



Jan Brewer, Governor

ARIZONA STATE BOARD OF DENTAL EXAMINERS

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

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

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

JUNE 3, 2011 AT 8:00 AM

4205 NORTH 7th 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. PRESIDENT'S REPORT – Dr. Greg Waite

- A. Review, discussion and possible action regarding appointing Ms. Patricia Price to the Dental Hygiene Committee to fill the vacancy left by Ms. Kaz's resignation.

3. 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. Approval for Executive Director to attend the State Bar Convention on June 16, 2011.
- C. Approval for Executive Director and Board President to attend American Association of Dental Boards annual meeting October 9-10, 2011.
- D. Review, discussion and possible action regarding renewal of the Board's Interagency Service Agreements and contracts with the Office of Administrative Hearings, Attorney

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General's Office, Department of Administration - Central Services Bureau, MATP Medical Director, Legislative Liaison and Staff Consultant.

- E. Review, discussion and possible action regarding previously terminated complaints (201000210, 201000212, 201000249 & 201000250; possible referral to Attorney General's Office for criminal investigation). Recommending no further action should be taken.
- F. Review, discussion and possible action regarding approval for Board ordered continuing education through the C.N.A. Brown and Brown online risk-management course.
- G. Dr. Mu-Hun Kim (Case #: 280093) - Review, discussion and possible action regarding satisfaction of the restitution order.
- H. Review, discussion and possible action regarding changes to Substantive Policy Statement #15: Injecting Anesthesia, Injecting Other Substances or Prescribing for Non-Dental Treatment.
- I. Review, discussion and possible action regarding changes to the administration of the jurisprudence exam.
- J. Dr. Alexander Hatch – Review, discussion and possible action regarding acceptance of interim voluntary suspension of license and opening an investigation for alleged substance abuse.
- K. Dr. Enrique G. Wismann – Review, discussion and possible action regarding acceptance of interim voluntary suspension of license and opening an investigation for alleged substance abuse.
- L. Review, discussion, and possible action on 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.

4. ASSISTANT ATTORNEY GENERAL'S REPORT FOR BOARD DIRECTION & POSSIBLE ACTION – Mary DeLaat Williams, AAG

- A. Dr. Rosalyn D. Keith v. ASBDE (Case 270098) (Court Case LC2009-000836)
- B. Dr. Steven Morales v. ASBDE (Case 290247) (Court Case LC2010-000569)
- C. VACANT
- D. Review, discussion and possible action regarding new procedures for investigating and adjudicating complaints.

5. PERSONNEL ISSUES

- A. Review, discussion and possible action regarding the Executive Director's performance evaluation and salary.

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- B. Review, discussion and possible action regarding the Deputy Director's performance evaluation and salary.

The Board may vote to go into Executive Session on agenda items 5A and 5B pursuant to A.R.S. §38-431.03(A)(1) (discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of a public body.)

ACTION ON LICENSING

6. REQUEST FOR ACTION ON LICENSURE

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

- A. Laura Lee Hale, DDS - Request for licensure by examination; disciplinary action against dental license in Nebraska in July of 2009.

7. REQUEST FOR ACTION ON DENTAL ASSISTANT RADIOLOGY CERTIFICATION BY CREDENTIAL – CONSENT AGENDA

The Board will review, discuss and take action on the following applications for Dental Assistant Radiology Certification.

- A. Adriana Barnett - Certified in CA
- B. Ana M. Espinoza - Certified in CA
- C. Susan Burdick - Certified in CA
- D. Eugenio N. Lina - Certified in CA
- E. Mirta M. Cardenas - Certified in CA
- F. Monica Escatel - Certified in TX
- G. April J. Osorio-Gerholt - Certified in TX
- H. Elsbeth L. Dodgson - Certified in WY
- I. Cindy A. Meza - Certified in CA
- J. Tammy L. Watson - Certified in CA
- K. Tore S. Van Buren - Certified in CA
- L. Rebecca A. Bebeau - Certified in MN

8. REQUEST FOR ACTION ON LICENSURE BY CREDENTIAL

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

- A. Dr. Ira Newman - Board approved exam
- B. Dr. Robert M. Gorzelnik - 1962 NJ State exam prior to a regional
- C. Dr. Graydon J. Briggs - 1974 CA State exam prior to a regional
- D. Dr. Robert C. Johnson - 1982 CA State exam prior to a regional
- E. Cari Raney, RDH – 1981 WA State exam prior to a regional

REQUEST FOR ACTION ON LICENSURE BY CREDENTIAL

Clinical Examination taken more than 5 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.

- F. Dr. Amish Bhupendra Patel - 2001 SRTA; disciplinary action on Georgia license

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.

