



ARIZONA STATE BOARD OF DENTAL EXAMINERS

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BODEX UPDATE

At the September 19, 2015 House of Delegates meeting I indicated that this past year has been challenging and that the upcoming one will provide yet more challenges and opportunities. An on-going challenge involves the pending issue of state agency consolidation. Recently, the Governor's Office sent a questionnaire to every state agency relating to the agency's operations, mission, composition, funding, licensing numbers and other items. Board staff and Board members have responded to the questionnaire. Recent reports and communications indicate that legislative changes regarding agency consolidations will occur during the 2016 session, although nothing definitive has been articulated. In part, this has been triggered by the recent U.S. Supreme Court decision against the North Carolina Dental Board.

Board staff recently received an interesting complaint from a dentist regarding the following advertisement which appeared on Craigs List offering dental services by an unlicensed individual:

"Missing a tooth or have a broken one? Can't afford Dentist prices? - \$40 West Valley". The content of the advertisement in part said "I can make you a replacement tooth or two, or more. Usually takes less than 30 minutes...\$40.00 for one tooth, and \$30.00 for a second one.....Also \$10.00 to 20.00 to fill a space in between your teeth (gap).....I am NOT a dentist I am just trying to help other people who cannot afford dental services."

Board staff called the phone number in the advertisement and left a message. Within 10 minutes, Craigs List indicated the ad was flagged for removal.

Board staff also receives many interesting calls. It takes a significant amount of patience to listen and appropriately respond to not only complainants but also licensees. Most recently, a dentist's office staff was extremely rude and unprofessional to Board staff. Given the inappropriate communication, I contacted the dentist to provide him feedback. If the office staff inappropriately communicates with the Dental Board, one wonders if they do the same with patients.

At the Board's October 2, 2015 meeting, it took the following actions:

- Approved two disciplinary consent agreements:
One for continuing education in crown and bridge and the other for continuing education in implants.

- Approved ten non-disciplinary consent agreements:
Four of these resulted in continuing education in crown and bridge and three resulted in continuing education in record keeping. One resulted in continuing education in the area of restoration of endodontically treated teeth including a component of documentation of the periodontal status of teeth being treated.

- Approved five non-disciplinary letters of concern:

Dr. Fitzgerald should ensure the post-surgical x-rays show all anatomical features of the mandible.

Dr. Palmer should document the amount and type of anesthetic administered to each patient in the treatment record.

Dr. Campbell should remove all Invisalign nubs at the end of treatment.

Dr. Stanton should complete a diagnostic wax-up and TMJ evaluation prior to a full mouth rehabilitation.

Ms. James should completely and thoroughly document each patient encounter.

- Conducted three formal interviews:
Two of these cases were a result of the August 7, 2015 Board meeting as they were pulled from the consent agenda and not resolved through a consent agreement.

As a reminder, formal interviews are not the same as the investigative interviews which were part of the Board's process in the past and were eliminated four years ago. Some licensees erroneously believe the investigative interviews are still utilized in the investigation process. The majority of licensees with pending complaints are offered a consent agreement (non-disciplinary or disciplinary) to resolve the complaints. If a licensee chooses not to enter into a consent agreement, they may elect to appear before the full Board for a formal interview held during the Board's public meeting.

The Board at its October 2, 2015 meeting pulled three cases from the consent agenda for non-disciplinary continuing education; two of which the Board believed rose to the level of unprofessional conduct; one of which was a modification of the continuing education requirement. The two licensees will be offered a disciplinary consent agreement or be given the opportunity to appear before the full Board for a formal interview. To date, one licensee has chosen to appear before the Board at its December 4, 2015 Board meeting for a formal interview.

At the time of this publication, I am optimistic that the Cardinals will be 7-1 and temperatures will be cool!