



**ARIZONA STATE BOARD OF DENTAL EXAMINERS**  
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**MEETING OF THE ARIZONA  
STATE BOARD OF DENTAL EXAMINERS  
MINUTES OF THE BOARD MEETING  
SEPTEMBER 25, 2018**

**Board Members Present:**

Gregory A. Waite, DDS, President  
Howard Sorensen, DDS, Vice President  
Robert B. Taylor, DDS  
John N. Harman IV, DDS           **present via conference call**  
Russell J. Morrow, DDS  
Heather N. Hardy, RDH  
Marilyn J. McClain, RDH       **present via conference call**  
Mr. Aditya Dynar  
Mr. Nick Goodman  
Mr. Charles E. Jackson       **present via conference call**

**Board Members Absent:**

Lisa B. Bienstock, DMD

**Staff Present:**

Ms. Nancy Chambers, Deputy Director  
Ms. Mary DeLaat Williams, Assistant Attorney General  
Ms. Terry Bialostosky, Investigations Supervisor  
Ms. Sherrie Biggs, Licensure Manager

**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 Roll Call**

Dr. Waite called the meeting to order at 7:03 pm.

Ms. Sherrie Biggs took roll call. Dr. Bienstock was absent.

**Agenda Item No. 2 – Committee Reports – Dr. Sorensen**

- A. Hiring Committee – Report and discussion regarding Hiring Committee meeting held September 24, 2018.

Dr. Sorensen gave a summary of events regarding since the Hiring Committee's September 4, 2018 meeting, including Board staff meeting with the Arizona Department of

**ARIZONA STATE BOARD OF DENTAL EXAMINERS  
MINUTES OF THE BOARD MEETING  
SEPTEMBER 25, 2018  
PAGE 2**

Health Services ("ADHS") to discuss entering into an Interagency Service Agreement (ISA). Dr. Sorenson then reported on the Hiring Committee's September 24, 2018 meeting.

Dr. Sorensen outlined the duties of the Executive Director and stated that the Board has the option of hiring an Executive Director or entering into an ISA with ADHS wherein ADHS would fulfill the duties of the Executive Director and assume full operational control of the Board's activities. Dr. Sorensen outlined the details of the proposed ISA, including the proposed costs, with ADHS and reported that the ADHS director communicated that ADHS would not interfere with the Board's decisions, and would merely fulfill the obligations of the Executive Director.

Dr. Sorensen reported that the Hiring Committee concluded it was in the best interest of the Board to decline the ADHS ISA, and immediately begin the hiring process for the Executive Director. Dr. Sorensen stated that the primary reason the Hiring Committee declined the ISA is because it appears it will not meet the needs of the Board and that the Committee was concerned that under the ISA there would not be one individual ADHS staff member assigned to the Board; instead, it appears ADHS would assign staff on an as needed basis. Dr. Sorensen stated that the Board required a single individual who has day to day knowledge of all aspects of the Board.

**Agenda Item No. 3 – Administrative Items**

- A. Review, discussion and possible action on Hiring Committee recommendation regarding the Board entering into an Interagency Service Agreement with the Arizona Department of Health Services for Executive Director Services.

Upon MOTION by Dr. Sorensen, second by Ms. Hardy, the Board voted to HIRE an Executive Director pursuant to A.R.S.32-1205(C).

Mr. Dynar stated that he had concerns with the Hiring Committee's recommendations and he did not see a basis to conclude the ISA will not meet the needs of the Board.

Dr. Taylor responded to Mr. Dynar's concerns and stated that the Board has the responsibility to protect the public and should not be influenced by political meandering Dr. Taylor questioned what the actual costs would be to implement the ISA. He stated that the cost to implement the ISA continued to increase throughout the negotiations with ADHS.

Mr. Goodman stated that ADHS did a revision to the ISA that changed to true costs rather than being based on the salary of the Executive Director. Mr. Goodman reported that he was the opposing vote on the Hiring Committee recommendation to the Board and that he was in favor of the ISA and would like it to be based on the salary of the Executive Director. Mr. Goodman questioned why the initial draft of the proposed ISA changed and commented that as a Board member he did not receive anything formal from ADHS explaining why the initial draft of the ISA was revoked and replaced. Mr. Goodman stated that the Board still has the opportunity to give ADHS a try, by entering into the ISA, if the Board does not like how the ISA is going the Board can fire ADHS and then search for and hire a new Executive Director.

Ms. Hardy stated that she has concerns that the new Board members may not understand the impact entering into the ISA may have on the Board t versus how the Board is currently operating. She stated that she does not believe it would be as easy as it was made out to be if the Board decided to back out of the ISA and terminate the contract.

**ARIZONA STATE BOARD OF DENTAL EXAMINERS  
MINUTES OF THE BOARD MEETING  
SEPTEMBER 25, 2018  
PAGE 3**

Mr. Goodman stated that it was clear the Board was not going to vote to approve the ISA, and he suggested the Board move forward with the vote.