G. VACANT

9. REQUEST FOR ACTION ON LICENSURE BY CREDENTIAL – CONSENT AGENDA

Board-approved clinical examination

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

- A. Dr. Rajan K. Sheth - 2009/2010 NERB
- B. Dr. Adam L. Stout - 2008/2009 NERB
- C. Dr. Amogh Velangi - 2006/2007 NERB
- D. Dr. Matthew A. Brunson - 2003/2004 NERB
- E. Dr. Daniel K. Boden - 1996 NERB
- F. Dr. Robert J. Balcar - 1989 NERB
- G. Dr. Weston M. Fortson, Jr. - 1987 NERB
- H. Dr. Barry M. Schatzman - 1984 NERB
- I. Dr. Lance M. Coben - 1979 NERB
- J. Dr. Leonard S. Gordon - 1979 NERB
- K. Dr. Charles A. Matlach - 1976 NERB
- L. Dr. Ronald W. Bailey - 1975 NERB
- M. Dr. Adam J. Battaglia - 2009 CRDTS
- N. Dr. Aaron J. White - 2004 CRDTS
- O. Dr. Ronald J. Schmidt - 1984 CRDTS
- P. Dr. Jason P. Barney - 2005 WREB
- Q. Dr. Michael M. Wahbah - 2003 WREB
- R. Dr. Kimberly K. Patterson - 1997 WREB
- S. Dr. Patricia L. Ridgley - 1978 WREB
- T. Dr. Cory G. Wooff - 2010 SRТА
- U. Laura W. Adams, RDH - 2008 NERB
- V. Deborah A. Llewellyn-Ryan, RDH - 1991 NERB
- W. Marcy Beth Newman, RDH - 1985 NERB
- X. Stephanie Tone, RDH - 2005 SRТА
- Y. Julie R. Denney, RDH - 2001 CRDTS
- Z. Ginger L. Gaskill, RDH - 2003 WREB
- AA. Kristi A. Harris, RDH - 2003 WREB
- BB. Debra M. James, RDH - 1997 WREB
- CC. Cheryl Ann Weibel, RDH - 1997 WREB
- DD. Tina M. Reece, RDH - 1998 CA

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

Roll Call Vote is Required

The Board will review, discuss and take action regarding disclosures on renewal applications.

- A. Dr. Ronald J. Peterson – Review, discussion and possible action regarding Dr. Peterson’s request to change his license status from Disabled to Active.
- B. VACANT

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 item 11 pursuant to A.R.S. §38-431.03(A)(2).

11. RECOMMENDATION(S) FROM BOARD MATP MEDICAL DIRECTOR – 8:30 AM

- A. Review, discussion and possible action regarding changes to the Board's Monitored Aftercare Treatment Program:
 - i. Establishment of confidential program for the treatment and rehabilitation of licensees impaired by alcohol and drug abuse;
 - ii. Discussion of roles of Executive Director, staff, Medical Director and the Board;
 - iii. Discussion and approval of confidential, non-disciplinary stipulation agreement for rehabilitation.
- B. Laurie Clark, RDH – Review, discussion and possible action regarding recommendation from MATP Director; Opening an investigation for failure to timely disclose arrest and issuing a letter of concern.
- C. Dr. Timothy Bashara – Review, discussion and possible action regarding opening an investigation for alleged substance abuse, reinstatement of license, and entrance into the MATP.

12. VACANT

MORNING AGENDA

ACTION ON CASES – 8:30 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 20E, pursuant to A.R.S. §38-431.03(A)(2). The Board usually allows 3 – 5 minutes per person for public comment; however, depending on the issue presented, the Board has the discretion to expand that time.

13. ACTION ON 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.

Item No.	Case No.	Licensee	Comments
A.	290098 & 290138	Dr. William Hoskyns	Consent Agreement
B.	201000087 & 201000090	Dr. William Hoskyns	
C.	VACANT	VACANT	

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D.	VACANT	VACANT	
E.	201000306	Dr. Nicholas J. Meyer	
F.	201100011	Dr. Salvatore F. Perna	
G.	201100033	Dr. Nishith S. Shah	
H.	201100038	Dr. Mark A. Espinoza	

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

The Board will review, discuss and vote to take action on the Petitions for Rehearing on 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.	201000267	Dr. Jason Paul Acuff	Petition to Rehear

CONSENT AGENDA – 10:00 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.

15. CASES RECOMMENDED FOR DISMISSAL

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):

Item No.	Case No.	Licensee	Recommendation
A.	201000303	Dr. Nicholas J. Meyer	
B.	201000329	Dr. Adriatik Rama	
C.	201100006	Dr. Christopher C. Oates	
D.	201100019	Dr. Richard M. Freimuth	
E.	201100025	Dr. Jeffrey Fellner	
F.	201100026	Dr. Lonnie C. Eckman	
G.	201100029	Dr. Peter A. Bassett	

16. 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.

