



ARIZONA STATE BOARD OF DENTAL EXAMINERS

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MEETING OF THE ARIZONA STATE BOARD OF DENTAL EXAMINERS MINUTES OF THE BOARD MEETING August 5, 2016

Board Members Present:

Michael R. Hauer, DDS, President
Robert H. Foster, DDS, Vice President
Ms. Carole A. Crevier
Mr. Charles E. Jackson
Marilyn J. McClain, RDH
Mr. Joshua Greer
Gregory A. Waite, DDS
Darren L. Flowers, DMD

Board Members Absent:

Howard Sorensen, DDS

Staff Present:

Ms. Elaine Hugunin, Executive Director
Ms. Nancy Chambers, Deputy Director
Ms. Jean Galvin, 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. Hauer called the meeting to order at 8:00 a.m.

Agenda Item No. 3 PRESIDENT'S REPORT- Dr. Michael R. Hauer

A. VACANT

Agenda Item No. 4 EXECUTIVE DIRECTOR'S REPORT

A. Summary of current events that affect the Arizona State Board of Dental Examiners

Executive Director Hugunin stated for the record Dr. Sorensen was absent. She reintroduced Jean Galvin. Ms. Galvin, Assistant Attorney General was taking Mary DeLaat Williams place.

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Additional materials for agenda items 4F, 4J, 4L, 20I, and 21A, were provided in the Board's materials.

B. VACANT

C. Review, discussion and approval for Executive Director to attend CLEAR National Certified Investigator and Inspector Training – Specialized in Portland, OR September 12 – September 14, 2016

Director Hugunin stated the Board approved her attendance at part one of the CLEAR National Investigator training last year which she did complete. She said it was a good refresher on basic investigator techniques, and she requested the Board's approval to attend part two which is the advanced course.

Upon MOTION by Dr. Taylor, second by Ms. McClain, the Board voted to APPROVE the attendance of the Executive Director at the CLEAR National Certified Investigator and Inspector Training–Specialized part two in Portland, OR on September 12 – September 14, 2016. MOTION PASSED UNANIMOUSLY.

D. Review, discussion and possible action on proposed options for Fee and/or Board reserve fund reductions

Executive Director Hugunin stated that at the June 3, 2016 Board meeting, the Board directed staff to present a three year plan which evaluated the current revenue with the current fund balance and appropriations, and provide suggestions on the current environment. Director Hugunin said progress had been made since the last Board meeting. Board staff met with the Governor's Health Policy Advisor and received approval for an exemption for the rulemaking to proceed with changes to Article 4. Representative Carter has opened a bill folder for the Board regarding the possible repealing of A.R.S. §32-1211 which prohibits the Board from spending more than is appropriated. Board staff has spent considerable time analyzing current funding, and researching a creative way in which to sustain the agency moving forward and at the same time spend down the reserves in a prudent and beneficial manner. One of the options is to evaluate the granting of funds to critical programs that contribute to the dental profession, and public health and safety, and this would be in addition to the reduction of fees. Board staff's memo detailed important factors to consider as well as suggestions. It was recommended the Board direct staff to convene a stakeholders meeting to discuss the possibilities moving forward. This will include not only association members, but non association members as the funds are a collection of fees from many constituents, including the business entities and denturists. In the interim, Board staff will move forward with the rules process. Strategizing and prioritizing database changes which are significant will need to be made in the context of all of the current projects regarding this issue. Board staff will also develop a request for the 2018 appropriations, while being cognizant of the mandate received from the Office of Strategic Planning.

Upon MOTION by Mr. Greer, second by Dr. Taylor, the Board voted to HOLD a stakeholders meeting in the future. MOTION PASSED UNANIMOUSLY.

E. Update on five-year rule review

Executive Director Hugunin stated the Board's five year rule review has been completed and has been submitted to the Governor's Regulatory Review Council. This five year rule review was for article one, two and four. She said the Governor's Regulatory Review Council has been short staffed for quite a while, and only had one employee working full time for a year. The date of the review has not yet been finalized.

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This is information only, NO ACTION TAKEN

- F. Review, discussion and possible action regarding notice of rulemaking for Article 4: fees

At the June 3, 2016 Board meeting, the Board approved opening a docket for rule making. The Board was provided a copy of the proposed notice of rulemaking docket. Upon approval, Article 4 will be submitted to the Governor's Regulatory Review Council. After a date is established, there are opportunities for public comments regarding this.

