



Arizona State Board of Dental Examiners

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

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OPEN SESSION MINUTES

August 2, 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 VI.A.1, VI.D.4, VI.D.6 and VI.F.1. as stated herein.

BOARD MEMBERS

	<i>Anthony Herro, DDS</i>	President and Licensed Dentist Member
	<i>Lisa B. Bienstock, DMD</i>	Vice-President and Licensed Dentist Member
	<i>Mary T. Rossi</i>	Business Entity Member
	<i>Edward H. Christensen, DDS</i>	Licensed Dentist Member
🕒	Aditya Dynar	Public Member
	Tamer El-Gendy, DMD	Licensed Dentist Member
	<i>Nick Goodman</i>	Public Member
	Jaselyn K. Karmo, RDH	Licensed Hygienist Member
	<i>Russell Jeffrey Morrow, DDS</i>	Licensed Dentist Member
	Vicki B. Penna, RDH	Licensed Hygienist Member
X	Leslie D. Seaman, DDS	Licensed Dentist Member
🕒	Joined/departed as denoted in the body of the minutes	
X	Absent	
	<i>Board members in italics participated in-person</i>	

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
	John W. Dovgan, DDS	Chief Investigator
	<i>Sherrie Biggs</i>	Assistant Deputy Director
	<i>April Romero</i>	Chief Compliance Officer
	<i>Jessica Solis</i>	Compliance Officer
	<i>Yazmin Bustamante</i>	Executive Assistant

Staff members in italics participated in-person

GUESTS PARTICIPATING AND/OR PRESENT

	Jeffery J. Tonner, Esq.	Attorney for Respondents
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Michele Thompson, Esq.	Attorney for Respondents
Leah Schachar, Esq.	Attorney for Respondents
Callie Maxwell, Esq.	Attorney for Respondents
Leanne Hay, Esq.	Attorney for Respondents
Anne McClellan, Esq.	Attorney for Respondents
Amber Dresslar, Esq.	Attorney for Respondents
Sarah Morones	Applicant
Christopher Marsh	Respondent
Marvin Jackson	Respondent
Jinna Im	Respondent
Lori Metcalf, Esq.	Attorney for Respondent
Phillip Shin	Respondent
John Patterson	Respondent
Sabah Kalamchi	Guest
Justin Van Dusen	Respondent
Eric Kerbs	Respondent
Sarah Espino	Respondent
Shreedevi Thulsaides	Respondent
Matthew Stratman	Respondent
Javier Tapia	Respondent
Robert Zenner	Respondent
K.F.	Complainant
K.C.	Complainant

I. CALL TO ORDER AND ROLL CALL

Dr. Herro called the Board’s meeting to order at 8:03 a.m. Roll call of the Board members was taken and a quorum was established.

II. WELCOME AND INTRODUCTION OF MARY T. ROSSI, AS THE NEW BUSINESS ENTITY BOARD MEMBER

The Board welcomed Ms. Rossi as the new business entity member.

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

Dr. Herro declared conflicts of interest with agenda item nos. V.B.8, VI.C.5 and VI.C.8.

Dr. Bienstock declared conflicts of interest with agenda item nos. V.B.3, V.B.4, V.B.5, V.B.6, V.B.8, V.B.9, V.B.10, V.B.13, V.B.17, V.B.21, V.H.1, V.H.2, V.H.3, V.H.4, V.B.18 and V.C.1.

Ms. Rossi declared conflicts of interest with agenda item nos. V.B.14, V.B.17, V.B.21 and VI.C.6.

Dr. El-Gendy declared conflicts of interest with agenda item nos. V.B.8, V.B.17, V.B.18, V.B.21 and VI.C.8.

Dr. Morrow declared conflicts of interest with agenda item nos. V.B.12, V.B.18, V.B.23, V.B.30 and VI.C.7.

Ms. Karmo declared a conflict of interest with agenda item no. V.B.9.

Mr. Goodman declared a conflict of interest with agenda item no. VI.C.11.

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

- A. Discussion and approval of the Open Session Minutes from the June 28, 2024 board meeting.
- B. Discussion and approval of the Executive Session Minutes from the June 28, 2024 board meeting.

Audio Start Time: 0:05:50

Motion: Dr. Morrow moved to approve the open session and executive session minutes from the June 28, 2024 board meeting.

Second: Dr. Bienstock

Vote: 8-aye, 0-nay, 1-abstain, 0-recuse, 2-absent. Motion passed.

