) in its entirety and substitute language which a dental assistant that has completed an ADA-accredited dental assisting program in another state may have the course provider submit the content of the course for review by the Board consultant for determination of equivalency.

Rule 0460-5-.02-Schools, Programs and Courses for the Dental Hygienist- Add new paragraph (5) which states requirements for the Certification Course in Administration of Local Anesthesia.

After discussion a motion was made by Dr. Clark and seconded by Dr. Douglas to send the proposed rules to rulemaking hearing as revised. All members present voted in the affirmative.

Clarification of New Rule

Ms. Smith directed the Board to an e-mail received from the University of Tennessee-Memphis requesting clarification. She explained that since the rule allowing Restorative and Prosthetic Certification became effective, that the administrative staff have been asked for clarification on whether or not the licensee had to have practiced in a general dentistry practice or could it be a specialty practice and questions on the requirement of 2 years continuous employment. After discussion, a motion was made by Dr. Tabor and seconded by Dr. Fitts to change the rule to read dental practice instead of general dental practice. All members present voted in the affirmative. Ms. Fox made a motion and Ms. Cherry seconded to change the rule to read 2 years of continuous practice out of the past 3 years.

Review of other State Exams

California State Exam – The Board was directed to the copy of the examiners manual. After review and discussion of the 2005 Candidate Handbook for the California Dental Licensure Examination, Dr. Clark made a motion and Dr. Tabor seconded to table the issue until the next scheduled meeting and asked that the applicant have the California Board send information on the exam for the year the applicant took the examination. All members present voted in the affirmative.

Louisiana State Exam—The Board was directed to the copy of the Examiner's Manual for the Louisiana Clinical Licensing Examination for 2001. After review and discussion, Dr. Clark made a motion and Dr. Tabor seconded to except the 2001 exam as equivalent. All members present voted in the affirmative.

Ratifications

Ms. Casey made motion and Dr. Clark seconded to accept names submitted for newly licensed dentists, educational licenses, limited licenses, specialty certifications, permits for limited and comprehensive conscious sedation and deep sedation/general anesthesia, reinstatements, reactivations and retirements and behind Tab 20. All members present voted in the affirmative.

Ms. Fox made a motion and Dr. Greer seconded to grant the waiver of continuing education, due to documentation being lost in Hurricane Katrina, for Dr. Breaux's reinstatement. All members present voted in the affirmative.

Dr. Greer made a motion and Dr. Smith seconded to grant a waiver of CPR, chemical dependency requirement, and the reinstatement fee for Dr. Lofton's reinstatement due to Hurricane Katrina. All members present voted in the affirmative.

Dr. Tabor made motion and Dr. Smith seconded motion to accept names submitted for newly licensed dental hygienists, administration and monitoring of nitrous oxide certifications, reinstatements, reactivations and retirements. All members present voted in the affirmative.

Ms. Fox made motion and Dr. Greer seconded to accept names submitted for newly registered dental assistants, reinstatements, reactivations, retirements, coronal polishing certifications, nitrous oxide monitoring certifications and sealant application certifications. All members present voted in the affirmative.

Continuing Education and CPR Courses

The board consultant had approved the following courses:

“What Dentistry Can Learn from Business” offered by Sandra Baird, DDS

“Dental Professional and Chemical Dependency Issues” offered by Oral & Maxillofacial Surgical Specialists

“CPR Certification” offered by National Safety Council

Dr. Greer made a motion to accept the aforementioned requests for approval of continuing education courses and Dr. Fitts seconded. All members present voted in the affirmative.

Certification Courses

Ms. Smith directed the Board to the applications for the certification courses in the Board books. She explained that some of the schools or programs were requesting approval to offer more than one of the certifications and the board members could approve the courses for each school. The Board decided to look the course for each school instead of each certification separately.

Interfaith Dental Clinic submitted applications for courses in Administration & Monitoring of Nitrous Oxide and Monitoring Nitrous Oxide. After review of the applications, a motion was made by Dr. Douglass and seconded by Dr. Clark to approve these courses. All members present voted in the affirmative.

Dentedonline submitted applications for courses in Administration & Monitoring of Nitrous Oxide, Monitoring Nitrous Oxide, Coronal Polishing, and Sealant Application. After review of the applications Dr. Clark made a motion and Dr. Douglass seconded to approve these courses.

