



ARIZONA STATE BOARD OF DENTAL EXAMINERS

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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

OCTOBER 2, 2015 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, INTRODUCTIONS AND ANNOUNCEMENTS

2. PUBLIC COMMENT ON CASES

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

A. VACANT

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. Arizona State Board of Dental Examiners FY 2014-2015 Annual Report – For information only

C. Arizona State Board of Dental Examiners FY 2017 Budget – For information only

D. VACANT

E. Dr. Christopher R. Reavis – Review, discussion and possible action of acceptance if Dr. Reavis' voluntary surrender

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- F. Dr. Jack E. Wilson – Review, discussion and possible action on acceptance of Dr. Wilson’s voluntary surrender
- G. VACANT
- H. Review, discussion and possible action regarding approval of the course “Advanced Airway Management” specifically for Arizona Administrative Code R4-11-1304(B)(4)(c).
- I. VACANT
- J. Board Training – Licensing process and procedures
- K. Review, discussion and possible action regarding coronal polishing by Dental Assistants.
- L. Review, discussion and possible action on the request from Dr. Joseph Brett Mangum to approve an ethics course to be included on the Pre-Approved Continuing Education course list.
- M. VACANT
- N. Dr. James F. King – Review, discussion and possible action on acceptance of Dr. King’s voluntary surrender
- O. Review, discussion, and approval for the Executive Director to attend CLEAR Basic National Certified Investigator/Inspector Training (NCIT) program in Sacramento, CA October 17 – 23, 2015.
- P. 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
 - iii. Dr. Rosalyn D. Keith v. ASBDE (Case No. 201300291/201400004) (Maricopa County Superior Court Case LC2015-000017-001) – Status update

6. PERSONNEL ISSUES

- A. VACANT

7. **COMMITTEE REPORTS**

- 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. Truman John Seiler IV, DMD – Failure to disclose on application an arrest for criminal damage in 2010

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

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

- A. Dr. Ingo Guenther Mahn – Application tabled from the August 26, 2015 Board meeting requesting Dr. Mahn's personal appearance; Board approved exam, discipline on Wisconsin license
- B. Dr. Scott Stewart Green – Board approved exam – NPDB lists multiple malpractice settlements, discipline on Nebraska license
- C. Dr. Roy Creager Lusch – 1986 Oregon State Dental Exam prior to a regional
- D. Renee Suzanne Olsen, RDH – 1988 Oregon State Dental Hygiene Exam prior to a regional
- E. Dr. Joel Simon Miller – 1984 California Dental Exam prior to a regional
- F. Dr. Nicholas Lamar Groneman – Board approved exam, discipline on Colorado license

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. Nina May Araj, RDH – 2014 California Dental Hygiene Exam
- B. Brittney R. Ellenberger, RDH – 2015 CDCA/NERB Dental Hygiene Exam

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. Dr. Corwin Jay Keltner - Review, discussion and possible action regarding Dr. Keltner's request to withdraw his renewal application.

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- B. VACANT
- C. VACANT
- D. Rebekah A. Chandler, RDH – Review, discussion and possible action regarding Ms. Chandler’s non-compliance with license renewal requirements.
- E. Dr. Martin E. Maxon – Review, discussion and possible action regarding Dr. Maxon’s non-compliance with license renewal requirements.
- F. Dr. Mark R. Morin – disciplinary action in Michigan

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 21A, 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.	201400032-C /201500175	Dr. Vincent Arthur Martinez	Consideration of: compliance with Interim Board Order; vacating order of Summary Suspension and reinstating license; vacating referral to Formal Hearing
B.	201500020	Dr. Enrique A. Santiago	Proposed Board Order from August 7, 2015 Formal Interview
C.	201500072	Dr. Isaac B. Howard	Proposed Non-Disciplinary Consent Agreement from August 7, 2015 Consent Agenda
D.	201500090	Eyra Karina Vazquez, RDH	Tabled from August 7, 2015 meeting
E.	201300103	Dr. Jack I. Lipton	Vacate Formal Hearing; Proposed Disciplinary Consent Agreement

