



## ARIZONA STATE BOARD OF DENTAL EXAMINERS

4205 North 7th Avenue, Suite 300 • Phoenix, Arizona 85013

Telephone (602) 242-1492 • Fax (602) 242-1445

[www.dentalboard.az.gov](http://www.dentalboard.az.gov)

### MISSION STATEMENT

To provide professional, courteous service and information to the dental professional and the general public through the examination, licensure, complaint adjudication and enforcement process; to protect the health, safety and welfare of Arizona citizens through a fair and impartial system.

## A G E N D A

### BOARD OF DENTAL EXAMINERS MEETING

JUNE 3, 2016 AT 8:00 AM

4205 NORTH 7<sup>th</sup> AVENUE, SUITE 205

PHOENIX, ARIZONA 85013

The Board President reserves the right to change the order of items on the agenda, except for public hearings set for a specific time. Pursuant to Arizona Revised Statutes (A.R.S.) § 38-431.03 (A) (3), the Board may vote to go into Executive Session to obtain legal advice from its attorney on any agenda item.

The Board usually allows 3 – 5 minutes per person for public comment on any agenda item; however, depending on the issue presented, the Board President has the discretion to expand that time. Cases will be called in order as indicated on the sign-in sheet.

### *GENERAL BUSINESS*

#### **1. CALL TO ORDER AND INTRODUCTIONS**

#### **2. PUBLIC COMMENT ON CASES**

#### **3. PRESIDENT'S REPORT – Dr. Michael R. Hauer**

A. Report from the mid-year AADB meeting held in Chicago, IL. April 10 – April 11, 2016

#### **4. EXECUTIVE DIRECTOR'S REPORT – Ms. Elaine Hugunin**

A. Summary of current events that affect the Arizona State Board of Dental Examiners  
(This is the time for the Board President or Executive Director to give a brief summary on current events that affect the Board. It is informational only and no discussion may occur.)

B. Report from the mid-year AADB and AADA meeting held in Chicago, IL. April 10 – April 11, 2016.

C. Approval for Board President and Executive Director to attend American Association of Dental Administrators on October 16 -17, 2016 and American Association of Dental Board annual meeting October 18-19, 2016 in Denver, Colorado.

D. Joint Commission on National Dental Examinations – Integrated National Board Dental Examination (INBDE) – for information only

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- E. Dr. Gary Schoenrock - Case No. 201500263 – Licensee's letter to the Board regarding Letter of Concern.
- F. Review, discussion and approval for Executive Director to attend the 2016 Arizona State Bar Association meeting, Administrative Law Section June 17, 2016.
- G. Review, and discussion on ADEA correspondence regarding eliminating live patient examinations.
- H. Discussion and possible action regarding Dental and Dental Hygiene Licensing Compact.
- I. Review, discussion and possible action regarding renewal of the Board's Interagency Service Agreements and contracts with the Office of Administrative Hearings, Attorney General's Office, Department of Administration - Central Services Bureau, MATP Medical Director, Legislative Liaison and Staff Investigator.
- J. Review, discussion and possible action regarding license renewal fees for dentists, dental consultants, dental hygienists, and denturists pursuant to Arizona Revised Statutes (A.R.S.) §§§ 32-1236(A) -1287(A) and -1297.06(A), License by credential fees § 32-1240(B), fees for Anesthesia and Sedation Permits Arizona Administrative Code (AAC) R4-11-406 and Online Renewal Convenience Fees.
- K. Review and discussion regarding the Executive Director Complaint Terminations.

Pursuant to A.R.S. § 32-1263.03(C), the Executive Director has provided a list of each complaint terminated under A.R.S. § 32-1263.03(A) to the Board. The list of complaints is confidential pursuant to A.R.S. § 32-1207(A)(3). The Board may vote to go into Executive Session on this agenda item, pursuant to A.R.S. § 38-431.03(A)(2), to discuss and consider records exempt by law from public inspection, including the receipt and discussion of information or testimony that is confidential by State or Federal law.

**5. ASSISTANT ATTORNEY GENERAL'S REPORT – Mary DeLaat Williams, AAG**

- A. Administrative Appeals
  - i. Dr. Brent Tyler Robison v. ASBDE (Case No. 201000301) (Maricopa County Superior Court Case LC2013-000484; Arizona Court of Appeals case no. 1CA-CV 14-0533) – Status update
  - ii. Dr. Michael Wassef v. ASBDE (Case No. 201400061) (Maricopa County Superior Court Case LC2014-000547-001) – Status update

**6. PERSONNEL ISSUES**

- A. VACANT

**7. COMMITTEE REPORTS**

- A. VACANT

*ACTION ON LICENSING*

**8. REQUEST FOR ACTION ON LICENSURE**

The Board will review, discuss and take action on the following applications.

