



Arizona State Board of Dental Examiners
 “Caring for the Public’s Dental Health
 and Professional Standards”

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OPEN SESSION MINUTES

**September 6, 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.H.1, V.C.1, V.C.7, V.C.8 and V.D.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 |
| X | Aditya Dynar | Public Member |
| | <i>Tamer El-Gendy, DMD</i> | Licensed Dentist Member |
| | <i>Nick Goodman</i> | Public Member |
| 🕒 | <i>Jaselyn K. Karmo, RDH</i> | Licensed Hygienist Member |
| | <i>Russell Jeffrey Morrow, DDS</i> | Licensed Dentist Member |
| | Vicki B. Penna, RDH | Licensed Hygienist Member |
| | <i>Leslie D. Seaman, DDS</i> | Licensed Dentist Member |
| 🕒 | Joined/deperted 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 |
| Carrie Smith, Esq. | Independent Legal Advisor |
| <i>Seamus Monaghan, Esq.</i> | Assistant Attorney General |
| Julie Cutler, DMD | Deputy 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

- | | |
|------------------------|--------------------------|
| Jefferson Hayden, Esq. | Attorney for Respondents |
|------------------------|--------------------------|

Joseph Levingston	Respondent
Leah Schachar, Esq.	Attorney for Respondents
Jeffery J. Tonner, Esq.	Attorney for Respondents
Sarah Stark, Esq.	Attorney for Respondent
Kasey Hendricks	Respondent
Robert Kethcart, Esq.	Attorney for Respondent
Todd Shatkin	Respondent
J.T. Shoef, Esq.	Attorney for Respondent
Seerat Mann	Respondent
Leanne Hay, Esq.	Attorney for Respondents
Bryce Slack	Respondent
Tophas Anderson, Esq.	Attorney for Respondent
Sibera Brannon	Respondent
Manu Arora	Respondent
Bonjung Koo	Respondent
Brent Herring	Respondent
Ryan Cullinan	Respondent
Michele Thompson, Esq.	Attorney for Respondents
Hedayat Harsini	Respondent
Lori Metcalf, Esq.	Attorney for Respondent
Komal Saqib	Respondent
Rob Somers, Esq.	Attorney for Respondent
Brianna Grams	Respondent
Bryan De Avila	Respondent
Arman Nafisi, Esq.	Attorney for Respondent
Harold Henderson	Respondent

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

Dr. Bienstock declared a conflict of interest with agenda item no. V.C.2

Ms. Rossi declared conflicts of interest with agenda item nos. IV.C.3 and V.C.1.

Dr. Morrow declared conflicts of interest with agenda item nos. IV.C.7, IV.C.12, V.C.7 and V.C.13.

Dr. El-Gendy declared conflicts of interest with agenda item nos. IV.C.8, IV.C.10, IV.D.1 and V.C.2.

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

A. Discussion and approval of the Open Session Minutes from the August 2, 2024 board meeting.

B. Discussion and approval of the Executive Session Minutes from the August 2, 2024 board meeting.

Audio Start Time: 0:3:20

Motion: Dr. Herro moved to approve the open session and executive session minutes from the August 2, 2024 board meeting.

Second: Dr. Morrow

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

IV. **CONSENT AGENDA**

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. Elder, Mahr F., DDS (*Applicant by Credentials*)

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

1. 201700175-MP & 202000129; Trujillo, Victor
2. 202200162; Van Dusen, Justin
3. 202300150; Gentle Dental Thunderbird

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

1. 202300429; Woellhaf, Wayne
2. 202400036, Wainwright, Clayton Jr.
3. 202400040; Cooley Station Kids Dentist and Orthodontics
4. 202400057; Sharma, Manoj
5. 202400059; Stefan, Kristina
6. 202400072; Choi, Sonya
7. 202400077; Stanger, Ryan
8. 202400080; Benting, Douglas
9. 202400081; Perfect Teeth Frank Lloyd Wright
10. 202400095; Afzalian Naini, Nima
11. 202400118; Allen, Brandon
12. 202400120; Stanger, Ryan
13. 202400123; Kaushesh, Ashutosh
14. 202400124; Saran, Richard
15. 202400125; Sharp, Susan
16. 202400133; Rennaker, Darren
17. 202400135; Voigt, Mark
18. 202400185; Idrys, Durrani
19. 202400187; Higgins, Albert
20. 202400190; Gordon, Christopher
21. 202400195; Shanahan, Bryan
22. 202400198; Fraiman, Perry
23. 202400248; Porter, Sonny

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

1. 202300460; Jeziorski, Aaron
2. ~~202300474; Ashmore, Glenn~~
3. ~~202400114-AO; Marsh Christopher~~

Audio Start Time: 0:5:10

Ms. Karmo joined the meeting at 8:08 a.m.

