



ARIZONA STATE BOARD OF DENTAL EXAMINERS

1740 West Adams Street, Suite 2470 • Phoenix, Arizona 85007

Telephone (602) 242-1492 • Fax (602) 242-1445

www.dentalboard.az.gov

MISSION STATEMENT

To provide professional, courteous service and information to the dental professional and the general public through the examination, licensure, complaint adjudication and enforcement process; to protect the health, safety and welfare of Arizona citizens through a fair and impartial system.

AGENDA

BOARD OF DENTAL EXAMINERS MEETING
APRIL 12, 2019 AT 8:00 AM
1740 WEST ADAMS STREET, BOARDROOM C
PHOENIX, ARIZONA 85007

The Board President reserves the right to change the order of items on the agenda, except for public hearings set for a specific time. Pursuant to Arizona Revised Statutes (A.R.S.) § 38-431.03 (A) (3), the Board may vote to go into Executive Session to obtain legal advice from its attorney on any agenda item.

The Board usually allows 3 minutes per person for public comment on any agenda item; however, depending on the issue presented, the Board President has the discretion to expand that time. Cases will be called in order as indicated on the sign-in sheet.

GENERAL BUSINESS

1. CALL TO ORDER, INTRODUCTIONS, AND ROLL CALL

A. Kristina Gomez, Deputy Director

2. PUBLIC COMMENT ON CASES

3. PRESIDENT'S REPORT – Dr. Gregory A. Waite

A. Review and discussion regarding required clinical examination components for licensure in Arizona.

B. Update on AADB mid-year meeting held March 9 and 10, 2019.

4. ADMINISTRATIVE ITEMS

A. Summary of current events that affect the Arizona State Board of Dental Examiners (This is the time for the Board President or Executive Director to give a brief summary on current events that affect the Board. It is informational only and no discussion may occur.)

B. Legislative Update and Discussion – Board to receive an update regarding Arizona State Legislature bill, which includes SB1086, HB 2118, HB 2463, HB 2113, HB 2058, HB 2569 and/or any other related legislation.

**ARIZONA STATE BOARD OF DENTAL EXAMINERS
 APRIL 12, 2019
 BOARD MEETING AGENDA
 PAGE 2**

- C. Review, discussion and possible action regarding whether the scope of practice for a dental hygienist includes the application of silver diamine fluoride.
- D. Review and discussion regarding the reclassification of a vacant full-time employee position to hire an investigator.
- E. Review and discussion regarding the Executive Director Complaint Terminations. Pursuant to A.R.S. § 32-1263.03(C), the Executive Director has provided a list of each complaint terminated under A.R.S. § 32-1263.03(A) to the Board. The list of complaints is confidential pursuant to A.R.S. § 32-1207(A)(3). The Board may vote to go into Executive Session on this agenda item, pursuant to A.R.S. § 38-431.03(A)(2), to discuss and consider records exempt by law from public inspection, including the receipt and discussion of information or testimony that is confidential by State or Federal law.

5. ASSISTANT ATTORNEY GENERAL'S REPORT – Mary DeLaat Williams, AAG

- A. Administrative Appeals

6. PERSONNEL ISSUES

- A. VACANT

7. COMMITTEE REPORTS

- A. VACANT

ACTION ON LICENSING

8. REQUEST FOR ACTION ON LICENSURE

The Board will review, discuss and take action on the following applications.

The Board may vote to go into Executive Session to discuss and consider records exempt by law from public inspection, including the receipt and discussion of information or testimony that is confidential by State or Federal law on agenda items 8A – 8C, pursuant to A.R.S. §38-431.03(A)(2).

- A. Sara Grace Morones, RDH –Disclosure of felony conviction for two counts of the sale of narcotic drugs in 2012 and disciplinary action on previous license
- B. Dr. Aram Y. Agadjanian – Request by Applicant to withdraw his license application.
- C. Dr. Robert I. Strain – Disclosure of malpractice actions

9. REQUEST FOR ACTION ON APPLICATION(S) FOR RENEWAL OF LICENSE

Roll Call Vote *is required*

The Board will review, discuss and take action on the following renewal applications:

- A. VACANT

10. ACTION ON CASES - Roll Call Vote *is required*

The Board will review and vote to take action on the following case(s):

Item No.	Case No.	Licensee	Recommendation
A.	VACANT		

ACTION ON CASES – 9:00 AM

11. FORMAL HEARING – Roll Call Vote is required

The Board may vote to go into Executive Session to review and discuss confidential records and/or obtain legal advice from the Board's attorney on any of the following agenda items, pursuant to A.R.S. §32-431.03(A)(2) & (3).