- A. Dr. Robert Todd Erickson - Discipline on Washington license
- B. Dr. Justin David Moody - Convicted of attempted tax evasion in 2003
- C. Dr. Keith Mitchell Cooper - NPDB disclosure of four malpractice settlements
- D. Dr. Calvin Cephus Brown Jr.- NPDB disclosure of one malpractice settlement over \$10,000

**9. VACANT**

**10. VACANT**

**11. VACANT**

**12. REQUEST FOR ACTION ON APPLICATION(S) FOR RENEWAL OF LICENSE**

**Roll Call Vote is required**

The Board will review, discuss and take action on the following renewal applications:

- A. VACANT

*ACTION ON CASES – 9:00 AM*

The Board president reserves the right to change the order of items on the agenda, except for public hearing set for a specific time. The Board may vote to go into Executive Session to discuss and consider records exempt by law from public inspection, including the receipt and discussion of information or testimony that is confidential by State or Federal law on agenda items 13A and 13B, pursuant to A.R.S. §38-431.03(A)(2).

**13. ACTION ON PREVIOUS ACTION – Roll Call Vote is required**

The Board will review, discuss and may vote to take action on the previous action for the following case(s):

Item No.	Case No.	Licensee	Comments
A.	201500219	Dr. Jaleh Keyhani	Proposed Board Order from April 1, 2016 Formal Interview
B.	201500256	Dr. Omaima S. Samain	Proposed Board Order from April 1, 2016 Formal Interview

**14. PETITION TO REHEAR – Roll Call Vote is required**

The Board will review, discuss and vote to take action on the Petition(s) for Rehearing for the following case(s). If GRANTED, the Board may remand for rehearing at an Investigative Interview or an immediate rehearing and determination.

Item No.	Case No.	Licensee	Comments
A.	VACANT		

*CONSENT AGENDA – 9:00 AM*

The Consent Agenda items may be considered for approval as a single action unless a Board member or any other interested party wishes to remove an item for discussion.

The Board may vote to go into Executive Session to discuss and consider records exempt by law from public inspection, including the receipt and discussion of information or testimony that is confidential by State or Federal law on agenda items 15A – 18E, and 22B, 23A – 23D, pursuant to A.R.S. §38-431.03(A)(2).

**15. CASES RECOMMENDED FOR DISCIPLINARY CONSENT AGREEMENTS**

**CONSENT AGENDA – Roll Call Vote *is required***

The Board will review, discuss and may vote to take action on the Consent Agreements for the following case(s):

Item No.	Case No.	Licensee	Comments
A.	2015000245	Dr. Amanda Sue Sparacino	

**16. CASES RECOMMENDED FOR NON-DISCIPLINARY CONTINUING EDUCATION CONSENT AGREEMENTS**

**CONSENT AGENDA – Roll Call Vote *is required***

The Board will review and vote to take action on the following case(s). While the evidence does not warrant disciplinary action, the Board believes that the licensee should modify or eliminate certain practices through Continuing Education and that continuation of the activities that led to the information being submitted to the Board may result in the Board action against the practitioner's license.

Item No.	Case No.	Licensee	Comments
A.	201500221	Dr. Richard L. Saran	6 hours endodontic diagnosis and complications, 6 hours in orthodontics, 3 hours record keeping
B.	201500260	Dr. Ronald D. Walker	6 hours record keeping
C.	201500275	Dr. John M. McLaughlin	3 hours record keeping, 6 hours crown and bridge
D.	201500293	Dr. Yewande Olunfunmilayo Onodipe	3 hours record keeping, 3 hours operative dentistry
E.	201600002	Dr. John A. Patterson	6 hours diagnosis and treatment planning of implants, 3 hours of record keeping
F.	201600006	Dr. Kathy Ann Jacobsen	6 hours record keeping
G.	201600009	Dr. Michael C. Anderson	6 hours crown and bridge
H.	201600010	Dr. Gregory M. Pafford	3 hours record keeping

**17. CASES RECOMMENDED FOR ISSUANCE OF LETTER OF CONCERN**

**CONSENT AGENDA – Roll Call Vote *is required if case is pulled***

The Board will review and vote to take action on the following case(s). Letters of Concern are advisory letters to notify the licensee that, while the evidence does not warrant disciplinary action, the Board believes that the licensee should modify or eliminate certain practices and that continuation of the activities that led to the information being submitted to the Board may result in

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the Board action against the practitioner's license. A Letter of Concern is not a disciplinary action, but is a public record.