Upon MOTION by Dr. Taylor, second by Mr. Greer the Board voted to approve the PROPOSED DRAFT of Article 4 rulemaking docket. MOTION PASSED UNANIMOUSLY.

- G. Review, discussion and possible action regarding the Executive Director attending the AZDA House of Delegates meeting on September 16-17, 2016 in Tucson, AZ.

Director Hugunin stated on an annual basis she is invited to speak at the Arizona Dental Association House of Delegates meeting. Director Hugunin requested the Board give approval for her stay at the facility where the meeting is being held.

Upon MOTION by Dr. Taylor, second by Ms. Hardy, the Board voted to APPROVE the attendance, and stay at the site location of the Executive Director at the Arizona Dental Association (AZDA) House of Delegates meeting on September 16-17, 2016 in Tucson, AZ. MOTION PASSED UNANIMOUSLY.

- H. Review, discussion and possible action regarding 2017 Board meeting dates

BOARD MEETINGS:

February 3, 2017

March 31, 2017

June 2, 2017

August 4, 2017

October 6, 2017

December 1, 2017

Upon MOTION by Ms. Crevier, second by Ms. Hardy, the Board voted to APPROVE the 2017 Board meeting dates for calendar year 2017. MOTION PASSED UNANIMOUSLY.

- I. Dr. Pierre R. Martin – Case no. 201500112 – Review, discussion and possible action to dismiss without prejudice.

Director Hugunin stated the Board has a memo from the Internal Investigative Review Committee requesting the Board consider dismissing case no. 201500112 without prejudice, as Dr. Martin's license expired June 30, 2016 and he does not plan to return to the practice of dentistry.

Upon MOTION by Mr. Greer, second by Dr. Taylor, the Board voted to DISMISS case no. 201500112 without prejudice. MOTION PASSED UNANIMOUSLY.

- J. Dr. Kelly B. Wettstein – Case no. 201300256 – Review, discussion and possible action regarding Dr. Wettstein's request to amend consent agreement.

Director Hugunin stated the Board was given two memos from the Internal Investigative Review Committee regarding this agenda item. The first memo asked the Board to consider

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amending Dr. Wettstein's current Board Order to reflect Colorado's most recent change which was to reduce the frequency and number of charts reviewed by Affiliated Monitors. Dr. Wettstein's current Board Order, states that he may petition the Arizona Board for a modification in the event Colorado reduces the monitoring in the Colorado Board Order. The second memo was regarding Dr. Wettstein's subsequent request that the Board consider terminating his Order with the Arizona Board. Dr. Wettstein requested his second request not be considered at the August Board meeting as he had a conflict and could not attend the meeting. The second item will be placed on the October 7, 2016 Board meeting agenda.

Upon MOTION by Ms. Crevier, second by Ms. McClain, the Board voted to AMEND the current consent agreement for case no 201300256 to reduce the audits from 20 charts per month to 20 charts per quarter. MOTION PASSED UNANIMOUSLY.

- K. Arizona Anesthesia Solutions, Joseph A. Rodriguez, CRNA – Review, discussion and possible action regarding approval of Arizona Anesthesia Solutions' course "Advanced Airway Management in Dental Surgery" specifically for Arizona Administrative Code R4-11-1301(B)(5)(c), R4-11-1302(B)(5)(c) and R4-11-1303(B)(5)(c), R4-11-1306(B)(2)(c) and R4-11-1306(C)(2)(c)

Director Hugunin stated the Board had been provided with a memo from Deputy Director Chambers. The Board had previously approved this course provided by Joseph Rodriguez.

Randy Quinn was present and addressed the Board. Mr. Quinn stated he is the partner of Mr. Rodriguez who was unable to attend the Board meeting. Mr. Quinn said Arizona Anesthesia Solutions had been approved for the 1304 permit training. They held a course and doctors were asking for additional training for 1301, 1302 and 1303 permits. This was something they did not consider when they originally put the course together.

Upon MOTION by Dr. Taylor, second by Ms. Crevier, the Board voted to APPROVE the course in Advanced Airway Management in Dental Surgery provided by Arizona Anesthesia Solutions for Arizona Administrative Code R4-11-1301(B)(5)(c), R4-11-1302(B)(5)(c) and R4-11-1303(B)(5)(c), R4-11-1306(B)(2)(c) and R4-11-1306(C)(2)(c). MOTION PASSED UNANIMOUSLY.

- L. 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 2.