The Board will review the Recommended Decision of the Administrative Law Judge. After review and consideration the Board may take action on the recommended decision of the Administrative Law Judge.

Item No.	Case No.	Licensee	Comments
A.	VACANT		

ACTION ON CASES – 9:00 AM

The Board president reserves the right to change the order of items on the agenda, except for public hearing set for a specific time. The Board may vote to go into Executive Session to discuss and consider records exempt by law from public inspection, including the receipt and discussion of information or testimony that is confidential by State or Federal law on agenda items 12A-G, pursuant to A.R.S. §38-431.03(A)(2).

12. ACTION ON PREVIOUS ACTION – Roll Call Vote is required

The Board will review, discuss and may vote to take action on the previous action for the following case(s):

Item No.	Case No.	Licensee	Comments
A.	2010000301	Dr. Brent Tyler Robison	Review, discussion and possible action on Affiliated Monitors Inc. Audit Reports
B.	201700262	Dr. Michael Wassef	Review, discussion and possible action to dismiss case without prejudice.
C.	201700266-AO 201800046 201800047	Dr. Aaron LeGrand Roberts	Review, discussion, and possible action on Affiliated Monitors Inc. Audit Reports
D.	201800005	Dr. Lori Karen Anderson	Review, discussion and possible action, including opening an investigation, regarding failure to comply with the Board's Order for completion of continuing education within 6 months.
E.	201800026	Dr. Sibera T. Brannon	Review, discussion and possible action, including opening an investigation, regarding failure to comply with the Board's Order for completion of continuing education within 6 months.
F.	201800112-ED	Dr. Justin J. Philipp	Tabled from the February 1, 2019 Board Meeting. Recommendation to affirm ED-Termination.
G.	VACANT		

ARIZONA STATE BOARD OF DENTAL EXAMINERS
 APRIL 12, 2019
 BOARD MEETING AGENDA
 PAGE 4

13. PETITION TO REHEAR – Roll Call Vote is required

The Board will review, discuss and vote to take action on the Petition(s) for Rehearing for the following case(s). If GRANTED, the Board may remand for rehearing at an Investigative Interview or an immediate rehearing and determination.

Item No.	Case No.	Licensee	Comments
A.	VACANT		

CONSENT AGENDA – 9:00 AM

The Consent Agenda items may be considered for approval as a single action unless a Board member or any other interested party wishes to remove an item for discussion.

The Board may vote to go into Executive Session to discuss and consider records exempt by law from public inspection, including the receipt and discussion of information or testimony that is confidential by State or Federal law on agenda items 14A – 19D and 22A-CI, pursuant to A.R.S. §38-431.03(A)(2).

**14. CASES RECOMMENDED FOR DISCIPLINARY CONSENT AGREEMENTS
 CONSENT AGENDA – Roll Call Vote is required**

The Board will review, discuss and may vote to take action on the Consent Agreements for the following case(s):

Item No.	Case No.	Licensee	Comments
A.	201800085	Dr. Michael James Stoor	12 hours of CE in the area of endodontics, 6 hours of CE in record keeping, 6 hours of CE in crown and bridge.

15. CASES RECOMMENDED FOR NON-DISCIPLINARY CONTINUING EDUCATION CONSENT AGREEMENTS

CONSENT AGENDA – Roll Call Vote is not required

The Board will review and vote to take action on the following case(s). While the evidence does not warrant disciplinary action, the Board believes that the licensee should modify or eliminate certain practices through Continuing Education and that continuation of the activities that led to the information being submitted to the Board may result in the Board action against the practitioner's license.

Item No.	Case No.	Licensee	Comments
A.	201800096	Dr. Hugh T. Keefe	3 hours of CE in infectious disease control. \$500.00 civil penalty for failure to comply with a subpoena.
B.	201800141	Dr. Bryan J. Shanahan	6 hours of CE in endodontics, 3 hours of CE in record keeping, 6 hours of CE in risk management.

**16. CASES RECOMMENDED FOR ISSUANCE OF LETTER OF CONCERN
 CONSENT AGENDA – Roll Call Vote *is not required***

The Board will review and vote to take action on the following case(s). Letters of Concern are advisory letters to notify the licensee that, while the evidence does not warrant disciplinary action, the Board believes that the licensee should modify or eliminate certain practices and that continuation of the activities that led to the information being submitted to the Board may result in the Board action against the practitioner's license. A Letter of Concern is not a disciplinary action, but is a public record.

Item No.	Case No.	Licensee	Comments
A.	201800183	Dr. David C. Halls	"Dr. Halls should have better communication with the patient as to what to expect during a pre-sedation evaluation."