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 22D, 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.	VACANT		

**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.	201500047	Dr. Franklin D. Hulme	6 hours of record keeping
B.	201500057	Dr. Christine M. Kopsky	6 hours in the area of orthodontics in interproximal reduction
C.	201500078	Dr. Paul Bayat	3 hours of record keeping
D.	201500106	Dr. Peter J. Lee	6 hours in crown and bridge and 4 hours of risk management
E.	201500108	Dr. Golbarg Pourkhomami	6 hours in crown and bridge
F.	201500112	Dr. Pierre R. Martin	6 hours in crown and bridge
G.	201500113	Dr. Jessica C. Watkins	6 hours in the area of restoration of endodontically treated teeth including a component of documentation of the periodontal status of teeth being treated
H.	201500114	Dr. Mark L. Sampang	6 hours in crown and bridge
I.	201500120	Dr. Wayne O. Baldon	6 hours in crown and bridge
J.	201500132	Dr. Sibera T. Brannon	6 hours in the area of implants
K.	201500135	Dr. Maggie T. Lam	3 hours of record keeping and 4 hours of risk management

**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.	201500069	Dr. Kurt David Wallin	“Dr. Wallin should ensure the post-surgical x-rays show all anatomical features of the mandible.”
B.	201500134	Dr. Arthur H. Chal	“Dr. Chal should document the amount and type of anesthetic administered to each patient in the treatment record.”
C.	201500145	Dr. Trent Wilsey Smallwood	“Dr. Smallwood should remove all Invisalign nubs at the end of treatment.”
D.	201500147	Dr. Shawn M. Fuller	“Dr. Fuller should complete a diagnostic wax-up and TMJ evaluation prior to a full mouth rehabilitation.”

**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.	201500167	Dr. Clayton Wainwright	Per patient letter
B.	201500182	Dr. Aseel N. Peters	Per patient letter
C.	201500218	Dr. James F. King	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 H. Watkins – Malpractice Report Recommendation – Take no action
- B. VACANT

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

- A. Dr. Scott W. Morrison

**22. APPROVAL OF MINUTES
CONSENT AGENDA**

- A. July 15, 2015 – Board Meeting Minutes
- B. August 7, 2015 – Board Meeting Minutes
- C. August 7, 2015 – Executive Session Meeting Minutes
- D. August 26, 2015 – 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 22C 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 23K, 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.	201500083-ED	Dr. Carl C. Fairchild	
B.	201500092-ED	Dr. Thomas A. Nack Jr.	
C.	201500105-ED	Dr. A. Jay Citrin	
D.	201500115-ED	Dr. Kerry D. Burgess	
E.	201500119-ED	Dr. William C. Gaylord	
F.	201500124-ED	Dr. Michael R. Thompson	
G.	201500125-ED	Dr. David N. Sternsher	
H.	201500128-ED	Dr. Roger L. Jackson	
I.	201500136-ED	Dr. Maryam Beyramian	
J.	201500146-ED	Dr. Jennifer A. Mohr	
K.	201500154-ED	Dr. Omaira S. Samain	

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.	201500155	Dr. Michael R. Thompson	

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 item 25A, pursuant to A.R.S. §38-431.03(A)(2).

Item No.	Case No.	Licensee	Comments
A.	201500024	Dr. Navid Zamani	

FORMAL INTERVIEWS – 10:30 AM

26. 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 item 26A, pursuant to A.R.S. §38-431.03(A)(2).

Item No.	Case No.	Licensee	Comments
A.	201500034	Dr. Michael D. Margolis	

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).

27. MEMBERS OF THE PUBLIC

28. FUTURE AGENDA ITEMS

29. NEXT MEETING DATE – December 4, 2015

30. 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).