AGENDA

BOARD OF DENTAL EXAMINERS MEETING
DECEMBER 4, 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. Appointment of Board Members (one Dentist and one Dental Hygienist) to the Dental Hygiene Committee
   B. Report from the American Association of Dental Boards Annual Meeting, November 3-4, Washington, D.C.

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. Election of Board Officers
   C. Report from the American Association of Dental Administrators and Dental Boards Annual Meetings, November 3-4, 2015, Washington, D.C.
   D. Board Training – Investigative Procedures and Process
E. Review, discussion and possible action on Notice of Final Rulemaking and Economic Impact Statement for Articles 2 and 3 Licensure Rules

F. Courtney Hope Ingram, RDH – Review, discussion, and possible action regarding opening an investigation for failure to disclose 2006 shoplifting arrest on application

G. 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. Yubeka Riddick – Promotion to Programs and Projects Specialist
B. Review, discussion and possible action regarding the Executive Director’s performance evaluation and salary.
C. Review, discussion and possible action regarding the Deputy Director’s performance evaluation.

The Board may vote to go into Executive Session on agenda items 6B and 6C 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 office, appointee or employee of a public body.)

7. COMMITTEE REPORTS

A. Dental Hygiene Selection Committee – Heather N. Hardy, RDH
   i. Review, discussion and possible action regarding the appointment of one Dental Hygienist to the Dental Hygiene Committee:
      a. The Dental Hygiene Selection Committee recommends the reappointment of Susan J. Smedley, RDH
b. The Dental Hygiene Selection Committee recommends the Shawn E. Everingham, RDH as an alternate choice for the appointment to the Dental Hygiene Committee.

B. Expanded Function Dental Assistant Committee – Dr. Gregory A. Waite

i. Review, discussion and possible action on recommendations from the Expanded Function Dental Assistant Committee regarding implementation of Arizona Revised Statutes §32-1291.01 Expanded Function Dental Assistants; training and examination requirements; duties

C. Dental Hygiene Committee – Heather N. Hardy, RDH

i. Review, discussion and possible action regarding the 2015 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. Renee Y. Agnew, RDH   j. Virginia L. Worman, RDH
b. Flor I. Diaz, RDH   k. Brenna K. Daniels, RDH
c. Brooke L. Elmore, RDH   l. Cathlene K. Farmer, RDH
d. Chanel L. Fowler, RDH   m. Shelley M. Hill, RDH
e. Ruth Ann Lash, RDH   n. Shawna B. Laub, RDH
f. Diana M. Monserratte, RDH   o. Samantha A. Lillis, RDH
g. Jennifer L. Quintana, RDH   p. Erika L. Meza, RDH
h. CaSandra L. Sullivan, RDH   q. Christine Le Sanaphay, RDH
i. Candace A. Turley, RDH

ii. Review, discussion and possible action regarding the 2015 Dental Hygiene Continuing Education Audit responses. Upon recommendation from the Dental Hygiene Committee, the Board may consider opening an investigation based on the identified deficiencies of the CE Audit responses from the following:

a. Claudia L. Leyton, RDH   d. Jenna C. Powell, RDH
b. Hemely Paloma Machuca, RDH   e. Gay Carroll Robinson, RDH
c. Lorraine M. Doris, RDH   f. Roger P. WOolley, RDH

iii. Upon recommendation of the Dental Hygiene Committee, the Board may consider denying recognition of the local Anesthesia and Nitrous Oxide coursework from Indiana University – Purdue University at Fort Wayne – Fort Wayne, IN – Course does not include three injections of the NP, GP, Mental, Long Buccal or any Nitrous Oxide Analgesia experiences.

iv. Upon recommendation of the Dental Hygiene Committee, the Board may consider denying recognition of the Local Anesthesia and Nitrous Oxide coursework from Indiana University, South Bend Division of Dental Education – South Bend, IN – Course does not include three injections of the NP, GP, Long Buccal or any Nitrous Oxide Analgesia experiences.

