



## ARIZONA STATE BOARD OF DENTAL EXAMINERS

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www.azdentalboard.us

### 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

APRIL 11, 2014 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 regarding the American Association of Dental Board (AADB) Mid-Year Meeting

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

- A. VACANT
- B. 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.)
- C. Dr. Edward W. Galapeaux – Case no. 201200011 – Review, discussion, and possible action to dismiss without prejudice case number 201200011.
- D. Dr. Christopher R. Reavis – Review, discussion and possible action regarding the acceptance of Dr. Reavis' interim voluntary suspension.
- E. Dr. Wade A. Mendenhall – Review, discussion and possible action regarding the acceptance of Dr. Mendenhall's interim voluntary suspension.

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- F. Review, discussion and possible action regarding approval of Arizona Professional Monitoring, LLC ("APM") as a monitoring service.
- G. Report regarding the American Association of Dental Board (AADB) Mid-Year Meeting
- H. Report regarding the American Association of Dental Administrators (AADA) Meeting
- I. Discussion, status update and report from Auditor General's Audit team on Board Sunset Review Audit **To be heard at 11:30am**

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 item 4I, pursuant to A.R.S. §38-431.03(A)(2).

- J. Dr. Michael Wassef – Case no. 201400061 – Review, discussion, and possible action, including possible summary suspension, regarding non-compliance with Interim Order for substance abuse evaluation.
- 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. Nishith S. Shah v. ASBDE (Case No. 201100033) (Maricopa County Superior Court Case LC2011-000735; Court of Appeals Case 1CA-CV13-0488) – Status Update
  - ii. Dr. Jack I. Lipton v. ASBDE (Cases No. 201000254 & 201100259) (Maricopa County Superior Court Case LC2011-000713; Court of Appeals Case 1CA-CV 13-0746) – Status update
  - iii. Dr. Brent Tyler Robison v. ASBDE (Case No. 201000301) (Maricopa County Superior Court Case LC2013-000484) – Status update
  - iv. Dr. Arthur J. Porter v. ASBDE (Case No. 201200097) (Maricopa County Superior Court Case LC2013-000370-001DT) – Status update

**6. PERSONNEL ISSUES**

- A. VACANT

**7. COMMITTEE REPORTS**

- A. Dental Hygiene Committee – Heather N. Hardy, RDH

- i. Review, discussion and possible action regarding the 2013 Dental Hygiene Continuing Education Audit responses. Upon recommendation from the Dental Hygiene Committee, the Board may consider approval of the CE audit responses from the following:
  - a. Natalie J. Choi, RDH – with a letter stating that CE used in this audit may not be used for the 2013 – 2016 renewal.
- ii. Upon recommendation of the Dental Hygiene Committee, the Board may consider recognizing the Local Anesthesia and Nitrous Oxide coursework from Fortis College – Salt Lake City, UT
- iii. Upon recommendation of the Dental Hygiene Committee, the Board may consider recognizing the Local Anesthesia and Nitrous Oxide coursework from Concorde Career College – San Diego, CA
- iv. Upon recommendation of the Dental Hygiene Committee, the Board may consider denying recognition of the Local Anesthesia and Nitrous Oxide coursework from Old Dominion University, Norfolk, VA – Course does not include at least three experiences of the NP, GP injections or at least three experiences of nitrous oxide analgesia.
- v. Upon recommendation of the Dental Hygiene Committee, the Board may consider denying recognition of the Local Anesthesia and Nitrous Oxide coursework from College of DuPage, Glen Ellyn, IL – Course does not include at least three experiences of nitrous oxide analgesia

### ***ACTION ON LICENSING***

#### **8. REQUEST FOR ACTION ON LICENSURE BY EXAMINATION**

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

- A. VACANT

#### **9. REQUEST FOR ACTION ON LICENSURE BY CREDENTIAL**

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

- A. Dr. Mark Richard Brouillette – Board approved exam, voluntary surrender and discipline on Nebraska license, disclosure of felony convictions.
- B. Dr. Andrea Judith Botar – Board approved exam, discipline on New York license. Dr. Botar was denied an Arizona Dental license for not disclosing New York discipline on application in 2005.
- C. Dr. Richard S. Ulrich – Board approved exam, discipline on Illinois license.
- D. Dr. Stanley Walter Bohnstedt – 1985 Oregon State exam prior to a regional
- E. April Dawn Churchill, RDH – 2005 California Dental Hygiene Exam
- F. Transcripts
  - i. Erica Andrea Caprera Cordova, RDH – Board approved exam; transcript was received from Parchment Exchange, a third party.

- ii. Discussion and possible action on whether Board may accept transcripts from a third party
- iii. Review, discussion, and possible action regarding opening a rule docket to amend R4-11-301A3

**10. REQUEST FOR ACTION ON LICENSURE BY CREDENTIAL**  
**Clinical Examination taken more than five years ago**

The following applicants for licensure by credential have, as part of their application, had a detailed report prepared by a Board-recognized organization and forwarded to the Board on their behalf. The Board will review, discuss and take action on the following applications.

- A. Dr. Jared Louis Slovan – 2007 SRTA

**11. REQUEST FOR ACTION ON LICENSURE BY CREDENTIAL**  
**Clinical Examination taken less than five years ago**

The following applicants for licensure by credential have submitted documentation of successful completion of a clinical examination taken less than five years. The Board will review, discuss and take action on the following applications.

