



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

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AMENDED NOTICE OF BOARD MEETING OF THE ARIZONA STATE BOARD OF DENTAL EXAMINERS’

Pursuant to Arizona Revised Statute (“A.R.S.”) § 38-431.02, notice is hereby given to the members of the Arizona State Board of Dental Examiners’ (“Board”) and to the general public that the Board will hold a meeting open to the public on **Friday, August 6, 2021 at 8:00 a.m.** The meeting will be held in Boardroom C located at 1740 West Adams Street, Phoenix, Arizona 85007. One or more Board members may participate virtually or telephonically. If members of the public choose *not* to attend the meeting in-person, they may also choose to participate virtually or telephonically. Board members and members of the public may access the meeting telephonically by dialing 406.905.1623 followed the meeting pin – 361 134 465# or virtually, by video conferencing, through this link: meet.google.com/fzc-owbf-otd. After the start of the meeting, the Board president and/or staff will request that members of the public place their phones/devices on mute.

The meeting is open to the public. However, during the course of the meeting, the Board, upon a majority vote of a quorum of the members, may, when necessary, hold an executive session pursuant to A.R.S. § 38-431.03(A)(2) and/or (3) as indicated on the Board’s Agenda. The executive session is not open to the public.

Information concerning the Board’s Agenda, including a copy of the Agenda and any amendments, can be obtained at the Board’s office, through the Board’s website at <https://dentalboard.az.gov/> or by calling the Board’s office at 602.241.1492 The Board Agenda is subject to change up to 24 hours prior to the meeting. Agenda items are noted by number and letter for convenience and reference. The Board may address the agenda items in any order within the time frame, if any, indicated and may set over matters to a later time when necessary. The Board reserves the right to change the order of the agenda items, except for matters set for a specific time.

Title 2 of the Americans with Disabilities Act prohibits the Board from discriminating on the basis of disability in its public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting Board staff at 602.242.1492. Requests should be made as early as possible to allow time to arrange the accommodation.

ARIZONA STATE BOARD OF DENTAL EXAMINERS

Ryan P. Edmonson, Executive Director

Posted:

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

<https://publicmeetings.az.gov/>

on August 2, 2021



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August 6, 2021 Amended Board Meeting Agenda

The Arizona State Board of Dental Examiners’ (“Board”) President reserves the right to change the order of items on the agenda, except for public hearings set for a specific time.

During the Board meeting and upon a vote of the majority of a quorum, the Board may go into executive session to obtain legal advice from the Board’s attorney(s) pursuant to Arizona Revised Statute (“A.R.S.”) § 38-431.03(A)(3) on any agenda items listed on the agenda. All meeting attendees whose presence is not required in an executive session will be required to leave the meeting room during executive session. Any and all legal action will take place in open session.

I. CALL TO ORDER AND ROLL CALL

II. CALL TO THE PUBLIC

Pursuant to A.R.S. § 38-431.01(H), the Board may make an open call to the public during a public meeting, subject to reasonable time, place and manner restrictions, to allow individuals to address the public body on any issue within the jurisdiction of the public body. However, members of the Board are not allowed to discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. The Board, however, may ask staff to review a matter or may ask that a matter be put on a future agenda.

III. DECLARATION OF CONFLICTS OF INTEREST – A.R.S. § 38-503

IV. REVIEW, DISCUSSION AND POSSIBLE ACTION ON BOARD MEETING MINUTES

Upon a vote of the majority of a quorum, the Board may go into executive session for item(s) B and D pursuant to A.R.S. § 38-431.03(A)(2) to discuss or consider records exempt, by law, from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law.

- A. Discussion and approval of the Open Session Minutes from the April 2, 2021 board meeting.
- B. Discussion and approval of the Executive Session Minutes from the April 2, 2021 board meeting.
- C. Discussion and approval of the Open Session Minutes from the May 7, 2021 board meeting.
- D. Discussion and approval of the Executive Session Minutes from the May 7, 2021 board meeting.

V. ITEMS FOR BOARD REVIEW, DISCUSSION AND POSSIBLE ACTION

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.

Upon a vote of the majority of a quorum, the Board may go into executive session, pursuant to A.R.S. § 38-431.03(A)(2) to discuss or consider records exempt, by law, from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law.