Ms. Williams advised the Board that there was some confusion on what the Hiring Committee recommended. She advised that the Committee did not make a recommendation regarding the ISA so there was no recommendation on which the Board could vote and that the Board should move on to agenda item 3B to discuss the Executive Director search and that Dr. Sorenson should withdraw the current motion

In response to a question from Mr. Dynar Interim Director Chambers stated that she would not apply for the Executive Director position.

Upon MOTION by Dr. Sorensen, second by Ms. Hardy, to WITHDRAW his motion to HIRE and Executive Director pursuant to A.R.S.32-1205(C).

Ms. Williams questioned the Hiring Committee members whether it voted specifically to decline the ISA? Dr. Sorensen stated that was not in the official motion of the Committee.

Dr. Waite stated that the recommendation from the Hiring Committee was irrelevant. HMs. Hardy stated that the Board did have a recommendation from the Hiring Committee to move forward with search for an Executive Director in lieu of the ISA. She stated the Board could not do both based upon how the Hiring Committee voted on September 24, 2018. Mr. Jackson stated that from a business prospective it seems prudent if the Board wanted to move in two directions, the ISA should continue to remain on the table while beginning the search for the Executive Director. Dr. Taylor agreed and stated the Board should continue to move forward in the search for an Executive Director. Dr. Taylor stated the Board had not declined the ISA instead was choosing to move forward with the search for an Executive Director.

Dr. Sorensen commented that he purposely left the recommendation on the ISA out of his motion at the Committee meeting and that the Board could revisit the ISA if an Executive Director was not hired.

Ms. Emily Rajakovich, was present and addressed the Board. She stated that it is her interactions with understanding that the ADHS Director stands ready to assist where her services are needed. She stated that Dr. Christ is a collaborative team player.

Upon MOTION by Dr. Sorensen, second by Ms. Hardy, the Board voted to ACCEPT the recommendation of Hiring Committee that the Board hire an Executive Director pursuant to A.R.S.32-1205(C) in lieu of the ISA. Mr. Dynar, OPPOSED, Mr. Goodman, ABSTAINED. MOTION PASSED.

- B. Review, discussion and possible action on process to conduct new Executive Director search, including but not limited to the search and selection process and conducting interviews.

Mr. Dynar commented that he had concerns with the hiring process and he would like the Arizona Department of Administration (ADOA) to handle the hiring process for the Executive Director search. Interim Director Chambers reported that the Board uses ADOA Shared Services for the Executive Director search which guides the Board through the process. Mr. Dynar asked if Board staff would have access to the interview questions and the applicants who would be applying for the position. In response to a question from Mr. Dynar regarding whether the Board staff would have access to the interview questions,

**ARIZONA STATE BOARD OF DENTAL EXAMINERS  
MINUTES OF THE BOARD MEETING  
SEPTEMBER 25, 2018  
PAGE 4**

Director Chambers stated Board staff would be responsible for scheduling the interviews; but would not see the interview questions. Dr. Waite stated that he had been through the hiring process for an Executive Director twice. He recommended the Board have a Hiring Committee for the Executive Director hiring process. He stated that historically the full Board is not involved in the process until the final four or five candidates are chosen and then they are interviewed in front of the Board. Mr. Goodman stated the Hiring Committee was a good committee with good chemistry, and he was willing to continue to serve on the Hiring Committee. Dr. Sorensen stated the Hiring Committee was a good representation of the Board-- two dentists, one hygienist and one public member. Ms. Williams advised that anything done with the hiring process would have to be done in an open meeting. Interim Director Chambers stated that interviews would be held in Executive Session. Dr. Sorensen commented that the interview questions would be the same for every applicant. He stated the recruitment advertisement will be posted for two weeks on the following websites: AZStateJobs.gov and Indeed.com. Mr. Goodman stated that if the Board did not find adequate candidates within the two week time frame the Board could post the hiring for a longer period of time. Dr. Sorensen stated that the Board could also use other websites in the hiring process and post the position for a longer period of time if needed. Ms. Williams stated the Hiring Committee should recommend candidates to the Board and the Board will then conduct the interviews of the potential candidates.

Upon MOTION by Dr. Sorensen, second by Dr. Taylor, the Board voted to keep the same Hiring Committee appointed by President Waite, post the position for two weeks on AZStateJobs.gov and Indeed.com as the recruitment sites. The Hiring Committee will sort through the resumes and will present no less than five candidates to interview before the Board, and approve the interview questions for the potential candidates. MOTION PASSED UNANIMOUSLY.

**Agenda Item No. 4 – Members of the Public**

None to report.

**Agenda Item No. 5 – Future Agenda Items**

None to report.

**Agenda Item No. 6 – Next Meeting Date – OCTOBER 5, 2018**

**Agenda Item No. 7 – Adjournment**

Upon Motion by Dr. Taylor, second by Mr. Goodman, the Board voted to ADJOURN the Board meeting at 8:29 pm. MOTION PASSED UNANIMOUSLY.

*Nancy Chambers*

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Nancy Chambers  
Interim Executive Director