



Douglas A. Ducey,  
Governor

# Arizona State Board of Dental Examiners

“Caring for the Public’s Dental  
Health and Professional Standards”

1740 West Adams Street, Suite 2470

Phoenix, Arizona 85007

P: (602)242-1492

E: [info@dentalboard.az.gov](mailto:info@dentalboard.az.gov)

W: <https://dentalboard.az.gov>

## OPEN SESSION MINUTES

### April 10, 2020 Special Board Meeting

Members of the Arizona State Board of Dental Examiners (“Board”) held a meeting at 9:03 a.m. on Friday, April 10, 2020, which was held virtually and telephonically due to the COVID-19 pandemic. All participants, including guests participated either telephonically or virtually. The Board did not meet in executive session.

#### BOARD MEMBERS:

- Heather N. Hardy, RDH..... President and Licensed Hygienist Member
- Robert B. Taylor, DDS ..... Vice-President and Licensed Dentist Member
- Lisa B. Bienstock, DMD..... Licensed Dentist Member
- Morgan Burg..... Business Entity Member
- Aditya Dynar, Esq..... Public Member
- Nick Goodman..... Public Member
- John N. Harman, IV, DDS ..... Licensed Dentist Member
- Anthony Herro, DDS ..... Licensed Dentist Member
- Marilyn J. McClain, RDH..... Licensed Hygienist Member
- Russell J. Morrow, DDS ..... Licensed Dentist Member
- Leslie D. Seaman, DDS ..... Licensed Dentist Member
  
- Absent

#### STAFF AND ASSISTANT ATTORNEY(S) GENERAL PRESENT:

- Ryan P. Edmonson..... Executive Director
- Kristina Gomez ..... Deputy Director
- Seth T. Hargraves, Esq..... Assistant Attorney General
- Sherrie Biggs..... Licensing Manager
- Miriam Thompson, LLB, LEC ..... Chief Compliance Officer
- Nancy Elia..... Licensing Administrator
- Selena Acuna ..... Legal Administrator
- Lisa Schmelling ..... Administrative Assistant
- Susie Adams..... Program and Project Specialist
- Jill Barenbaum ..... Information Processing Specialist

#### GUESTS PARTICIPATING AND/OR PRESENT:

- Sean Murphy, Executive Director..... Arizona Dental Association
- John MacDonald, Esq. .... Attorney for the Arizona Dental Association
- Deb Kappes, RDH, MPH..... Arizona Dental Hygienists’ Association
- Jessica Thomas..... Rules Consultant

The Americans with Disabilities Act: Persons with disabilities may request reasonable accommodations, such as sign language interpreters. Requests should be made as early as possible to allow time to arrange the accommodation. This document is available in alternative format upon request.

Alex Vandiver, Chief Executive Officer Commission on Dental Competency Assessments  
Harvey Weingarten, DDS, Chairman .... Commission on Dental Competency Assessments  
Guy Champaine, DDS..... Commission Dental Competency Assessments  
Mark Christensen, DDS ..... Western Regional Examining Board

**OPEN SESSION**

The meeting was called to order at 9:03 a.m. by Heather N. Hardy. The following order of business was then considered.

**ITEMS FOR BOARD REVIEW, DISCUSSION AND POSSIBLE ACTION**

Five-Year Rule Review

Ryan P. Edmonson and Jessica Thomas provided an update regarding the Board’s Five-Year Rule Review.

A motion was made by Dr. Robert B. Taylor, seconded by Heather N. Hardy and passed unanimously to approve the Five-Year Rule Review for submission to the Governor’s Regulatory Review Council.

Notice of Proposed Rule Making

Ryan P. Edmonson and Jessica Thomas provided an update regarding the Board’s Notice of Proposed Rule Making (“NPR”). The Board made the following amendments to the NPR regarding fees collected for a dental therapist:

- Renewal fee for a dental therapist will be \$375 per triennial period;
- Initial licensing fee for a dental therapist will be \$80;
- Jurisprudence examination fee for a dental therapist will be \$200; and
- Credentialing fee for a dental therapist will be \$1,500.

A motion was made by Dr. Robert B. Taylor, seconded by Nick Goodman and passed unanimously to approve the established fees.