- A. Application(s) for Licensing of Dentist(s) or Hygienist(s) – A.R.S. §§ 32-1231 et seq. and 32-1281 et. seq. respectively
Board to review, discuss and take possible action on the following application(s):
 1. Dang, Peter H. (*tabled from the June 11, 2021 meeting*)
 2. Holtan, Brian Aaron, DMD
 3. Wasson, Michael H., DDS

- B. Motion for Rehearing/Review – A.A.C. R4-11-1701
 1. 201900282-AO; Pourshirazi, Ehsan

- C. Review of Investigation(s) – Case(s) Recommended for Dismissal
Board to review and discuss the results of the investigation(s) and take possible action to *dismiss* the following case(s):
 1. 202000211-AO; Ray, Andrew William
 2. 202000293-AO; White, Bryan A.
 3. 202000318-AO; Kalika, Jonathan I
 4. 202000361-AO; Barget, David Z.
 5. 202000314; Cognito, Randy
 6. 202100074; Elam, Tom

- D. Review of Investigation(s) – Case(s) Recommended for a Letter of Concern Board to review and discuss the results of the investigation(s) and take possible action to *issue* Letters of Concern on the following case(s):
 1. 202000076; Bhalla, Annu Monu
 2. 202000105; Novelly, Arthur S.
 3. 202000065-MP; Sobhi, Amir

- E. Review of Investigation(s) – Case(s) Recommended for Issuance of a Non-Disciplinary Order for Continuing Education – A.R.S. § 32-1263.02(F)(3) Board to review and discuss the results of the investigation(s) and take possible action to *issue* Non-Disciplinary Board Orders on the following case(s):
 1. 202000063; Yole, Jason J.
 2. 202000069; D’Aniello, Joseph
 3. 202000097; Brown, Stephen D.
 4. 202000111; Choi, Cheol Myeong
 5. 202000102-MP; Goodman, Caleb Grant

- F. Review of Investigation(s) – Case(s) Recommended for an Offer of a Disciplinary Consent Agreement
Board to review and discuss the results of the investigation(s) and take possible action to *offer* Disciplinary Consent Agreements on the following case(s):
 1. 202000006; Beautiful Smiles Dental Spa
 2. 202000045-MP; Walker, Ronald D. (*tabled from the June 11, 2021 meeting*)

3. 202000058; Unger, Erik
4. 202000066-MP; Thomas, Dylan Patrick
5. 202000081-AO; Williams, Jared B.
6. 202000093; Paradise Valley Family Dental, LLC
7. 202000147; Walker, Ronald D.
8. 202100044; Reed, Leon B.

G. Reconsideration of Prior Board Action

Board to review, discuss and take possible action on the following case(s). Board may take action to: rescind the June 11, 2021 vote to open a complaint file, and may take action to dismiss the matter due to lack of jurisdiction.

1. Mehlem, John

H. Review of Executive Director Complaint Terminations and Subsequent Complainant Appeals – A.R.S. § 32-1263.03

Board to review, discuss and take possible action to *approve, modify or reject* the executive director's termination based on submitted appeals, from the complainants, for the following case(s):

1. 202000217; Honigman, Allen S.
2. 202000104; Seiler IV, Truman John

I. Response/Non-response to Offered/Issued Consent Agreement(s)/Board Order

Board to review, discuss and take possible action on any response/counteroffer or failure to respond on the following case(s):

1. 201900278; Kaocharoen, Tony
2. 202000053; Janisse, Robert

J. Voluntary Surrender(s)

Board update, review and consideration for *accepting* a proposed and signed consent agreement(s) for a voluntary surrender and vacate the hearing on the following case(s):

1. 202000185; Maslak, John E.

VI. CONSENT AGENDA

Upon a vote of the majority of a quorum, the Board may go into executive session pursuant to A.R.S. § 38-431.03(A)(2) to discuss or consider records exempt, by law, from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law. (All items listed under the Consent Agenda are considered to be routine or have been previously reviewed by the Board or the Board's Designee and may be considered for approval as a single action, unless a Board Member wishes to remove an item for independent review, discussion and possible action).