University of Tennessee-Memphis submitted applications for courses in Administration & Monitoring Nitrous Oxide, Monitoring Nitrous Oxide, and Coronal Polishing. After review of the applications Dr. Clark made a motion and Dr. Douglass seconded to approve the applications.

Northeast State Technical Community College submitted an application for Monitoring of Nitrous Oxide. After review of the application Ms. Fox made a motion and Dr. Fitts seconded to approve the application.

Volunteer State Community College submitted an application for Monitoring of Nitrous Oxide. After review of the application Dr. Fitts made a motion and Dr. Clark seconded to approve the application.

Tennessee Technology Center at Knoxville submitted applications for Coronal Polishing and Sealant Application. After review of the application a motion was made by Dr. Clark and seconded by Dr. Douglass to approve the applications.

Concord Career College submitted an application for Coronal Polishing. After review the Board requested that the use of polishing strips be taken out of the list of procedures which would be taught. A motion was made and seconded to approve the application pending notification of the change. They asked that the administrative staff request the change and notify the Board that it had been made. The information regarding the change was received and accepted by the Board on January 27th.

The Board discussed whether or not to allow monitoring nitrous oxide certification to be added to a dental hygienists license if they had taken a course while attending a ADA-accredited dental hygiene program. After discussion Ms. Fox made a motion and Dr. Tabor seconded to allow hygienists to qualify to have Nitrous Oxide Monitoring certification added as long as it was taught within the ADA-accredited program. All members present voted in the affirmative.

A motion was made to recess the meeting at 4:00 PM until Friday morning, at 9:00 AM.

January 27, 2006

The Board's President, Dr. Eben DeArmond, determined a sufficient number of Board members were in attendance to constitute a quorum. The quorum was determined by the presence of Dr. DeArmond, Dr. Douglass, Dr. Fitts, Ms. Cherry, Dr. Clark, Ms. Casey, Ms. Fox, Dr. Greer, Dr. Smith and Dr. Tabor. Agnes Young, Consumer Board Member, was not present. Therefore, the meeting of the Tennessee Board of Dentistry was called to order at 9:04 AM.

Contested Case Hearings

Presiding at the hearing was the Honorable James Hornsby, Administrative Judge, assigned by the Secretary of State. Thomas Miller was the attorney representing the state. The hearing was held after a motion for default was approved by the Board.

E. Dean Johnson, DDS, Memphis, TN, DS 3439

Unprofessional, dishonorable, or unethical conduct; 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; 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 when mentally or physically unable to safely do so; violation of rules regarding prescribing, dispensing, or otherwise distributing pharmaceutical. License Suspended; must permanently surrender DEA certificate; after meeting certain terms and conditions, he may appear before the Board to request that the suspension be lifted and his license placed on Probation for five years; assessed \$20,000 in civil penalties.

The Board questioned Ms. Laurie Doty, attorney with Office of General Counsel, about contested cases and summary suspensions. The Board asked about the time laps from the time of the complaint and investigation and when it comes before the Board for action. Ms Doty explained that the Attorney General has to approve a summary suspension and that the Office of General Counsel has to prove that potential harm to the public before a summary suspension is approved.

Dr. Greer suggested that dental hygienists be used as investigators for dental cases instead of just public health nurses.

Agreed Orders

Jack Morton, DDS, Soddy Daisy, TN, DS 916

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 provisions of the chapter can be done legally only by persons licensed to practice dentistry. License must be surrendered within 30 days; assessed case costs.

Dellilah A. Johnson, DDS, Nashville, TN, DS 5422

Unprofessional, dishonorable or unethical conduct; exercising undue influence on the patient or client, including the promotion of the sale of services, goods, appliances or drugs in such manner as to exploit the patient or client for the financial gain of the practitioner or of a third party; failing to maintain an accurate and legible written evaluation and treatment history for each patient; failed to respond to written communications from the Department of Health, to make available any relevant records with respect to an inquiry or complaint about the licensee's unprofessional conduct; practicing on an expired license; violation of rule regarding termination of dentist/patient relationship. License placed on Probation for three years; must attend continuing education course; assessed \$3,500 in civil penalties; and assessed case costs.

Consent Orders

John Paffrath, DDS, Erin, TN, DS 4216

Unprofessional, dishonorable or unethical conduct; 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. License suspended until such time as he completes continuing education in prescribing antibiotics and professional ethics;

thereafter to be placed on Probation for a period of three years; assessed \$7,200 in civil penalties; and assessed case costs.