Agenda Item No. 2 PUBLIC COMMENT ON CASES

Complainant DH was present and did not speak about case no. 201600062 (Agenda Item 13E).
Complainant CB was present and spoke about case no. 201600065 (Agenda Item 14E).
Complainant GS was present and spoke about case no. 201500252-ED (Agenda Item 20A).
Complainant PB was present and spoke about case no. 201600054-ED (Agenda Item 20E).
Complainant CN was present and spoke about case no. 201600073-ED (Agenda Item 20F).
Complainant CN was present and spoke about case no. 201600074-ED (Agenda Item 20G).

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Agenda Item No. 6. PERSONNEL ISSUES

- A. VACANT

Agenda Item No. 7. COMMITTEE REPORTS

- A. Dental Hygiene Committee – Heather N. Hardy, RDH

- i. Upon recommendation of the Dental Hygiene Committee, the Board may consider the following continuing education extension request recommendations:

- a. Michelle J. Tiano, RDH - Grant extension until December 30, 2016
 - b. VACANT
 - c. Ambre Joie Cebreros, RDH - Grant extension until December 30, 2016
 - d. Juanita C. Garcia, RDH - Grant extension until August 30, 2016
 - e. Hanna Lenz Willett, RDH - Grant extension until September 30, 2016
 - f. Elizabeth Candelaria-Chacon, RDH - Grant extension until August 30, 2016
 - g. Lorelee L. Cook, RDH - Grant extension until August 30, 2016
 - h. Marcia Lynn Herrick, RDH - Grant extension until August 30, 2016
 - i. Susan Miranda Bluth, RDH - Grant extension until August 30, 2016
 - j. Teresa A. Wirsing-Brooks, RDH - Grant extension until December 30, 2016
 - k. Diana L. MacPherson, RDH - Grant extension until September 30, 2016
 - l. Kayla N. Myers, RDH - Grant extension until September 30, 2016
 - m. Marisa A. Carolin, RDH - Grant extension until August 30, 2016

Upon MOTION by Dr. Taylor, second by Ms. McClain, the Board voted to GRANT the extensions listed for the dental hygienists for agenda items 7.A.i.a-m. MOTION PASSED UNANIMOUSLY.

- ii. Upon recommendation of the Dental Hygiene Committee, the Board may consider recognizing the following Local Anesthesia and Nitrous Oxide coursework:

- a. Pueblo Community College - Pueblo, CO
 - b. Manhattan Area Technical College - Manhattan, KS
 - c. Carrington College - Sacramento, CA
 - d. Carrington College - San Jose, CA
 - e. Laramie County Community College - Cheyenne, WY
 - f. New York College of Dentistry - New York, NY
 - g. Ferris State University - Big Rapids, MI

Upon MOTION by Ms. Hardy, second by Dr. Taylor, the Board voted to ACCEPT the Local Anesthesia and Nitrous Oxide coursework for agenda items 7.A.ii.a-g. MOTION PASSED UNANIMOUSLY.

- B. Continuing Education Audit Committee – Dr. Robert H. Foster, DDS

- i. Upon recommendation of the Continuing Education Audit for Dentists Committee, the Board may consider the following continuing education extension request recommendations:

- a. Dr. Bonnie Claycomb Ferrell - Grant extension until September 30, 2016
 - b. Dr. Glade M. Smith - Grant extension until September 30, 2016
 - c. Dr. Gregory S. Garn - Grant extension until September 30, 2016
 - d. Dr. Peter G. Green - Grant extension until December 30, 2016
 - e. Dr. Paul A. Gosar - Grant extension until December 30, 2016

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- f. VACANT
- g. Dr. Mark S. Passell - Grant extension until December 30, 2016
- h. Dr. Eric D. Stavoe - Grant extension until September 30, 2016
- i. VACANT
- j. Dr. Joseph N. D'Aniello - Grant extension until September 30, 2016
- k. VACANT
- l. Dr. Hazem Hussein Jabr - Grant extension until February 28, 2017
- m. Dr. Donald R. Preston - Grant extension until December 30, 2016
- n. Dr. Edward Kent Fritch - Grant extension until October 30, 2016
- o. Dr. Richard C. Westergard - Grant extension until September 30, 2016
- p. Dr. Gary F. Salwin - Grant until December 30, 2016
- q. Dr. Ike Arthur Wenceslao Tomas - Grant extension until September 30, 2016
- r. VACANT
- s. VACANT
- t. Dr. David R. Ericksen - Grant extension until September 30, 2016
- v. Dr. Brent Alan Bauer - Grant extension until September 30, 2016

Upon MOTION by Dr. Foster, second by Mr. Waite, the Board voted to GRANT the continuing education extension request as listed for agenda items 7.B.i.a-t,v. MOTION PASSED UNANIMOUSLY.

