



Arizona State Board of Dental Examiners

“Caring for the Public’s Dental
Health and Professional Standards”

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OPEN SESSION MINUTES

March 8, 2024

Board Meeting

On the aforementioned date, members of the Arizona State Board of Dental Examiners’ (“Board”) held a board meeting at the Board’s office, in Boardroom A, 1740 West Adams Street, Phoenix, Arizona 85007. The meeting was also held virtually and telephonically. The Board met in executive session during its consideration of agenda items V.B.1, V.C.2, V.E.5-14, V.G.1 and V.G.2 as stated herein.

BOARD MEMBERS

	<i>Anthony Herro, DDS</i>	President and Licensed Dentist Member
	Lisa B. Bienstock, DMD	Vice-President and Licensed Dentist Member
X	Morgan B. Burg	Business Entity Member
	<i>Edward H. Christensen, DDS</i>	Licensed Dentist Member
	Aditya Dynar	Public Member
X	Tamer El-Gendy, DMD	Licensed Dentist Member
	<i>Nick Goodman</i>	Public Member
	<i>Jaselyn K. Karmo, RDH</i>	Licensed Hygienist Member
X	Russell Jeffrey Morrow, DDS	Licensed Dentist Member
	<i>Vicki B. Penna, RDH</i>	Licensed Hygienist Member
	<i>Leslie D. Seaman, DDS</i>	Licensed Dentist Member



Joined/departed as denoted in the body of the minutes

X Absent

Board members in italics participated in-person

STAFF AND ASSISTANT ATTORNEY(S) GENERAL PRESENT

	<i>Ryan P. Edmonson</i>	Executive Director
	<i>Kristina C. Gomez</i>	Deputy Director
	<i>Seamus Monaghan, Esq.</i>	Assistant Attorney General
	<i>Julie Cutler, DMD</i>	Deputy Chief Investigator
	<i>Sherrie Biggs</i>	Assistant Deputy Director
	<i>April Romero</i>	Chief Compliance Officer
	<i>Yazmin Bustamante</i>	Executive Assistant

Staff members in italics participated in-person

GUESTS PARTICIPATING AND/OR PRESENT

Jeffery J. Tonner, Esq.

Anne McLellan, Esq.

Attorney for Respondents

Attorney for Respondents

Amber Dresslar, Esq.	Attorney for Respondents
W.W.	Complainant
<i>Jefferson Hayden, Esq.</i>	Attorney for Respondent
Jane Koo	Respondent
D.B.	Complainant
<i>Leah Schachar, Esq.</i>	Attorney for Respondents
<i>Travis Evans</i>	Respondent
<i>Sara Stark, Esq.</i>	Attorney for Respondents
<i>Constant Lu</i>	Respondent
Jay Rademacher, Esq.	Attorney for Respondent
Chad Lyons	Respondent
<i>Michele Thompson, Esq.</i>	Attorney for Respondents
<i>Daniel A. Rhodda</i>	Respondent
Luz Tobias	Respondent
W.W.	Complainant
Patrick Dostal	Respondent
Dawn Ray	Respondent
Eric Lott	Guest
Heather Ramsey Sosa	Respondent
<i>Leanne Hay, Esq.</i>	Attorney for Respondents
Manu Arora	Respondent

Guests in italics participated in-person

I. CALL TO ORDER AND ROLL CALL

Dr. Herro called the Board's meeting to order at 8:04 a.m. Roll call of the Board members was taken and a quorum was established.

II. DECLARATION OF CONFLICTS OF INTEREST – A.R.S. § 38-503

Dr. Bienstock declared conflicts of interest with agenda item nos. IV.B.14, V.C.1, V.F.2, V.F.4.

Dr. Christensen declared a conflict of interest with agenda item no. V.E.19.

III. REVIEW, DISCUSSION AND POSSIBLE ACTION ON BOARD MEETING MINUTES

A. Discussion and approval of the Open Session Minutes from the January 26, 2024 board meeting.

B. Discussion and approval of the Executive Session Minutes from the January 26, 2024 board meeting.

Audio Start Time: 0:1:44

Motion: Dr. Herro moved to approve the minutes from the January 26, 2024 board meeting.

