



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 18, 2023 at 8:00 a.m.** The meeting will be held in virtual and telephonic formats. Members of the public may also participate virtually or telephonically. Board members and members of the public may access the meeting telephonically by dialing +1 314-339-6014 followed by the meeting pin – 220 639 864# or virtually, by video conferencing through this link: meet.google.com/vuw-tppc-orp. 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 602-241-1492. 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 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 August 16, 2023:

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August 18, 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 June 23, 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 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 August 5, 2022 board meeting.
- B. Discussion and approval of the Open Session Minutes from the June 23, 2023 board meeting.
- C. Discussion and approval of the Executive Session Minutes from the June 23, 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

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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)

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

1. 201900145; Sandstrom, Paul
2. 202200088; Kirch, Justin
3. 202200208; Orange DMSO, LLC dba Wellness Dental
4. 202200247; Dentists of North Glendale

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

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

1. 202200011; Antczak, Christopher
2. 202200194; Chu, Catherine
3. 202200338; Stoterau, Brianna
4. 202200340; Zargar, Andre
5. 202200349; Yang, David (*Penna conflicted*)
6. 202300012; Peters, Rima
7. 202300029; Noble, Andrew
8. 202300034; Marinic, Daniel
9. 202300040; Meng, Tzuyu
10. 202300056; Kastala, Sri
11. 202300061; Patterson, Charles

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. 202200344; Goff, Sarah
2. 202300091; Xing, James
3. 202300095; Seiler IV, Truman

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. Alexander, DeAndrae W., DDS (*by Credentials*)
2. Cleary, Mark H., DDS (*by Credentials*)
3. Krebs, Randall S., DDS (*by Universal Recognition*)
4. Recore, Jennifer A., DMD (*by Credentials*)
5. Santos, Yadira, RDH (*by Examination*)

- B. Application for 1302 Anesthesia and Sedation Permit – A.A.C. R4-11-1302
Board to review, discuss, and take possible action regarding the following 1302 sedation application(s) and any relevant information, including to determine whether cause exists to open an investigation file for a potential violation of Board statute.
1. Mansoor, Hanna
- 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. 202300092; Bhalla, Annu
 2. 202300160; Bortz, Justin
- 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. 202200238; Ashraf, Shaharyar (*Morrow conflicted*)
 2. 202200271; Camelback Smiles Dentistry
 3. 202200284; Kim, Sean
 4. 202200314; Koo, Bonjung
 5. 202200335; Samuels, Jasmyne
 6. 202300021; Walia, Chandan
 7. 202300047; Snow, Jack
 8. 202300050; Bingham, Tyler
 9. 202300085; Virk, Navdeep
- E. Review Draft Board Order(s)/Consent Agreement(s)
Board to review, discuss, and take possible action on approving draft Board Order(s)/Consent Agreement(s) previously offered. The Board may vote to offer a revised Board Order/Consent Agreement, or may take any interim action as allowed by statute, for the following case(s):
1. 202000239; Phillips, Matthew
 2. 202200263; Miller, Abraham
- 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 (*Bienstock conflicted*)
 2. 202100133; Arora, Manu (*Morrow conflicted*)
 3. 202200278-AO; Sheth, Rajan
 4. 202300060-AO; Barrett, Christopher
- 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. 202300246-AO

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

Review, discussion and possible action regarding compliance with Consent Agreement(s)/Board Order(s), and/or consideration of licensee's request for extension, termination, or amendment of the terms of the Order, on the following case(s) listed below. The Board may also take further action related to the compliance review or licensee request.

1. 202000317-MP; Grampp, Carter
2. 202100246-MP; Fazel, Abbas (*Penna conflicted*)
3. 202300069-AO; Lamb, Derek (*Bienstock conflicted*)

I. 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. 202100034; DiVito, Enrico (*Herro and El-Gendy conflicted*)
 - a. Lead Board Member: Dr. Leslie Seaman
 - b. Summary of Investigation: Dr. John Dovgan
2. 202200168; Abaie, Kathleen Ashley
 - a. Lead Board Member: Dr. Russell Morrow
 - b. Summary of Investigation: Dr. John Dovgan
3. 202300136; Hariri, George
 - a. Lead Board Member: Dr. Russell Morrow
 - b. Summary of Investigation: Dr. John Dovgan

J. 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 proposed disciplinary consent agreement, in lieu of Formal Hearing in the following cases listed below. The vote may also include rescission of the vote to Formal Hearing.

1. 201900170, 201900213, 201900224, 201900232, 201900245, 201900268 & 202000014; Zoumbaris, Brooke

K. Consideration of Practice Limitation

Board to review, discuss, and take possible action to determine the appropriateness of an agreement for practice limitation regarding the following licensee(s):

1. BC

L. Board Case(s) Voted to Hearing

Board to review, discuss and take possible action to remand the following Formal Interview/Hearing matter(s) for the purposes of further initial investigation review, to be held at a later meeting:

1. 202000324; Nelson, Amanda

M. Informal Settlement Conference(s)

Board to review, discuss and take possible action on the following cases scheduled for Informal Settlement Conference. During the Informal Settlement Conference, the Board may go into executive session to discuss confidential records pursuant to A.R.S. § 38-431.03(A)(2) or to discuss or consult with its attorneys in order to consider its position and instruct its representatives regarding settlement discussions to resolve litigation pursuant to A.R.S. § 38-431.03(A)(4).

1. Pursuant to A.R.S. § 41-1092.06, Informal Settlement Conference in Case Nos. 201700175-MP & 202000129, as they relate to Case No. 23F-17175-20129-DEN; discussion, consideration and possible action on matters relating to the Informal Settlement Conference.

VI. ANESTHESIA & SEDATION NOTICE OF PROPOSED RULEMAKING (“NPR”)

Board to review, discuss and take possible action to accept, reject or modify the draft NPR and recommendations from the Anesthesia and Sedation Committee. The vote may also include directing a submission to the Governor’s Regulatory Review Council, including proposed changes to Title 4, Chapter 11, Articles 1, 3, 4, 12 and 13, related to the Board’s anesthesia and sedation rules.

VII. ARIZONA STATE BOARD OF NURSING (AzBN)

Board to review, discuss and take possible action on the Anesthesia and Sedation Committee’s recommendation for the Board to agree to support the AzBN establishment of a task force of anesthesia providers to review and make recommendations to the appropriate regulatory board regarding adverse occurrences.

VIII. ATTORNEY GENERAL'S OPINION – A.R.S. § 32-1281(B)

Board to review, discuss and take possible action on the 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).

IX. 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.

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. The Board may go into executive session to discuss or consult with the attorney(s) of the public body in order to consider its position and instruct its attorneys 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 for agenda item X.E., pursuant to A.R.S. § 38-431.03(A)(4).

- A. Budget Update
- B. Agency Operations

- C. Complaint Log
- D. BUDDIES Update
- E. Board Database Vendor for Fiscal Year 2024 and Issues Related to the New Vendor

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. October 13, 2023 (*in-person and virtual*)

XIV. ADJOURNMENT