Motion: Dr. Herro moved to accept the consent agenda with the exception of items D.2 and D.3.

Second: Dr. Bienstock

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

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

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

2. 202300474; Ashmore, Glenn

Audio Start Time: 0:8:25

Motion: Dr. Morrow moved to dismiss the case.

Second: Dr. Herro

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

3. 202400114-AO; Marsh Christopher

Audio Start Time: 0:11:15

Motion: Dr. Morrow moved to dismiss the case.

Second: Ms. Penna

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

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

V. **ITEMS FOR BOARD REVIEW, DISCUSSION AND POSSIBLE ACTION**

A. 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. 202300479; Levingston, Joseph

Audio Start Time: 0:15:05

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

Second: Dr. Morrow

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

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)

1. 202300279; Martin, Patrick

Audio Start Time: 0:19:10

Motion: Ms. Penna moved to dismiss the case against Dr. Martin and to open a case against Dr. Gibbs; based on the allegations of improper perio charting and improper documentation.

Amended Motion: Ms. Penna moved to dismiss the case against Dr. Martin and directed staff to open an investigation against Dr. Gibbs, the hygienist listed in the complaint and the historical hygienist of record for improper perio charting, improper documentation and possible unprofessional conduct.

Second: Dr. Bienstock

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

2. 202300356; Taylor, William

Audio Start Time: 0:25:00

Motion: Dr. Herro moved to issue a letter of concern for improper perio charting.

Second: Dr. El-Gendy

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

Ms. Rossi voted against the motion.

3. 202400071; Mayelzadeh, Behzad

Audio Start Time: 0:32:40

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

Second: Dr. Morrow

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

4. 202400096; Cadwell, Joshua

Audio Start Time: 0:37:30

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

Second: Dr. Morrow

Vote: 10-aye, 0-nay, 0-abstain, 0-recuse, 1-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 aforementioned statutory violation and the consultant report. The CE hours shall be in addition to the hours required for license renewal and shall be completed within three months.

Second: Dr. Morrow

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

5. 202400109; Hendricks, Kasey

Audio Start Time: 0:41:20

Motion: Dr. Herro moved to dismiss the case.

Second: Mr. Goodman

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

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

1. 202300060-AO; Barrett, Christopher

Audio Start Time: 0:44:15

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

The Board entered into executive session at 8:48 a.m.

The Board returned to open session at 9:05 a.m.

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

Motion: Dr. Herro moved to accept the petition for rehearing and review.

Second: Dr. Morrow

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

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

1. 202100084; Glendale Modern Dentistry

Audio Start Time: 1:04:20

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

Ms. Rossi was recused.

The Board entered into executive session at 9:21 a.m.

The Board returned to open session at 9:33 a.m.

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

Motion: Dr. Herro moved to dismiss the case.

Second: Dr. Morrow

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

Ms. Rossi was recused.

2. 202300126; Shahbazi, Najmeh

Audio Start Time: 1:36:20

Motion: Dr. Herro moved the matter to a formal interview.

Second: Dr. Morrow

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

Drs. Bienstock and El-Gendy were recused.

3. 202300247; Shatkin, Todd

Audio Start Time: 1:45:00

Motion: Dr. Herro moved to adopt the statutory violation of A.R.S. § 32-1201.01(14); based on the discussion held and the findings in the consultant report.

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 6 hours in implant placement. In addition, to impose a \$2,000 penalty for sedating a patient without the appropriate permit; based on the aforementioned statutory violation and the consultant report. The respondent has 30 days to sign the agreement and 6 months to complete the CE. If the agreement is not signed, move the matter to a formal interview.

Second: Dr. Morrow

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

Ms. Karmo voted against the motion.

4. 202300250; Mann, Seerat

Audio Start Time: 2:18:50

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

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 6 hours in implant placement. In addition, to impose a \$2,000 penalty for treating a sedated patient without the appropriate permit; based on the aforementioned statutory violation and the consultant report. The respondent has 30 days to sign the agreement and 6

months to complete the CE. If the agreement is not signed, move the matter to a formal interview.