Second: Dr. Christensen

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

IV. CONSENT AGENDA**A. Termination of Board Orders(s)/Consent Agreements(s)**

1. 201900170, 201900213, 201900224, 201900232, 201900245, 201900268 and 202000014; Zoumbaris, Brooke
2. 202100191; Smallwood, Trent
3. 202200080-MP; Torgerson, Spencer
4. 202200310; Janbou, Matthew (*Bienstock conflicted*)
5. 202300020; Kim, Thomas
6. 202300050; Bingham, Tyler
7. 202300501; Krieg, Morton

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

1. 202300096; Ambridge, Marina
2. 202300188; Lake, Jeffrey
3. 202300189; Lake, Jeffrey
4. 202300190; Lake, Jeffrey
5. 202300191; Lake, Jeffrey
6. 202300192; Lake, Jeffrey
7. 202300193; Lake, Jeffrey
8. 202300194; Lake, Jeffrey
9. 202300195; Lake, Jeffrey
10. 202300196; Lake, Jeffrey
11. 202300197; Lake, Jeffrey
12. 202300239; Pak, Minyong
13. 202300259; Lu, Constant
14. 202300294; Bortz, Justin
15. 202300319; Beyramian, Maryam
16. 202300408; Nguyen, Tiffany

C. Review of Investigation(s) – Case(s) Recommended for a Letter of Concern

1. 202300237; Gardner, Quinton
2. 202300344; Skyler, Montana
3. 202300361; Thulasidas, Shreedevi

Audio Start Time: 0:03:00

Motion: Dr. Herro moved to accept the consent agenda as is.

Second: Dr. Christensen

Vote: 7-aye, 0-nay, 0-abstain, 1-recuse, 3-absent. Motion passed.

Dr. Bienstock was recused and did not participate.

V. ITEMS FOR BOARD REVIEW, DISCUSSION AND POSSIBLE ACTION**E. Review of Investigation(s) – Case(s) Recommended for an Offer of a Disciplinary Consent Agreement**

1. 202200185; Park, Simon

Audio Start Time: 0:04:10

Motion: Dr. Herro moved to adopt violations of A.R.S. § 32-1201.01(23) and 32-1264(D) as it relates to 32-1263(A)(4) and impose a \$500 civil penalty for failure to comply with a board subpoena and a \$2,000 administrative penalty.

Second: Dr. Christensen

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

2. 202300076; Epperson, Christopher

Audio Start Time: 0:10:15

The Board tabled the matter to a future meeting, at the request of the respondent.

3. 202300081; Sewright, Douglas

Audio Start Time: 0:11:45

The Board directed staff to open a case against Dr. Jafari, as identified in the consultant report and tabled this case to a future meeting.

4. 202300142; Tobias, Luz D.

Audio Start Time: 0:22:10

The case was tabled to a later time during the meeting due to technical issues.

Audio Start Time: 1:07:00

Motion: Dr. Herro moved to dismiss the case.

Second: Mr. Goodman

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

5. 202300198; Perfect Teeth Olive, 6. 202300199; Perfect Teeth Olive, 7. 202300200; Perfect Teeth Olive, 8. 202300201; Perfect Teeth Frank Lloyd Wright PC, 9. 202300202; Perfect Teeth Frank Lloyd Wright PC, 10. 202300203; Perfect Teeth ABC PC, 11. 202300204; Perfect Teeth Frank Lloyd Wright PC, 12. 202300205; Perfect Teeth Olive, 13. 202300206; Perfect Teeth Frank Lloyd Wright PC and 14. 202300207; Perfect Teeth Olive

Audio Start Time: 0:30:10

Motion: Dr. Herro moved for the Board to enter into executive session to obtain legal advice pursuant to A.R.S. § 38-431.03(A)(3).

Second: Mr. Goodman

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

The Board entered into executive session at 8:41 a.m.

The Board returned to open session at 9:03 a.m.

No legal action was taken by the Board during executive session.

The Board tabled the matter to a later time in the meeting.

Audio Start Time: 1:12:10

Motion: Dr. Herro moved to table the case and continue the investigation.

Second: Mr. Goodman

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

15. 202300210; Henderson, Harold

Audio Start Time: 1:18:35

Motion: Dr. Herro moved to adopt statutory violations of A.R.S. § 32-1201.01(14) and (17) based on the consultant report.

Second: Mr. Goodman

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

Motion: Dr. Herro moved to offer a disciplinary consent agreement, requiring the completion of 6 hours of CE in diagnosis and treatment planning in implant related dentures, 6 hours in implant surgery and 4 hours in risk management. In addition, to order \$9,950 in restitution for the patient.