**17. CASES RECOMMENDED FOR TERMINATION
 CONSENT AGENDA – Roll Call Vote *is not required***

The Board will review and may vote to take action on the following case(s).

Item No.	Case No.	Licensee	Comments
A.	201800153	Dr. Hao Anh Le	Terminate Per Patient
B.	201800171	Dr. Christopher Sasan Athari	Terminate Per Patient
C.	201800207	Dr. Bich-Ngoc T. Tran	Terminate Per Patient
D.	201800212	Dr. Smita V. Palejwala	Terminate Per Patient
E.	201800223	Dr. Micah D. Rolfe	Terminate Per Patient

**18. CASES RECOMMENDED FOR DISMISSAL
 CONSENT AGENDA – Roll Call Vote *is not required***

The Board will review and may vote to take action on the following case(s).

Item No.	Case No.	Licensee	Comments
A.	VACANT		

**19. MALPRACTICE AND ADVERSE OCCURRENCE REPORTS, AND DISCIPLINARY ACTION IN ANOTHER STATE
 CONSENT AGENDA – Roll Vote *is required if case is pulled***

The Board will consider the facts and allegations and may vote to take the action indicated.

- A. Dr. Danny Salem – Malpractice Report Recommendation – Take No Action
- B. Dr. Chris S. Ha – Malpractice Report Recommendation – Take No Action
- C. Dr. Robert M. Mirabelli – Malpractice Report Recommendation – Take No Action
- D. Dr. David A. Benson – Malpractice Report Recommendation – Take No Action

**20. APPROVAL OF CONSULTANTS AND EXAMINERS
 CONSENT AGENDA**

- A. Dr. Jerome S. Holbrook – Anesthesia Evaluator
- B. Dr. Kevin T. Axx – Dental Consultant
- C. Dr. Jeremy Ray Boanander – Anesthesia Evaluator
- D. Dr. Reed Harland Day – Dental Consultant

**21. APPROVAL OF MINUTES
 CONSENT AGENDA**

- A. December 7, 2018 – Board Meeting Minutes

22. REVIEW OF EXECUTIVE DIRECTOR TERMINATIONS

The Board will review, discuss and vote to take action on the following appealed case(s):

Item No.	Case No.	Licensee	Comments
A.	201800136-ED	Dr. Michael Margolis	Recommendation to affirm ED-Termination
B.	201800162-ED	Dr. Kevin M. Harris	Recommendation to affirm ED-Termination
C.	201800165-ED	Dr. Samip Ashvin Patel	Recommendation to affirm ED-Termination

***** END OF CONSENT AGENDA *****

FORMAL INTERVIEWS – 9:30 AM

23. FORMAL INTERVIEW CASES – Roll Call Vote *is required*

The Board will review, discuss and vote to take action on the following cases and may impose discipline, dismiss, issue a letter of concern, terminate, table for further investigation, postpone, and/or forward for further administrative review.

The Board may vote to go into Executive Session to discuss and consider records exempt by law from public inspection, including the receipt and discussion of information or testimony that is confidential by State or Federal law on agenda items 24A, pursuant to A.R.S. §38-431.03(A)(2).

Item No.	Case No.	Licensee	Comments
A.	VACANT		

CALL TO THE PUBLIC

Consideration of comments from the public. Those wishing to address the Board need not request permission in advance. The Board may ask staff to review a matter or may ask that a matter be put on a future agenda. The Board shall not discuss or take action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. A.R.S. § 38-431.01(H).

**ARIZONA STATE BOARD OF DENTAL EXAMINERS
APRIL 12, 2019
BOARD MEETING AGENDA
PAGE 7**

- 24. MEMBERS OF THE PUBLIC**
- 25. FUTURE AGENDA ITEMS**
- 26. NEXT MEETING DATE – JUNE 7, 2019**
- 27. ADJOURNMENT**

In accordance with Title II of the Americans with Disabilities Act (ADA), this Board does not discriminate on the basis of disability in admission to and participation in Board Meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting Miriam Thompson at (602) 542-4450. Requests should be made as early as possible to allow time to arrange the accommodation. This Notice and Agenda may be made available in an alternative form.

The Board President reserves the right to change the order of items on the agenda, except for public hearings set for a specific time. The Board may vote to go into Executive Session on any of the above agenda items to review and discuss confidential records and/or obtain legal advice from its attorney pursuant to Arizona Revised Statutes (A.R.S.) § 38-431.03 (A)(3) or to discuss statutorily confidential matters pursuant to A.R.S. § 38-431.03 (A)(2).