



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

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

NOTICE OF 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, June 5, 2020 at 8:00 a.m.** Due to the COVID-19 virus and Governor Ducey’s Executive Order 2020-18, the meeting will be virtual and members of the public may access the meeting by dialing 669.241.2694 followed the meeting pin – 898 837 113# or by video conferencing through this link: meet.google.com/kyy-utks-wbh. 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. All the members, of the Board, will participate in the meeting by virtual 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 <https://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 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 May 22, 2020



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June 5, 2020 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 C 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 Amended Open Session Minutes from the October 4, 2019 board meeting.
- B. Discussion and approval of the Open Session Minutes from the March 6, 2020 board meeting.
- C. Discussion and approval of the Executive Session Minutes from the March 6, 2020 board meeting.
- D. Discussion and approval of the Open Session Minutes from the March 17, 2020 special board meeting.
- E. Discussion and approval of the Open Session Minutes from the April 10, 2020 special board meeting.
- F. Discussion and approval of the Open Session Minutes from the April 24, 2020 special board meeting.

V. 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. Renewal Application(s) for Licensing of Dentist(s)

Board to review, discuss and take possible action on the following renewal application(s):

1. Varda, Paul Alan

B. Review of Investigation(s)

Board to review, discuss and take possible action on the results of the investigations on the following case(s):

1. 201900063; Badyal, Manpreet S.
2. 201900150; Bailey, Lance Don
3. 201900179; Khalifa, Gus Emad
4. 201900223; Bernard, Gary F.
5. 201900250; Stoor, Michael James
6. 201900258; Green, Terry Leroy
7. 201900260; Chan, Jeremy Yan-Min
8. 201900282-AO; Pourshirazi, Ehsan
9. 201900283; Sokol, Ivo Bohumil

C. Review of Investigation(s) – Cases Recommended for Offer of Non-Disciplinary Consent Agreements

Board to review, discuss and take possible action on the results of the investigations on the following case(s):

1. 201900113; Ferraris, Valentine Robert
2. 201900124; Arooni, Majid
3. 201900197; Gentle Dental

D. Review of Investigation(s) – Cases Recommended for Issuance of a Letter of Concern

Board to review, discuss and take possible action on the results of the investigations on the following case(s):

1. 201900207; Burgess, Kerry D.

E. Response/Non-response to Offered Consent Agreement(s)

Update on status of offered consent agreements. Board to review, discuss and take possible action on any response/counteroffer or failure to respond on the following: 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)(4) to discuss or consult with the attorney(s) of the public body in order to consider its position and instruct its attorney(s) regarding the public body's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation.

1. 201700256 & 201900135; Heiner, Nicholas P.
2. 201800224; Coleman, John Scott

3. 201900054; Fair, Michael C.
4. 201900056-MP; Wang, Jenny V.
5. 201900122; Templeton, Michael
6. 202000044; Meyer, Nicholas

F. 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. 201800193;
2. 201900031;
3. 201900076;
4. 201900081;
5. 201900151;
6. 201900173;
7. 201900203;
8. 201900215;
9. 201900225;
10. 201900247;
11. 201900256;
12. 201900274;
13. 201900292;
14. 201900295;
15. 201900316 and
16. 201900322.

G. Review Compliance/Non-compliance with Consent Agreement/Board Order

Board to review and discuss ongoing compliance/non-compliance with the terms of the Consent Agreement/Board Order. The Board may take possible action, if necessary regarding the following file(s):

1. 201500190; Chari, Satish Bhadra (*tabled from March 6 board meeting*)

H. Malpractice, Adverse Occurrence Report and/or Disciplinary Action

Board to review, discuss and take possible action for the following case(s):

1. 201900325-AO; Arnall, Matthew

I. Non-Compliance with Subpoenas

Board to review, discuss and take possible action for the following file(s):

1. 201900331, 202000040, 202000070, 202000086; Botar, Andrea Judith

J. Review of Proposed Board Orders

Board to review discuss and take possible action on the results of the investigations on the following case(s):

1. 201900096; Wallin, Derek M.

K. Review of Request(s) for Extension(s) and/or Online Continuing Education Course(s)

Board to review, discuss and take possible action regarding the effect of COVID-19 on the following licensee's ability to meet compliance measures of their Consent Agreements/Board Orders:

1. 201800141; Shanahan, Bryan J.
2. 201800161; Marks, George Thomas
3. 201800172-MP; Sokol, Ivo Bohumil
4. 201800213; Richins, Troy
5. 201900028; Du, Thanh
6. 201900087; Mehanna, Sally Gabbour
7. 201900129; Kamel, Andrea

L. Voluntary Surrender(s)

Board update, review and consideration of a proposed consent agreement(s) for voluntary surrender. The Board may vote to take action on the following case(s):

1. 202000103; Sweetland, Violet

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 consulting and/or evaluating services for the Board:

1. Berschler, Benjamin (*dental consultant*)
2. Carlson, Edward (*dental consultant*)
3. Sorensen, Howard (*dental consultant & anesthesia and sedation evaluator*)
4. Vassilidades, Nathan (*dental consultant*)

VII. PROPOSED RULE MAKING REGARDING ADVERTISING

Board to review, discuss and take possible action to approve the draft proposed rule regarding advertising.

VIII. ARIZONA STATE BOARD OF DENTAL EXAMINERS' FUND BALANCE

Board to review, discuss and take possible action regarding the agency's fund balance as it relates to the financial pressures incurred as a result of COVID-19 and seek alternatives to help the licensees who funded the balance.

IX. INVESTIGATOR/INTERNAL CONSULTANT POSITION

Board to receive an update regarding the investigator position and next steps for dental consultants, including the training materials.

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. Licensing and Compliance Statistics
 - a. Universal licenses granted since passing of universal licensing legislation
 - b. Application fee waivers granted since administration implemented
 - c. Provisional licenses granted due to COVID-19
 - d. Number of compliance matters opened in FY 2020

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. Friday, August 7, 2020

XIV. ADJOURNMENT