D. Continuing Education Audit for Dentists Committee – Dr. Robert H. Foster

i. Review, discussion and possible action regarding the 2015 Dental Continuing Education Audits. Upon recommendation from the Continuing Education Audit for Dentists Committee, the Board may consider approval of the CE Audit responses from the following:
ii. Review, discussion and possible action regarding the 2015 Dental Continuing Education Audits. Upon recommendation from the Continuing Education Audit for Dentists Committee, the Board may consider opening an investigation based on the identified deficiencies of the CE Audit responses from the following:

a. Dr. Carla R. Lidner  
b. Dr. Kevin M. Harris

ACTION ON LICENSING

8. REQUEST FOR ACTION ON LICENSURE BY EXAMINATION
The Board will review, discuss and take action on the following applications.


9. REQUEST FOR ACTION ON LICENSURE BY CREDENTIAL
The Board will review, discuss and take action on the following applications

A. VACANT

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. Scott Stewart Green – Board Approved Exam – NPDB lists three malpractice settlements, Discipline on NE license. Application was tabled from the October 2, 2015 Board meeting requesting the doctor's personal appearance.

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 10A, pursuant to A.R.S. §38-431.03(A)(2).

B. Dr. Gregory Laurence Van Hale – 1982 California State Exam prior to a regional. NPDB lists one malpractice settlement over ten years ago.

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. Whitney Rae Buschkoetter, RDH – 2015 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. 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 14A, 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):

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Case No.</th>
<th>Licensee</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>201500034</td>
<td>Dr. Michael D. Margolis</td>
<td>Proposed Board Order from the October 2, 2015 Formal Interview</td>
</tr>
<tr>
<td>B.</td>
<td>201500155</td>
<td>Dr. Michael R. Thompson</td>
<td>Proposed Board Order from the October 2, 2015 Formal Interview</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Case No.</th>
<th>Licensee</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>201500020</td>
<td>Dr. Enrique A. Santiago</td>
</tr>
</tbody>
</table>

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 – 18B and 23A – 23I, 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):

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Case No.</th>
<th>Licensee</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>201500141</td>
<td>Dr. James W. Duncan</td>
<td></td>
</tr>
<tr>
<td>B.</td>
<td>201500144</td>
<td>Dr. Satish I. Hiremath</td>
<td></td>
</tr>
<tr>
<td>Item No.</td>
<td>Case No.</td>
<td>Licensee</td>
<td>Comments</td>
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</tr>
<tr>
<td>C.</td>
<td>201500160-MP</td>
<td>Dr. Robert O. Caseldine</td>
<td></td>
</tr>
<tr>
<td>D.</td>
<td>201500162-MP</td>
<td>Dr. Adrian E. Pulkrabek</td>
<td></td>
</tr>
<tr>
<td>E.</td>
<td>201500176</td>
<td>Dr. Ralph L. Juriansz</td>
<td></td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Case No.</th>
<th>Licensee</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>201500109</td>
<td>Dr. Vishtasb Broumand</td>
<td>6 hours of implant placement and 3 hours of record keeping</td>
</tr>
<tr>
<td>B.</td>
<td>201500139-MP</td>
<td>Dr. Robert D. Sundberg</td>
<td>3 hours of record keeping</td>
</tr>
<tr>
<td>C.</td>
<td>201500159</td>
<td>Dr. Saba Heday</td>
<td>6 hours of record keeping</td>
</tr>
<tr>
<td>D.</td>
<td>201500178</td>
<td>Dr. Andrew T. Brown</td>
<td>6 hours of record keeping</td>
</tr>
<tr>
<td>E.</td>
<td>201500181</td>
<td>Dr. Blake R. Adams</td>
<td>6 hours of record keeping</td>
</tr>
<tr>
<td>F.</td>
<td>201500183-MP</td>
<td>Dr. Rodger S. Sears</td>
<td>3 hours of record keeping</td>
</tr>
<tr>
<td>G.</td>
<td>201500187</td>
<td>Dr. Robert C. Bingham</td>
<td>3 hours of record keeping</td>
</tr>
<tr>
<td>H.</td>
<td>201500193</td>
<td>Dr. Sophon Heng</td>
<td>6 hours in the area of diagnosis and treatment planning of build ups</td>
</tr>
<tr>
<td>I.</td>
<td>201500213</td>
<td>Dr. Clark E. Melstrom</td>
<td>6 hours in record keeping</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Item No.</th>
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</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>201500169</td>
<td>Dr. Jordan Thomas Pond</td>
<td>“Dr. Pond should evaluate the preparation, margins and occlusions of crowns he is cementing even though he did not complete the preparation.”</td>
</tr>
<tr>
<td>B.</td>
<td>201500171</td>
<td>Dr. Hedayat B. Harsini</td>
<td>“Dr. Harsini should complete a periodontal examination and periodontal chart prior to</td>
</tr>
</tbody>
</table>
### Item No. | Case No. | Licensee | Comments
--- | --- | --- | ---
C. | 201500172 | Dr. Mark S. Hank | "Dr. Hank should evaluate the form and fit of the temporaries fabricated by assistants."
D. | 201500185 | Dr. Richard E. Feldhake | "Dr. Feldhake should have periodontal charting completed prior to any restorative procedures and that fragments of existing restorations should not be left in the tissue."
E. | 201500195 | Dr. John Joseph Sesta | "Dr. Sesta should review the x-rays taken at each appointment and discuss any findings with the patient."
F. | 201500207 | Dr. Omaima S. Samain | "Dr. Samain should follow all the appropriate steps in the fabrication of a denture and document the shade and mold in the record."
G. | 201500222 | Dr. Troy D. Stansberry | "Dr. Stansberry should complete a periodontal chart prior to restorative treatment and check all temporaries fabricated by his assistant and confirm all margins are closed and sealed."

