



ARIZONA STATE BOARD OF DENTAL EXAMINERS

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

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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

AUGUST 5, 2016 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. VACANT

C. Review, discussion and approval for Executive Director to attend CLEAR National Certified Investigator and Inspector Training – Specialized in Portland, OR 9-12 – 9-14, 2016

D. Review, discussion and possible action on proposed options for Fee and/or Board reserve fund reductions

E. Update on five-year rule review

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- F. Review, discussion and possible action regarding notice of rulemaking for Article 4: fees
- G. Review, discussion and possible action regarding Executive Director attending the AZDA House of Delegates meeting on September 16-17, 2016 in Tucson, AZ.
- H. Review, discussion and possible action regarding 2017 Board meeting dates

BOARD MEETINGS:

February 3, 2017
March 31, 2017
June 2, 2017
August 4, 2017
October 6, 2017
December 1, 2017

- I. Dr. Pierre R. Martin – Case no. 201500112 – Review, discussion and possible action to dismiss without prejudice.
- J. Dr. Kelly B. Wettstein – Case no. 201300256 – Review, discussion and possible action regarding Dr. Wettstein’s request to amend consent agreement.
- K. Arizona Anesthesia Solutions, Joseph A. Rodriguez, CRNA – Review, discussion and possible action regarding approval of Arizona Anesthesia Solutions’ course “Advanced Airway Management in Dental Surgery” specifically for Arizona Administrative Code R4-11-1301(B)(5)(c), R4-11-1302(B)(5)(c) and R4-11-1303(B)(5)(c), R4-11-1306(B)(2)(c) and R4-11-1306(C)(2)(c)
- L. 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

6. PERSONNEL ISSUES

- A. VACANT

7. COMMITTEE REPORTS

- A. Dental Hygiene Committee – Heather N. Hardy, RDH

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- i. Upon recommendation of the Dental Hygiene Committee, the Board may consider the following continuing education extension request recommendations:
 - a. Michelle J. Tiano, RDH - Grant extension until December 30, 2016
 - b. VACANT
 - c. Ambre Joie Cebreros, RDH - Grant extension until December 30, 2016
 - d. Juanita C. Garcia, RDH - Grant extension until August 30, 2016
 - e. Hanna Lenz Willett, RDH - Grant extension until September 30, 2016
 - f. Elizabeth Candelaria-Chacon, RDH - Grant extension until August 30, 2016
 - g. Lorelee L. Cook, RDH - Grant extension until August 30, 2016
 - h. Marcia Lynn Herrick, RDH - Grant extension until August 30, 2016
 - i. Susan Miranda Bluth, RDH - Grant extension until August 30, 2016
 - j. Teresa A. Wirsing-Brooks, RDH - Grant extension until December 30, 2016
 - k. Diana L. MacPherson, RDH - Grant extension until September 30, 2016
 - l. Kayla N. Myers, RDH - Grant extension until September 30, 2016
 - m. Marisa A. Carolin, RDH - Grant extension until August 30, 2016
 - ii. Upon recommendation of the Dental Hygiene Committee, the Board may consider recognizing the following Local Anesthesia and Nitrous Oxide coursework:
 - a. Pueblo Community College - Pueblo, CO
 - b. Manhattan Area Technical College - Manhattan, KS
 - c. Carrington College - Sacramento, CA
 - d. Carrington College - San Jose, CA
 - e. Laramie County Community College - Cheyenne, WY
 - f. New York College of Dentistry - New York, NY
 - g. Ferris State University - Big Rapids, MI
- B. Continuing Education Audit Committee – Dr. Robert H. Foster, DDS
- i. Upon recommendation of the Continuing Education Audit for Dentists Committee, the Board may consider the following continuing education extension request recommendations:
 - a. Dr. Bonnie Claycomb Ferrell - Grant extension until September 30, 2016
 - b. Dr. Glade M. Smith - Grant extension until September 30, 2016
 - c. Dr. Gregory S. Garn - Grant extension until September 30, 2016
 - d. Dr. Peter G. Green - Grant extension until December 30, 2016
 - e. Dr. Paul A. Gosar - Grant extension until December 30, 2016
 - f. VACANT
 - g. Dr. Mark S. Passell - Grant extension until December 30, 2016
 - h. Dr. Eric D. Stavoe - Grant extension until September 30, 2016
 - i. VACANT
 - j. Dr. Joseph N. D'Aniello - Grant extension until September 30, 2016
 - k. VACANT
 - l. Dr. Hazem Hussein Jabr - Grant extension until February 28, 2017
 - m. Dr. Donald R. Preston - Grant extension until December 30, 2016
 - n. Dr. Edward Kent Fritch - Grant extension until October 30, 2016
 - o. Dr. Richard C. Westergard - Grant extension until September 30, 2016
 - p. Dr. Gary F. Salwin - Grant until December 30, 2016
 - q. Dr. Ike Arthur Wenceslao Tomas - Grant extension until September 30, 2016
 - r. VACANT
 - s. VACANT
 - t. Dr. David R. Ericksen - Grant extension until September 30, 2016

- u. Dr. Robert S. Wilke - Grant extension until September 30, 2016
- v. Dr. Brent Alan Bauer - Grant extension until September 30, 2016

