



Jan Brewer, Governor

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

AUGUST 3, 2012 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. PUBLIC COMMENT ON CASES

3. COMMITTEE REPORTS

A. Continuing Education Audit of Dentists Committee – Dr. Robert Foster

i. Upon recommendation of the Continuing Education Audit for Dentists Committee, the Board may consider the following continuing education extension request recommendations:

- a. Lisa M. Anderson, DMD – Grant extension until December 31, 2012
- b. Joseph R. Bentley, DDS – Grant extension until September 30, 2012
- c. VACANT
- d. Doug Chang, DMD – Grant extension until October 31, 2012
- e. Vincent G. Colosimo, DMD – Grant extension until June 30, 2013
- f. Kamran Jafari, DDS – Grant extension until December 31, 2012
- g. Glenn E. Kelty, DDS – Deny request, no extenuating circumstances
- h. C. Wilson Lathrop, DDS – Grant extension until September 30, 2012
- i. Michael Allan Lindstrom, DDS – Grant extension until September 30, 2012
- j. Robert F. McGee, DDS – Deny request, no extenuating circumstances
- k. VACANT

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- i. Blanca P. Rojas, DDS – Grant extension until September 30, 2012
 - m. VACANT
 - ii. Review, discussion and possible action regarding the following continuing education extension requests:
 - a. Thomas Gaetano Greco, DMD
 - b. VACANT
 - c. VACANT
 - d. Colleen T. Murphy, DDS
 - e. Marco A. Pinto, DMD
 - f. Daphne M. Velazquez, DDS
 - B. Dental Hygiene Committee – Laurie Buckles, RDH
 - i. Upon recommendation of the Dental Hygiene Committee, the Board may consider the following continuing education extension request recommendations:
 - a. Michelle R. Levins, RDH grant extension until September 30, 2012
 - b. Julie Ann Young, RDH grant extension until September 30, 2012
 - c. Susan M. Oliver, RDH deny request, no extenuating circumstances
 - d. B. Dana Anderson, RDH grant extension until September 30, 2012
 - e. Nikki S. Thomas, RDH grant extension until September 30, 2012
 - f. Annette K. Beyer, RDH grant extension until September 30, 2012
 - g. Melissa Rubio, RDH grant extension until September 30, 2012
 - h. Amy Whipple, RDH grant extension until September 30, 2012
 - ii. Upon recommendation of the Dental Hygiene Committee the Board may consider denying request for recognition of the following Local Anesthesia and Nitrous Oxide coursework:
 - a. Vancouver College of Dental Hygiene Inc.- Course does not include three experiences of the MSA injection and does not include nitrous oxide.
 - b. University of Pittsburgh, School of Dental Medicine, Dental Hygiene Program-Course does not include three experiences of injections for the GP, IAN/L or the Long Buccal, or nitrous oxide.
 - c. Herzing University-Course does not include three NP injections.
 - d. Kellogg Community College-Course does not include three experiences of each type of injection or three experiences of nitrous oxide
 - iii. Upon recommendation of the Dental Hygiene Committee the Board may consider approving Sandra Ann Hendricks's 1988 Idaho State University continuing education course. This is exclusive for Ms. Hendrick to administer local anesthesia and nitrous oxide analgesia.
- 4. PRESIDENT'S REPORT – Dr. Greg Waite**
 - A. Appointment of Dental Hygiene Selection Committee Members
- 5. EXECUTIVE DIRECTOR'S REPORT – Ms. Elaine Hugunin**
 - A. Summary of current events that affect the Arizona State Board of Dental Examiners

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(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. Review, discussion and possible action regarding delegation of authority to Executive Director to issue licenses to applicants with disclosures of juvenile misdemeanor criminal history.
- C. 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, and Legislative Liaison.
- D. Review, discussion and possible regarding automating the Jurisprudence Exam.
- E. Review, discussion and possible action to repeal the following Substantive Policy Statements:
 - i. Substantive Policy Statement #6 – Warning Letters for Noncompliance
 - ii. Substantive Policy Statement # 8 – Board Orders – Providing Clear, Concise and Understandable Terms
 - iii. Substantive Policy Statement #13 – Advanced Courses for Suture Placement
 - iv. Substantive Policy Statement #16 – Components of a Standard MATP Agreement What Constitutes “Non-Compliance”
 - v. Substantive Policy Statement #23 – Components of a Two (2) Year Abuse Monitoring Agreement
- F. Dr. Denis J. Froehlich (Case #201200074) - Review, discussion and possible action regarding issuance of an interim order for substance abuse evaluation.
- G. Dr. Lori Karen Anderson - Review, discussion and possible action regarding Dr. Anderson's application for renewal of her Section 1303 Oral Conscious Sedation Permit, including but not limited to, denying the renewal, or entering into a consent agreement.
- H. Review, discussion and possible action regarding approval of the confidential stipulation agreement for one licensee to enter into the 2-year Abuse Track Program and one licensee to enter into the 5-year Monitoring Program.
- I. Review, discussion and possible action regarding 2013 Board meeting dates.
BOARD MEETINGS:
February 1, 2013
April 5, 2013
June 7, 2013
August 2, 2013
October 4, 2013
December 6, 2013
- J. Review, discussion and possible approval of Notice of Final Rulemaking and Economic Impact Statement on A.A.C. R4-11-101 Definitions and A.A.C. R4-11-1501 – 1504 relating to the Board's complaint process.

