Board Members Present:
Robert H. Foster, DDS, Vice President
Robert B. Taylor, DDS
Howard J. Sorensen, DDS
Marilyn J. McClain, RDH
Mr. Charles E. Jackson
Mr. Joshua Greer
Ms. Carole A. Crevier

Board Members Absent:
Gregory A. Waite, DDS, President
Darren L. Flowers, DMD
Heather N. Hardy, RDH

Staff Present:
Ms. Elaine Hugunin, Executive Director
Ms. Nancy Chambers, Deputy Director
Ms. Mary DeLaat Williams, Assistant Attorney General
Ms. Terry Bialostosky, Investigations Supervisor
Ms. Sherrie Biggs, Licensure Manager
Ms. Yubeka Riddick, Program & Project Specialist
Ms. Dee Woodard, Legal Administrator

NOTICE:

Roll Call votes are recorded and provided as an attachment to these minutes pursuant to A.R.S. §32-3205 which reads “If a disciplinary action requires a vote of Board members, the health professional regulatory Board shall conduct that vote by roll call. The Board shall maintain a record of each member’s vote. This section does not prohibit a Board from using a Consent Agenda.”

GENERAL BUSINESS

Agenda Item No. 1 CALL TO ORDER, INTRODUCTIONS AND ANNOUNCEMENTS

Dr. Foster called the meeting to order at 8:00 a.m.

Agenda Item No. 3 PRESIDENT’S REPORT – Dr. Gregory A. Waite

A. VACANT

Agenda Item No. 4 EXECUTIVE DIRECTOR’S REPORT

Additional materials for agenda items 4K, 13A and 4Ei were provided in the Board’s materials.

A. Summary of current events that affect the Arizona State Board of Dental Examiners
Executive Director Hugunin thanked Dr. Foster for chairing the Board Meeting. Director Hugunin stated Ms. Hardy, Dr. Flowers and Dr. Waite were not in attendance at the June 2, 2017 Board Meeting.

B. Review, discussion and possible action regarding approval of the Board’s Interagency Service Agreements with the Office of Administrative Hearings, Attorney General’s Office, and Department of Administration – Central Services Bureau.

Executive Director Hugunin stated Board staff requested the Board approve its Interagency Service agreements with the Office of Administrative Hearings, Attorney General’s Office and Department of Administration – Central Services Bureau.

Upon MOTION by Ms. Crevier, second by Dr. Taylor, the Board voted to APPROVE the Interagency Service agreements with the Office of Administrative Hearings, Attorney General’s Office and Department of Administration – Central Services Bureau. MOTION PASSED UNANIMOUSLY.

C. Indiana Specialty Advertising Lawsuit – For Information Only
   i. Review and discussion regarding proposed new American Dental Association (ADA) Agency to recognize Dental Specialties and Certifying Boards

Executive Director Hugunin stated Board staff previously shared with the Board the national issue regarding specialty advertising and some of the recent law suits directed at Dental Boards who utilize the American Dental Association’s approved specialties. She stated at the present time these are: Endodontics, Oral and Maxillofacial surgery, Orthodontics and Dentofacial Orthopedics, Pediatric Dentistry, Periodontics, Prosthodontics, Dental Public Health, Oral and Maxillofacial Pathology and Oral and Maxillofacial Radiology. Director Hugunin stated she provided the Board with the most recent lawsuit against the Indiana Dental Board regarding their advertising rules, which prohibits advertising as a dental implant specialist. She said this same lawsuit has been made in California, Florida and Texas. The organization, American Association of Implant Dentists, has prevailed in Florida and California and the case is on appeal in Texas. She stated this was for information only.

D. Review, discussion and possible action regarding the request for an exemption to the moratorium on rule making for Arizona Administrative Code, Title 4, Chapter 11, Article 11 Advertising.

Director Hugunin stated given the current environment, the American Dental Association is evaluating its current Bylaws to propose a new American Dental Association Agency to Recognize Dental Specialties and Certifying Boards. She stated Board staff has also placed an additional agenda item 4D which was to ask the Board to consider directing staff to request an exemption to the moratorium on rule making for Article 11 Advertising as the Rules specify only recognized specialties by the American Dental Association.

