



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

APRIL 10, 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 AND INTRODUCTIONS

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. Review, discussion and possible action on Five-year Review Report for Arizona Administrative Code Title 4, Chapter 11, Articles 11, 12, 14, 15, and 18.
- C. Review, discussion and approval for the Executive Director to attend CLEAR Basic National Certified Investigator/Inspector Training (NCIT) program in Boston, Massachusetts, September 14-16, 2015
- D. Dr. Wade A. Mendenhall – Case no. 201400012 - Review, discussion, and possible action to accept the voluntary surrender of Dr. Mendenhall's dental license.

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- E. Tiffany N. Georgia, RDH – Case No. 201400280 Review, discussion and possible action to accept the voluntary surrender of Ms. Georgia’s dental hygiene license.
- F. Board Training – Catherine Keyes, Affiliated Monitors Inc.
- G. Legislative Update
 - a. HB 2034 – repealing Section 41-3015.03, Arizona Revised Statutes; Amending Title 41, Chapter 27, Article 2, Arizona Revised Statutes, by adding section 41-3025.03; relating to the State Board of Dental Examiners.
 - b. HB 2297 – Amending Title 41, Chapter 6, Article 3, Arizona Revised Statutes, by Adding Section 41-1038; Relating to State Agency Rulemaking
 - c. HB 2496 – Amending Sections 32-1201; 32-1207, 32-1232, 32-1236, 32-1240, 32-121263.01, 32-1264, 32-1284, 32-1287, 32-1292,.01, 32-1297.01, 32-1297.06, and 32-1299, Arizona Revised Statutes; Relating to the State Board of Dental Examiners
 - d. SB 1370 – controlled substances prescription monitoring program – Amending Title 32, Article 1, Arizona Revised Statutes by adding section 32-3219; amending sections 36-2601, 36-2604, 36-2606, Arizona Revised Statutes; repealing section 36-2611, Arizona Revised Statutes; relating to the controlled substances prescription monitoring program.
 - e. SB 1282 – Teledentistry; dental hygienists; dental assistant – Amending Title 20, Chapter 4, Article 3, Arizona Revised Statutes by adding section 20-848; Amending Title 20, Chapter 4, Article 9, Arizona Revised Statutes, by adding section 20-1057.15; Amending Title 20, Chapter 6, Article 4, Arizona Revised Statutes, by adding section 20-1376.07; Amending Title 20, Chapter 6, Article 5, Arizona Revised Statutes, by adding section 20-1406.07; Amending Section 32-1201, Arizona Revised Statutes; Amending Title 32, Chapter 11, Article 1, Arizona Revised Statutes, by adding section 32-1201.01; Amending sections 32-1263; 32-1281 and 32-1289, Arizona Revised Statutes; Amending Title 32, Chapter 11, Article 4, Arizona Revised Statutes, by adding sections 32-1289.01 and 32-1291.01; Amending Title 36, Arizona Revised Statutes, by adding chapter 36.1; relating to dental services.
- H. 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. Jack I. Lipton v. ASBDE (Cases No. 201000254 & 201100259) (Maricopa County Superior Court Case LC2011-000713; Court of Appeals Case 1CA-CV 13-0746) – Status update
 - ii. Dr. Brent Tyler Robison v. ASBDE (Case No. 201000301) (Maricopa County Superior Court Case LC2013-000484) – Status update

- iii. Dr. Michael Wassef v. ASBDE (Case No. 201400061) (Maricopa County Superior Court Case LC2014-000547-001) – Status update
- iv. 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. VACANT

9. REQUEST FOR ACTION ON LICENSURE BY CREDENTIAL

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

- A. Dr. Paul Vernon Bahlinger – 1981 Texas State Exam prior to a regional
- B. Dr. Wayne Bryan Bishop – 1982 Texas State Exam prior to a regional
- C. Dr. William Rudy Izzard – 1984 Texas State Exam prior to a regional
- D. Dr. Samantha Callahan – 1991 North Carolina Exam prior to a regional
- E. JoAnne Bertha Marquis, RDH – 1981 Washington State Exam prior to a regional

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. Thomas Joseph Gale – 1994 SRTA Dental Exam

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. VACANT

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 and 13B, 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.	201300256	Dr. Kelly B. Wettstein	Review, discussion, and possible action on Affiliated Monitors Inc. Audit Reports
B.	201400147	Dr. Ian Ikhyun Cho	

