



Douglas A. Ducey,
Governor

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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2nd 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, April 2, 2021 at 8:00 a.m.** The meeting will be held virtually and telephonically. Board members and members of the public may access the meeting by dialing 617.675.4444 followed the meeting pin – 437 526 662 2737# or virtually, by video conferencing through this link: <https://meet.google.com/akp-qvdq-eka>. After the start of the meeting, the Board chairperson 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 <https://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 a 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:

<https://dentalboard.az.gov/>

<https://publicmeetings.az.gov/>

on March 31, 2021



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April 2, 2021

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.

I. CALL TO ORDER AND ROLL CALL

II. 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.

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

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

- A. Discussion and approval of the Open Session Minutes from the January 8, 2021 special board meeting.
- B. Discussion and approval of the Executive Session Minutes from the January 8, 2021 special board meeting.
- C. Discussion and approval of the Open Session Minutes from the January 29, 2021 board meeting.

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. Ludwick, Michelle, DDS

2. Ramsey Sosa, Heather L., RDH
 3. Dunn, Christopher N., DDS
 4. Carpenter, Hamish, DDS
 5. Enea, Steven A., DDS
- B. Motion for Rehearing or Review – A.A.C. R4-11-1701
Board to review, discuss and take possible action on the Motion for Rehearing and Review on the following matter. If the Board grants the Motion, it may conduct the Rehearing or Review at the meeting or schedule further proceedings at a future meeting date.
1. 201700175-MP; Trujillo, Victor
 2. 202000044; Meyer, Nicholas
- C. Formal Interview(s)
Board to conduct a formal interview, including a review, discussion and possible action on the following cases, which may include discipline, dismissal of the complaint, issuance of a letter of concern, non-disciplinary continuing education, termination of the complaint, table action pending further investigation and/or refer the matter to a formal hearing for the following case(s):
1. 201900332-MP; Karioutoglou, Rigas
 - a. Lead Board Member: Dr. John Harman
 - b. Staff summary: Lisa D. Schmelling
- D. Review of Investigation(s) – Cases Recommended for a Letter of Concern
Board to review and discuss the results of the investigation(s), including the Board’s internal investigative review committee’s recommendation to *issue* Letters of Concern, and take possible action on the following case(s):
1. 201900334; Vogel, Matthew W.
 2. 201900257; Park, Jonghan
 3. 202000027; Sibrava, Laura
 4. 202000220; Nunley, Randall
- E. Review of Investigation(s) – Case(s) Recommended for Issuance/Offer of Non-Disciplinary Consent Agreements for Continuing Education – A.R.S. § 32-1263.02(F)(3)
Board to review and discuss the results of the investigation(s), including the Board’s internal investigative review committee’s recommendation to *issue/offer* Non-Disciplinary Board Orders/Consent Agreements, and take possible action on the following case(s):
1. 201900239; Kaur, Jaskeerat
 2. 202000018; Koussa, Lawrence
 3. 202000242-AO; Houser, Bruce
- F. Review of Investigation(s) – Cases Recommended for Offer of Disciplinary Consent Agreements
Board to review and discuss the results of the investigation(s), including the Board’s internal investigative review committee’s recommendation to *offer* Disciplinary Consent Agreements, and to take possible action on the following case(s):

1. 201900152; Phillips, Matthew David (*tabled from 1/29/2021*)
2. 201900189; Nunez, Hector
3. 201900296; Perna, Salvatore
4. 201900297; Manning, Gregory
5. 202000039; Chiang, Leonard
6. 202000030-MP; Oliveri, Anthony

G. Response/Non-response to Offered Consent Agreement(s)/Formal Interview

Update on the status of an offered consent agreement/requested formal interview. Board to review discuss and take possible action on any response/counteroffer of failure to respond on the case(s) below:

1. 201800220; Christensen, Cory

H. Review of Investigation(s)

Board to review and discuss the results of the investigation(s) and may take possible action on the following cases:

1. 201900243; GD Dental Corp., PC
2. 201900270; Goss, Lindsay M.

I. Initial Analysis

Board to review, discuss and take possible action on information received as a result of an investigation of another matter and determine whether cause exists to open investigation cases on whether or not the practices are practicing as unregistered business entities (A.R.S. § 32-1213), the licensees (dentists, hygienists and denturists) are practicing in unregistered business entities (A.R.S. § 1201.01(30)) and/or take disciplinary action.

1. Fountains Family Dental
2. Merrill Ranch Family Dental
3. Mountainside Family Dental
4. Prime Family Dental
5. Red Mountain Family Dental
6. Smiles by Design
7. Somerset Family Dental
8. Sossaman Family Dental

J. Review of Executive Director Complaint Terminations and Subsequent Complainant Appeals – A.R.S. § 32-1263.03

Board to review, discuss and take possible action to *approve, modify or reject* the executive director's termination based on submitted appeals, from the complainants, for the following case(s):

1. 201900157; Richins, Troy
2. 202000035; Manning, Gregory

K. Remand from Superior Court

Board to review, discuss and take action on the Remand from the Maricopa County Superior Court on the following case:

1. 201800147; Kang, Minseok

- L. Order Physical Evaluation – A.R.S. § 32-1207(B)(6)
Board to review, discuss and take possible action to *order* a physical drug/alcohol evaluation including drug screening based on anonymous/submitted evidence against the following licensee(s):
1. Chandler, Rebekah A.
 2. Jackson, Roger L.