Second: Ms. Penna

The Board further discussed the matter and amended the motion.

Amended Motion: Dr. Herro moved to offer a disciplinary consent agreement, requiring the completion of 6 hours of CE in diagnosis and treatment planning in implant related dentures and 4 hours in risk management. In addition, to order \$9,950 in restitution for the patient.

Second: Ms. Penna

Vote: 5-aye, 3-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

Dr. Christensen, Mr. Dynar and Dr. Seaman voted against the motion.

16. 202300216; Koo, Bonjung Jane

Audio Start Time: 1:40:50

Motion: Dr. Herro moved to issue a letter of concern for recordkeeping.

Second: Dr. Christensen

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

17. 202300217; Shaw, Natalie

Audio Start Time: 2:05:30

Motion: Dr. Herro moved to adopt violation of A.R.S. § 32-1201.01(14) and (24) based on the consultant report.

Second: Dr. Bienstock

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

Motion: Ms. Karmo moved to issue a non-disciplinary order, requiring the completion of 4 hours of CE in risk management and 3 hours in diagnosis and treatment planning. The CE hours shall be in addition to the hours required for license renewal and shall be completed within three months.

Second: Dr. Herro

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

18. 202300228; Zandieh, Hassan

Audio Start Time: 2:11:15

Motion: Dr. Herro moved to adopt violation of A.R.S. § 32-1201.01(24).

Second: Mr. Goodman

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

Motion: Dr. Herro moved to issue a non-disciplinary order, requiring the completion of 4 hours of CE in risk management; based on the discussion held during the meeting and the consultant's report. The CE hours shall be in addition to the hours required for license renewal and shall be completed within three months.

Second: Mr. Goodman

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

22. 202300263; Dostal, Patrick M.

Audio Start Time: 2:20:10

Motion: Ms. Penna moved to dismiss the case.

Second: Dr. Christensen

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

The Board took a break from 10:33 a.m. to 10:50 a.m.

Roll call of the Board members was taken and a quorum was established.

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

2. 202300181-C

Audio Start Time: 2:47:10

Motion: Dr. Herro moved for the Board to enter into executive session to obtain legal advice and invite Dr. Lott to discuss confidential information pursuant to A.R.S. § 38-431.03(A)(2) and (3).

Second: Mr Goodman

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

The Board entered into executive session at 10:51 a.m.

The Board returned to open session at 11:27a.m.

No legal action was taken by the Board during executive session.

Motion: Dr. Herro directed staff to amend the agreement as discussed in executive session.

Second: Mr. Goodman

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

1. 202100062-C

Audio Start Time: 3:24:35

Motion: Dr. Herro moved for the Board to enter into executive session to obtain legal advice and invite licensee to discuss confidential information pursuant to A.R.S. § 38-431.03(A)(2) and (3).

Second: Mr Goodman

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

The Board entered into executive session at 11:30 a.m.

The Board returned to open session at 11:36 a.m.

No legal action was taken by the Board during executive session.

Motion: Dr. Herro moved to terminate the order as discussed in executive session.

Second: Mr. Goodman

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

E. Review of Investigation(s) – Case(s) Recommended for an Offer of a Disciplinary Consent Agreement

19. 202300235; Evans, Travis

Audio Start Time: 3:33:10

Motion: Dr. Herro moved to issue a letter of concern for clinical decision making in implant therapy.

Second: Dr. Seaman

Vote: 7-aye, 0-nay, 0-abstain, 1-recuse, 3-absent. Motion passed.

Dr. Christensen was recused and did not participate in the matter.

20. 202300258 and 21. 202300260; Lu, Constant

Audio Start Time: 3:43:30

Motion: Dr. Herro moved to adopt violation of A.R.S. § 32-1201.01(14) and (24) for case 202300258.

Second: Mr. Goodman

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

Motion: Dr. Herro moved to adopt violation of A.R.S. § 32-1201.01(14) and (24) for case 202300260.

Second: Mr. Goodman

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

Motion: Dr. Herro moved to combine both cases for purposes of offering a disciplinary consent agreement, requiring the completion of 4 hours of CE in risk management, 4 hours in diagnosis and treatment planning, 4 hours in periodontal therapy and 6 hours in crown and bridge; based on the previously adopted statutory violations, the discussion held during the meeting and the consultant report. The CE hours shall be in addition to the hours required for license renewal and shall be completed within six months. The respondent has 30 days to sign the agreement.