Dr. Herro abstained.

V. CONSENT AGENDA

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

- 1. 202300084; Jenkins, Devin
- 2. 202300278; Roe, Phillip
- 3. 202300322; Duckworth, Damon
- 4. 202300350; Lilien, Brian
- ~~5. 202300398; Mohan, Sugandha~~
- 6. 202300403; Colson, Cynthia
- 7. 202300410; McClement, Matthew
- ~~8. 202300417; Santoro, Joseph~~
- 9. 202300442-MP; Raber, Bobby
- 10. 202300445-AO; Snow, Jack

Audio Start Time: 0:09:00

The Board pulled cases V.B.5 and V.B.8 from the consent agenda.

Motion: Dr. Morrow moved to dismiss cases V.B.1, V.B.2, V.B.3, V.B.4, V.B.6, V.B.7, V.B.9 and V.B.10.

Second: Ms. Penna

Vote: 7-aye, 0-nay, 0-abstain, 2-recuse, 2-absent. Motion passed.

Dr. Bienstock and Ms. Karmo were recused.

- 8. 202300417; Santoro, Joseph.

Audio Start Time: 0:09:30

Motion: Dr. Morrow moved to dismiss the case.

Second: Mr. Goodman

Vote: 6-aye, 0-nay, 0-abstain, 3-recuse, 2-absent. Motion passed.

Drs. Herro, Bienstock and El-Gendy were recused.

11. 202300457; Layman, Stacey
12. 202300461; Evert, Emily
- ~~13. 202300462; Imtiaz, Umar~~
14. 202300468; Curry, Joseph
15. 202300483; Lyn, Sheena
16. 202300491; Fogle, Lizabeth
17. 202300497; Jarvis, Aaron
18. 202300502; Hegle, Trond
19. 202400002; Western Dental F 86
20. 202400010; Urling, Isaac

The Board pulled case V.B.13 from the consent agenda.

Audio Start Time: 0:10:45

Motion: Dr. Morrow moved to dismiss cases V.B.11, V.B.14, V.B.15, V.B.16, V.B.17, V.B.19 and V.B.20.

Second: Dr. Herro

Vote: 6-aye, 0-nay, 0-abstain, 3-recuse, 2-absent. Motion passed.

Drs. Bienstock, El-Gendy and Ms. Rossi were recused.

Audio Start Time: 0:11:25

Motion: Dr. Herro moved to dismiss cases V.B.12 and V.B.18.

Second: Dr. Christensen

Vote: 7-aye, 0-nay, 0-abstain, 2-recuse, 2-absent. Motion passed.

Drs Bienstock and Morrow were recused.

21. 202400013; Jarvis, Aaron

Audio Start Time: 0:12:40

Motion: Dr. Herro moved to dismiss case V.B.21.

Second: Dr. Christensen

Vote: 6-aye, 0-nay, 0-abstain, 3-recuse, 2-absent. Motion passed.

Dr. Bienstock, Dr. El-Gendy and Ms. Rossi were recused.

- ~~22. 202400015; Gonzalez, Catalina~~
23. 202400019; Dong, Denis
24. 202400021; Martineau, Brent
25. 202400024; Vander Schaaf, Beth
26. 202400029; Gentle Dental East Bell
27. 202400045; Schmahl, Elizabeth
28. 202400048; Dabestani, Shahin
29. 202400060; Hobson, David
30. 202400074; Brouillette, Mark
- ~~31. 202400082; Zuniga, Jacob~~

32. 202400087; Ahir, Khusbu
33. 202400093; Herbert, David Phillip
34. 202400100; Gummadi, Asha
35. 202400113; Dockstader, Nathaniel
36. 202400126; Carpenter, Hamish
37. 202400127; Ho, David
38. 202400130; Campbell, Margaret

The Board pulled cases V.B.22 and V.B.31 from the consent agenda for further discussion.

Audio Start Time: 0:13:15

Motion: Dr. Herro moved to dismiss cases V.B.23-30 and V.B.32-38.

Second: Dr. Bienstock

Vote: 8-aye, 0-nay, 0-abstain, 1-recuse, 2-absent. Motion passed.

Dr. Morrow was recused.

5. 202300398; Mohan, Sugandha

Audio Start Time: 0:13:40

Motion: Dr. Morrow moved to issue a letter of concern for lack of FMX every five to seven years and no written treatment plan.