- i. u. Dr. Robert S. Wilke - Grant extension until September 30, 2016

Dr. Robert S. Wilke is present and addressed the Board. Dr. Wilke asked for an extension until October 31, 2016. Dr. Wilke stated he is enrolled for continuing education and needed additional time to complete his training.

Upon MOTION by Dr. Waite, second by Mr. Greer the Board voted to GRANT the extension to Dr. Wilke (7.B.i.u.) until October 31, 2016.

- ii. Upon recommendation from the Continuing Education Audit for Dentists Committee, the Board may consider denying the request for extension because there are no extenuating circumstances for the following:
 - a. Dr. Tevan Oganessian - Deny extension, no extenuating circumstances
 - b. Dr. Paul Bayat - Deny extension, no extenuating circumstances

Upon MOTION by Dr. Waite, second by Mr. Greer, the Board voted to DENY the continuing education extension request for agenda items 7.B.ii.a-b. MOTION PASSED UNANIMOUSLY.

- ii. c. Dr. Rigas N. Kariotoglou - Deny extension, no extenuating circumstances

Dr. Rigas N. Kariotoglou was present and addressed the Board. Dr. Kariotoglou stated he initially applied for an extension because in the past three years he had two children, opened a business and closed a business. He said he currently has about 50 credit hours, and he is enrolled in two different continuing education courses in September and requested the extension until September 30, 2016 to complete his continuing education.

A member of the Board commented there were no extenuating circumstances provided at the Audit Committee meeting.

Board staff read into record what was provided in writing by Dr. Kariotoglou. "He is requesting an extension for his triennial licensure as he had many life changing occurrences within the past three years. In 2013 he was married, since then he has had

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two children. He sold his practice in Gilbert, AZ, purchased and remodeled a practice in Phoenix, and he is currently in the process of moving his existing Scottsdale, AZ practice to a new building at a new location. Life has been extremely busy for him. He knows his continuing education is of the utmost importance; however, he has unfortunately not been able to fulfill his required amount of continuing education. Dr. Kariotoglou thanked the Board for understanding.”

Upon MOTION by Dr. Waite, second by Dr. Taylor, the Board voted to GRANT the continuing education extension request for Dr. Kariotoglou until September 30, 2016. MOTION PASSED UNANIMOUSLY.

C. WREB Hygiene Exam Board Report - Marilyn McClain, RDH

Ms. McClain stated she feels fortunate to represent the Arizona Dental Board at the Western Hygiene Dental Examiners Board. She attends these meetings twice per year which she finds very informative. One meeting is held in Phoenix, AZ annually and the second meeting is held at a different location every year. Discussions are held on any changes that may occur over the next year for the dental hygiene exam. There was also a discussion regarding any changes the current members may suggest. There are about 18 states represented in the WREB meeting. Each member in attendance talks briefly about their state Boards, and they address any legislation changes, and any other changes which may have occurred.

D. WREB Dental Executive Review Board Report - Dr. Michael R. Hauer

Board President Dr. Hauer stated the meeting took place in Austin, TX. He said at the Dental Executive Review Board meeting this year there was a representative from the American Dental Association who attended named Dr. Deyhani. He gave a report and stated the American Dental Association has a goal of removing live patients from licensing exams. The second goal is to increase portability across the United States for dental licensing. The American Dental Association completed an analysis of all the existing regional and state exams and declared them to all be comparable. Dr. Hauer said this was interesting to Western Regional Examining Boards as the only regional exam that actually submitted their statistics, or technical report was Western Regional Examining Boards yet they were able to do a study without any technical support for any other regionals. The state of Kentucky will now be accepting the California portfolio as a licensing exam for Kentucky which is the first state to accept the portfolio, as well as Colorado. Iowa is also looking at accepting the portfolio. Dr. Hauer said this complicates matters for the state of Arizona. If a licensee coming from Kentucky or Colorado and wants an Arizona license, how would it be determined which test was taken by the licensee. Arizona currently does not accept the portfolio exam, or some of the other exams taken.

Agenda Item No. 8 REQUEST FOR ACTION ON LICENSURE BY EXAMINATION

A. Lauren Ashley Wood, RDH - Disclosure of a DUI in November, 2011, and citation for public consumption of alcohol in October 2013.