Second: Mr. Goodman

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

23. 202300293-AO; Lyons, Chad

Audio Start Time: 4:03:05

Motion: Dr. Herro moved to adopt violation of A.R.S. § 32-1201.01(14) and (24).

Second: Ms. Penna

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

Motion: Dr. Herro moved to offer a disciplinary consent agreement, requiring the completion of 4 hours of CE in risk management. In addition, to impose a \$2,000 administrative penalty for failure to report the adverse occurrence and an additional \$2,000 civil penalty for the administration of sedation without a permit in violation of A.R.S. § 32-1263(A)(4). The CE hours shall be in addition to the hours required for license renewal and shall be completed within two months. The respondent has two months to pay the penalties and 30 days to sign the agreement.

Second: Ms. Penna

Vote: 4-aye, 3-nay, 1-abstain, 0-recuse, 3-absent. Motion passed.

Mr. Dynar-voted against the motion because he is against the civil penalties imposed in the motion.

Dr. Christensen and Ms. Karmo voted against the motion.

Mr. Goodman abstained.

24. 202300301-AO; Rodda, Daniel A.

Audio Start Time: 4:15:50

Motion: Dr. Herro moved to adopt violation of A.R.S. § 32-1201.01(14) and (24).

Second: Dr. Christensen

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

Motion: Dr. Herro moved to offer a disciplinary consent agreement, requiring the completion of 4 hours of CE in risk management. The CE hours shall be in addition to the hours required for license renewal and shall be completed within 3 months. The agreement is based on the previously adopted statutory violations, the discussion held during the meeting and the consultant report. The respondent has 30 days to sign the agreement.

Second: Dr. Christensen

After further discussion, Dr. Herro amended the motion.

Amended Motion: Dr. Herro moved to issue a non-disciplinary order, requiring the completion of 4 hours of CE in risk management. The CE hours shall be in addition to the hours required for license renewal and shall be completed within 3 months. The order is based on the previously adopted statutory violations, the discussion held during the meeting and the consultant report. The respondent has 30 days to sign the agreement.

Second: Dr. Christensen

Vote: 5-aye, 3-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

Dr. Bienstock, Mr. Goodman and Dr. Seaman voted against the motion.

25. 202300302; Riabkov, Alexander

Audio Start Time: 4:37:00

Motion: Dr. Herro moved to adopt violation of A.R.S. § 32-1201.01(14) and 32-1263(A)(4) as it relates to 32-1213(E), 32-1294(A), (B) and (G).

Second: Dr. Christensen

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

Motion: Dr. Herro moved to offer a disciplinary consent agreement, requiring the completion of 3 hours of CE in ethics. In addition, to impose a \$2,000 civil penalty, to be paid within 60 days. The CE hours shall be in addition to the hours required for license renewal and shall be completed within 60 days. The respondent has 30 days to sign the agreement.

Second: Dr. Bienstock

Vote: 7-aye, 1-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

Mr. Dynar voted against the motion because of the civil penalty and stated he would instead issue a cease and desist.

A. Application(s) for Licensing of Dentist(s) or Hygienist(s) – A.R.S. §§ 32-1231 et seq. and 32-1281 et. seq. respectively

1. Hanna, George E., DDS (*by Credentials*)

Audio Start Time: 4:44:20

Motion: Dr. Herro moved to grant licensure.

Second: Dr. Christensen

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

B. Review of Renewal Application(s)

1. Morones, Sarah, RDH

Audio Start Time: 4:45:15

Motion: Dr. Herro moved for the Board to enter into executive session to obtain legal advice and invite the licensee to discuss confidential information pursuant to A.R.S. § 38-431.03(A)(2) and (3).

Second: Dr. Christensen

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

The Board entered into executive session at 12:50 p.m.

The Board returned to open session at 1:18 p.m.

No legal action was taken by the Board during executive session.

Motion: Dr. Herro moved to table the renewal and direct staff to order an interim order for a fitness to practice evaluation; to be completed within 3 months.

Second: Dr. Bienstock

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

2. Hilton, Benjamin R., DDS

Audio Start Time: 5:15:10

Motion: Dr. Herro moved to approve the renewal application.

Second: Ms. Penna

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

C. Review of Investigation(s)

1. 202200040; Baeza, Jacqueline

Audio Start Time: 5:17:10

Motion: Dr. Herro moved to rescind the previous motion for a cease and desist and refer the matter to the Attorney General's Office for criminal prosecution.