Upon MOTION by Dr. Taylor, second by Ms. Crevier, the Board voted to REQUEST an exemption to the moratorium on rule making for Arizona Administrative Code, Title 4, Chapter 11, Article 11 Advertising. MOTION PASSED UNANIMOUSLY.

E. Report from the mid-year American Association of Dental Boards (AADB) and American Association of Dental Administrators (AADA) meeting held in Chicago April 22-24, 2017
   i. American Dental Association (ADA) Talking Points for State Dental Schools
Director Hugunin reported she and Dr. Waite, Board President, attended the mid-year American Association of Dental Boards (AADB) and American Association of Dental Administrators (AADA) meeting, and one of the highlights of attending the national meetings is the networking they are able to do and identify national issues and trends. She stated that all states are challenged at the present time with identifying what impact the FTC vs. the North Carolina Dental Board case has on regulatory boards. There were several different sessions during the American Association of Dental Boards meeting; however, the most significant and contentious was related to the American Dental Association’s moving forward with a non-clinical examination. She stated the American Association of Dental Boards’ position has always been they are not an advocacy organization; however, in this particular issue the consensus of the group was that some action and or communication needed to be taken. The Board was provided a copy of the American Dental Association Talking Points and the communication that went out from the American Association of Dental Boards. Director Hugunin stated per the request made at the meeting, the ADA has submitted its data to the AADB and testing agencies for analysis.

F. The Commission on Dental Competency Assessments Membership – Review, discussion and possible action on Board appointments to Steering Committee.

Director Hugunin stated at the March 31, 2017 Board meeting, the Board approved becoming a member of the Commission on Dental Competency Assessment (CDCA). As a result, the CDCA is seeking three individuals to serve on its Steering Committee, two dentists and a hygienist. She stated Dr. Waite and Ms. Hardy were not in attendance; however, they have indicated they wish to serve on this committee. The correspondence from the CDCA indicates that an alternate should also be chosen should one of the three not be able to participate.

Upon MOTION by Dr. Taylor, second by Mr. Jackson, the Board voted to APPOINT Dr. Taylor, Dr. Waite and Ms. Hardy to serve as members of the Commission on Dental Competency Assessment. MOTION PASSED UNANIMOUSLY.

G. Update on 2017 Legislation – Review, and discussion regarding new legislation from the 2017 session:

Director Hugunin gave an update on the 2017 Legislation. She stated the Legislature had adjourned and as a result, the majority of legislation passed will become effective August 9, 2017 unless there is a delayed date within the statute. She stated a brief review of some of the many bills that passed which impact the dental Board is as follows:

i. SB 1362 – Dental Board; dentists; dental hygienists

Director Hugunin stated this is the omnibus bill the Association ran. Changes were made to the Expanded Function Dental Assistants section to make it easier for applicants from other states to qualify in Arizona. She stated another change was made to allow dental hygienists to do interim therapeutic restorations which will require Board staff to work with the Dental Assisting National Board, and there may need to be some rule changes. Director Hugunin stated there will be a three-year waiver of renewal fees for licensees and Board staff is hopeful that the legislature will allow a deficit budget moving forward.

ii. SB 1452 – Health profession regulatory boards

Director Hugunin reported this bill impacts all Regulatory Boards. She stated one change is all non-disciplinary sanctions must be placed on the Board’s website with the exception of letters of concern. Director Hugunin stated the Board was required to
do this two years ago to include letters of concern; however, with this statute it must now remove the current postings and begin implementation on the stated date moving forward. The bill also places a four year statute of limitation for complaints with a few exemptions. Currently the Board’s statute of limitation is six years.

iii. SB 1437 – Agencies; review; Governor’s Regulatory Review Council (GRRC); occupational regulation

Director Hugunin reported this was Senator Barto’s bill in response to Governor Ducey’s veto of her bill last year stating it did not address the FTC concerns. This bill provides for challenges to any occupational regulation through the Court or through the Office of Administrative Hearings. Governor Ducey issued a letter upon signing this which states that it does not address the anti-competition issues raised by the FTC case. Director Hugunin stated, “Quoting from Governor Ducey’s letter: Boards and commissions need reform that addresses the root cause, not just the symptoms manifested in needlessly prohibitive and discouraging regulations. While Senate Bill 1437 makes positive steps, it inadequately addresses the underlying issues and fails to meet the requirements laid out by the North Carolina Board of Dental Examiners case. I am calling on the legislature to fully address this important issue next session.” She stated the next legislative session will be challenging amongst all the other changes which will be underway.