Ms. Wood is present to answer questions. The Board did not have any questions for Ms. Wood.

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

B. Dr. Zachary Paul Ehrmantrout - Discipline on Washington license

Upon MOTION by Mr. Greer, and second by Ms. Hardy, the Board voted to GRANT licensure to Dr. Ehrmantrout. MOTION PASSED UNANIMOUSLY.

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- C. Dr. Arthur Burton Melton - Discipline on California, and New Mexico license. NPDB lists two malpractice claims over \$10,000.00.

Dr. Melton was present and addressed the Board.

The Board asked Dr. Melton to explain his failure to cooperate with the Board in New Mexico. Dr. Melton stated there were some issues with the Board regarding financial matters. He was under the impression the Attorney General's office superseded the New Mexico Dental Board. He stated the allegations against him had to do with administration issues with data and have since gone away and had no negative repercussions for him. In one case, a patient had presented to have extensive restorative dentistry who failed to appear to complete the work by Dr. Melton.

Dr. Melton stated the reason he applied for an Arizona dental license had to do with his involvement with Global Dental Science in Scottsdale, AZ for the past four years. He said he makes two to three visits per month to Global Dental Science where he was asked to serve as the Director of the Research and Development Clinic.

The Board asked Dr. Melton if he still currently holds dental licenses in the state of New Mexico, California, Texas and Missouri. Dr. Melton said no he didn't. His Missouri license was obtained while he was in residency. He stated Missouri cannot find any record of it. He said the California license he used while he was working two to three days per month at the Dental Science lab. He said the nature of his practice has long been adult reconstructive dentistry.

Upon MOTION by Mr. Greer, second by Mr. Jackson, the Board voted to GRANT licensure to Dr. Melton. Dr. Foster OPPOSED, Ms. McClain OPPOSED, Ms. Crevier OPPOSED.
MOTION PASSED.

Agenda Item No. 9 REQUEST FOR ACTION ON APPLICATION(S) FOR RENEWAL OF LICENSE

- A. Patricia Beauchamp Tree, RDH – Review, discussion and possible action regarding Ms. Tree's non-compliance with license renewal requirements.

The Board was provided a memo summarizing the issues pertaining to Ms. Beauchamp Tree and the options given to her.

Director Hugunin stated action needed to be taken. Ms. Beauchamp Tree submitted licensure documentation which was incomplete. Board staff stated she had completed all of the requirements except her Cardiopulmonary Resuscitation (CPR) course. A member of the Board inquired about Ms. Beauchamp Tree's current work history. Her license is currently expired and she is aware she has an expired license.

Upon MOTION by Dr. Taylor, second by Ms. Hardy, the Board voted to grant an EXTENSION until September 30, 2016 to complete the CPR course and direct Board staff to contact Ms. Beauchamp Tree via written correspondence for her work history. Failure to respond to both components of this motion will result in a DENIAL of Ms. Beauchamp Tree's application.
MOTION PASSED UNANIMOUSLY.

Agenda Item No. 10. ACTION ON PREVIOUS ACTION – Roll Call Vote is required

The Board will review, discuss and may vote to take action the previous action for the following cases:

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Agenda Item No. 10A. – CASE NO. 201000301- Dr. Brent Tyler Robison

Case No. 201000301 Dr. Brent Tyler Robison Proposed amended Board Order to reflect Court of Appeals decision, in case no. 1 CA CV 14-0533

Upon MOTION by Mr. Greer, second by Ms. Hardy, the Board voted to AMEND the Board Order to reflect the Court of Appeals decision. MOTION PASSED UNANIMOUSLY.

Agenda Item No. 12 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:

B. VACANT

Agenda Item No. 5 ASSISTANT ATTORNEY GENERAL’S REPORT FOR BOARD DIRECTION & POSSIBLE ACTION

A. Administrative Appeals

- i. Dr. Brent Tyler Robison v. ASBDE (Case No. 201000301) (Maricopa County Superior Court Case LC2013-000484) – Status Update
- ii. Dr. Michael Wassef v. ASBDE (Case No. 201400061) (Maricopa County Superior Court Case LC2014-000547-001) – Status update

Ms. Galvin, Assistant Attorney General who was filling in for Mary Delaat Williams, Assistant Attorney General addressed the Board. Ms. Galvin said this matter has been briefed. The other side has requested oral arguments but the attorney general’s office has not received the date when that will be set, she said probably not until the end of the year or the beginning of next year.

