



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.

A G E N D A

BOARD OF DENTAL EXAMINERS MEETING

JUNE 1, 2018 AT 8:00 AM

1740 WEST ADAMS STREET, SUITE 2470

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 AND INTRODUCTIONS

2. PUBLIC COMMENT ON CASES

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

A. VACANT

4. EXECUTIVE DIRECTOR'S REPORT – Ms. Elaine Hugunin

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. Review, discussion and possible action regarding renewal of the Board's Interagency Service Agreements and contracts with the Office of Administrative Hearings, Attorney General's Office, Department of Administration - Central Services Bureau, MATP Medical Director, and Staff Consultant, Department of Administration – AZ Strategic Enterprise Technology.

C. Report from the midyear American Association of Dental Boards (AADB) meeting in Chicago, IL, April 22 – 23, 2018.

D. Review, discussion and possible action regarding Executive Order – 2018-02

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- E. Review, discussion and possible action on five-year review report – AAC Title 4. Chapter 11, Articles 13 and 17.
- F. Review and discussion regarding HB 2235 – dental therapy; regulation; licensure
- G. Dr. Aaron LeGrand Roberts – Case No. 201700266-AO – Review, discussion and possible action on status of investigation. (Pursuant to A.R.S. § 41-431-03(A)(2), the Board may vote to go into Executive Session on this agenda item to discuss or consider records exempt by law from public inspection, including the receipt and discussion or testimony that is confidential by State or Federal law.)
- H. Approval for the Executive Director to attend the Bar Association annual meeting on June 28, 2018.
- I. 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
 - i. Dr. Sathish Bhadra Chari v. ASBDE (Case No. 201500190) (Maricopa County Superior Court Case LC2017-000082; Court of Appeals Case No. CA-CV 18-0115) – Status update

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.

- A. Dr. Richard Alan D'Avanzo – Discipline on New Jersey license
- B. Barbara Ann Pfuhl, RDH – Discipline on New York license
- C. Dr. Aram Yuri Agadjanian – Discipline on Connecticut and Pennsylvania licenses; disclosure of medical malpractice action; failure to disclose pending false claims lawsuit
- D. Dr. Michael M. West – Discipline on California license and disclosure of multiple medical malpractice actions.
- E. Victoria Lynn Gould, RDH – Discipline on Michigan license

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. Rebekah A. Chandler, RDH – Requesting reinstatement of Dental Hygiene License

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 14A through 21A, pursuant to A.R.S. §38-431.03(A)(2).

10. 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.	201600113-MP	Dr. James R. Chaffin	Review, discussion and possible action regarding the ALJ decision

11. 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 13A – 17E and 20A-C, pursuant to A.R.S. §38-431.03(A)(2).

12. 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.	VACANT		

13. 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.	201700218	Dr. Chase D. Davis	3 hours of CE in record keeping 4 hours of CE in risk management
B.	201700252	Dr. Hilary Ann Luinstra	3 hours of CE in record keeping
C.	201700256	Dr. Nicholas P. Heiner	6 hours of CE in diagnosis and treatment planning 3 hours of CE in record keeping
D.	201700258-MP	Dr. Ruben D. Romero	6 hours of CE in endodontics 4 hours of CE in risk management
E.	201700265	Dr. Kirk R. Larson	4 hours of CE in risk management
F.	201800006	Dr. Peter P. Nguyen	3 hours of CE in operative dentistry 3 hours of CE in crown and bridge 3 hours of CE in record keeping
G.	201700255	Dr. Mark A. Espinoza	3 hours of CE in ethics

14. 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.	201700239	Dr. Niels Christian Jensen	“Dr. Jensen should develop his own treatment plan based on his examination of the patient.”
B.	201800008	Dr. Stephen J. Montoya	“Dr. Montoya should have current x-rays prior to treatment.”
C.	201800009	Dr. Ronald Leroy Rock	“Dr. Rock, when performing root canals, should document in the record the discussion of the risks, benefits and alternatives to the treatment. He should ensure that a rubber dam is always used.”

**15. 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.	VACANT		

**16. 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.	201700244	Dr. Prashanthi Baddam	Terminate per patient request
B.	201700250	Dr. Zoltan Varadi	Terminate per patient request
C.	201800043	Dr. Carlos Alberto Valladares	Terminate per patient request
D.	201800052	Dr. Blake R. Adams	Terminate per patient request
E.	201800055	Dr. Sarah Daniel Uvaydov	Terminate per patient request

17. MALPRACTICE AND ADVERSE OCCURRENCE REPORTS, AND DISCIPLINARY ACTION IN ANOTHER STATE

CONSENT AGENDA – Roll Vote *is not required*

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

- A. Dr. Sathish Bhadra Chari – Malpractice Report Recommendation – Take No Action
- B. Dr. Robert F. Guyette – Adverse Occurrence Report Recommendation – Take No Action
- C. Dr. John F. Badolato – Malpractice Report Recommendation – Take No Action
- D. Dr. Gregory S. Schmid – Malpractice Report Recommendation – Take No Action
- E. Dr. Rozita Esbah-Tabatabaie – Malpractice Report Recommendation – Take No Action

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

- A. Joseph C. Creech, Jr., DDS – Dental Consultant

**19. APPROVAL OF MINUTES
 CONSENT AGENDA**

- A. April 6, 2018 – Board Meeting Minutes
- B. May 2, 2018 – Special Board Meeting Minutes

20. 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.	201700251-ED	Dr. John Gregory Sabol	Recommendation to affirm ED-Termination
B.	201700263-ED	Dr. Michael Wassef	Recommendation to affirm ED-Termination
C.	201800032-ED	Dr. Bret Sabin Standage	Recommendation to affirm ED-Termination

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

FORMAL INTERVIEWS – 9:30 AM

21. 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 21A, 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).

22. MEMBERS OF THE PUBLIC

23. FUTURE AGENDA ITEMS

24. NEXT MEETING DATE – AUGUST 3, 2018

25. 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 Terry Bialostosky 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).