iv. HB 2372 – Public Benefits; fee waivers; requirements

Director Hugunin stated this is a significant bill and that she and Ms. Chambers shared their concerns with the Board at the March 31, 2017 meeting. The bill addresses many fee waivers and although the majority of the bill addresses Department of Economic Security, its impact on Regulatory Boards is significant. Licensees may qualify for a fee waiver if they can prove their economic income does not exceed 200% of the poverty level. She stated there have been many discussions as to how this will be proven and regulatory boards still do not know how to implement this. Director Hugunin said the question has been raised several times with the Governor's Office as well as seeking guidance from the Attorney General's Office. She stated she and Ms. Chambers are concerned for the Dental Board given the combination of this bill with the fact that the Board will not be incurring renewal fees for three years. She stated it may be a struggle with the legislature to move forward with a deficit budget.

v. HB 2271 – Occupational licensing; military members

This bill provides that the education, training or experience requirements for a license, certificate or registration as determined by the regulating entity on presentation of satisfactory evidence that the applicant received substantially equivalent education training or experience as a member of the US Armed Forces. Director Hugunin stated she and Ms. Chambers had an interesting experience with meeting a recruiter to inquire about their dental assistant programs and hygienists’ experience while in the service. She stated unfortunately Board staff probably have not met with the appropriate individual and will need to escalate the request to a higher level even though the recruiter indicated he would move this forward to the appropriate division.

H. American Board of Dental Examiners (ADEX) Representative – Review, discussion and possible action regarding Board member appointment to serve as representative
Director Hugunin stated at the March 31, 2017, Board meeting, the Board approved becoming a member of the American Board of Dental Examiners. The Board was asked to appoint a representative. ADEX will have its annual meeting on August 13, 2017. Dr. Waite has indicated an interest to represent the Board.

Upon MOTION by Dr. Taylor, second Dr. Foster, the Board voted to APPOINT Dr. Waite as the ADEX representative. MOTION PASSED UNANIMOUSLY.

I. Review, discussion and possible action regarding Executive Director, Board President and Assistant Attorney General to attend the annual AADA and AADB meeting to be held in Atlanta, GA. October 16 – October 18, 2017.

Upon MOTION by Dr. Taylor, second by Dr. Sorensen the Board voted to APPROVE the Executive Director, Board President and Assistant Attorney General to attend the annual AADA and AADB meeting to be held in Atlanta, GA. October 16 – October 18, 2017. MOTION PASSED UNANIMOUSLY.

J. Review, and discussion regarding Five Year Review

Director Hugunin stated Board staff provided the Board a copy of our five-year rule review which is slated for an upcoming agenda for the Governor’s Regulatory Review Council for Articles 1 – 5. She stated the Board is complying with the elimination of regulation through the review of these rules. She stated at the end of the review there are many rules requiring some modifications; however, given the current workload and priorities including rules with higher importance, these are on a future action item list.

K. 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.

The list of each complaint terminated was in the additional information as stated under Agenda Item 4.

Agenda Item No. 2 PUBLIC COMMENT ON CASES

Director Hugunin apologized to the Board, and stated there were some numbering errors with the published agenda. She stated she would try to clarify those errors as the meeting proceeded.

Complainant DK was present and spoke about case no. 201700016 (Agenda Item 13B)
Complainant LH was present and spoke about case no. 201600206 (Agenda Item 19A) Dr. Taylor stated this was previously agenda item 20A.

Agenda Item No. 5 ASSISTANT ATTORNEY GENERAL’S REPORT – Mary DeLaat Williams, Assistant Attorney General

A. Administrative Appeals
   i. Dr. Sathish Bhadra Chari v. ASBDE (Case No. 201500190) (Maricopa County Superior Court Case LC2017-000082) – Status update
Ms. Williams stated Dr. Chari’s appeal is moving forward. Ms. Williams stated she and Mr. Jeffrey Tonner, attorney for Dr. Chari have an oral argument on June 15, 2017. This hearing will include a request for a stay and request to supplement the administrative record.