A. Board Dental/Hygiene Consultant(s) and Anesthesia and Sedation Evaluator(s)

Board to review, discuss and take possible action regarding approval of the following individual(s) to perform investigative consulting and/or evaluating services for the Board:

1. Gassman, Carl J. (Anesthesia and Sedation Evaluator)
2. Hammi Blue, Ann (Dental Consultant)

3. Cohn, Marc P. (Dental Consultant)

B. Executive Director Complaint Terminations – A.R.S. § 32-1263.03

Board to review, discuss and take possible action on the following confidential list of complaints that were terminated by the executive director, with the concurrence of the Board’s investigative staff due to the complaints being without merit and termination being appropriate:

- | | |
|----------------|--------------------|
| 1. 201900118; | 14. 202000055; |
| 2. 202000002; | 15. 202000057; |
| 3. 202000016; | 16. 202000061; |
| 4. 202000019; | 17. 202000067; |
| 5. 202000021; | 18. 202000101; |
| 6. 202000022; | 19. 202000116; |
| 7. 202000037; | 20. 202000160; |
| 8. 202000038; | 21. 202000204; |
| 9. 202000046; | 22. 202100040; |
| 10. 202000047; | 23. 202100041; |
| 11. 202000049; | 24. 202100045; and |
| 12. 202000051; | 25. 202100046. |
| 13. 202000054; | |

C. Termination of Board Orders(s)/Consent Agreements(s)

1. 201900159; Chang, Doug
2. 201900259; Ilic, Zoran D.
3. 201900281; Samina, Omaina
4. 201900306; Rice, Jason

VII. NOTICES OF PROPOSED RULEMAKING (“NPR”)

Board to review, discuss and take possible action on the Board Rules Group’s recommendation to approve, reject or modify the draft NPRs for submission to the Governor’s Regulatory Review Council, including proposed changes to Title 4, Chapter 11, Articles 1, 2, 3, 4, 6, 7, 9, 12, 13, 14, 15 and 16, which include general amendments, the adoption of rules regarding the licensing and regulations of Dental Therapists and amendments to the continuing education requirements.

VIII. PROPOSED LEGISLATION

Board to review, discuss and take possible action to direct staff to seek statutory changes in the 2022 legislative session, including proposed changes to Title 32, Chapter 11, Articles 1, 2, 3, 3.1, 4 and 5, which include amendments to the following items. The Board’s discussion may include conversations with other industry experts.

- A. Board’s definitions;
- B. Add a requirement that business entities and licensee owned dental practices have at least one automated external defibrillator;
- C. The repeal of the jurisprudence examination for each dental profession;
- D. Amendments to the Board’s exam requirements for each dental profession;
- E. An amendment to the production of records to the Board; and
- F. An amendment to collected fees.

IX. AMERICAN ASSOCIATION OF DENTAL BOARDS (“AADB”) AND DENTAL ADMINISTRATORS (“AADA”)

Consideration for the approval of board member and staff attendance at the 2021 AADB and AADA Annual Meetings held in San Antonio, Texas from Thursday, October 28, 2021 – Sunday, October 31, 2021.

X. EXECUTIVE DIRECTOR’S REPORT

Executive Director to provide an update and/or summary on the following items: the listed items are subject to Board discussion and may result in action by the Board.

- A. Budget Update
- B. Agency Operations
- C. 2022 Board Meeting Dates
 - 1. January 28, 2022
 - 2. March 4, 2022
 - 3. April 1, 2022
 - 4. May 6, 2022
 - 5. June 24, 2022
 - 6. August 5, 2022
 - 7. September 9, 2022
 - 8. October 7, 2022
 - 9. November 4, 2022
 - 10. December 2, 2022

XI. SUMMARY OF CURRENT EVENTS

By law, the summary of current events is limited to summarizing recent occurrences. The Board cannot propose, discuss, deliberate or take legal action on any matter in the summary unless the specific matter is properly noticed for legal action.

XII. DISCUSSION REGARDING FUTURE MEETINGS AND POSSIBLE ACTION ITEMS FOR FUTURE MEETING AGENDAS

XIII. NEXT BOARD MEETING DATE

- A. September 10, 2021

XIV. ADJOURNMENT