- K. Robert H. Mercier, DDS (Case #: 201200066) – Review, discussion and possible action regarding vacating the previous vote to send to Formal Hearing and dismissing the case without prejudice.
- L. Review, discussion and possible action regarding stakeholder comments and suggestions to revise proposed changes to Arizona Administrative Code, Title 4, Chapter 11, Articles 1 and 13 relating to general anesthesia and sedation.
- M. Gospel Rescue Mission – Review, discussion and possible action on Gospel Rescue Mission’s request for Board recognition as a charitable organization for the purposes of Arizona Administrative Code R4-11-1209(A)(3)(e).
- N. Kenya Medical Mission – Review, discussion and possible action Kenya Medical Mission’s request for Board recognition as a charitable organization for the purposes of Arizona Administrative Code R4-11-1209(A)(3)(e).
- O. 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.

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

- A. Administrative Appeals
 - i. Nishith S. Shah, D.M.D. v. ASBDE (Case 201100032) (Court Case LC2011-000735)
 - ii. Jack I Lipton, D.M.D. v. ASBDE (Case 201000254 & 201100259) (Court Case LC2011-000713)
 - iii. Rosalyn D. Keith, D.D.S. v. ASBDE (Case 270098) Appeal of superior court’s decision affirming Board order.
- B. Summary of new laws effective August 2, 2012:
 - i. H.B. 2070
 - ii. H.B. 2744
 - iii. S.B. 1193
 - iv. S.B. 1365

7. PERSONNEL ISSUES

- A. VACANT

ACTION ON LICENSING

8. REQUEST FOR ACTION ON LICENSURE BY EXAMINATION

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

- A. Crystal D. Ormerod, RDH – Disclosure of shoplifting detainment as a minor
- B. Ashley A. Gero, RDH - Disclosure of shoplifting detainment and possession of alcohol as a minor
- C. Leticia R. Butsch, RDH - Disclosure of shoplifting detainment as a minor
- D. Amy S. Dietz, RDH - Disclosure of shoplifting conviction in 2002
- E. Jennifer L. Andrews, RDH - Disclosure of shoplifting detainment as a minor in 2004, arrest for using a false ID in 2005, and an arrest for a DUI in 2005

9. REQUEST FOR ACTION ON LICENSURE BY CREDENTIAL

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

- A. Dr. Robert Joseph Benzell - 1965 New Jersey State exam prior to a regional
- B. Dr. Marc Willy Garduque Geronimo - 2005 California State exam prior to a regional
- C. Dr. Christopher John Comfort - Board approved exam, disclosure of malpractice
- D. Amy Kristen Reid, RDH - 2010 California Dental Hygiene Exam
- E. Brianne Shelly Crecelius, RDH - 2007 California Dental Hygiene Exam

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. VACANT

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. Kyle Mackay Rush - 2012 CRDTS
- B. Dr. Ashwaq A. Kayat - 2012 CRDTS
- C. Dr. Nancy Marie Fitzgerald - 2012 NERB
- D. Dr. Ambreen Kaur - 2012 NERB
- E. Katie Lee Bietz, RDH - 2012 CRDTS

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. Cynthia Jeanette Cantrell, RDH - Review, discussion and possible action on disclosure of an arrest for two counts of perjury on renewal application.
- B. Ronald Lee Steinbrunner, DDS – Review, discussion and possible action on disclosure of a misdemeanor conviction for compounding on renewal application.
- C. Gary M. Lemarr, DMD - Review, discussion and possible action on disclosure of disciplinary action in Idaho.

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

13. RECOMMENDATION(S) FROM BOARD MATP MEDICAL DIRECTOR

- A. Dr. David L. Chaffee, Jr. – Review discussion and possible action regarding removal of the DEA restriction from his Stipulation Agreement and removal of meeting log requirement. (Case #: 100021)
- B. Dr. John Scott Coleman - Review discussion and possible action regarding removal of the DEA restriction from his Stipulation Agreement. (Case #: 280461)

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 14 through 21, pursuant to A.R.S. §38-431.03(A)(2).

14. ACTION ON CASES - Roll Call Vote *is required*

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

Item No.	Case No.	Licensee	Recommendation
A.	VACANT	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.