- ii. Upon recommendation from the Continuing Education for Dentists Committee, the Board may consider denying the request for extension because there are no extenuating circumstances for the following:
 - a. Dr. Tevan Oganessian - Deny extension, no extenuating circumstances
 - b. Dr. Paul Bayat - Deny extension, no extenuating circumstances
 - c. Dr. Rigas N. Kariotoglou - Deny extension, no extenuating circumstances

- C. WREB Hygiene Exam Board Report - Marilyn McClain, RDH

- D. WREB Dental Executive Review Board Report - Dr. Michael R. Hauer

ACTION ON LICENSING

8. REQUEST FOR ACTION ON LICENSURE

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

- A. Lauren Ashley Wood, RDH - Disclosure of a DUI in November, 2011, and citation for public consumption of alcohol in October 2013.

- B. Dr. Zachary Paul Ehrmantrout - Discipline on Washington license

- C. Dr. Arthur Burton Melton - Discipline on California, and New Mexico license. NPDB lists two malpractice claims over \$10,000.00.

9. 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. Patricia Beauchamp Tree, RDH – Review, discussion and possible action regarding Ms. Tree’s non-compliance with license renewal requirements.

- B. Travis Zean Kirkland, DDS – Review, discussion and possible action regarding Dr. Kirkland’s disciplinary action in Nebraska.

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 10A through 11A, pursuant to A.R.S. §38-431.03(A)(2).

10. 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):

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Item No.	Case No.	Licensee	Comments
A.	201000301	Dr. Brent Tyler Robison	Proposed amended Board Order to reflect Court of Appeals decision, in case no. 1 CA CV 14-0533

11. 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.	201500256	Dr. Omaima S. Samain	

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 12A – 15D and 20A – 20J, pursuant to A.R.S. §38-431.03(A)(2).

**12. 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		

**13. CASES RECOMMENDED FOR NON-DISCIPLINARY CONTINUING EDUCATION CONSENT AGREEMENTS
CONSENT AGENDA – Roll Call Vote *is not 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.	201600044	Dr. Matthew E. Wessel	3 hours in crown and bridge
B.	201600055	Dr. Jason H. Nordean	3 hours in crown and bridge
C.	201600057	Dr. Jeffrey M. Collins	3 hours in record keeping, 6 hours in diagnosis and treatment planning in implants
D.	201600061	Dr. Mark A. Espinoza	3 hours in record keeping

Item No.	Case No.	Licensee	Comments
E.	201600062	Dr. Tal S. Gafni	3 hours in record keeping

**14. 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.	201600046-MP	Dr. Michael A. Grousd	"Dr. Grousd should review the extraction referral slip before treatment"
B.	201600056-MP	Dr. Abraham T. Setoodeh	"Dr. Setoodeh should have complete documentation of diagnosis prior to treatment"
C.	201600063	Dr. Thomas A. Nack, Jr.	"Dr. Nack should be aware of the Board's substantive policy statements"
D.	201600064	Robert J. DeMarco	"Dr. DeMarco should not allow patients to dictate treatment"
E.	201600065	Mark A. Espinoza	"Dr. Espinoza should not allow an unlicensed person to take the bite for a fabrication of a denture"
F.	201600068	Louis J. Casillas	"Dr. Casillas should thoroughly document all treatment"

**15. 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.	201600050	Dr. Wyatt Stott Dannels	Terminate per patient
B.	201600069	Dr. Brian H. Nelson	Terminate per patient
C.	201600075	Dr. Wa N. Chao	Terminate per patient
D.	201600087	Dr. Bahar F. Ata-Abadi	Terminate per patient

**16. 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		

17. MALPRACTICE AND 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

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

A. Mandeep K. Vermani, DDS – Dental Consultant

**19. APPROVAL OF MINUTES
 CONSENT AGENDA**

A. June 3, 2016 Board Meeting Minutes

20. REVIEW OF EXECUTIVE DIRECTOR TERMINATIONS

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

Item No.	Case No.	Licensee	Comments
A.	201500252-ED	Dr. George Allen Carr, Jr.	ED-Appeal
B.	201600019-ED	Dr. Michael Wassef	ED-Appeal
C.	201600034-ED	Dr. Anthony O. Rao	ED-Appeal
D.	201600051-ED	Dr. Helen Bishara	ED-Appeal
E.	201600054-ED	Dr. Jorge L. Alvarez	ED-Appeal
F.	201600073-ED	Dr. Robert S. Infeld	ED-Appeal
G.	201600074-ED	Dr. Stuart E. Garber	ED-Appeal
H.	201600077-ED	Dr. Joshua Earl Cadwell	ED-Appeal
I.	201600078-ED	Dr. Kevin Brian Cebrynski	ED-Appeal
J.	201600085-ED	Dr. David J. Velasco	ED-Appeal

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

FORMAL INTERVIEWS – 9:30 AM

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

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Item No.	Case No.	Licensee	Comments
A.	201600024	Dr. Kyle J. Huish	

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).

22. MEMBERS OF THE PUBLIC

23. FUTURE AGENDA ITEMS

24. NEXT MEETING DATE – October 7, 2016

25. 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).