Agenda Item No. 6 PERSONNEL ISSUES

A. VACANT

Agenda Item No. 7 COMMITTEE REPORTS

A. VACANT

Agenda Item No. 8 REQUEST FOR ACTION ON LICENSURE

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


Mr. Northey was present to answer any questions from the Board.

Upon MOTION by Mr. Greer, second by Ms. Crevier, the Board voted to GRANT licensure to Mr. Northey. MOTION PASSED UNANIMOUSLY.

B. Dr. Edward Dwight Kosakoski – Disclosure of four malpractice actions

Dr. Kosakoski was present to address the Board.

Dr. Foster asked Dr. Kosakoski about incorrect teeth being removed from patients and had this been resolved. Dr. Kosakoski stated two of the malpractice actions were without merit, and he admitted two of the malpractice actions he performed root canals on the wrong teeth. He stated he apologized to the patient for his error and didn't charge the patient for the service. He stated he corrected his mistake by performing the root canal on the correct tooth. He admitted he put the rubber dam on the incorrect tooth during the root canal procedure.

Mr. Greer stated the last malpractice action occurred over ten years ago. Dr. Kosakoski stated he had a malpractice action in 2008 and in 2016.

Dr. Taylor asked Dr. Kosakoski why he wanted to practice in Arizona. Dr. Kosakoski stated he wanted to move to Scottsdale. He was in the Navy and practiced for 20 years in San Diego, CA, then he moved to Florida to practice dentistry. He worked part time but it was too slow. He stated he wanted to work full time for another five to 10 years.

Upon MOTION by Dr. Sorensen, second by Mr. Greer, the Board voted to GRANT licensure to Dr. Kosakoski. MOTION PASSED UNANIMOUSLY.

C. Dr. Thomas Albert Balmer, III – Disclosure of three malpractice actions and discipline on Virginia license

Dr. Balmer was present to answer any questions from the Board.

Upon MOTION by Mr. Greer, second by Ms. McClain, the Board voted to GRANT licensure to Dr. Balmer. MOTION PASSED UNANIMOUSLY.

D. Dr. Gary Wayne Boling – Disclosure of three malpractice actions
Dr. Boling was present to answer any questions from the Board.

Upon MOTION by Mr. Greer, second by Dr. Sorensen, the Board voted to GRANT licensure to Dr. Boling. MOTION PASSED UNANIMOUSLY.

E. Dr. Neal Vallins – Disclosure of one malpractice action

Upon MOTION by Ms. Crevier, second by Mr. Greer, the Board voted to GRANT licensure to Dr. Vallins. MOTION PASSED UNANIMOUSLY.


Ms. Harmon was present to answer any questions from the Board.

Upon MOTION by Mr. Greer, second by Dr. Sorensen, the Board voted to GRANT licensure to Ms. Harmon. MOTION PASSED UNANIMOUSLY.

G. Dr. Michael Scot Freimuth – Discipline on Colorado license

Dr. Freimuth was present to answer any questions from the Board.

Upon MOTION by Mr. Greer, second by Dr. Sorensen, the Board voted to GRANT licensure to Dr. Freimuth. MOTION PASSED UNANIMOUSLY.

H. Dr. Brian Todd Mazel – Cited for use of false identification

Dr. Mazel was present to answer any questions from the Board.

Upon MOTION by Mr. Greer, second by Dr. Foster, the Board voted to GRANT licensure to Dr. Mazel. MOTION PASSED UNANIMOUSLY.

