

Arizona State Board of Dental Examiners "Caring for the Public's Dental Health and Professional Standards"

OPEN SESSION MINUTES

May 13, 2025

Investigative Committee Meeting

On the aforementioned date, members of the Arizona State Board of Dental Examiners' ("Board") Investigative Committee ("Committee") held a virtual/telephonic meeting. The Committee did not meet in executive session.

COMMITTEE MEMBERS

Anthony Caputo, DDS Brown "Skip" Harris, DDS Mahdi Ali, DMD, MPH, MHSM Mahshid "Mia" Asrari, DDS, MS Mari Fukami, DMD, MS Jeffrey Garelick, DDS Umar Imtiaz, DDS, MS Sabah Kalamchi, DDS, FFDSRS Deborah Kappes, RDH Katie Lee Martin, DMD, MPH, MS Mindy Motahari, DMD, MA Edu

- Joined/departed as denoted in the body of the minutes
- X Absent

STAFF PRESENT

Ryan P. Edmonson Seamus Monaghan, Esq. April Romero Jaime Shapiro Jessica Solis Tanya Vasquez Yazmin Bustamante Executive Director Assistant Attorney General Chief Compliance Officer Compliance Officer Compliance Officer Compliance Officer Executive Assistant

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 1:00 p.m. by Dr. Caputo. Roll call of the committee members was taken and a quorum was established.

II. WELCOME AND INTRODUCTION OF NEW COMMITTEE MEMBER

Dr. Garelick introduced himself, and the Committee welcomed him as its newest member.

Chairperson Vice-Chairperson Committee Member Committee Member

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

Dr. Motahari declared a conflict of interest with agenda item no. V.A.16.202500022.

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

A. Discussion and approval of the Open Session Minutes from the April 1, 2025 committee meeting.

Audio Start Time: 0:21:50

Motion: Dr. Kalamchi moved to approve the minutes from the April 1, 2025 committee meeting. Second: Ms. Kappes Vote: 10-aye, 0-nay, 1-abstain, 0-recuse, 0-absent. Motion passed. Dr. Garelick abstained.

V. ITEMS FOR REVIEW, DISCUSSION AND POSSIBLE ACTION ON BOARD RECOMMENDATIONS

Audio Start Time: 0:24:50

 Motion: Dr. Caputo moved to recommend that the Board dismiss cases for agenda item nos. V.A.1.202400359, V.A.2.202400421, V.A.4.202400457, V.A.5.202400472, V.A.6.202400479, V.A.7.202400497, V.A.9.202400516, V.A.10.202500013-MP, V.A.13.202500016, V.A.15.202500021, V.A.17.202500023, V.A.18.202500024, V.A.19.202500034, V.A.21.202500038, V.A.22.202500044, V.A.23.202500045, V.A.25.202500053, V.A.26.202500054, V.A.27.202500056 and V.A.28.202500069.

 Second: Dr. Garelick

 Vote: 11-aye, 0-nay, 0-abstain, 0-recuse, 0-absent. Motion passed.

- A. <u>Review of Investigation(s)</u>
 - 3. 202400426

Audio Start Time: 0:33:00

Motion: Dr. Caputo moved to identify violation of A.R.S. § 32-1201.01(23) for non-compliance with a subpoena.

Second: Dr. Harris

Vote: 11-aye, 0-nay, 0-abstain, 0-recuse, 0-absent. Motion passed.

Motion: Dr. Caputo moved to recommend that the Board issue non-disciplinary action.

Second: Dr. Kalamchi Vote: 10-aye, 1-nay, 0-abstain, 0-recuse, 0-absent. Motion passed. Dr. Garelick voted against the motion.

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Motion: Dr. Caputo moved to recommend that the Board issue non-disciplinary action, requiring the completion of 4 hours of CE in risk management. In addition, to impose a \$500 fine for non-compliance with a subpoena.

Second: Dr. Harris

Vote: 11-aye, 0-nay, 0-abstain, 0-recuse, 0-absent. Motion passed.

8. 202400498

Audio Start Time: 0:43:35

Motion: Dr. Harris moved to recommend that the Board issue non-disciplinary action, requiring the completion of 4 hours of CE in risk management. Second: Dr. Kalamchi Vote: 11-aye, 0-nay, 0-abstain, 0-recuse, 0-absent. Motion passed.