VI. 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 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. Board Dental/Hygiene Consultant(s) and Anesthesia and Sedation Evaluator(s)
Board to review, discuss and take possible action regarding approval of the following individual(s) to perform investigative consulting and/or evaluating services for the Board:
1. Steven R. Call, DDS, MSL, FICD – dental consultant
 2. George H. Master, DMD – dental consultant
 3. Mindy Motahari, DMD, MA, EDU – anesthesia/sedation evaluator and dental consultant
 4. Chandan S. Walia, DDS – dental consultant
- B. Executive Director Complaint Terminations A.R.S. § 32-1263.03
Board to review, discuss and take possible action on the following confidential list of complaints that were terminated by the executive director, with the concurrence of the Board’s investigative staff due to the complaints being without merit and termination being appropriate:
- | | |
|----------------|--------------------|
| 1. 201900199; | 14. 201900333-MP; |
| 2. 201900235; | 15. 201900336; |
| 3. 201900244; | 16. 201900337-MP; |
| 4. 201900253; | 17. 202000010; |
| 5. 201900261; | 18. 202000011; |
| 6. 201900262; | 19. 202000024; |
| 7. 201900273; | 20. 202000025; |
| 8. 201900276; | 21. 202000026; |
| 9. 201900286; | 22. 202000036; |
| 10. 201900289; | 23. 202000171; |
| 11. 201900309; | 24. 202000212; and |
| 12. 201900318; | 25. 202000315-AO |
| 13. 201900329; | |

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

1. 201900130-MP; Hank, Mark
2. 201900185; Hirpara, Piyush
3. 201900196; Grampp, Carter
4. 201800161; Marks, George
5. 201900121; Dr. Fawad Shah
6. 201900219; Dr. Daniel M. Tee

VII. PRESENTATION BY THE ARIZONA AUDITOR GENERAL’S OFFICE – A.R.S. 41-3023.07

After hearing a presentation by the staff from the Arizona Auditor General’s office regarding the Board’s pending sunset review, the Board may discuss and take possible action to direct staff, in its cooperation with the audit process, to seek extension of the Board’s termination date beyond July 1, 2023.

VIII. BOARD ELECTION

Nomination and Election of a Board Vice-President

IX. RECOGNITION OF SERVICE

Heather N. Hardy, RDH, Board Member2013 – 2021
John N. Harman, IV, DDS, Board Member.....2018 – 2021
Robert B. Taylor, DDS, Board Member2013 – 2021

X. AMERICAN ACADEMY OF DENTAL SLEEP MEDICINE (“AADSM”)

Board to review and discuss: an August 2020 Position Paper by the AADSM on the Scope of Practice for Dentists Ordering or Administering Home Sleep Apnea Tests; a request by multiple national organizations that the Board adopt a policy to clarify that ordering, administering, and interpreting home sleep apnea tests is outside the scope of practice for dentists; and the AADSM’s response to the request. The Board may vote to take action on the request.

XI. CONTINUING EDUCATION (“CE”)

Board to receive an update from board staff and their attendance at the American Association of Dental Board’s mid-year meeting, and review, discuss and take possible action regarding the approval of CE introduced at the meeting.

- A. Accredited Continuing Education
- B. Promethean Dental Systems Custom Continuing Education Courses

XII. BOARD RULES ADVISORY GROUP AND ANESTHESIA & SEDATION COMMITTEE

Board to review and discuss the current memberships of the above-referenced Board subgroups and may take action to reaffirm the existing memberships or revise the memberships of each based on current/new Board membership.

XIII. 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.

- A. Budget Update

1. Renewal fees for 2021, 2022 and 2023, which may include a vote regarding the appropriate fee pursuant to A.R.S. §§ 32-1236, 32-1276.02, 32-1287 and 32-1297.06.
- B. Agency Operations
 1. Continuation of virtual, in-person, hybrid or livestreamed meetings.
- C. Legislation update on the following Bills:
 1. Dental Specific:
 - a. HB2102;
 - b. HB2258;
 - c. HB2547;
 - d. SB1013;
 - e. SB1034;
 - f. SB1140;
 - g. SB1160; and
 - h. SB1372.
 2. Other impactful bills:
 - a. HB2014;
 - b. HB2029;
 - c. HB2067;
 - d. HB2092;
 - e. HB2128;
 - f. HB2242;
 - g. HB2243;
 - h. HB2265;
 - i. HB2267;
 - j. HB2422;
 - k. HB2433;
 - l. HB2454;
 - m. HB2471;
 - n. HB2535;
 - o. HB2570;
 - p. HB2663;
 - q. SB1063;
 - r. SB1145;
 - s. SB1149;
 - t. SB1272; and
 - u. SB1373.

XIV. 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.

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

XVI. NEXT BOARD MEETING DATE

- A. May 7, 2021

XVII. ADJOURNMENT