Second: Dr. Morrow

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

I. Administrative Hearing

1. Case No. 202200187; Yuen, Alex

Audio Start Time: 2:27:50

Motion: Dr. Herro moved to grant the State's motion to deem allegations admitted and adopt the factual allegations in the complaint and notice of hearing as Findings of Facts and the alleged violations in the complaint and notice of hearing as Conclusions of Law.

Second: Dr. Bienstock

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

Moton: Dr. Herro moved to revoke the licensee's license.

Second: Dr. Morrow

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

J. Proposed Settlement

1. 202300066, 202300073 & 202300416; Christy, Han

Audio Start Time: 2:33:55

Motion: Dr. Herro moved to accept the voluntary surrender and moved to vacate the hearing.

Second: Dr. Morrow

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

The Board took a break from 10:40 a.m. to 11:05 a.m.

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

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

5. 202300386; Slack, Bryce

Audio Start Time: 3:02:30

Motion: Dr. Herro moved to issue a letter of concern for allowing an assistant to do coronal polishing without the necessary certificate.

Second: Mr. Goodman

Vote: 5-aye, 5-nay, 0-abstain, 0-recuse, 1-absent. Motion failed.

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

Motion: Dr. Christensen moved to dismiss the case.

Second: Dr. Herro

Vote: 5-aye, 5-nay, 0-abstain, 0-recuse, 1-absent. Motion failed.

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

Motion: Dr. Herro moved to issue a letter of concern for allowing an assistant to do coronal polishing without the necessary certificate.

Second: Dr. Bienstock

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

Ms. Karmo, Ms. Penna and Ms. Rossie voted against the motion.

6. 202300411; Brannon, Sibera

Audio Start Time: 3:18:10

Motion: Dr. Herro moved to dismiss the case.

Second: Dr. El-Gendy

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

7. 202300427; Arora, Manu

Audio Start Time: 3:33:10

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: Dr. Bienstock

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

Dr. Morrow was recused.

The Board entered into executive session at 11:57 a.m.

The Board returned to open session at 12:11 p.m.

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

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

Second: Dr. Bienstock

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

Dr. Morrow was recused.

Motion: Dr. Herro moved to offer a disciplinary consent agreement, requiring an evaluation for remediation by CRDTS' C.A.R.E.S. program, with a minimum of 12 hours in endo, 12 hours in fixed pros, 4 hours in risk management, 6 hours in diagnosis and treatment planning; which is to be completed within 12 months. In the meantime, place a full practice restriction on endodontics and ensure a board

approved auditor conducts an audit in fixed prosthesis treatment with five charts a month until successfully completing the CRDTS program.

Second: Dr. Bienstock

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

Mr. Goodman and Ms. Rossi voted against the motion.

Dr. Morrow was recused.

8. 202300444; Koo, Bonjung

Audio Start Time: 4:28:15

Motion: Dr. Herro moved to adopt statutory violations of A.R.S. § 32-1201.01(14), (23) and (24).

Second: Dr. El-Gendy

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

Motion: Dr. Bienstock moved for the Board to enter into executive session for this case and agenda item V.D.1. to obtain legal advice pursuant to A.R.S. § 38-431.03(A)(3).

Second: Ms. Penna

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

The Board entered into executive session at 12:57 p.m.

The Board returned to open session at 1:13 p.m.

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

Dr. Christensen temporarily departed the meeting at 12:57 p.m and rejoined at 1:14 p.m.

The Board identified a pattern of the same types of violations with the licensee's history and considered the licensee to be unregulatable. The Board further concurred that there is a clear pattern of overtreatment and improper billing based on the robust audit done by UHC and the information in the consultant report.

Motion: Dr. Herro moved to offer a disciplinary consent agreement for voluntary surrender of license; based on the previously established violations, the identified pattern of the same types of violations, the audit done by UHC, the consultant report and the discussion held during the meeting. The agreement is to be signed within 10 days. If not agreed to, move the matter to a formal interview.

Second: Dr. Bienstock

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

IV. CONSENT AGENDA

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. Elder, Mahr F., DDS (*Applicant by Credentials*)

Audio Start Time: 5:12:40

Motion: Dr. Herro moved to rescind the previous motion as it relates to agenda item IV.A.1. and directed staff to agendize the matter for the next meeting.

Second: Dr. Bienstock

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

9. 202300466; Herring, Brent

Audio Start Time: 5:13:35

Motion: Dr. Herro moved to dismiss the case.

Second: Mr. Goodman

Dr. Herro rescinded the motion.

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

Second: Dr. Bienstock

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

Mr. Goodman, Dr. Morrow and Ms. Penna voted against the motion.