Second: Dr. Morrow

Vote: 8-aye, 0-nay, 0-abstain, 1-recuse, 2-absent. Motion passed.

Dr. Bienstock was recused.

13. 202300462; Imtiaz, Umar

Audio Start Time: 0:14:55

Motion: Dr. Herro moved to dismiss the case.

Second: Dr. Morrow

Vote: 8-aye, 0-nay, 0-abstain, 1-recuse, 2-absent. Motion passed.

Dr. Bienstock was recused.

22. 202400015; Gonzalez, Catalina

Audio Start Time: 0:15:40

Motion: Dr. Herro moved to issue a letter of concern for no perio charting, no restorations and incomplete FMX.

Second: Dr. Morrow

Vote: 9-aye, 0-nay, 0-abstain, 0-recuse, 2-absent. Motion passed.

31. 202400082; Zuniga, Jacob

Audio Start Time: 0:16:45

Motion: Dr. Herro moved to adopt violation of A.R.S. § 32-1264.

Second: Dr. Morrow

Vote: 9-aye, 0-nay, 0-abstain, 0-recuse, 2-absent. Motion passed.

Motion: Dr. Morrow moved to offer a non-disciplinary consent agreement, requiring the completion of 4 hours of CE in risk management; based on the previously established violation, the discussion. The CE hours shall be in addition to the hours required for license renewal and shall be completed within three months. The agreement is to be signed within 30 days.

Second: Dr. Herro

Vote: 8-aye, 1-nay, 0-abstain, 0-recuse, 2-absent. Motion passed.

Ms. Karmo voted against the motion.

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

1. 202300184; Mohan, Sugandha,
2. 202400056; Gerken, Leonard and
3. 202400073; Waring, Mark

Audio Start Time: 0:19:35

Motion: Dr. Herro moved to accept the Investigative Committee's recommendations to issue letters of concern for agenda item nos.V.C.1, V.C.2 and V.C.3.

Second: Dr. Morrow

Vote: 8-aye, 0-nay, 0-abstain, 1-recuse, 2-absent. Motion passed.

Dr. Bienstock was recused.

A. Termination of Board Orders(s)/Consent Agreements(s)

1. 202400051; Hawke, Robert

Audio Start Time: 0:20:01

Motion: Dr. Herro moved to accept the termination.

Second: Mr. Goodman

Vote: 9-aye, 0-nay, 0-abstain, 0-recuse, 2-absent. Motion passed.

VI. ITEMS FOR BOARD REVIEW, DISCUSSION AND POSSIBLE ACTION

A. Review of Renewal Application(s)

1. Morones, Sarah, RDH

Audio Start Time: 0:20:25

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) for cases VI.A.1, VI.D.4, VI.D.6 and VI.F.1.

Second: Dr. Morrow

Vote: 9-aye, 0-nay, 0-abstain, 0-recuse, 2-absent. Motion passed.

The Board entered into executive session at 8:25 a.m.

The Board returned to open session at 8:49 a.m.

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

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

Second: Dr. Morrow

Vote: 9-aye, 0-nay, 0-abstain, 0-recuse, 2-absent. Motion passed.

The Board entered into executive session at 8:52 a.m.

The Board returned to open session at 9:18 a.m.

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

Motion: Dr. Morrow moved to offer a consent agreement consistent with the recommendations. The licensee has 30 days to sign the agreement.

Second: Dr. Herro

Vote: 9-aye, 0-nay, 0-abstain, 0-recuse, 2-absent. Motion passed.

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

1. 202400299; Thompson, Kenneth

Audio Start Time: 1:16:25

Motion: Dr. Herro moved to issue a non-disciplinary order for failure to timely respond to a subpoena and impose a \$500 fine. The order is to be signed within 30 days.

Second: Dr. Morrow

Vote: 9-aye, 0-nay, 0-abstain, 0-recuse, 2-absent. Motion passed.

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)

12. 202300480; Marsh, Christopher

Audio Start Time: 1:21:00

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

Second: Dr. Bienstock

Vote: 6-aye, 3-nay, 0-abstain, 0-recuse, 2-absent. Motion passed.

Dr. Morrow, Ms. Penna and Ms. Rossie voted against the motion.

1. 202300016; Jackson, Marvin

Audio Start Time: 1:32:25

Motion: Dr. Morrow moved to dismiss the case.