Second: Mr. Goodman

Vote: 7-aye, 0-nay, 0-abstain, 1-recuse, 3-absent. Motion passed.

Dr. Bienstock was recused and did not participate in the matter.

2. 202200263; Miller, Abraham

Audio Start Time: 5:18:00

Motion: Dr. Herro moved for the Board to enter into executive session to obtain legal advice and invite the respondent and his attorney to discuss confidential information pursuant to A.R.S. § 38-431.03(A)(2) and (3).

Second: Mr. Goodman

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

The Board entered into executive session at 1:23 p.m.

The Board returned to open session at 1:30 p.m.

No legal action was taken by the Board during executive session.

Motion: Dr. Herro moved to offer a disciplinary consent agreement with the previously established terms and include the new terms recommended in the evaluation for a 2-year time period.

Second: Mr. Goodman

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

D. Review of Investigation(s) – Case(s) Recommended for Issuance of a Non-Disciplinary Order for Civil Penalty for Failure to Comply with a Board Subpoena – A.R.S. § 32-1208

1. 202300291; Keys, Luis

Audio Start Time: 5:29:40

Motion: Dr. Herro moved to adopt violation of A.R.S. § 32-1201.01(23).

Second: Mr. Goodman

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

Motion: Dr. Herro moved to issue a letter of concern for failure to respond to a board subpoena in a timely manner.

Second: Dr. Christensen

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

H. Formal Interview(s)

1. 202100133; Arora, Manu

Audio Start Time: 5:34:20

Motion: Dr. Herro moved to issue a non-disciplinary order, requiring the completion of 4 hours of CE in risk management and 4 hours in diagnosis and treatment planning; based on the findings of facts listed in the previously offered disciplinary consent agreement and findings in the consultant report along with

the discussion held today. The CE hours shall be in addition to the hours required for license renewal and shall be completed within 3 months.

Second: Dr. Christensen

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

Motion: Dr. Herro moved to rescind the previous motion.

Second: Ms. Penna

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

Motion: Dr. Herro moved to issue a letter of concern for risk management.

Second: Ms. Karmo

Vote: 7-aye, 0-nay, 1-abstain, 0-recuse, 3-absent. Motion passed.

Mr. Goodman abstained.

2. 202200252; Setoodeh, Abraham

Audio Start Time: 6:10:35

Motion: Dr. Christensen moved to adopt the findings of facts as listed in the consultant report and the discussion held.

Second: Dr. Herro

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

Motion: Dr. Christensen moved to adopt as conclusions of law violation of A.R.S. § 32-1201.01(14) and (24).

Second: Dr. Herro

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

Motion: Dr. Herro moved to issue a disciplinary order, requiring the completion of 3 hours of CE in diagnosis and treatment planning in endodontics, 4 hours in risk management, 3 hours in treatment and restoration of complete and partial dentures and 3 hours in patient selection and medical management. Based on the previously adopted statutory violations and discussion held today. The CE hours shall be in addition to the hours required for license renewal and shall be completed within 6 months.

Second: Dr. Christensen

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

3. 202300066, 202300073 & 202300416; Christy, Han

Audio Start Time: 6:16:20

Motion: Dr. Bienstock moved to adopt the findings of facts as discussed in previous meetings and as listed in the consultant report.

Second: Dr. Herro

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

Motion: Dr. Bienstock moved to adopt as conclusions of law violation of A.R.S. § 32-1201.01(14), (22), (23) and (24).

Second: Dr. Herro

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

Motion: Dr. Bienstock moved to offer a consent for license surrender and if not signed within 10 days to move to OAH for revocation due to the licensee being non-compliant and unregulatable.

Second: Dr. Herro

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

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

1. 202400028-AO

Audio Start Time: 6:23:00

Motion: Dr. Herro moved to take no action.

Second: Dr. Christensen

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

2. 202400037-AO

Audio Start Time: 6:24:00

Motion: Dr. Herro moved to assign the case to a consultant for investigation.

Second: Mr. Penna

Vote: 7-aye, 0-nay, 0-abstain, 1-recuse, 3-absent. Motion passed.

Dr. Bienstock was recused and did not participate in the matter.

3. 202400053-AO

Audio Start Time: 6:25:10

Motion: Dr. Bienstock moved to assign the case to a consultant for investigation.