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 22C, 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.	201400248	Dr. Jerome C. Cutler	

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

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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.	201400244-MP	Dr. Christopher J. Erskine	6 hours of record keeping
B.	201400270	Dr. Bradley X. DeMark	6 hours in the area of crown and bridge that includes crown lengthening

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.	201400259	Dr. Kyle J. Huish	"Dr. Huish should never allow assistants to cement permanent crowns, should document who saw the patient, should not leave progress note templates blank and should record the number of carpules of local anesthetic used."
B.	201400277	Dr. Amogh Velangi	"Dr. Velangi should document any changes in the treatment plan requested by the patient."
C.	201400308	Dr. Ana T. Ortiz	"Dr. Ortiz should be diligent in monitoring and correcting inaccurate advertising about her credentials."

18. CASES RECOMMENDED FOR APPROVAL OF CONTINUING EDUCATION AUDIT AND 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.	201400284	Candace G. Greer, RDH	"Ms. Greer should ensure she is knowledgeable regarding the continuing education requirements."
B.	201400287	Suzanne J. Grieshaber, RDH	"Ms. Greishaber should ensure she is knowledgeable regarding the continuing education requirements."
C.	201400294	Dr. Anthony O. Rao	"Dr. Rao should ensure he is

Item No.	Case No.	Licensee	Comments
			knowledgeable regarding the continuing education renewal requirements.”

**19. 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.	201400305	Dr. Kevin D. Givens	Per patient letter
B.	201500002	Dr. Abraham M. Miller	Per patient letter
C.	201500003	Dr. Jesse R. DeBaker	Per patient letter
D.	201500004	Dr. Santosh K. Saini	Per patient letter
E.	201500030	Dr. Theresa M. Herro	Per patient letter

**20. CASES RECOMMENDED FOR APPROVAL OF CONTINUING EDUCATION AUDIT AND
 DISMISSAL**

CONSENT AGENDA – Roll Call Vote *is not required*

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

Item No.	Case No.	Licensee	Comments
A.	201400285	Melissa A. van der Werf, RDH	
B.	201400292	Dr. Victor M. Israel	

**21. 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. Ryan S. Brown – Adverse Occurrence Recommendation – Take no action

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

- A. Chitra N. Gidwani – Dental Consultant
- B. Nathan Daniel Vassiliades – Dental Consultant
- C. Joe Wayne Abdelnour – Anesthesia Consultant

**23. APPROVAL OF MINUTES
 CONSENT AGENDA**

- A. February 6, 2015 – Board Meeting Minutes
- B. February 6, 2015 – Executive Session 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 items 23B pursuant to A.R.S. §38-431.03(A)(2).

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

OTHER BUSINESS – 9:00 AM

24. 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 24A through 24I, 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.	201400210-ED	Dr. Kevin-Hyung Seok Choi	
B.	201400237-ED	Dr. William M. Martin	
C.	201400249-ED	Dr. Michael V. Goldman	
D.	201400273-ED	Dr. Seyed Ismail Moayedpardazi	
E.	201400274-ED	Dr. Paul W. Hicks	
F.	201400275-ED	Dr. Christopher M. Farnsworth	
G.	201400314-ED	Dr. Zainab Alnaqib	
H.	201500001-ED	Dr. Luke J. Jacobsen	
I.	201500008-ED	Dr. Barbara B. Giancola	

FORMAL INTERVIEWS – 9:30 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 items 25A, pursuant to A.R.S. §38-431.03(A)(2).

Item No.	Case No.	Licensee	Comments
A.	201400256	Dr. Minseok Kang	

FORMAL INTERVIEWS – 10:00 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 items 26A through 26B, pursuant to A.R.S. §38-431.03(A)(2).

Item No.	Case No.	Licensee	Comments
A.	201400227	Dr. Salvatore F. Perna	
B.	201400265	Dr. Neda E. Delavari	

FORMAL INTERVIEWS – 10:30 AM

27. 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 27A, pursuant to A.R.S. §38-431.03(A)(2).

Item No.	Case No.	Licensee	Comments
A.	201400235/ 201400250	Dr. Michael Wassef	

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).

28. MEMBERS OF THE PUBLIC

29. FUTURE AGENDA ITEMS

30. NEXT MEETING DATE – June 5, 2015

31. 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.