Agenda Item No. 9 REQUEST FOR ACTION ON APPLICATION (S) FOR RENEWAL OF LICENSE
The Board will review, discuss and take action on the following renewal applications:

A. VACANT

ACTION ON CASES

Agenda Item No. 10 ACTION ON PREVIOUS ACTION

A. VACANT

Agenda Item No. 11A PETITION TO REHEAR

A. VACANT
CONSENT AGENDA
The following items were pulled from the Consent Agenda either at the request of a Board Member or by the public. These items will be discussed individually:

Cases pulled from the Consent Agenda:

Agenda Item No. 13A  Case No. 201600203 Dr. Rebecca Runyan Temp
Agenda Item No. 13D  Case No. 201700022 Dr. Eric P. Wendelschafer
Agenda Item No. 13E  Case No. 201700024 Dr. Nicholas Benjamin LaFeber
Agenda Item No. 13F  Case No. 201700025 Dr. Michael C. Fair
Agenda Item No. Cases Recommended for Case No. 201700013 Dr. Karun Gaba
Issuance of Letter of Concern
Agenda Item No. Cases Recommended for Case No. 201700028-MP Dr. Hugh T. Keeffe
Issuance of Letter of Concern

Cases ADJUDICATED:

Agenda Item No. 12 CASES RECOMMENDED FOR DISCIPLINARY CONSENT AGREEMENTS

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<th>Item No.</th>
<th>Case No.</th>
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<td>A.</td>
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Agenda Item No. 13 CASES RECOMMENDED FOR NON-DISCIPLINARY CONTINUING EDUCATION CONSENT AGREEMENTS

CONSENT AGENDA

Upon MOTION by Mr. Greer, second by Dr. Taylor, the Board voted to ISSUE a Non-Disciplinary Continuing Education Consent Agreement on the following case on the Consent Agenda. MOTION PASSED UNANIMOUSLY.

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<th>Item No.</th>
<th>Case No.</th>
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<tbody>
<tr>
<td>B.</td>
<td>201700007</td>
<td>Dr. Alex W. Yuen</td>
<td>3 hours of CE in record keeping</td>
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<tr>
<td>C.</td>
<td>201700016</td>
<td>Dr. Jason W. Lowry</td>
<td>3 hours of CE in record keeping</td>
</tr>
<tr>
<td>G.</td>
<td>201700026</td>
<td>Dr. Ronald D. Walker</td>
<td>3 hours of CE in crown and bridge</td>
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Ms. Chambers stated the following section CASES RECOMMENDED FOR ISSUANCE OF LETTER OF CONCERN formerly Agenda Item No. 14 on the non-published agenda.

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.
Upon MOTION by Mr. Greer, second by Dr. Sorensen, the Board voted to ISSUE a Letter of Concern on the following cases on the Consent Agenda. MOTION PASSED UNANIMOUSLY.

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<th>Item No.</th>
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<tbody>
<tr>
<td>A.</td>
<td>201600192</td>
<td>Dr. Nicholas Richard Wittem</td>
<td>“Dr. Withem should timely notify the Board of any change in address and respond immediately to any communication from the Board.”</td>
</tr>
<tr>
<td>D.</td>
<td>201600200-MP</td>
<td>Dr. Amber N. Angel</td>
<td>“Dr. Angel should have a time out to verify which surgery should be done prior to the procedure.”</td>
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**Agenda Item No. 14 CASES RECOMMENDED FOR TERMINATION**

Ms. Chambers stated the following Agenda Item No. 14 CASES RECOMMENDED FOR TERMINATION formerly Agenda Item No. 15 on the non-published agenda.

Upon MOTION by Mr. Greer, second by Dr. Taylor, the Board voted to TERMINATE the following cases on the Consent Agenda. MOTION PASSED UNANIMOUSLY.

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<th>Item No.</th>
<th>Case No.</th>
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<tbody>
<tr>
<td>A.</td>
<td>201700032</td>
<td>Dr. Pamela S. Zapanta</td>
<td>Terminate per patient</td>
</tr>
<tr>
<td>B.</td>
<td>201700052</td>
<td>Dr. Montana Jay Skyler</td>
<td>Terminate per patient</td>
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**Agenda Item No. 15 CASES RECOMMENDED FOR DISMISSAL**

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<th>Item No.</th>
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**Agenda Item No. 16 MALPRACTICE AND ADVERSE OCCURRENCE REPORTS, AND DISCIPLINARY ACTION IN ANOTHER STATE**

Ms. Chambers stated the following Agenda Item No. 16 MALPRACTICE AND ADVERSE OCCURRENCE REPORTS, AND DISCIPLINARY ACTION IN ANOTHER STATE, which was formerly agenda item 17 on the non-published agenda.