**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.	201200054	Dr. Jay J. Waite	
B.	201100240	Dr. Mu-Hun Kim	

**16. CASES RECOMMENDED FOR NON-DISCIPLINARY 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.

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Item No.	Case No.	Licensee	Recommendation
A.	201200028	Dr. Barry J. Uldrikson	
B.	201200057	Dr. Robert C. Bingham	
C.	201200071	Dr. Tung B. Bui	

**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	Recommendation
A.	201200026	Dr. Nathan W. Smith	Stating patient should be informed of root tips that are left in after surgery.
B.	201200033	Dr. Juan Carlos Valencia	Stating Dr. Valencia should ensure all crown preparations have adequate tooth structure for proper resistance and retention form.
C.	201200036	Dr. Pankaj R. Goyal	Stating Dr. Goyal's crown preparations should have sufficient axial wall resistance and retention form to retain the restorations.
D.	201200053	Dr. Mickel A. Malek	Stating Dr. Malek should ensure complete documentation of the periodontal status of the patient and perform occlusal adjustments on permanent restorations.
E.	201200058	Dr. E. Scott Connell	Stating Dr. Connell should be sure he follows all ADA recommended guidelines in treating medically compromised patients.
F.	201200085	Dr. Karl J. Baker	Stating Dr. Baker must only dispense medication within the scope of dentistry and all medications prescribed must be recorded in the patient's progress notes and have a documented dental therapeutic reason for dispensing the drug.
G.	201200094	Dr. Brooke A. Zoumbaris	Stating Dr. Zoumbaris needs to be more knowledgeable when prescribing anti-anxiety medications.
H.	201200095	Dr. Francine J. Vickers	Stating Dr. Vickers needs to make sure her records are complete so any dentist could understand why procedures are needed.

**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	Recommendation
A.	201200086	Dr. Virginia Alix Phillips	Per patient letter
B.	201200089	Dr. Ralph A. Clary	Per patient letter

C.	201200104	Dr. James R. Chaffin	Per patient letter
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**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	Recommendation
A.	201200099	Dr. Timothy M. Mettler	
B.	201200119	Dr. Daniel J. Klemmedson	

**20. CASES RECOMMENDED FOR FORMAL INTERVIEW
 CONSENT AGENDA - Roll Call Vote *is not required***

The Board will review and may vote to send the following case(s) to a Formal Interview:

Item No.	Case No.	Licensee	Comments
A.	201200039	Dr. Allen S. Honigman	
B.	201200060	Dr. Amy Jo McKeever	
C.	201200027	Kelly Povar, RDH	

**21. 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 and may vote to take the action indicated.

- A. Dr. Robert J. Kelly - Malpractice Report: Take No Action
- B. Dr. Rebecca Runyan Temp – Malpractice Report: Take No Action
- C. Dr. Ralph Forrest Wilson – Malpractice Report: Take No Action
- D. Dr. Steven Chris Chang – Malpractice Report: Take No Action

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

- A. Dr. David Walter Twomey

23. APPROVAL OF CONSULTANTS AND EVALUATORS – CONSENT AGENDA

- A. Dr. Terry L. Work – Dental Consultant
- B. Dr. Ryan S. Brown – Anesthesia Evaluator
- C. Dr. Kedar S. Lele – Anesthesia Evaluator
- D. Dr. Ralph W. Price – Dental Consultant

24. APPROVAL OF MINUTES – CONSENT AGENDA

- A. February 3, 2012 – Amend Board Meeting Minutes
- B. June 1, 2012 – Board Meeting Minutes
- C. June 1, 2012 – Executive Session Minutes
- D. June 27, 2012 – Board Meeting Minutes

*** END OF CONSENT AGENDA ***

OTHER BUSINESS

25. FORMAL INTERVIEW CASES – Roll Call Vote *is required* – 10:00 AM

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.	VACANT	VACANT	
B.	201200029 & 201200034	Western Dental	

26. REVIEW OF EXECUTIVE DIRECTOR TERMINATIONS – 9:00 AM

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

Item No.	Case No.	Licensee	Comments
A.	201200035-ED	Dr. Gerald Joseph O'Keefe	
B.	201200040-ED	Dr. George L. Perry	
C.	201200047-ED	Dr. George Eric Eifler	
D.	201200049-ED	Dr. Rebecca L. Griffiths	
E.	201200050-ED	Dr. Patrick J. Canaday	
F.	201200061-ED	Dr. Paul S. Gebhart	
G.	201200065-ED	Mr. Arthur Silva	

CALL TO THE PUBLIC

Consideration of comments from the public. Those wishing to address the Board need not request permission in advance; however, they must sign-in. 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).

27. MEMBERS OF THE PUBLIC

28. FUTURE AGENDA ITEMS

29. NEXT MEETING DATE – October 5, 2012

30. ADJOURNMENT

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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).