The Board discussed whether A.A.C. R4-11-603 should limit the number of dental therapists a dentist can supervise to three or four. The Board agreed to keep the NPR as drafted with number being four. The Board removed the temporary license from the draft.

The Board discussed its current position regarding the Board’s examination requirements and whether or not they have the discretion to accept applications for licensure from applicants who take the clinical examination electronically. Dr. Mark Christensen participated to answer questions the Board may have regarding the Western Regional Examining Board and its progress, but was having technical difficulties.

Alex Vandiver, Dr. Harvey Weingarten and Dr. Guy Champaine participated to provide information regarding the Commission on Dental Competency Assessments, its exam and the American Board of Dental Examiners’ approval of the new CompeDont™ Tooth. The Board discussed whether or not to also accept the CompeDont™ Tooth and directed staff to place the matter on a future meeting agenda for further discussion and action.

After discussion and some minor amendments, a motion was made by Dr. Robert B. Taylor, seconded by Aditya Dynar and passed unanimously to approve of the draft NPR as amended.

COVID-19

Ryan P. Edmonson provided an update regarding COVID-19, the Governor's 2020-17 Executive Order and the discretion the Board has within the Governor's Executive Order.

A motion was made by Heather N. Hardy and seconded by Dr. Lisa Bienstock to waive all renewal fees through the end of calendar year 2020 due to COVID-19. The motion passed 10 – 0 by the following roll call vote:

Heather N. Hardy, RDH – Aye  
Robert B. Taylor, DDS – Aye  
Lisa B. Bienstock, DMD – Aye  
Morgan Burg – Aye  
Aditya Dynar, Esq – Aye  
Nick Goodman – Aye  
John N. Harman, IV, DDS – Aye  
Marilyn J. McClain, RDH – Aye  
Russell J. Morrow, DDS – Aye  
Leslie D. Seaman, DDS – Aye

A motion was made by Heather N. Hardy, seconded by Dr. Robert B. Taylor and passed unanimously to waive all penalty fees for failure to notify the Board of an address change through the end of calendar year 2020 due to COVID-19.

A motion was made by Heather N. Hardy, seconded by Dr. Russell J. Morrow and passed unanimously to waive business entity late fees through the end of calendar year 2020 due to COVID-19.

After discussion regarding initial licensing fees, a motion was made by Dr. Robert B. Taylor and seconded by Marilyn J. McClain to *not* waive any other fees through the end of calendar year 2020 due to COVID-19. The motion failed 3 – 7 by the following roll call vote:

Heather N. Hardy, RDH – Nay  
Robert B. Taylor, DDS – Aye  
Lisa B. Bienstock, DMD – Nay  
Morgan Burg – Nay  
Aditya Dynar, Esq – Nay  
Nick Goodman – Nay  
John N. Harman, IV, DDS – Nay  
Marilyn J. McClain, RDH – Aye  
Russell J. Morrow, DDS – Nay  
Leslie D. Seaman, DDS – Aye

A motion was made by Heather N. Hardy and seconded by Aditya Dynar to waive initial application/licensing fees and jurisprudence examination fees, excluding the vendor fee for the jurisprudence examination, through the end of calendar year 2020 due to COVID-19. The motion passed 7 – 3 by the following roll call vote:

Heather N. Hardy, RDH – Aye  
Robert B. Taylor, DDS – Nay

Lisa B. Bienstock, DMD – Aye  
Morgan Burg – Aye  
Aditya Dynar, Esq – Aye  
Nick Goodman – Aye  
John N. Harman, IV, DDS – Aye  
Marilyn J. McClain, RDH – Nay  
Russell J. Morrow, DDS – Aye  
Leslie D. Seaman, DDS – Nay

**SUMMARY OF CURRENT EVENTS**

Sean Murphy requested that Board discuss options, if any, for dentists to test their patients for COVID-19.

**DISCUSSION AND POSSIBLE ACTION ITEMS FOR FUTURE MEETINGS AND AGENDAS**

The Board directed staff to add Sean Murphy’s request to a future meeting agenda.

**ADJOURNMENT**

A motion was made by Dr. Robert B. Taylor, seconded by Dr. Russell J. Morrow and passed unanimously to adjourn the meeting at 12:37 p.m.