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Item No.	Case No.	Licensee	Recommendation
A.	201100002	Dr. Eric Black	Stating entries for prescriptions should be made on corresponding charts.
B.	201100003	Dr. George R. Ayoub	Stating full mouth x-rays are indicated for a patient with rampant caries.
C.	201100031	Dr. Steven H. Poulos	Stating Dr. Poulos should closely monitor the amount of controlled substances he prescribes and take care not to exceed therapeutic amounts.
D.	201100053	Dr. Krystal J. Miles	Stating the placement of implants should be consistent with restorability, form and function of the final restoration.
E.	201100076	Sarah Morones, RDH	Stating Ms. Morones must be knowledgeable about the requirements of her MATP stipulation agreement.

**17. CASES RECOMMENDED FOR NON-DISCIPLINARY CONTINUING EDUCATION
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). 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	Recommendation
A.	201000330	Dr. Ryan J. Porter	Non-disciplinary Continuing Education - 6 hours in the area of Risk Management 6 hours in the area of Crown and Bridge 6 hours in the area of Endodontics
B.	201100035	Dr. Mickel A. Malek	Non-disciplinary Continuing Education – 6 hours in the area of Documentation and Record Keeping

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

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

Item No.	Case No.	Licensee	Recommendation
A.	201100039	Dr. Aaron D. Haskett	Per patient letter
B.	201100045	Dr. Gregory A. Wadleigh	Per patient letter
C.	201100050	Dr. Neil S. Reiser	Per patient letter
D.	201100055	Dr. Joseph L. Harris	Per patient letter
E.	201100058	Dr. Paul S. Gebhart	Per patient letter

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**19. CASES RECOMMENDED FOR TERMINATION – LACK OF SUPPORTING EVIDENCE
CONSENT AGENDA - Roll Call Vote *is not required***

The Board will review and vote to take action on the following case(s). These cases have been recommended for Termination because the evidence reviewed is insufficient to support the allegations found in the complaint.

Item No.	Case No.	Licensee	Recommendation
A.	201100068	Dr. Joseph S. Dovgan	

**20. REVIEW AND FILING OF CASES FOR INVESTIGATION
CONSENT AGENDA – Roll Call Vote *is required if case is pulled***

The Board will consider the facts and allegations set forth in these reports and vote to take the action indicated.

- A. Dr. Karen Chu - Open an investigation for alleged mistreatment of a child.
- B. Dr. Scott Darlington - Open an investigation for alleged abuse of prescribing privileges.
- C. Dr. Smita Palejwala - Open an investigation for alleged inadequate treatment.
- D. Dr. Karen Berrigan - Malpractice Report: Take no action.
- E. Dr. Wayne G. Thorpe - Malpractice Report: Take no action.

21. APPROVAL OF RESTRICTED PERMIT(S) (APPLICATION/RENEWAL) – CONSENT AGENDA

- A. Dr. Victor A. Palmieri
- B. Dr. Howard Allen Gerstein
- C. Dr. Bruce L. Wolff
- D. Dr. Maynard Charles Anderson
- E. Dr. Donald J. Meis
- F. Dr. Stephen F. Kozak

22. RATIFICATION OF NEW DENTAL & DENTAL HYGIENE LICENSES – CONSENT AGENDA

Dental:

Kwynn N. Koop, DDS
D008166 Issued: 03/21/2011

Whitney B. Wright, DDS
D008179 Issued: 04/14/2011

Lindsay M. Goss, DMD
D008167 Issued: 03/25/2011

Abraham M. Miller, DDS
D008180 Issued: 04/19/2011

Brian S Kleinman, DDS
D008168 Issued: 04/08/2011

Julie L. Angellotti, DDS
D008181 Issued: 04/29/2011

Sumir P. Mathur, DMD
D008169 Issued: 04/01/2011

James F. Heidenreich, DMD
D008182 Issued: 04/29/2011

Nicholas A. Maffeo, DMD
D008177 Issued: 04/08/2011

Matthew B. Richman, DDS
D008183 Issued: 04/29/2011

Sara L. Garcia, DDS
D008178 Issued: 04/08/2011

Jaclyn Duboue, DDS
D008184 Issued: 05/03/2011

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Cameron S. Hamidi, DDS
D008185 Issued: 05/06/2011

Naomi-Trang Nguyen, DDS
D008189 Issued: 05/18/2011

Nicolas J. Porter, DDS
D008186 Issued: 05/09/2011

Spencer D. Peoples, DMD
D008190 Issued: 05/18/2011

Loan T. Huynh, DDS
D008187 Issued: 05/10/2011

Jeffrey L. Roberts, DMD
D008191 Issued: 05/18/2011

Ryan D. Harbertson, DDS
D008188 Issued: 05/18/2011

Dental Hygiene:

Michelle L. Hodge, RDH
H007065 Issued: 03/25/2011

Zachary S. Magill, RDH
H007076 Issued: 04/28/2011

Ashley S. Tuttle, RDH
H007066 Issued: 03/25/2011

Jennifer E. Reese, RDH
H007077 Issued: 05/18/2011

Amy S. Crandall, RDH
H007067 Issued: 03/31/2011

Pamela M. Lunt, RDH
H007078 Issued: 05/20/2011

Andrea D. Irons, RDH
H007075 Issued: 04/08/2011

23. ANESTHESIA AND SEDATION PERMITS – CONSENT AGENDA

A. Ratification of Anesthesia and Sedation Permits

Issue Date	Name	Type	New/Renew
3.25.11	Timothy M. Gomez, DDS	1301	Renew
3.25.11	Owen W. Kaiser, DDS	1301	Renew
3.25.11	Michael H. Grousd, DDS	1301	New
4.27.11	Caroline M. Kacer, DMD	1301	New
3.30.11	John A. Patterson, DMD	1302	Renew
4.11.11	Joseph A. Santoro, DDS	1302	New
4.19.11	Edward D. Gall, III, DDS	1302	New
4.27.11	Kyrke B. Baillie, DDS	1302	New
4.28.11	Dirk M. Donovan, DMD	1302	New
3.31.11	Jodi J. Heacock, DDS	1303	Renew
4.28.11	Uyen Nguyen, DMD	1303	Renew
4.22.11	Barry Patrick Sullivan, DDS	1303	New
5.5.11	James R. Chaffin, DDS	1303	New
5.9.11	Scott T. LeSueur, DDS	1303	New
5.11.11	Brian J. Goodman, DDS	1303	New
5.19.11	Rosa Maria Krasavage, DDS	1303	New

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Issue Date	Name	Type	New/Renew
3.31.11	Lisa E. Chinn, DMD	1301 Employs	Renew
3.31.11	Jodi J. Heacock, DDS	1301 Employs	Renew

24. APPROVAL OF CONSULTANTS AND EXAMINERS – CONSENT AGENDA

- A. Dr. Kyrke Brandon Baillie - Anesthesia Permit Evaluator
- B. Dr. Mark Allen Crane - Anesthesia Permit Evaluator

25. APPROVAL OF MINUTES – CONSENT AGENDA

- A. April 1, 2011 Board Meeting Minutes

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

AFTERNOON AGENDA

ACTION ON CASES – 1:00 PM

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 26 through 28, pursuant to A.R.S. §38-431.03(A)(2). The Board usually allows 3 – 5 minutes per person for public comment; however, depending on the issue presented, the Board has the discretion to expand that time.

26. ACTION ON 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.

Item No.	Case No.	Licensee	Comments
A.	100060, 201000089, 201000144, 201000151, 201000198, 201000199 & 201000286	Dr. Michael Wassef	Consent Agreement
B.	201000311	Anissa Angulo, RDH	
C.	201100023	Dr. Andrew T. Kunstman	
D.	201100034	Dr. Dennis R. Sykora	Consent Agreement
E.	201100005	Dr. Jerome C. Cutler	

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27. ACTION ON PREVIOUS ACTION

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

Item No.	Case No.	Licensee	Comments
A.	201100069	Dr. Jerome C. Cutler	Administratively Adjust
B.	100030	Dr. Doug Chang	
C.	201000318	Dr. Sam Hashemian	
D.	201100077	Dr. Sibera T. Brannon	
E.	201000254	Dr. Jack I. Lipton	
F.	201000259	Dr. Jack I. Lipton	

OTHER BUSINESS

28. 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.	201000305-ED	Dr. Trent Smallwood	
B.	201100014-ED	Dr. Eugene I. Kim	
C.	201100015-ED	Dr. Trevor E. Andrews	
D.	201100028-ED	Dr. Joseph R. Fox	
E.	201100037-ED	Dr. Jerome C. Cutler	
F.	201100041-ED	Dr. James R. Knochel	
G.	201100046-ED	Dr. Ryan J. Porter	

29. OTHER COMMITTEE REPORTS

- A. VACANT

CALL TO THE PUBLIC

Consideration of comments from the public. Those wishing to address the Board need not request permission in advance; however, a call to the public form will need to be completed. The Board may not discuss or take any action on any public comment at this meeting except to direct staff to study the matter or reschedule the matter for further consideration and decision at a later date.

Note: This is not the time set aside on the meeting agenda to discuss those specific cases that are listed on today's agenda.

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- 30. MEMBERS OF THE PUBLIC**
- 31. ASSOCIATIONS**
- 32. FUTURE AGENDA ITEMS**
- 33. NEXT MEETING DATE – August 5, 2011**
- 34. 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.

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).