10. 202300467; Cullinan, Ryan

Audio Start Time: 5:25:30

Motion: Dr. Herro moved to dismiss the case.

Second: Ms. Karmo

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

11. 202300506; Tong, Brian

Audio Start Time: 5:37:40

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

Second: Mr. Goodman

Amended Motion: Dr. Herro moved to issue a non-disciplinary order, requiring the completion of 4 hours of CE in risk management, 4 hours in diagnosis and treatment planning and 6 hours in fixed pros; based on the findings in the consultant report and the discussion held during the meeting. 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: 10-aye, 0-nay, 0-abstain, 0-recuse, 1-absent. Motion passed.

12. 202400046; Harsini, Hedayat

Audio Start Time: 5:50:45

Motion: Ms. Karmo moved to dismiss the case.

Second: Dr. Herro

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

13. 202400102; Saqib, Komal

Audio Start Time: 5:55:50

Motion: Dr. Herro moved to dismiss the case.

Second: Dr. Bienstock

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

Dr. Morrow was recused.

D. Review of Investigation(s) - Unauthorized Practice - A.R.S. § 32-3227

1. 202400275; Grams, Brianna

Audio Start Time: 6:01:30

Motion: Dr. Bienstock moved to issue a cease and desist letter to not advertise placement of veneers.

Second: Dr. Seaman

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

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

1. 202400311-AO and 2. 202400315-AO

Audio Start Time: 6:13:10

Motion: Dr. Herro moved to take no action.

Second: Dr. Christensen

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

3. 202400320-AO

Audio Start Time: 6:13:25

Motion: Dr. Bienstock moved to take no action.

Second: Dr. El-Gendy

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

F. Review Previously Issued and/or Offered Board Order(s)/Consent Agreement(s)

1. 202400226; Western Dental F83

Audio Start Time: 6:15:35

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

Second: Dr. Bienstock

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

The Board took a break from 2:20 p.m. to 2:41 p.m.

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

Dr. Christensen departed the meeting during the break.

G. Formal Interview(s)

1. 202200261; De Avila, Bryan

Audio Start Time: 6:37:45

Motion: Dr. Herro moved to adopt the findings of facts as presented in the consultant report, the audit and the discussion held during the meeting.

Second: Dr. Morrow

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

Motion: Dr. Herro moved to adopt as conclusions of law A.R.S. §§ 32-1201.01(14), 32-1264(A) as it relates to 1201.01(24).

Second: Dr. Morrow

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

Motion: Dr. Herro moved to issue a disciplinary order, requiring an assessment and unconditional pass of the PROBE course. After the unconditional pass of the PROBE course, an audit of 10 charts per quarter is to be instituted by Affiliated Monitors for 12 months; based on the findings of facts and conclusions of law.

Second: Ms. Penna

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

2. 202300210; Henderson, Harold

Audio Start Time: 7:18:40

Motion: Dr. Herro moved to adopt the findings of facts as listed in the disciplinary consent agreement.

Second: Dr. Morrow

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

Motion: Dr. Herro moved to adopt the conclusions of law as listed in the disciplinary consent agreement.

Second: Dr. Morrow

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

Motion: Dr. Herro moved to issue a disciplinary order as written in the disciplinary consent agreement; based on the adopted findings of facts, conclusions of law, the consultant report and the discussion held during the meeting.

Second: Dr. Morrow

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

3. 202300346; Masters, Robert

Audio Start Time: 7:38:50

Motion: Dr. Herro moved to adopt statutory violations of A.R.S. § 32-120.01(14), (23) and (24).

Second: Dr. Morrow

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

Motion: Dr. Herro moved to refer the matter to a formal hearing.

Second: Dr. Morrow

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

VI. CALL TO THE PUBLIC

No one addressed the Board during the call to the public.

VII. ASSISTANT ATTORNEY GENERAL (“AAG”) REPORT

The Board did not have questions regarding the AAG report.

VIII. 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.

The Board inquired if staff has figured out how to be solvent. Mr. Edmosnon informed the Board that there are ongoing discussions about the matter.

B. Agency Operations

C. Complaint Log

D. 2024 Legislative Session Report

1. Dental Specific Bills
2. Other Impactful Bills

The Board did not have additional questions regarding the E.D. report

X. ASSISTANCE AND ADVICE

No one addressed the Board.

X. SUMMARY OF CURRENT EVENTS

None were discussed.

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

None.

XII. NEXT BOARD MEETING DATE

A. October 25, 2024

XIII. ADJOURNMENT

Dr. Herro adjourned the meeting at 3:59 p.m.