Second: Dr. Herro

Vote: 9-aye, 0-nay, 0-abstain, 0-recuse, 2-absent. Motion passed.

2. 202300251; Fulcher, William

Audio Start Time: 1:36:30

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

Second: Dr. Bienstock

Vote: 7-aye, 1-nay, 0-abstain, 1-recuse, 2-absent. Motion passed.

Dr. Christensen was recused.

Mr. Goodman voted against the motion.

3. 202300298-AO; Mayelzadeh, Behzad

Audio Start Time: 1:41:10

Motion: Dr. Herro moved to dismiss the case.

Second: Mr. Goodman

Vote: 8-aye, 1-nay, 0-abstain, 0-recuse, 2-absent. Motion passed.

Dr. Morrow voted against the motion.

4. 202300327; Margolis, Martin

Audio Start Time: 1:48:30

Motion: Dr. Herro moved to issue a letter of concern for failure to issue post-operative instructions.

Second: Dr. Bienstock

Vote: 9-aye, 0-nay, 0-abstain, 0-recuse, 2-absent. Motion passed.

5. 202300384; Bady1, Manpreet

Audio Start Time: 1:52:40

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

Second: Dr. Bienstock

Vote: 8-aye, 0-nay, 0-abstain, 1-recuse, 2-absent. Motion passed.
Dr. Herro was recused.

6. 202300409; Im, Jinna

Audio Start Time: 1:56:10

Motion: Dr. Morrow moved to dismiss the case.

Second: Dr. Herro

Vote: 9-aye, 0-nay, 0-abstain, 0-recuse, 2-absent. Motion passed.

7. 202300418; Shin, T. Phillip

Audio Start Time: 2:02:00

Motion: Dr. Bienstock moved to dismiss the case.

Second: Dr. Herro

Vote: 8-aye, 0-nay, 0-abstain, 1-recuse, 2-absent. Motion passed.

Dr. Morrow was recused.

8. 202300454; Berger, Lior

Audio Start Time: 2:08:30

Motion: Dr. Morrow moved to accept the findings and facts and conclusions of law in the investigative report as well as the discussion held today.

Second: Mr. Goodman

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

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

Drs. El-Gendy and Herro were recused.

Motion: Dr. Morrow moved to offer a disciplinary consent agreement, requiring the completion of 6 hours of hands-on CE in implants and 8 hours of hands-on CE in crown and bridge; based on violation of A.R.S. § 32-1201.01(14) and (24), 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.

Second: Mr. Goodman

Vote: 7-aye, 0-nay, 0-abstain, 2-recuse, 2-absent. Motion passed.

Drs. El-Gendy and Herro were recused.

The Board took a break from 10:23 a.m. to 10:36 a.m.

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

F. Formal Interview(s)

1. 202000333; Patterson, John

Audio Start Time: 2:34:00

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

Second: Dr. Morrow

Vote: 9-aye, 0-nay, 0-abstain, 0-recuse, 2-absent. Motion passed.

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: Dr. Bienstock

Vote: 9-aye, 0-nay, -0abstain, 0-recuse, 2-absent. Motion passed.

The Board entered into executive session at 11:41 a.m.

The Board returned to open session at 11:56 a.m.

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

Motion: Dr. Herro moved to remand the case back to staff for further investigation to conduct a chart audit from years 2022 to 2024 and pull one chart per quarter for a total of eight charts. The investigator may make the determination of consulting with a billing specialist if needed.

Second: Dr. Christensen

Vote: 8-aye, 1-nay, -0abstain, 0-recuse, 2-absent. Motion passed.

Ms. Penna voted against the motion.

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)

9. 202300458; Hazard, Amelia

Audio Start Time: 4:00:00

Motion: Dr. Herro moved to issue a letter of concern for poor aesthetics, lack of treatment options and lack of discussion for referral to ortho.

Second: Dr. Morrow

Vote: 9-aye, 0-nay, 0-abstain, 0-recuse, 2-absent. Motion passed.

10. 202300459; Van Dusen, Justin

Audio Start Time: 4:08:30

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

Second: Dr. Morrow

Vote: 7-aye, 2-nay, 0-abstain, 0-recuse, 2-absent. Motion passed.

Dr. Christensen and Mr. Goodman voted against the motion.

Motion: Dr. Morrow moved to issue a non-disciplinary order, requiring the completion of 4 hours of CE in perio. The CE hours shall be in addition to the hours required for license renewal and shall be completed within six months.