- A. Dr. Kendra Lynette Hunter – 2013 SRTA
- B. Megan Ruden DeArmond, RDH – 2010 SRTA

**STIPULATION CONSENT AND ENFORCEMENT**

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 12 through 14 pursuant to A.R.S. §38-431.03(A)(2).

**12. RECOMMENDATION(S) FROM BOARD MATP MEDICAL DIRECTOR**

- 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 through 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.	201300238	Dr. Thomas A. Endicott	Proposed Board Order from February 7, 2014 Formal Interview
B.	201300153	Dr. Lee W. Harding	Proposed Board Order from February 7, 2014 Formal Interview

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**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 through 20B and 22B, 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.	201300198	Dr. Salvatore F. Perna	
B.	201300228	Dr. Mark L. Moss	
C.	201300246	Dr. Massoud Eftekhari	
D.	201300263	Dr. Omaira S. Samain	
E.	201300280	Dr. Brandon D. Arnow	
F.	201300282	Dr. Mu-Hun Kim	
G.	201300283	Community Dental Services of Arizona, LLC	
H.	201300233	Dr. Michael Wassef	

**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.	201300230	Dr. David M. Brewton	4 hours of record keeping

Item No.	Case No.	Licensee	Comments
B.	201300231	Dr. Robert John Balcar	6 hours of crown and bridge
C.	201300241	Dr. Glenn H. Featherman	6 hours of implant treatment planning
D.	201300242	Dr. Edward V. Kuch	6 hours of crown and bridge
E.	201300262	Dr. Mark L. Moss	4 hours of risk management
F.	201300272	Dr. Michael V. Goldman	6 hours in the area of diagnosis and treatment
G.	201300284	Dr. David Todd Madder	6 hours of crown and bridge
H.	201400018	Dr. Brooke A. Zoumbaris	6 hours of crown and bridge
I.	201400040	Dr. Robert John Balcar	3 hours of ethics

**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 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.	201300264	Dr. Bryan J. Shanahan	"Dr. Shanahan should thoroughly document all treatment and discussions with patients."
B.	201300270-MP	Dr. Scott R. Jackson	"Dr. Jackson should ensure complete documentation of all diagnostic tests and working lengths for endodontic treatment."
C.	201300279	Dr. Christopher W. Munkel	"Dr. Munkel should document the risks, benefits and alternatives to treatment with all patients."
D.	201300281	Dr. Nathan W. Smith	"Dr. Smith should ensure complete removal of all decay from preparations."
E.	201300286	Dr. Steven C. Green	"Dr. Green should ensure all records are clear, concise, and understandable; and that all procedures are documented."
F.	201300305	Dr. Kevin L. Mueller	"Dr. Mueller should completely and thoroughly document all informed consent and any discussions with the patient related to the proposed treatment."
G.	201400007	Dr. Brian D. Griffiths	"Dr. Griffiths should perform an independent diagnosis and evaluation of each patient and document his findings."

**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.	201300287	Dr. Charles E. Pick	Per patient letter
B.	201300295	Dr. Champa R. Chatterjee	Per patient letter
C.	201300311	Dr. Jarom Alan Stradling	Per patient letter
D.	201300312	Dr. Yen C. Wang	Per patient letter
E.	201400022	Dr. Brooke A. Zoumbaris	Per patient letter
F.	201400043	Dr. David Warren Edwards	Per patient letter
G.	201300294	Dr. Bryce E. Justesen	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, ADVERSE OCCURANCE 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. Ronald E. Ward – Malpractice Report Recommendation – Take no action
- B. Dr. Jenny V. Wang – Malpractice Report Recommendation – Take no action

**21. APPROVAL OF CONSULTANTS AND EXAMINERS  
 CONSENT AGENDA**

- A. Dr. Gregory A. Kammeyer – Dental Consultant
- B. Thomas M. Mack, DDS – Dental Consultant

**22. APPROVAL OF MINUTES  
 CONSENT AGENDA**

- A. February 7, 2014 – Board Meeting Minutes
- B. February 7, 2014 – Executive Session Meeting Minutes
- C. March 19, 2014 – Telephonic Board Meeting Minutes

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 item 22B pursuant to A.R.S. §38-431.03(A)(2).

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

*OTHER BUSINESS – 9:00 AM*

**23. REVIEW OF EXECUTIVE DIRECTOR TERMINATIONS**

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 23A through 23G, pursuant to A.R.S. §38-431.03(A)(2).

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

Item No.	Case No.	Licensee	Comments
A.	201300253-ED	Dr. Golinaz M. Asadi	
B.	201300259-ED	Dr. Jesse W. Harker	
C.	201300265-ED	Dr. Adriatik Rama	
D.	201300271-ED	Dr. William M. McFadden	
E.	201300299-ED	Dr. Lynn A. Shumway	
F.	201300300-ED	Dr. Steven M. Morales	
G.	201400005-ED	Dr. Brooke A. Zoumbaris	

*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 through 24C, pursuant to A.R.S. §38-431.03(A)(2).

Item No.	Case No.	Licensee	Comments
A.	201300291	Dr. Rosalyn D. Keith	
B.	201400004	Dr. Rosalyn D. Keith	
C.	201400021	Mr. Daniel A. Ramirez, RDH	Recommendation to add an additional allegation for conviction of a felony; Refer to the Office of Administrative Hearings

*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).

- 25. MEMBERS OF THE PUBLIC**
- 26. FUTURE AGENDA ITEMS**
- 27. NEXT MEETING DATE – June 6, 2014**
- 28. 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 602 242-1492. 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.