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. 201600044	Dr. Matthew E. Wessel
Agenda Item No. 13B	Case No. 201600055	Dr. Jason H. Nordean
Agenda Item No. 13D	Case No. 201600061	Dr. Mark Espinoza
Agenda Item No. 14F	Case No. 201600068	Dr. Louis J. Casillas
Agenda Item No. 20D	Case No. 201600051-ED	Dr. Helen Bishara

**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):

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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***

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

Item No.	Case No.	Licensee	Comments
C.	201600057	Dr. Jeffrey M. Collins	3 hours in record keeping, 6 hours in diagnosis and treatment planning in implants
E.	201600062	Dr. Tal S. Gafni	3 hours in record keeping

**14. CASES RECOMMENDED FOR ISSUANCE OF LETTER OF CONCERN
 CONSENT AGENDA – Roll Call Vote *is required if case is pulled***

Upon MOTION by Dr. Foster, second by Dr. Taylor, the Board voted to ISSUE a LETTER OF CONCERN for the following cases on the Consent Agenda. MOTION PASSED UNANIMOUSLY.

Item No.	Case No.	Licensee	Action
A.	201600046-MP	Dr. Michael A. Grousd	“Dr. Grousd should review the extraction referral slip before treatment”
B.	201600056-MP	Dr. Abraham T. Setoodeh	“Dr. Setoodeh should have complete documentation of diagnosis prior to treatment”
C.	201600063	Dr. Thomas A. Nack, Jr.	“Dr. Nack should be aware of the Board’s substantive policy statements”
D.	201600064	Dr. Robert J. DeMarco	“Dr. DeMarco should not allow patients to dictate treatment”
E.	201600065	Dr. Mark A. Espinoza	“Dr. Espinoza should not allow an unlicensed person to take the bite for a fabrication of a denture”
F.	201600068	Dr. Louis J. Casillas	“Dr. Casillas should thoroughly document all treatment”

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

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

Item No.	Case No.	Licensee	Action
A.	201600050	Dr. Wyatt Stott Dannels	Terminate per patient

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B.	201600069	Dr. Brian H. Nelson	Terminate per patient
C.	201600075	Dr. Wa N. Chao	Terminate per patient
D.	201600087	Dr. Bahar F. Ata-Abadi	Terminate per patient

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

Item No.	Case No.	Licensee	Action
A.	VACANT		

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

A. VACANT

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

A. Mandeep K. Vermani, DDS – Dental Consultant

Upon MOTION by Dr. Waite, second by Mr. Greer, the Board voted to APPROVE Dr. Vermani as a dental consultant. MOTION PASSED UNANIMOUSLY.

**19. APPROVAL OF MINUTES
CONSENT AGENDA**

A. June 3, 2016 Board Meeting Minutes

Upon MOTION by Ms. Crevier, second by Mr. Greer, the Board voted to APPROVE the June 3, 2016 Board Meeting Minutes. MOTION PASSED UNANIMOUSLY.

20. REVIEW OF EXECUTIVE DIRECTOR TERMINATIONS

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

Upon MOTION by Dr. Foster, second by Ms. Hardy, the Board voted to APPROVE following appealed cases on the Consent Agenda. MOTION PASSED UNANIMOUSLY.

Item No.	Case No.	Licensee	Comments
A.	201500252-ED	Dr. George Allen Carr, Jr.	Approve Termination
B.	201600019-ED	Dr. Michael Wassef	Approve Termination
C.	201600034-ED	Dr. Anthony O. Rao	Approve Termination
E.	201600054-ED	Dr. Jorge L. Alvarez	Approve Termination
F.	201600073-ED	Dr. Robert S. Infeld	Approve Termination
G.	201600074-ED	Dr. Stuart E. Garber	Approve Termination

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Item No.	Case No.	Licensee	Comments
H.	201600077-ED	Dr. Joshua Earl Cadwell	Approve Termination
I.	201600078-ED	Dr. Kevin Brian Cebrynski	Approve Termination
J.	201600085-ED	Dr. David J. Velasco	Approve Termination

END OF CONSENT AGENDA

FORMAL INTERVIEW

**Agenda Item No. 21A Case No. 201600024
Dr. Kyle J. Huish**

Dr. Huish was sworn in by the court reporter. Mr. Jeffrey Tonner, attorney for Dr. Huish, was present to address the Board.