Second: Dr. Herro

Vote: 8-aye, 1-nay, 0-abstain, 0-recuse, 2-absent. Motion passed.

Dr. Christensen voted against the motion.

11. 202300469; Kerbs, Eric

Audio Start Time: 4:19:40

Mr. Dynar joined the meeting at 12:34 p.m.

Motion: Dr. Herro moved to dismiss the case.

Second: Dr. Christensen

Vote: 6-aye, 2-nay, 1-abstain, 1-recuse, 1-absent. Motion passed.

Drs. El-Gendy and Morrow voted against the motion.

Mr. Dynar abstained.

Mr. Goodman was recused.

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

1. 202300347; Creekview Family Dental

Audio Start Time: 4:39:40

Motion: Dr. Herro moved to accept the Investigative Committee's recommendation to adopt violation of A.R.S. § 32-1263(D)(7), (8) and (15) and impose a \$6,000 penalty.

Second: Dr. Morrow

Vote: 8-aye, 2-nay, 0-abstain, 0-recuse, 1-absent. Motion passed.

Mr. Dynar and Ms. Karmo voted against the motion.

2. 202300368; Thulsaides, Shreedevi

Audio Start Time: 4:44:35

Motion: Dr. Herro moved to dismiss the case.

Second: Dr. Morrow

Vote: 10-aye, 0-nay, 0-abstain, 0-recuse, 1-absent. Motion passed.

4. 202300441; Stratman, Matthew

Audio Start Time: 4:47:30

Motion: Dr. Herro moved to dismiss the case.

Second: Dr. Christensen

After further discussion, the motion was amended.

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

Second: Dr. Christensen

Vote: 10-aye, 0-nay, 0-abstain, 0-recuse, 1-absent. Motion passed.

3. 202300404; Aspen Dental

Audio Start Time: 4:54:15

Motion: Dr. Herro moved to open a case against the treating dentist for the complaint and table this case to be reviewed at the same meeting as the new case.

Second: Dr. Morrow

Vote: 10-aye, 0-nay, 0-abstain, 0-recuse, 1-absent. Motion passed.

5. 202300447; Tapia, Javier

Audio Start Time: 4:57:50

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

Second: Dr. Herro

Vote: 10-aye, 0-nay, 0-abstain, 0-recuse, 1-absent. Motion passed.

6. 202300472; Perfect Teeth Olive

Audio Start Time: 5:02:35

Motion: Dr. Morrow moved to dismiss the case.

Second: Dr. Herro

Vote: 10-aye, 0-nay, 0-abstain, 0-recuse, 1-absent. Motion passed.

7. 202400007; Murray, Nicholas

Audio Start Time: 5:04:20

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

Second: Dr. Morrow

Vote: 10-aye, 0-nay, 0-abstain, 0-recuse, 1-absent. Motion passed.

Motion: Dr. Herro moved to offer a disciplinary consent agreement, requiring the completion of 4 hours of CE in risk management and 4 hours in treatment planning in crown and bridge. In addition, to pay \$4,734 in restitution; based on the findings in the consultant report, the discussion held today and the previously adopted violations. The respondent has 30 days to sign and pay the restitution. The CE

hours shall be in addition to the hours required for license renewal and shall be completed within six months.

Second: Dr. Morrow

Vote: 10-aye, 0-nay, 0-abstain, 0-recuse, 1-absent. Motion passed.

8. 202400026; Zenner, Robert

Audio Start Time: 5:09:40

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

Second: Ms. Penna

Vote: 10-aye, 0-nay, 0-abstain, 0-recuse, 1-absent. Motion passed.

Motion: Dr. Herro moved to offer a disciplinary consent agreement, requiring the completion of 4 hours of CE in managing medically complex patients and 4 hours in oral surgery; based on the findings in the consultant report, the discussion held today and the previously adopted violation. The respondent has 30 days to sign the agreement. The CE hours shall be in addition to the hours required for license renewal and shall be completed within six months.

Second: Dr. Bienstock

After further discussion, the motion was amended.

Amended Motion: Dr. Herro moved to offer a disciplinary consent agreement, requiring the completion of 4 hours of CE in managing medically complex patients, 4 hours in oral surgery and 4 hours in risk management; based on the findings in the consultant report, the discussion held today and the previously adopted violation. The respondent has 30 days to sign the agreement. The CE hours shall be in addition to the hours required for license renewal and shall be completed within six months.