Second: Dr. Herro

Vote: 7-aye, 1-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

Dr. Christensen voted against the motion.

4. 202400054-AO

Audio Start Time: 6:27:40

Motion: Ms. Penna moved to take no action.

Second: Dr. Herro

Vote: 7-aye, 0-nay, 0-abstain, 1-recuse, 3-absent. Motion passed.

Dr. Bienstock was recused and did not participate in the matter.

5. 202400063-AO

Audio Start Time: 6:23:35

Motion: Dr. Herro moved to take no action.

Second: Dr. Christensen

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

VI. CALL TO THE PUBLIC

No one addressed the Board.

VII. ANESTHESIA AND SEDATION EVALUATIONS COMMITTEE

Audio Start Time: 6:30:30

Motion: Dr. Herro moved to invite the 13 candidates to be a part of the anesthesia and sedation evaluation committee with the purpose of making recommendations to the Board regarding the evaluation process when permitting dentists for the administration of anesthesia and sedation. Their first meeting is to be scheduled after the current A&S rules have been implemented.

Second: Dr. Christensen

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

VIII. CONTINUING EDUCATION NOTICE OF PROPOSED RULEMAKING FOR BOTOX/DERMAL FILLERS

Audio Start Time: 6:32:35

Motion: Dr. Herro moved to instruct staff to open a rulemaking package to develop rules for continuing education requirements for the administration of BOTOX/ Dermal Fillers.

Second: Ms. Penna

Vote: 8-aye, 0-nay, 0-abstain, 0-recuse, 3-absent. Motion passed.

IX. DENTAL COMPACT

Audio Start Time: 6:35:40

Dr. Christensen departed the meeting at 2:41 p.m.

The Board directed staff to invite a representative of the two respective proponents of proposed dental compacts to attend a future board meeting to gain more information about each dental compact.

X. AMERICAN ASSOCIATION OF DENTAL ADMINISTRATORS (AADA) AND AMERICAN ASSOCIATION OF DENTAL BOARDS (AADB)

Audio Start Time: 6:43:10

Motion: Dr. Herro moved to approve that staff attend the 2024 AADA/AADB Mid-Year Meeting held from Friday, April 12, 2024 – Sunday, April 14, 2024.

Second: Ms. Penna

Vote: 7-aye, 0-nay, 0-abstain, 0-recuse, 4-absent. Motion passed.

XI. ASSISTANT ATTORNEY GENERAL (“AAG”) REPORT

The AAG provided an update regarding cases 202100066-AO, 202100278 and 202200205.

XII. EXECUTIVE DIRECTOR’S REPORT

Audio Start Time: 6:44:30

A. Budget Update

The Board did not have questions regarding the budget.

B. Agency Operations

Mr. Edmonson informed the Board that a compliance officer vacancy is in the process of being filled.

C. Complaint Log

The Board did not have questions regarding the complaint log.

D. Legislative Update

a. Dental Specific Bills

i. HB2312;

Motion: Ms.Penna moved for the Board to support HB2312.

Second: Mr. Goodman

Vote: 2-aye, 5-nay, 0-abstain, 0-recuse, 4-absent. Motion failed.

Dr. Herro, Dr. Bienstock, Mr. Dynar, Mr. Goodman and Dr. Seaman voted against the motion.

Motion: Dr. Herro moved for the Board to oppose HB2312.

Second: Mr. Goodman

Vote: 1-aye, 6-nay, 0-abstain, 0-recuse, 4-absent. Motion failed.

Dr. Bienstock, Mr. Dynar, Mr. Goodman, Ms. Karmo, Ms. Penna and Dr. Seaman voted against the motion.

The Board did not take a position on HB2312.

ii. HB2686
The Board did not take a position on HB2686.

iii. SB1159

Motion: Dr. Herro moved for the Board to support SB1159 with stipulation that staff can continue to work with the lobbyist.

Second: Ms. Penna

Vote: 6-aye, 1-nay, 0-abstain, 0-recuse, 4-absent. Motion passed.

Mr. Goodman voted against the motion.

b. Other Impactful Bills

XIII. SUMMARY OF CURRENT EVENTS

Mr. Edmonson informed the Board that a CPA was hired to help with finances due to the proposed budget sweep.

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

None.

XV. NEXT BOARD MEETING DATE

A. April 19, 2024

XVI. ADJOURNMENT

Dr. Herro adjourned the meeting at 3:20 p.m.