On January 28, 2016, the Board received a complaint alleging Dr. Huish failed to consult, provide adequate antibiotic therapy, complications during or after surgery, and inadequate oral surgery. Dr. Huish has chosen to appear in front of the Board for a Formal Interview and has been notified that he may have committed Unprofessional Conduct under A.R.S. §32-1201.01(14).

Dr. Waite is the lead Board member.

Dr. Waite asked Dr. Huish where he received his dental training. Dr. Huish said he is a native of Arizona and attended Ohio State Dental School. He did continuing education at New York University and also attended Duke University. He graduated dental school in 2010 and opened his own practice in 2011. Dr. Waite said he reviewed the patient's chart and did not see a weight or the patient's blood pressure notated in the records. Dr. Huish said that was correct. Dr. Waite asked Dr. Huish if this was something he did not routinely do with his patients. Dr. Huish said it may have been something overlooked at the time, but is done on a regular basis now. Dr. Waite asked Dr. Huish about the eight cartridges of septicane used on this patient and if it was normal for him to give that amount to a patient during extractions. Dr. Huish said that amount was not the normal amount he administers to patients. Dr. Huish said there were eight cartridges of septicane on the tray but he did not use them all. He said his assistant counted the cartridges on the tray and noted all the cartridges that had been used. He said in his recollection there may have been difficulty with the anesthesia, or some type of local infiltration at the site of tissue management that could have been the reason as to why eight cartridges were used. Dr. Waite said that is why it is important to take the patient's weight. If the patient weighed less than 170 pounds, eight cartridges would have been too many. Dr. Huish said this patient did not weigh less than 170 pounds, he recalled she weighed close to 200 pounds. Dr. Waite asked Dr. Huish if he entered his own notes or did he have an assistant enter the notes. Dr. Huish said for this case his assistant entered the notes; however, he stated he enters notes in all of his cases now. Dr. Waite asked Dr. Huish if the assistant enters the notes, does he review the notes and then sign off on the notes. Dr. Huish said he usually does. Dr. Waite asked Dr. Huish when the last time he had taken a course in record keeping. Dr. Huish said he said he had taken continuing education in record keeping since dental school that had been issued by the Board. Dr. Waite asked Dr. Huish had there been issues in the past with record keeping, and he said that was correct. Dr. Waite asked Dr. Huish if there was anything specific with the record keeping that was addressed. Dr. Huish said he couldn't remember.

Upon MOTION by Dr. Waite, second by Dr. Taylor the Board voted to IMPOSE a non-disciplinary consent agreement for 6 hours of continuing education in practice management course that would include record keeping and ethics in a school setting. MOTION PASSED UNANIMOUSLY.

Agenda Item No. 13A Case No. 201600044
Dr. Matthew E. Wessel

This case was pulled by a Board Member and a member of the public.

A member of the Board pulled the case as he had a concern with the bridge work being wide open. He wanted to add more continuing education to the consent agreement. He felt three hours of continuing education would not address the problem. He stated the issue is the crowns are wide open. The continuing education should be in crown and bridge with the emphasis on impression taking or scanning. The Board member suggested 12 hours of continuing education and hands on training in a dental school setting.

Ms. Corcoran, attorney for Dr. Wessel, was present and addressed the Board. Ms. Corcoran stated this is the first time Dr. Wessel has had a case in front of the Board. She said she was sure Dr. Wessel would accept more continuing education; however, she said six hours of continuing education would be appropriate in this case as opposed to the 12 hours of continuing education that was suggested.

Upon MOTION by Dr. Foster, second by Dr. Waite, the Board voted to AMEND the consent agreement by ADDING nine hours of continuing education in hands on crown and bridge with an emphasis on impression taking or scanning in a dental school setting. If Dr. Wessel does not accept the AMENDED consent agreement he will be invited for a Formal Interview. Mr. Jackson OPPOSED, Dr. Hauer OPPOSED, Ms. Hardy OPPOSED. Dr. Flower is RECUSED. MOTION PASSED.

Agenda Item No. 11A PETITION TO REHEAR - Case No. 201500256
Dr. Omaira S. Samain

Dr. Hauer is the Lead Board Member.

