



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, June 23, 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 +1 303-731-2235 followed by the meeting pin – 912 834 748# or virtually, by video conferencing through this link: meet.google.com/rxd-adsq-mep. 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 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 June 21, 2023:

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June 23, 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.

*The following **highlighted** agenda items have been carried over from the May 12, 2023 meeting. The Board was unable to consider these items due to a loss of quorum and may review the highlighted items before taking action on any new items.*

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. 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 May 12, 2023 Board meeting.
- B. Discussion and approval of the Executive Session Minutes from the May 12, 2023 Board meeting.

IV. 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

[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.

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. 202100037; Conrad, Stephen
2. 202100126; Gardner, Brent
3. 202100267; Robles, Jonathan
4. 202200051; Brase, Jon
5. 202200191; Adhikari, Prabidhi
6. 202200276; Griswold, Jason

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

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

1. 202200107; Johnson, Ella Ivanovna
2. 202200227; Thompson, Michael
3. 202200258; Pratt, Forrest
4. 202200281; Field, Taylor
5. 202200305; Liu, Sarah Tse-Wen
6. 202200316; Yoza, Ethan
7. 202200332; Valiyaparambil, Jayasanker
8. 202200336-MP; Petersen, Andrew
9. 202300003; Lee, Sin Hui
10. 202300018; Bryant, Joe

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. 202200228; Toal, Maureen (*Herro Conflicted*)
2. 202200324; Prince, Steven
3. 202200329-MP; Hansen, Michael
4. 202300005-AO; Foisy, Erik
5. 202300017; Samandari, Nafys

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. 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. Dunn, David S., DMD (*by Credential*)
2. Welch, Cay S., RDH (*by Credential*)

B. Review of Investigation(s)

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

1. 202100066-AO; Endicott, Thomas
2. 202200158; DiVito, Roberto (*Herro and El-Gendy Conflicted*)
3. 202200164; DiVito, Enrico (*Herro and El-Gendy Conflicted*)

C. 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. 202200286; Skyler, Montana Jay
2. 202200318; Larson, Clark
3. 202200328; Mallory, James
4. 202200333; Zargar, Andre Dariush
5. 202300001; Noble, Andrew
6. 202300020; Kim, Thomas

D. 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. 202200235; Cook, Sean
2. 202200249; Janisse, Robert
3. 202200252; Setoodeh, Abraham
4. 202200263; Miller, Abraham
5. 202200298; Woodruff, Kirk
6. 202200310; Janbou, Matthew
7. 202200341-MP; Tambor, David
8. 202300004; Hamdan, Maryam
9. 202300009; Choi, Han
10. 202300022, Magelsdorf, Jesse
11. 202300033; Thompson, Ronald

E. Review Draft Board Order(s)/Consent Agreement(s)

Board to review and consider draft Board Order(s)/Consent Agreement(s), and if not accepted, may vote to offer a revised Board Order/Consent Agreement on the following case(s):

1. 202200260; DeAvila, Rachel

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. 202000306; Hossieni, Rozbeh
2. 202100118; Koo, Bonjung “Jane”
3. 202100131; Brown Jr., Calvin
4. 202100133; Arora, Manu
5. 202100246-MP; Fazel, Abbas
6. 202200278-AO; Sheth, Rajan
7. 202200135; Sheckley, Sal

G. 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. 202300179-AO
2. 202300182-AO

3. 202300212-AO

H. Formal Interview(s)

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

**Formal interviews are scheduled for 45 minutes*

1. 202200102; McClammy, Thomas (*Herro and El-Gendy Conflicted*)

- a. Lead Board Member: Dr. Russell Morrow
- b. Summary of Investigation: Dr. Julie Cutler

2. 202200179; Boyse, Brent

- a. Lead Board Member: Dr. Anthony Herro
- b. Summary of Investigation: Dr. Julie Cutler

3. 202000239; Phillips, Matthew

- a. Lead Board Member: Dr. Leslie Seaman
- b. Summary of Investigation: Dr. Julie Cutler

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

Review, discussion and possible action on whether or not the requirements of the Consent Agreement(s)/Board Order(s) have been met, including the requirements related to the respondent's petition for early termination of his 1301 permit suspension, and if not, may vote to take further action on the following case(s):

1. 202300069-AO; Lamb, Derek

J. Failure to Respond/Timely Respond to Subpoena – A.R.S. § 32-1208

Board to review, discuss and take possible action pursuant to A.R.S. § 32-1208 regarding the following case(s):

1. 202300066; Christy, Han R.

VI. RECOMMENDATION TO REPEAL AGENCY SUBSTANTIVE POLICY STATEMENTS (“SPS”)

Board to review, discuss and take possible action to approve, reject or modify the Guideline Steering Committee's recommendation to direct staff to collaborate with the Arizona Secretary of State's Office to repeal all of the Board's SPS.

VII. 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.

VIII. 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. Dental Related Legislative Bills
- D. Complaint Log
- E. Attorney General's opinion regarding dental hygienists' authority to administer Botox or perform other procedures not specifically listed in A.R.S. § 32-1281(B).
- F. Dental Compact
- G. Board Database Vendor for Fiscal Year 2024 and Issues Related to the New Vendor
- H. 2024 Board Meeting Dates
 - 1. January 26, 2024
 - 2. March 8, 2024
 - 3. April 19, 2024
 - 4. May 24, 2024
 - 5. June 21, 2024
 - 6. August 2, 2024
 - 7. September 6, 2024
 - 8. October 25, 2024
 - 9. December 6, 2024

IX. 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.

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

XI. NEXT BOARD MEETING DATE

- A. August 18, 2023 (*virtual*)

XII. ADJOURNMENT