11. 202500014-MP

Audio Start Time: 0:47:40

Motion: Dr. Harris moved to identify violation of A.R.S. § 32-1201.01(14). Second: Dr. Garelick Vote: 11-aye, 0-nay, 0-abstain, 0-recuse, 0-absent. Motion passed.

Motion: Dr. Harris moved to recommend that the Board offer disciplinary action, requiring the completion of 4 hours of CE in risk management, 4 hours in management of surgical complications and 6 hours in diagnosis and treatment planning of complex surgical procedures.

Second: Dr. Garelick

Vote: 11-aye, 0-nay, 0-abstain, 0-recuse, 0-absent. Motion passed.

12.202500015

Audio Start Time: 0:57:10

Motion: Dr. Harris moved to identify violation of A.R.S. § 32-1201.01(14).
Second: Dr. Kalamchi
Vote: 7-aye, 4-nay, 0-abstain, 0-recuse, 0-absent. Motion passed.
Drs. Caputo, Ali, Fukami and Ms. Kappes voted against the motion.

Motion: Dr. Harris moved to recommend that the Board offer disciplinary action, requiring the completion of 6 hours of CE in diagnosis and treatment planning, including alternative treatment planning approaches and 4 hours in risk management.

Second: Dr. Kalamchi

Vote: 8-aye, 3-nay, 0-abstain, 0-recuse, 0-absent. Motion passed. *Drs. Caputo, Fukami and Ms. Kappes voted against the motion.*

14. 202500018

Audio Start Time: 1:23:55

Motion: Dr. Caputo moved to identify violations of A.R.S. § 32-1263(A)(4) as it relates to 32-1236(I) and 32-1201.01(24).
Second: Dr. Kalamchi
Vote: 11-aye, 0-nay, 0-abstain, 0-recuse, 0-absent. Motion passed.

Motion: Dr. Caputo moved to recommend that the Board offer disciplinary action, requiring the completion of 4 hours of CE in risk management and to impose a \$100 fine for the violation of A.R.S. § 32-1236(I). Second: Dr. Kalamchi Vote: 11-aye, 0-nay, 0-abstain, 0-recuse, 0-absent. Motion passed.

16. 202500022

Audio Start Time: 1:35:00

Motion: Dr. Harris moved to identify violation of A.R.S. § 32-1201.01(14).
Second: Dr. Martin
Vote: 10-aye, 0-nay, 0-abstain, 1-recuse, 0-absent. Motion passed.
Dr. Motahari was recused and did not participate in the matter.

Motion: Dr. Caputo moved to recommend that the Board offer disciplinary action, requiring the completion of 12 hours of CE in the areas of diagnosis and treatment planning, restoration of crown and bridge and management of complications. In addition, to order restitution in the amounts of \$6,818 to the patient and \$2,272 to the insurance.

Second: Ms. Kappes

Vote: 10-aye, 0-nay, 0-abstain, 1-recuse, 0-absent. Motion passed. *Dr. Motahari was recused and did not participate in the matter.*

20. 202500036

Audio Start Time: 1:51:40

Motion: Dr. Caputo moved to recommend that the Board issue non-disciplinary action, requiring the completion of 4 hours of CE in risk management. **Second:** Dr. Harris

Vote: 11-aye, 0-nay, 0-abstain, 0-recuse, 0-absent. Motion passed.

24. 202500048

Audio Start Time: 1:53:20

Motion: Dr. Caputo moved to recommend that the Board issue non-disciplinary action, requiring the completion of 4 hours of CE in risk management. Second: Dr. Fukami Vote: 11-aye, 0-nay, 0-abstain, 0-recuse, 0-absent. Motion passed.

VI. COMPLAINT LOG

The Committee reviewed the Board's open complaints.

VII. SUMMARY OF CURRENT EVENTS

The Committee was informed of the recent legislative break.

VIII. DISCUSSION AND POSSIBLE ACTION ITEMS FOR FUTURE MEETING AGENDAS

The Committee inquired when they can expect to receive proposed meeting dates for 2026. Staff indicated that the meeting dates would be provided in August to allow for sufficient time to approve the proposed dates.

IX. NEXT COMMITTEE MEETING DATE

A. June 24, 2025

X. ADJOURNMENT

Dr. Caputo adjourned the meeting at 2:59 p.m.