Second: Dr. Bienstock

Vote: 9-aye, 1-nay, 0-abstain, 0-recuse, 1-absent. Motion passed.

Dr. Morrow voted against the motion.

E. Adverse Occurrence Report and/or Self-Report Pursuant to A.R.S. § 32-3208 and/or 32-1272, et seq.

1. 202400243-AO

Audio Start Time: 5:23:30

Motion: Dr. Bienstock moved to open an investigation.

Second: Dr. Herro

Vote: 10-aye, 0-nay, 0-abstain, 0-recuse, 1-absent. Motion passed.

2. 202400300-AO

Audio Start Time: 5:28:20

Motion: Dr. Herro moved to open an investigation and assign the matter to a consultant who is a 1301 Permit holder.

Second: Ms. Penna

Vote: 10-aye, 0-nay, 0-abstain, 0-recuse, 1-absent. Motion passed.

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

1. 202200278-AO; Sheth, Rajan

Audio Start Time: 5:30:10

Motion: Dr. Herro moved to grant the rehearing.

Second: Dr. Bienstock

Vote: 10-aye, 0-nay, 0-abstain, 0-recuse, 1-absent. Motion passed.

Motion: Dr. Herro moved to re-adopt the findings of facts, conclusions of law and order that was previously issued.

Second: Dr. Bienstock

Vote: 10-aye, 0-nay, 0-abstain, 0-recuse, 1-absent. Motion passed.

H. Review of Investigation(s) – Case(s) Recommended for Dismissal without prejudice and referral to AHCCCS.

1. 202400160; Jones, Richard
2. 202400165; Imtiaz, Umar
3. 202400166; Nehrer, Ernest
4. 202400167; Ponce, Daniel

Audio Start Time: 5:44:45

Motion: Dr. Herro moved to dismiss all four cases without prejudice and refer to AHCCCS.

Second: Mr. Dynar

Vote: 9-aye, 0-nay, 0-abstain, 1-recuse, 1-absent. Motion passed.

Dr. Bienstock was recused.

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

1. 202300330; Suncoast/Westwind Dental

Audio Start Time: 5:48:00

Motion: Dr. Herro moved to rescind the previous motion in this case and direct staff to send the subpoena to the appropriate licensee.

Second: Dr. Morrow

Vote: 10-aye, 0-nay, 0-abstain, 0-recuse, 1-absent. Motion passed.

VII. CALL TO THE PUBLIC

No one addressed the Board.

VIII. ASSISTANT ATTORNEY GENERAL (“AAG”) REPORT

The AAG informed the Board that cases 202200187, 202300066, 202300073 and 202300416 are scheduled for hearings.

IX. EXECUTIVE DIRECTOR’S REPORT

A. Budget Update

1. Review of fees pursuant to A.R.S. §§ 32-1236, 32-1276.02, 32-1287, 32-1297.06 and A.A.C. R4-11-403. The review may include discussions of HB2897 and HB2910 and the bills' effects on the Board's ability to continue operations. Additionally, the review may include discussion and possible action to implement the fee structure listed in A.A.C. R4-11-403.

Mr. Edmonson informed the Board that this matter will be discussed at a future meeting date.

B. Agency Operations

The Board was informed that four members are up for reappointment and they may start the process to reapply.

C. Complaint Log

The Board did not have questions about the complaint log.

D. Proposed Meeting Dates for 2025

1. January 17, 2025
2. February 28, 2025
3. April 11, 2025
4. May 16, 2025
5. June 27, 2025
6. August 8, 2025
7. September 12, 2025
8. October 24, 2025
9. December 5, 2025

Motion: Dr. Herro directed staff to change the January date and approved the proposed meeting dates for February to December.

Second: Dr. Morrow

Vote: 9-aye, 1-nay, 0-abstain, 0-recuse, 1-absent. Motion passed.

Dr. Bienstock voted against the motion.

X. ASSISTANCE AND ADVICE

No one addressed the Board.

XI. SUMMARY OF CURRENT EVENTS

None were discussed.

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

Staff suggested having a presentation from a medical consultant regarding billing and coding at a future meeting.

XIII. NEXT BOARD MEETING DATE

A. September 6, 2024

XIV. ADJOURNMENT

Dr. Herro adjourned the meeting at 2:02 p.m.