



## ARIZONA STATE BOARD OF DENTAL EXAMINERS

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### BODEX UPDATE

We appreciate that many of you read this column which was recently evidenced by a phone call the Board received. Football is one of my therapies and rather than use the licensee's real name I have been utilizing a variety of football teams and/or player names in reference to recent Board actions. A licensee saw the last name of a newly hired dentist (also the last name of a football player) and thought the Board issued him a letter of concern. When he checked the Board meeting minutes, he was unable to find any action involving his employee, which prompted him to call the Board so I will modify my football terms to avoid any confusion. The actual licensee names are listed both on the Board agendas and in its minutes which are available on the Board's website. Again, thank you and please provide feedback and/or suggestions.

At the December 4, 2015 meeting, the Board took the following actions:

- Opened eight investigations into licensees as a result of continuing education audits;
- Approved five disciplinary consent agreements:  
Two of these ordered continuing education in the area of crown and bridge; one ordered continuing education in the area of prescribing controlled substances; another one ordered continuing education in the area of treatment planning of implant cases; and the last one ordered continuing education in the area of treatment planning of extraction of third molars and risk management;

- Approved seven non-disciplinary consent agreements:

**FIVE** of these ordered continuing education in record keeping; one ordered continuing education in record keeping and also in the area of implant placement and the one ordered continuing education in the area of diagnosis and treatment planning of buildups;

- Approved seven non-disciplinary letters of concern addressing the following:

Dr. A should evaluate the preparation, margins and occlusions of crowns he is cementing even though he did not complete the preparation.

Dr. B should complete a periodontal examination and periodontal chart prior to any extensive treatment.

Dr. C should evaluate the form and fit of the temporaries fabricated by assistants.

Dr. D should have periodontal charting completed prior to any restorative procedures and that fragments of existing restorations should not be left in the tissue.

Dr. E should review the x-rays taken at each appointment and discuss any findings with the patient.

Dr. F should follow all the appropriate steps in the fabrication of a denture and document the shade and mold in the record.

Dr. G should complete a periodontal chart prior to restorative treatment and check all temporaries fabricated by his assistant and confirm all margins are closed and sealed.

- Conducted two formal interviews resulting in discipline. The orders with findings of fact will be reviewed at the February 5, 2016 Board meeting.

The Board pulled three cases from the consent agenda: Two cases were on the agenda for possible approval of consent agreements for non-disciplinary continuing education. In one of the cases, the Board believed the licensee's conduct rose to the level of unprofessional conduct which warrants disciplinary action. In another case, the Board voted for a modification of the proposed continuing education requirement. The third case pulled by the Board was an Executive Director termination which the Board believed warranted non-disciplinary continuing education. In accordance with the Board's process, the licensees will be asked if they accept the Board's recommendations and if they do not, they will be invited to appear at a formal interview before the full Board. To date, one licensee has chosen to appear before the Board at its February 5, 2016 Board meeting for a formal interview.

In closing, I am again reminding licensees that **UPON RECEIPT OF A BOARD COMPLAINT**, they should consider contacting their malpractice insurance to inquire if an attorney will be assigned to them for assistance in responding to the complaint. Lately, we see a pattern in which the licensee waits until a consent agreement has been offered or they have been invited to a formal interview and then they attempt to secure legal representation. Delaying obtaining legal counsel elongates the process and, at times, the licensee has already communicated with the Board in a manner that could have been more effective if legal counsel was involved.

Ending in a positive note, perhaps the Cardinals will have won the Super Bowl upon your receipt of this!

