

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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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, December 3, 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 members of the Board may participate in the meeting by telephonic communications.

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 www.dentalboard.az.gov or by calling the Board’s office at 602.242.1492 The 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 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.

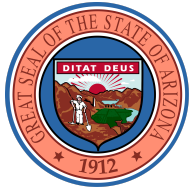
ARIZONA STATE BOARD OF DENTAL EXAMINERS

Ryan P. Edmonson, Executive Director

Posted on November 19, 2021:

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December 3, 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. DECLARATION OF CONFLICTS OF INTEREST – A.R.S. § 38-503

III. 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 B 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 November 5, 2021 board meeting.
- B. Discussion and approval of the Executive Session Minutes from the November 5, 2021 board meeting.

IV. ITEMS FOR BOARD REVIEW, DISCUSSION AND POSSIBLE ACTION

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. Schenkman, Mark D., DDS (*by Universal Recognition*)
- B. Review of Investigation– Case(s) Recommended for Dismissal
Board to review, discuss and take possible action for the following case(s):
 1. 202100208-MP; Barlow, Brett W.

- C. Review of Investigation(s)
Board to review, discuss and take possible action for the following case(s):
1. 202000177; Christy, Han R.
- 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. 202000169; Ludu, Johnny Baljit
2. 202000174; Tuinstra, Ryan Michael
3. 202000193; Valderrama, Edgar
4. 202000219; Valencia, Juan Carlos
5. 202000259; Zoumbaris, Brooke A.
6. 202100174; Scott, Jay D.
7. 202100196; Hammond, Nathan B.
- E. Formal Interview(s)
Board to conduct a formal interview, including a review, discussion and possible action on the following cases, which may include discipline, dismissal of the complaint, issuance of a letter of concern, non-disciplinary continuing education, termination of the complaint, table action pending further investigation and/or refer the matter to a formal hearing for the following case(s):
1. 202000023; 202000256-AO; Lam, Kenny
a. Lead Board Member: Dr. Anthony Herro
2. 202000053; Janisse, Robert Craig
a. Lead Board Member: Dr. Lisa Bienstock
- F. 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. 202000172; Brar, Harjot K.
2. 202000188-MP; Kode, Rahul G.
3. 202000195; Lee, Kelly H.
- G. 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 Agreement(s)/Board Order(s) on the following case(s):
1. 202000184; Philipp, Justin J.
2. 202000192; Van Dusen, Justin Robert
3. 202100183; Badyal, Manpreet
- H. Motion for Rehearing/Review – A.A.C. R4-11-1701
1. 202000163-MP; Shahnaz, Pourya
- I. Response/Non-Response to Offered/Issued Consent Agreement(s)/Board Order
Board to review, discuss and take possible action regarding any response/non-response and/or counteroffer on the following case(s):
1. 202000111; Choi, Cheol Myeong
2. 202100075; Northup, Paul W.

- J. Malpractice, Adverse Occurrence Report and/or Self-Report Pursuant to A.R.S. § 32-3208
Board to review, discuss and take possible action for the following case(s):
1. 202100234-AO; Fryberg, Harrison
- K. 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. 202000203; Thomas, L. Mitchell
- L. Review of Compliance/Non Compliance for Consent Agreement(s)/Board Order(s)
Board to review and discuss whether or not the requirements of the Consent Agreement(s)/Board Order(s) have been met, and if not, may vote to take further action on the following case(s):
1. 202100062-C; Ramsey Sosa, Heather L.

V. 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. 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. 202000032; 7. 202000134;
2. 202000085; 8. 202000149;
3. 202000110; 9. 202000156;
4. 202000117; 10. 202000178;
5. 202000119; 11. 202000247; and
6. 202000132; 12. 202000277.
- B. Termination of Board Orders(s)/Consent Agreements(s)
1. 201800147; Kang, Minseok
2. 201900144-MP; Hunter, Kendra
3. 201900159; DC Dental Group; Chang, Doug
4. 201900169; Bui, Catherine
5. 202000018; Koussa Lawrence
6. 202000020; Lee, Sung
7. 202000039; Chiang, Leonard
8. 202000041; Phan, Larry
9. 202000088; Slater, Kelly

VI. 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.

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 includes the adoption of rules regarding the licensing and regulations of Dental Therapists and amendments to the continuing education requirements.

VIII. INVESTIGATIVE COMMITTEE

Board to meet with the investigative subcommittee to review, discuss and take possible action to establish an investigative committee, including the review of the selection of committee members, number of members, and any other relevant matters to establish a successful investigative committee.

IX. COVID-19 SAFETY PROTOCOLS

Board to review, discuss and take possible action regarding COVID-19, continuity of work/care, nation, regional or state mandate(s) and/or other safety protocols where the Board has discretion.

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

1. BOTOX/Dermal Fillers Sunrise Application

XI. EXECUTIVE DIRECTOR PERFORMANCE EVALUATION AND COMPENSATION

Board to review, discuss and take possible action regarding the executive director’s performance evaluation and compensation. The Board, during the course of discussion on this agenda item may hold an executive session upon a majority vote of a quorum of the members for the purposes of discussing personnel matters, including salary discussions, pursuant to A.R.S. § 38-431.03(A)(1).

XII. BOARD ELECTIONS – A.R.S. § 32-1205

A. Nomination and Election of Board President

B. Nomination and Election of Board Vice-President

XIII. 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.

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

XV. NEXT BOARD MEETING DATE

A. January 28, 2022

XVI. ADJOURNMENT