### 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).

<table>
<thead>
<tr>
<th>Item No.</th>
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<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>201500216</td>
<td>Dr. Mark A. Espinoza</td>
<td>Per patient letter</td>
</tr>
<tr>
<td>B.</td>
<td>201500238</td>
<td>Dr. Frank L. Didea II</td>
<td>Per patient letter</td>
</tr>
</tbody>
</table>

### 19. CASES RECOMMENDED FOR DISMIS SAL
**CONSENT AGENDA – Roll Call Vote is not required**
The Board will review and may vote to take action on the following case(s).

<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>SACANT</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### 20. MALPRACTICE, 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. VACANT

### 21. APPROVAL OF CONSULTANTS AND EXAMINERS
**CONSENT AGENDA**
A. Dr. Russell W. Cyphers – Dental Consultant
B. Dr. Matthew R. Wall – Anesthesia Evaluator

22. APPROVAL OF MINUTES

CONSENT AGENDA

A. October 2, 2015 – Board Meeting Minutes

23. REVIEW OF EXECUTIVE DIRECTOR TERMINATIONS

CONSENT AGENDA – Roll Call Vote is not required

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

<table>
<thead>
<tr>
<th>Item No.</th>
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</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>201500126-ED</td>
<td>Dr. Brooke A. Zoumbaris</td>
<td>Approve</td>
</tr>
<tr>
<td>B.</td>
<td>201500129-ED</td>
<td>Dr. Michael LaCorte</td>
<td>Approve</td>
</tr>
<tr>
<td>C.</td>
<td>201500163-ED</td>
<td>Dr. Michael J. Hilgers</td>
<td>Approve</td>
</tr>
<tr>
<td>D.</td>
<td>201500170-ED</td>
<td>Dr. Mark C. Peck</td>
<td>Approve</td>
</tr>
<tr>
<td>E.</td>
<td>201500179-ED</td>
<td>Dr. Alan P. Kawakami</td>
<td>Approve</td>
</tr>
<tr>
<td>F.</td>
<td>201500180-ED</td>
<td>Dr. Jenny V. Wang</td>
<td>Approve</td>
</tr>
<tr>
<td>G.</td>
<td>201500186-ED</td>
<td>Dr. Walter J. Denham</td>
<td>Approve</td>
</tr>
<tr>
<td>H.</td>
<td>201500200-ED</td>
<td>Dr. Jeremy D. Skinner</td>
<td>Approve</td>
</tr>
<tr>
<td>I.</td>
<td>201500212-ED</td>
<td>Dr. Ryan S. Wallin</td>
<td>Approve</td>
</tr>
</tbody>
</table>

*** 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).

<table>
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<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>201500106</td>
<td>Dr. Peter J. Lee</td>
<td></td>
</tr>
</tbody>
</table>
FORMAL INTERVIEWS – 10:30 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).

<table>
<thead>
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<th>Item No.</th>
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<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>201500057</td>
<td>Dr. Christine M. Kopsky</td>
<td></td>
</tr>
</tbody>
</table>

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 – February 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).