A. VACANT

B. Dr. Harold Cranmer Henderson – Malpractice Report Recommendation – Took No Action

Upon MOTION by Mr. Greer, second by Dr. Taylor, the Board voted to ACCEPT the recommendation to take no action on agenda item 17B. MOTION PASSED UNANIMOUSLY.
Agenda Item No. 17  APPROVAL OF CONSULTANTS AND EXAMINERS
CONSENT AGENDA

A. VACANT

Agenda Item No. 18  APPROVAL OF MINUTES
CONSENT AGENDA

Ms. Chambers stated agenda item 18, which was formerly agenda item 19 – Approval of Minutes.

A. March 31, 2017 – Board Meeting Minutes

Upon MOTION by Dr. Taylor, second by Ms. Crevier, the Board voted to APPROVE the March 31, 2017 Board meeting minutes. MOTION PASSED UNANIMOUSLY.

Agenda Item No. 19  REVIEW OF EXECUTIVE DIRECTOR TERMINATIONS
CONSENT AGENDA

Ms. Chambers stated agenda item 19, which was formerly agenda item 20 – REVIEW OF EXECUTIVE DIRECTOR TERMINATIONS.

Upon MOTION by Dr. Taylor, second by Ms. McClain, the Board voted to APPROVE the Executive Director Terminations. MOTION PASSED UNANIMOUSLY.

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<tr>
<td>A.</td>
<td>201600206-ED</td>
<td>Dr. Troy Alan Williams</td>
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<td>B.</td>
<td>VACANT</td>
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***END OF CONSENT AGENDA***

Agenda Item No. 20.  FORMAL INTERVIEW CASES

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CASES PULLED FROM CONSENT AGENDA

Agenda Item No.  Case No. 201700013
Letter of Concern  Dr. Karun Gaba

This case was pulled by Dr. Foster. Ms. Dina Anagnostopoulos, attorney for Dr. Gaba, was present and addressed the Board. Ms. Anagnostopoulos stated Dr. Gaba recently took numerous hours of continuing education and she had the documentation to provide the Board. Dr. Foster stated his concern with this case was with the crown and bridge. He stated the crown with the open margin, which was tooth number 30, also the endodontic treatment that concerned him. Dr. Foster stated there should be some continuing education in this case. He stated Dr. Gaba should receive continuing education in crown and bridge and endodontics.
Mr. Greer stated Dr. Gaba’s response to the Board indicated he had taken continuing education in endodontics. Ms. Anagnopoulos stated Dr. Gaba took hands-on training in endodontics, and he also took 7 hours continuing education in restorative dentistry. She stated Dr. Gaba went above and beyond in his continuing education, he wanted to be proactive and show the Board he took this matter very seriously.

Dr. Foster stated his concern with the crown and bridge boils down to the impression taking or scanning. He stated most crowns are made by a lab, and the lab fabricates what they are given. He stated if the impression or the scan measurements are off, or incorrect, the patient will have a crown that is ineffective.

Upon MOTION by Mr. Greer, second by Dr. Taylor, the Board voted to ISSUE a Letter of Concern to Dr. Gaba stating “Dr. Gaba should be aware of the possibility of multiple canals in the distal root of lower first molars.” MOTION PASSED UNANIMOUSLY.

Agenda Item No.  Case No. 201700028-MP
Letter of Concern Dr. Hugh T. Keeffe

This case was pulled by Dr. Taylor. Mr. Jeffrey Tonner, attorney for Dr. Keeffe, was present and addressed the Board. Dr. Taylor stated this case was generated due to a malpractice lawsuit. He stated Dr. Keeffe had already fulfilled three hours of continuing education in record keeping in a recent case. Dr. Taylor stated the lawsuit was generated because the patient was diagnosed with endocarditis. Dr. Keeffe extracted a tooth but failed to document any heart issues in the patient record. After two separate visits to the hospital the patient was diagnosed with endocarditis.

Mr. Tonner stated there was a previous case with Dr. Keeffe where he was given three hours of continuing education in record keeping for another patient.