Mr. Tonner, attorney for Dr. Samain addressed the Board. He stated the patient presented to Dr. Samain in 2014 with an old bridge stating it was 12 years old. He said Dr. Samain gave the patient a couple of options in this case because the bridge was 10-14 years old. The first option was to crown 10 and 14 and do implants. The second option was to crown 10 and 14 and do a valplast. The third option was to add 15 as a double distal. The patient didn't want any of the options mentioned. Mr. Tonner said the patient wanted the bridge replaced because that is what she could afford. He said Dr. Samain reluctantly replaced the bridge. The bridge was seated on June 16, 2014 and there are x-rays for that date. Subsequently, the patient had a problem with tooth 14, and there was an endodontic referral. He said the patient claimed while she was in the lobby of the endodontist, her bridge came out. The endodontist did an examination and recommended tooth 14 be redone, and 10 be redone. The patient chose to accept part of the recommendation. The patient had tooth 10 extracted and she wanted 14 redone. The patient had the crown redone by the doctor at no charge. He said when the case was originally filed there were two issues: one was Ante's law, and two was a record keeping issue, where Dr. Samain did not document the anesthetic used. He said there was no mention of open margins when the case was originally presented. Mr. Tonner said he anticipated those allegations when they appeared before the Board for the Formal Interview. During the Formal Interview one of the members of the Board said they saw open margins on x-rays.

Dr. Hauer said he disagreed with the findings of Mr. Tonner. Dr. Hauer said he found it interesting that the patient stated during public comment she had never had a bridge. He said there was talk the bridge was 12 years old when in fact the bridge wasn't 12 years old. He said when he viewed the x-rays there wasn't an x-ray of an existing bridge before this bridge was seated. He said he was looking for x-rays to show leaking or recurrent decay, and he didn't see any. He didn't have any proof there was an existing bridge. He said he did not think it was appropriate to place the bridge and he didn't think the bridge was going to last for more than a year or two. Dr. Hauer said Dr. Samain should have refused to perform services on this patient.

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Upon MOTION by Ms. Crevier, second by Ms. McClain the Board voted to DENY the Petition to Rehear. MOTION PASSED UNANIMOUSLY.

Agenda Item No. 13B Case No. 201600055
Dr. Jason H. Nordean

This case was pulled by a Board member to change it to six hours of continuing education in crown in bridge instead of three hours.

Upon MOTION by Dr. Taylor, second by Dr. Waite to AMEND the consent agreement by changing the continuing education to six hours in crown and bridge. If Dr. Nordean does not accept the AMENDED consent agreement he will be invited to a Formal Interview. MOTION PASSED UNANIMOUSLY.

Agenda Item No. 13D Case No. 201600061
Dr. Mark Espinoza

This case was pulled by a Board member. She stated this case did not have any issues with clinical practices and it does not rise to the level of non-disciplinary continuing education. She stated this case should be a letter of concern stating "Dr. Espinoza should record clinical and periodontal charting."

Upon MOTION by Ms. Hardy, second by Mr. Greer, the Board voted to AMEND case no. 201600061 from a Non-Disciplinary continuing education to a Letter of Concern. Dr. Foster OPPOSED, Ms. McClain OPPOSED. MOTION PASSED.

Agenda Item No. 14F Case No. 201600068
Dr. Louis J. Casillas

This case was pulled by a Board member. He stated in this case there was a denture that was not useable at all. He said the patient should receive restitution in this case and that this case rises to the level of discipline.

Upon MOTION by Dr. Hauer, second by Mr. Greer the Board voted to AMEND the Letter of Concern to a Disciplinary Consent Agreement, six hours of continuing education and restitution to the patient. Ms. Hardy OPPOSED, Ms. Crevier OPPOSED, Mr. Jackson OPPOSED, Dr. Waite OPPOSED, Ms. McClain OPPOSED. MOTION FAILED.

Upon Motion by Mr. Greer, second by Mr. Jackson the Board voted to ISSUE a Letter of Concern to Dr. Casillas stating "Dr. Casillas should thoroughly document all treatment." Dr. Taylor OPPOSED, Dr. Flowers OPPOSED. MOTION PASSED.

Agenda Item No. 20D Case No. 201600051-ED
Dr. Helen Bishara

The case was pulled by a Board Member. Dr. Flowers is RECUSED.

Upon Motion by Mr. Greer, second by Ms. Hardy the Board voted to APPROVE the Executive Director's Termination of case no. 201600051-ED. Dr. Flowers is RECUSED. MOTION PASSED.

Agenda Item No. 22 – Members of the Public

A. VACANT

Agenda Item No. 23 – Future Agenda Items

A. VACANT

Agenda Item No. 24 – Next Meeting Date – October 7, 2016

Agenda Item No. 25 – Adjournment

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

Dr. Hauer adjourned the meeting at 10:20 AM.

Minutes APPROVED at the August 5, 2016 Board Meeting.

Elaine Hugunin, Executive Director