Item No.	Case No.	Licensee	Comments
A.	201500294	Dr. Aanya Virendra Sanghvi	"Dr. Sanghvi should document periodontal status prior to any treatment on a patient"
B.	201600014	Dr. Dariene V. Lazore	"Dr. Lazore should be familiar with the duties of a laboratory technician"
C.	201600016	Dr. Pouria Owtad	"Dr. Owtad should completely document all complications in every patient's chart"
D.	201600022	Dr. Krishnan R. Bala	"Dr. Bala should not allow the patient to dictate treatment"
E.	201600031-MP	Dr. Vito M. Ardito	"Dr. Ardito should inform the patient and document any adverse outcomes"
F.	201600033	Dr. Mandalene Jayne Mirkhah	"Dr. Mirkhah should only write for medications that are within the scope of dentistry"
G.	201600043	Dr. Cheyanne R. Fazeli	"Dr. Fazeli should have a documented diagnosis prior to treatment"

**18. CASES RECOMMENDED FOR TERMINATION**  
**CONSENT AGENDA – Roll Call Vote is not required**

The Board will review and may vote to take action on the following case(s).

Item No.	Case No.	Licensee	Comments
A.	201600020	Dr. Aaron A. Jarvis	Per patient letter
B.	201600025	Dr. Brooke A. Zoumbaris	Per patient letter
C.	201600026	Dr. Juan Carlos Valencia	Per patient letter
D.	201600028	Dr. Manoj Sharma	Per patient letter
E.	201600029	Dr. Mark J. Castle	Per patient letter

**19. CASES RECOMMENDED FOR DISMISSAL**  
**CONSENT AGENDA – Roll Call Vote is not required**

The Board will review and may vote to take action on the following case(s).

Item No.	Case No.	Licensee	Comments
A.	VACANT		

**20. MALPRACTICE AND ADVERSE OCCURRENCE REPORTS, AND DISCIPLINARY ACTION IN ANOTHER STATE**

**CONSENT AGENDA – Roll Vote is required if case is pulled**

The Board will consider the facts and allegations and may vote to take the action indicated.

- A. Dr. Gregory A. Kammeyer – Adverse Occurrence – Take no action

**21. APPROVAL OF CONSULTANTS AND EXAMINERS**

**CONSENT AGENDA**

A. VACANT

**22. APPROVAL OF MINUTES  
 CONSENT AGENDA**

A. April 1, 2016 Board Meeting Minutes

B. April 1, 2016 Executive Session Minutes

**23. REVIEW OF EXECUTIVE DIRECTOR TERMINATIONS**

The Board will review, discuss and vote to take action on the following appealed case(s):

Item No.	Case No.	Licensee	Comments
A.	VACANT		
B.	201500281-ED	Dr. Hugh T. Keefe	
C.	201500297-ED	Dr. Dale D. Lentz	
D.	201600027-ED	Dr. Christopher S. Brendemuhl	

**\*\*\* END OF CONSENT AGENDA \*\*\***

*FORMAL INTERVIEWS – 9:30 AM*

**24. FORMAL INTERVIEW CASES – Roll Call Vote is required**

The Board will review, discuss and vote to take action on the following cases and may impose discipline, dismiss, issue a letter of concern, terminate, table for further investigation, postpone, and/or forward for further administrative review.

The Board may vote to go into Executive Session to discuss and consider records exempt by law from public inspection, including the receipt and discussion of information or testimony that is confidential by State or Federal law on agenda items 24A, pursuant to A.R.S. §38-431.03(A)(2).

Item No.	Case No.	Licensee	Comments
A.	2015000190	Dr. Sathish Bhadra Chari	

*FORMAL INTERVIEWS – 10:00 AM*

**25. FORMAL INTERVIEW CASES – Roll Call Vote is required**

The Board will review, discuss and vote to take action on the following cases and may impose discipline, dismiss, issue a letter of concern, terminate, table for further investigation, postpone, and/or forward for further administrative review.

The Board may vote to go into Executive Session to discuss and consider records exempt by law from public inspection, including the receipt and discussion of information or testimony that is confidential by State or Federal law on agenda items 25A, pursuant to A.R.S. §38-431.03(A)(2).

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Item No.	Case No.	Licensee	Comments
A.	VACANT		

*CALL TO THE PUBLIC*

Consideration of comments from the public. Those wishing to address the Board need not request permission in advance. The Board may ask staff to review a matter or may ask that a matter be put on a future agenda. The Board shall not discuss or take action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. A.R.S. § 38-431.01(H).

**26. MEMBERS OF THE PUBLIC**

**27. FUTURE AGENDA ITEMS**

**28. NEXT MEETING DATE – August 5, 2016**

**29. ADJOURNMENT**

In accordance with Title II of the Americans with Disabilities Act (ADA), this Board does not discriminate on the basis of disability in admission to and participation in Board Meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting Terry Bialostosky at 602 542-4450. Requests should be made as early as possible to allow time to arrange the accommodation. This Notice and Agenda may be made available in an alternative form.

The Board President reserves the right to change the order of items on the agenda, except for public hearings set for a specific time. The Board may vote to go into Executive Session on any of the above agenda items to review and discuss confidential records and/or obtain legal advice from its attorney pursuant to Arizona Revised Statutes (A.R.S.) § 38-431.03 (A)(3) or to discuss statutorily confidential matters pursuant to A.R.S. § 38-431.03 (A)(2).