



## ARIZONA STATE BOARD OF DENTAL EXAMINERS

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

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[www.dentalboard.az.gov](http://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  
DECEMBER 4, 2015 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, 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

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- 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

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- 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
    - b. Flor I. Diaz, RDH
    - c. Brooke L. Elmore, RDH
    - d. Chanel L. Fowler, RDH
    - e. Ruth Ann Lash, RDH
    - f. Diana M. Monserratte, RDH
    - g. Jennifer L. Quintana, RDH
    - h. CaSandra L. Sullivan, RDH
    - i. Candace A. Turley, RDH
    - j. Virginia L. Worman, RDH
    - k. Brenna K. Daniels, RDH
    - l. Cathlene K. Farmer, RDH
    - m. Shelley M. Hill, RDH
    - n. Shawna B. Laub, RDH
    - o. Samantha A. Lillis, RDH
    - p. Erika L. Meza, RDH
    - q. Christine Le Sanaphay, 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
    - b. Hemely Paloma Machuca, RDH
    - c. Lorraine M. Doris, RDH
    - d. Jenna C. Powell, RDH
    - e. Gay Carroll Robinson, 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:

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- a. Dr. Nicolas P. Bebeau
  - b. Dr. Dallin R. Birch
  - c. Dr. Leisa Lynn Bryan
  - d. Dr. Jaffar M. Elahi
  - e. Dr. Richard R. Hoyner
  - f. Dr. Sue A. King
  - g. Dr. Michael P. Lazarski
  - h. Dr. Carlos A. Lopez
  - i. Dr. Mark D. Maklin
  - j. Dr. Collet R. Masillamoni
  - k. Dr. C. Christopher Murphy
  - l. Dr. Michael J. Neary
  - m. Dr. Jesus V. Ortiz
  - n. Dr. Christopher S. Payne
  - o. Dr. Jonathan D. Richtsteig
  - p. Dr. John Joseph Sesta
  - q. Dr. Tracy B. Thomas
  - r. Dr. B. Austin Willcox
- 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.

- A. Kayla Lee Fitzsimmons, RDH – Disclosure – convicted for shoplifting in 2009

**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

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**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):

Item No.	Case No.	Licensee	Comments
A.	201500034	Dr. Michael D. Margolis	Proposed Board Order from the October 2, 2015 Formal Interview
B.	201500155	Dr. Michael R. Thompson	Proposed Board Order from the October 2, 2015 Formal Interview

**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.	201500020	Dr. Enrique A. Santiago	

**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):

Item No.	Case No.	Licensee	Comments
A.	201500141	Dr. James W. Duncan	
B.	201500144	Dr. Satish I. Hiremath	

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Item No.	Case No.	Licensee	Comments
C.	201500160-MP	Dr. Robert O. Caseldine	
D.	201500162-MP	Dr. Adrian E. Pulkrabek	
E.	201500176	Dr. Ralph L. Juriansz	

**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.	201500109	Dr. Vishtasb Broumand	6 hours of implant placement and 3 hours of record keeping
B.	201500139-MP	Dr. Robert D. Sundberg	3 hours of record keeping
C.	201500159	Dr. Saba Heday	6 hours of record keeping
D.	201500178	Dr. Andrew T. Brown	6 hours of record keeping
E.	201500181	Dr. Blake R. Adams	6 hours of record keeping
F.	201500183-MP	Dr. Rodger S. Sears	3 hours of record keeping
G.	201500187	Dr. Robert C. Bingham	3 hours of record keeping
H.	201500193	Dr. Sophon Heng	6 hours in the area of diagnosis and treatment planning of build ups
I.	201500213	Dr. Clark E. Melstrom	6 hours in record keeping

**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.	201500169	Dr. Jordan Thomas Pond	"Dr. Pond should evaluate the preparation, margins and occlusions of crowns he is cementing even though he did not complete the preparation."
B.	201500171	Dr. Hedayat B. Harsini	"Dr. Harsini should complete a periodontal examination and periodontal chart prior to

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Item No.	Case No.	Licensee	Comments
			any extensive treatment.”
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).

Item No.	Case No.	Licensee	Comments
A.	201500216	Dr. Mark A. Espinoza	Per patient letter
B.	201500238	Dr. Frank L. Didea II	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. VACANT

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

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- 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):

Item No.	Case No.	Licensee	Comments
A.	201500126-ED	Dr. Brooke A. Zoumbaris	Approve
B.	201500129-ED	Dr. Michael LaCorte	Approve
C.	201500163-ED	Dr. Michael J. Hilgers	Approve
D.	201500170-ED	Dr. Mark C. Peck	Approve
E.	201500179-ED	Dr. Alan P. Kawakami	Approve
F.	201500180-ED	Dr. Jenny V. Wang	Approve
G.	201500186-ED	Dr. Walter J. Denham	Approve
H.	201500200-ED	Dr. Jeremy D. Skinner	Approve
I.	201500212-ED	Dr. Ryan S. Wallin	Approve

**\*\*\* 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).

Item No.	Case No.	Licensee	Comments
A.	201500106	Dr. Peter J. Lee	

*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).

Item No.	Case No.	Licensee	Comments
A.	201500057	Dr. Christine M. Kopsky	

*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).