



# 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, March 31, 2023 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. Board members and members of the public may access the meeting telephonically by dialing +1 347-396-1544 followed by the meeting pin – 950 827 503# or virtually, by video conferencing through this link: [meet.google.com/upt-neho-qmd](https://meet.google.com/upt-neho-qmd). 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 [www.dentalboard.az.gov](http://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 March 29, 2023:

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**March 31, 2023**

## **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**

Individual board members may declare specific conflicts with specific agenda items. All conflicts are notated by a signed Conflict of Interest Form declaring the member's actual or perceived conflict, including the full nature of the conflict and the signed form is retained in a special Board file.

### **III. 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. Termination of Board Orders(s)/Consent Agreements(s)**

1. 202000335; Hank, Mark
2. 202100120; Patrick, Gary
3. 202100242; Munoz, Lourdes
4. 202200053; Olsen, Tad
5. 202100258; Mansoor, Hana

#### **B. Review of Investigation(s) – Case(s) Recommended for Dismissal**

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

1. 202200072; Jolley, Tyson
2. 202200110; Kaushesh, Ashutosh
3. 202200116; Galindo, Daniel F.

4. 202200123; Valley Endodontic Specialty Group
5. 202200129; Skaugrud, Cameron
6. 202200158; DiVito, Roberto
7. 202200164; DiVito, Enrico
8. 202200175; Mansoor, Hana
9. 202200186; Barnes, Kathleen
10. 202200190; Easton, Nathan M.
11. 202200192; Kroulik, Makenna C.
12. 202200198; Loschiavo, Charles
13. 202200200-MP; Smith, John
14. 202200206; Mojgani, Farzan
15. 202200215; Jolley, Tyson
16. 202200222; Peterson, Royce
17. 202200224; Morris, Mark
18. 202200230; Culler, Charles W.
19. 202200231; Teeters, Morghan
20. 202200236; Maleki, Farzam
21. 202200245; Khara, Satbir
22. 202200250; Owens, Paul
23. 202200251-MP; Richardson, Steven
24. 202200254; Mojgani, Farzan
25. 202200255; Mack, Jared
26. 202200256; Chang, Paul
27. 202200262; Stucki, Andrew R.
28. 202200277; Prescott Valley Dental Group
29. 202200291; Lawton, Renee
30. 202200295; Costes, Mark
31. 202200326; Lavene, Ryan

C. 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. 202100072; Nelson, Peter Stafani
2. 202200225; Kener, Chester Bitter
3. 202200232; Saiz, Fatima Peralta
4. 202200244; LaCorte, Michael

**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. Review of Investigation(s)

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

1. 202200168; Abaie, Kathleen Ashley

B. 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/offer* Non-Disciplinary Board Orders on the following case(s):

1. 202200212; Behbahani, Babak
2. 202200241-MP; Whiting, Michael

C. 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. 202200090-MP; Spillers, Jeffrey
2. 202200102; McClammy, Thomas
3. 202200165; Sibrava, Laura
4. 202200188; Stradling, Jarom
5. 202200193; Moghbeli, Pejman
6. 202200203; Hansen, Donovan
7. 202200221; Hirpara, Piyush
8. 202200238; Ashraf, Shaharyar
9. 202200242; Jafari, Reza

D. Response/Non-Response to Offered Interim Consent Agreement

Board to review, discuss and take possible action regarding any response/non-response and/or counteroffer to the offered interim consent agreement and/or vote the matter to a summary suspension of the licensee's license and/or anesthesia permit on the following case(s):

1. 202200278-AO; Sheth, Rajan

E. Malpractice, Adverse Occurrence Report and/or Self-Report Pursuant to A.R.S. § 32-3208 and/or A.A.C. R4-11-1305

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

1. 202200219-AO
2. 202300039-AO
3. 202300044-AO
4. 202300060-AO
5. 202300062-AO
6. 202300069-AO
7. 202300072-AO

F. 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. 202200083; Koussa, Lawrence

G. Motion for Rehearing/Review – A.A.C. R4-11-1701

Board to review, discuss and take possible action regarding the motion for rehearing or review on the following case(s):

1. 202100148; Jensen, Matthew

H. Settlement Offer

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 its attorneys in order

to consider its position and instruct its representatives regarding settlement discussions to resolve litigation. Board to review, discuss and take possible action on the signed proposed disciplinary consent agreement, which would resolve the following case and if the Board accepts the signed, proposed disciplinary consent agreement, then the Board would also vote to vacate the Notice of Hearing.

1. 20200023 & 202000256; Lam, Kenny

I. Review of Compliance/Non Compliance for Consent Agreement/Board Order

Review, discussion and possible action on 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. 202200330; Svoboda, Christina

**V. NOTICES OF PROPOSED RULEMAKING (“NPR”)**

Board to review, discuss and take possible action 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 4, 5, 9, 11 and 15, which include the amendments to the Board’s rules regarding Licensing Fees, Mobile Dental Facilities and Portable Dental Units Annual Registration Fees and Late Fees, general amendments and Advertising.

**VI. FIVE-YEAR RULE REVIEW**

Board to review, discuss and take possible action to *approve, modify or reject* the draft Five-Year Rule Review – Title 4, Chapter 4, Articles 13 and 17 – and if approved vote to submit it to the Governor’s Regulatory Review Council.

**VII. INVESTIGATIVE COMMITTEE**

Board to review, discuss and take possible action to approve and appoint the Committee’s selection(s) to the two vacant seats.

**VII. AMERICAN ACADEMY OF DENTAL SLEEP MEDICINE (“AADSM”)**

Board to meet with a representative from AADSM to discuss the standards of practice for oral appliance therapy to help treat sleep apnea and snoring.

**IX. AFFILIATED MONITORS, INC.**

Board to meet with Vincent L. DiCiani, Esq., President of Affiliated Monitors, Inc., to discuss updates on their independent monitoring services and remediation sanctions.

**X. 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.

**XI. 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. Board's 6-month Response to the Auditor General's Report
  - 2. CE Compliance Policy & Procedure – A.A.C. R4-11-1202
  - 3. Board Member, et. al. Policy & Procedure – A.A.C. R4-11-1209
  - 4. Adverse Occurrence Policy & Procedure – A.A.C. R4-11-1305
  - 5. DUI/DWI Disclosure on Initial Application – A.R.S. §§ 32-1232(C), 32-1263
  - 6. Guidelines for Adjudicating Complaints
  - 7. Dental Related Legislative Bills
- C. Complaint Log
- D. Joint Commission on National Dental Examinations – Possible Development of a National Board Dental Therapy Examination Survey

**XII. 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 March 3, 2023 board meeting.
- B. Discussion and approval of the Executive Session Minutes from the March 3, 2023 board meeting.

**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. May 12, 2023

**XVI. ADJOURNMENT**