Mr. Jackson stated after reviewing the case that there was no documentation of any kind in the case file.

Upon MOTION by Dr. Taylor, second by Dr. Sorensen, the Board voted to DISMISS case 201700028-MP. Ms. Crevier, Mr. Jackson, Ms. McClain, and Dr. Foster OPPOSED. MOTION FAILED.

Upon Motion by Mr. Greer, second by Dr. Foster, the Board voted to ISSUE a Letter of Concern stating “Dr. Keeffe’s records should be clear, concise, and understandable with complete documentation of all procedures.” Dr. Taylor, and Dr. Sorensen OPPOSED. MOTION PASSED.

Agenda Item No. 13A  Case No. 201600203
Dr. Rebecca Runyan Temp

This case was pulled by Dr. Sorensen to RECUSE. Dr. Taylor pulled this case and stated his concern was the x-rays for tooth nos. 8 and 9. He stated the crowns were not on tooth structure, and open all the way around. Dr. Taylor stated Dr. Temp needed at least six hours or more of continuing education in crown and bridge to obtain a better understanding of this procedure. He stated that this is basic knowledge that falls below the standard of care.

Mr. Greer asked Dr. Taylor if six hours of continuing education would be enough training for Dr. Temp. Dr. Taylor stated he thought that she should have at least 12 hours of continuing education. Ms. McClain asked Dr. Taylor if the training should be obtained in a dental school setting and he said that would be appropriate. Dr. Foster stated in his opinion, the continuing education should be taken in a dental school setting. Director Hugunin stated this was the first time Dr. Temp had a complaint in crown and bridge with the Board.

Mr. Jackson asked what the benefits were of training in a non-dental school setting, versus a dental school setting. He questioned if the school setting provided hands on training. Dr. Taylor stated it did.
Williams stated while there is no cap on non-discipline continuing education, generally when moving the education to a school setting, it is in conjunction with discipline.

Upon MOTION by Dr. Taylor, second by Mr. Greer, the Board voted to AMEND the non-disciplinary consent agreement to 12 hours of continuing education in crown and bridge. If Dr. Temp refuses to accept, she will be invited for a Formal Interview. MOTION PASSED UNANIMOUSLY.

Agenda Item No. 13D Case No. 201700022
Dr. Eric P. Wendelschafer

This case was pulled by Mr. Greer to RECUSE.

Upon MOTION by Dr. Foster, second by Dr. Taylor, the Board voted to APPROVE case no. 201700022 for a non-disciplinary consent agreement. MOTION PASSED UNANIMOUSLY.

Agenda Item No. 13E Case No. 201700024
Dr. Nicholas Benjamin LaFeber

This case was pulled by Mr. Greer to RECUSE.

Upon MOTION by Dr. Sorensen, second by Ms. Crevier the Board voted to APPROVE case no. 201700024 for a non-disciplinary consent agreement. MOTION PASSED UNANIMOUSLY.

Agenda Item No. 13F Case No. 201700025
Dr. Michael C. Fair

This case was pulled by Dr. Taylor. Dr. Taylor stated the panoramic x-ray in this case showed impacted tooth number 4, he said tooth no. 5 was compromised, and a bridge was placed over the tooth. He stated the bridge was placed in 2013, four years later the tooth was pustulant and there was pocket depth. Dr. Taylor stated four hours of continuing education in risk management in this case was not enough training for Dr. Fair.

Upon MOTION by Dr. Taylor, second by Mr. Greer, the Board voted to AMEND the non-disciplinary consent agreement by adding four hours of risk management, 12 hours of continuing education in crown and bridge, and 3 hours of treatment planning and diagnosis. If Dr. Fair refuses to accept, he will be invited for a Formal Interview. MOTION PASSED UNANIMOUSLY.

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).

21. MEMBERS OF THE PUBLIC

22. FUTURE AGENDA ITEMS

23. NEXT MEETING DATE – August 4, 2017
24. ADJOURNMENT

Upon MOTION by Dr. Foster, second by Ms. Crevier, the Board voted to ADJOURN the Board meeting. MOTION PASSED UNANIMOUSLY.

Dr. Foster adjourned the meeting at 10:49 am.

Elaine Hugunin, Executive Director