Hiedie J. Fleming, RDA, Memphis, TN, DA 2663

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; performing outside of scope of practice. License placed on Probation for one year; assessed \$1,000 in civil penalties; and assessed case costs.

Ralph M. Nixon, DDS, Jackson, TN, DS 2436

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; 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; conducting the practice of dentistry so as to permit directly or indirectly an unlicensed person to perform services or work that under the provisions of the chapter can be done legally only by persons licensed to practice dentistry or dental hygiene or as a registered dental assistant; violation of rules regarding prescribing; violation of rules regarding record keeping. License placed on Probation for two years; must complete continuing education courses; assessed \$5,000 in civil penalties; and assessed case costs.

Lawrence Trivette, Jr, DDS, Knoxville, TN, DS1608

Unprofessional, dishonorable, or unethical conduct; 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; engaging in the practice of dentistry when mentally or physically unable to safely do so; 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; violation of rules regarding prescribing. Licensed Suspended indefinitely; DEA certificate permanently surrendered; must appear before the Board with proof that he has met certain terms and conditions; thereafter, license to be placed on Probation for five years, if he has not met the conditions, his license will remain suspended for five years; assessed case costs.

Carl M. Browder, DDS, Dayton, TN, DS 4221

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; 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; conviction of a felony, conviction of any offense under state or federal drug laws or conviction

of any offense involving moral turpitude; 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 when mentally or physically unable to safely do so; failure to update mandatory practitioner profile. License Suspended for not less than one year; to be followed by Probation for a period of five years commencing from the effective date of the suspension being lifted; must surrender his DEA license for the duration of the disciplinary period; must immediately gain and maintain advocacy of the Concerned Dental Professional Committee; assessed \$9,000 in civil penalties; and assessed case costs.

John E. Jordan, DDS, Memphis, TN, DS 1022

Unprofessional, dishonorable, or unethical conduct. License Surrendered; assessed case costs.

Tina M. Bolin, RDH, Pikeville, TN, DH 3558

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 dental hygiene; 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 dental hygiene; 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 dental hygiene when mentally or physically unable to safely do so. License Suspended for not less than six months; to be followed by Probation for a period of five years from the effective date of the suspension being lifted; must regain and maintain the advocacy of the Tennessee Professional Assistance Program; assessed \$6,000 in civil penalties; and assessed case costs.

Letter(s) of Reprimand

Pamela Ruth Belew, RDA, Memphis, TN, DA 10674

Practicing on an expired license. Reprimanded; assessed \$500 in civil penalties; and assessed case costs.

Christy Nicole Shipley, RDA, Harriman, TN, DA 8225

Practicing on an expired license; monitored nitrous oxide without a permit. Reprimanded; assessed \$500 in civil penalties; and assessed case costs.

Padma A. Lyons, DDS, Germantown, TN, DS 4842

Employed an unregistered dental assistant. Reprimanded; assessed \$1,000 in civil penalties; and assessed case costs.

Juanita A. Rouse, DDS, Mount Juliet, TN, DS 4670

Unprofessional, dishonorable or unethical conduct; 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; used or participated in the use of any form of public communication containing a false, fraudulent, misleading or deceptive statement or claim. Reprimanded; assessed \$2,000 in civil penalties; and assessed case costs.

Stephen M. Kaufman, DDS, Hendersonville, TN, DS 5310

Unprofessional conduct. Reprimanded, must attend Professional Boundaries course; assessed case costs.

Election of Officers

Dr. Fitts nominated Dr. DeArmond for President and Ms. Fox seconded the nomination. No other nominations were made and the nominations closed. A roll call vote was taken and all members present voted to accept the nomination of Dr. DeArmond.

Ms. Casey nominated Dr. Douglass for Vice-President and Dr. Tabor seconded the nomination. Dr. Fitts nominated Dr. Clark for Vice-President and Ms. Fox seconded the nomination. Dr. Douglass withdrew his name from the nomination. A roll call vote was taken and all members voted to accept the nomination of Dr. Clark.

Ms Fox nominated Dr. Fitts for Secretary/Treasury and Dr. Clark seconded the nomination. No other nominations were made and the nominations were closed. A roll call vote was taken and all members present voted to accept the nomination of Dr. Fitts.

Dr. DeArmond thanked Mr. David for his service as director of the board and wished him the best in his military career.

A motion was made to adjourn at 12:08 PM.