



ARIZONA STATE BOARD OF DENTAL EXAMINERS

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

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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

OCTOBER 5, 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, INTRODUCTIONS, AND ROLL CALL

2. PUBLIC COMMENT ON CASES

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

- A. Appointment of Dental Hygiene Selection Committee Members
- B. Continuing Education Audit for Dentists Committee – Appointment of Board member committee chair
- C. President's report from American Association of Dental Boards (AADB) annual meeting held in Chicago, IL. September 22 – 23, 2018.

4. ADMINISTRATIVE ITEMS

- A. Summary of current events that affect the Arizona State Board of Dental Examiners (This is the time for the Board President or Executive Director to give a brief summary on current events that affect the Board. It is informational only and no discussion may occur.)
- B. Arizona State Board of Dental Examiners FY2018-2019 Annual Report - For information only.
- C. Arizona State Board of Dental Examiners FY 2019 Budget – For information only.

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- D. VACANT
- E. Dr. Pankaj Goyal – 201400099 – 201700101 – Review, discussion and possible action on status update and/or results of investigation and possible referral to formal interview by Interim Executive Director pursuant to A.R.S. §32-1207(C)(6).
- F. Review, discussion and approval of Central Regional Dental Testing Service (CRDTS) local anesthesia examination.
- G. Review, discussion and possible action regarding the following Denturist matters:
 - a. Consideration of American Denturist School’s request for recognition.
 - b. Review, discussion and possible action to direct staff to amend Agency Substantive Policy Statement #20, Recognition of Accreditation Entities, to correct the statutory citation.
- H. Review, discussion and possible action regarding complaint investigations where a licensee is not in possession of patient records.
- I. Review, discussion and possible action regarding changing the April 5, 2019 meeting date to April 12, 2019.
- J. Dental Therapists – Review, discussion and possible action regarding requesting and exemption to the moratorium on rule-making to amend Arizona Administrative Code (AAC) Title 4, Chapter 11:
 - Article 1 – Definitions
 - Article 2 – Licensure by Credential
 - Article 3 – Examinations, Licensing Qualifications, Applications and Renewal, Time–Frames
 - Article 4 – Fees, Article 12 – Continuing Dental Education and Renewal Requirements
- 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.

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

- A. Review and discussion on 2018 legislative update memorandum.

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. Cesar A. Espinoza Perez, RDH – Disclosure of deferred prosecution for possession or use of marijuana and possession drug paraphernalia.
- B. Marlee Raye Nies, RDH – Disclosure of criminal history of multiple offenses involving alcohol.
- C. Rosenberg Bart Delgado, RDH – Disclosure of arrest and pre-trial probation for shoplifting.
- D. Ryne Clark Melstrom, RDH – Disclosure of conviction for facilitation of manufacture of a dangerous drug.
- E. Dr. Brad Allen Pfeifle – Disclosure of conviction for use of false identification.

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. Dayna Lynn Guilbeault, RDH – Review, discussion and possible action regarding Ms. Guilbeault’s disclosure of suspended license in Nevada.
- B. Dr. Harsha S. Santiago – Review, discussion and possible action regarding Consent Agreement for Practice Limitation.
- C. Dr. Christine M. Kopsky – Review, discussion and possible action regarding Consent Agreement for Practice Limitation.
- D. Dr. Luke W. Denton – Review, discussion and possible action regarding Consent Agreement for Practice Limitation.
- E. VACANT

ACTION ON CASES – 9:00 AM

The Board president reserves the right to change the order of items on the agenda, except for public hearing set for a specific time. The Board may vote to go into Executive Session to discuss and consider records exempt by law from public inspection, including the receipt and discussion of information or testimony that is confidential by State or Federal law on agenda items 14A through 17B, 20 and 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.	201700162 - 201800002	Dr. Aaron B. Kleiner	Consideration of previous action regarding Consent Agreement and amount restitution

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 12A – 19B and 20A – 21A, 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.	201800062	Dr. Donna Ann Ash	6 hours CE in record keeping 6 hours of CE in medically compromised patients 8 hours of CE in ACLS
B.	201800065	Dr. Glenn H. Featherman	3 hours of CE in crown and bridge 6 hours of CE in oral surgery 4 hours of CE in risk management

**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.	201700260	Dr. David E. Spring	4 hours of CE in risk management 6 hours of CE in diagnosis and treatment planning in implants
B.	201800010	Dr. Jennifer Terese Ebner	3 hours of CE in crown and bridge
C.	201800064	Dr. Mark V. Haley	3 hours of CE in crown and bridge
D.	201800068	Dr. Jose Alfredo Soto	3 hours of CE in treatment of pediatric patients
E.	201800080	Dr. Mark Alfred Shousha	6 hours of CE in record keeping
F.	201800083	Dr. Brian Bao Nguyen	3 hours of CE in radiographic interpretation 3 hours of CE in diagnosis

Item No.	Case No.	Licensee	Comments
G.	201800091	Dr. Charles C. Clausen	3 hours of CE in record keeping

**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.	201800061	Dr. Mark Allen Crane	“Dr. Crane should follow the latest ASA mandate of CO2 monitoring for moderate and deep sedation.”
B.	201800082	Dr. Maryam Beyramian	“Dr. Beyramian should ensure diagnostic x-rays are taken when performing root canal therapy.”
C.	201800009	Dr. Ronald Leroy Rock	“Dr. Rock, when performing root canal treatment should document in the patient 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.	201700108	Dr. Patrice S. Winterholler	Terminate per patient
B.	201800067	Dr. Paul Chang	Terminate per patient

**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.	VACANT		

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

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

- A. Dr. Joshua Earl Cadwell – Malpractice Report Recommendation – Take No Action

B. Dr. Brian A. Christopherson – Malpractice Report Recommendation – Take No Action

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

A. VACANT

**19. APPROVAL OF MINUTES
 CONSENT AGENDA**

A. VACANT

B. VACANT

C. VACANT

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.	201800070-ED	Dr. Brown Harris III	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.	201800011	Dr. Karl J. Baker	

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

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24. NEXT MEETING DATE – DECEMBER 7, 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).