



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

DECEMBER 2, 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. President's report from the American Association of Dental Boards Annual Meeting, October 18-19, Denver, CO
- B. Appointment of Board Members (one Dentist and one Dental Hygienist) to the Dental Hygiene Committee

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. Expiration of Board Member terms
- C. Election of Board Officers

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- D. Report from American Association of Dental Administrators and American Association of Dental Boards Annual Meeting, October 18-19, 2016 Denver, CO
- E. Board Minutes Amendment regarding Expanded Function Dental Assistants from December 4, 2015
- F. Executive Team Update/Accomplishments
- G. Review, discussion, and possible action on proposed options for fee and/or Board reserve fund reductions
 - i. Review, discussion, and possible action regarding proposing legislation to authorize the Board to give grants
 - ii. Review, and consideration of letter from Arizona Dental and Dental Hygiene Associations
- H. Poore Medical Clinic and Sid Davis, DDS Memorial Dental Clinic – Review, discussion and possible action on Poore Medical Clinic and Sid Davis, DDS Memorial Dental Clinic’s request for Board recognition as a charitable organization.
- I. 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. 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 Selection Committee – Heather N. Hardy, RDH, Review, discussion and possible action regarding candidates for one Dental Hygienist Member and one Public Member to the Dental Hygiene Committee.
 - i. The Dental Hygiene Selection Committee recommends the appointment of Deborah A. Kurtz-Weidinger, RDH to the Dental Hygiene Committee.
 - ii. The Dental Hygiene Selection Committee recommends Alyssa R. Richardson, RDH as an alternate choice for appointment to the Dental Hygiene Committee.
 - iii. The Dental Hygiene Selection Committee recommends the reappointment of Paula D. Aguayo, Esq. as the public member of the Dental Hygiene Committee.

- iv. Review, discussion and possible action regarding the 2016 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. Bridget M. Wright, RDH
 - b. Heather S. Gamester, RDH
 - c. Jennifer L. Styer, RDH
 - d. Kathleen M. Cook, RDH
 - e. Adrienne J. Azpeitia, RDH
 - f. Corliss K. Hales, RDH
 - g. Jennifer B. Phillips, RDH
 - h. Lacey B. Bull, RDH, with a letter that CE used in this audit may not be used for the next renewal
 - i. Karen M. Fallone, RDH
 - j. Amie M. Spielman, RDH
 - k. Stephanie C. Lisalda, RDH
 - l. Lorie A. Fernandez, RDH
 - m. Rebecca Lynn Larson, RDH
 - n. Shaleen Marie Knight, RDH
 - o. Jamie Lee Payne, RDH
 - p. Andrea Burgess, RDH
- v. Upon recommendation of the Dental Hygiene Committee, the Board may consider denying request for recognition of the following Local Anesthesia and Nitrous Oxide coursework:
 - a. State Fair Community College-Sedalia, MO – Course does not include three injections of the Nasopalatine injection, Greater Palatine injection or any administrations of nitrous oxide
 - b. Mott Community College-Flint, MI – Course does not include any administrations of nitrous oxide
 - c. Hawkeye Community College-Waterloo, IA – Course does not have the MSA injection

B. Continuing Education Audit for Dentists Committee – Dr. Robert Foster, DDS

- i. Review, discussion and possible action regarding the 2016 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:
 - a. Dr. Ronald S. Weissman
 - b. Dr. Ariel E. Trujillo
 - c. Dr. Tyler A. Shumway
 - d. Dr. Carlton D. Cherry
 - e. Dr. Nishith S. Shah
 - f. Dr. Nancy Marie Fitzgerald
 - g. Dr. Amy Minier
 - h. Dr. Jerome S. Holbrook
 - i. Dr. Robyn G. Call
 - j. Dr. Edward M. Byers
 - k. Dr. Christopher K. Reid, with a letter that CE used in this audit may not be used for the next renewal
 - l. Dr. M. Alan Persons
 - m. Dr. Joseph He Chang
 - n. Dr. Emily-Ann S. Cowlin
 - o. Dr. Robert James Brown
 - p. Dr. Berkley J. Hall Jr.
 - q. Dr. Brian J. Midei
 - r. Dr. Tyson A. Davis
 - s. Dr. Kurt W. Bazilus
 - t. Dr. Dana A. Perno
 - u. Dr. Tranh Hoang Phan, with a letter that CE used in this audit may not be used for the next renewal

ACTION ON LICENSING

8. REQUEST FOR ACTION ON LICENSURE

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

- A. Dr. Jennifer H. Wynn – Disclosure of Malpractice Case

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- B. Dr. Alan Keith Newman – Disclosure of Malpractice Case
- C. Dr. Jonathan Willie Robles – Disclosure of shoplifting conviction in 2007
- D. Karen Marie O’Conner, RDH – Disclosure of shoplifting offense in 1982
- E. Nicole Marie Rodgers, RDH – Cited for using false identification

**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. 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 10A through 10E, 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):

Item No.	Case No.	Licensee	Comments
A.	201400235	Dr. Michael Wassef	Proposed Consent Agreement
B.	201500190	Dr. Sathish Bhadra Chari	Proposed Board Order
C.	201500219	Dr. Jaleh Keyhani	Proposed Consent Agreement
D.	201600044	Dr. Matthew E. Wessel	Proposed Board Order
E.	VACANT		

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.	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 12A – 17C, 19B and 20A – 20D 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.	201600093	Dr. Jerome C. Cutler	32 hours of CE in sinus lift in a dental school setting, restriction of practice in sinus lift surgery for 24 months
B.	201600125	Dr. Robert C. Bingham	6 hours of CE in crown and bridge

**13. 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.	201600104	Dr. Andrew D. Zeiger	3 hours of CE in record keeping
B.	201600113-MP	Dr. James R. Chaffin	3 hours of CE in record keeping

**14. CASES RECOMMENDED FOR ISSUANCE OF LETTER OF CONCERN
 CONSENT AGENDA – Roll Call Vote *is not required***

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.	201600153	Dr. Mark A. Espinoza	"Dr. Espinoza should be aware of the Board's substantive policy statements"

**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.	201600152	Dr. James Lee Davenport II	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 not required

The Board will consider the facts and allegations and may vote to take the action indicated.

- A. Dr. Jeffrey S. Miller – Malpractice – Take No Action
- B. Dr. Brent R. Boyse – Adverse Occurrence – Take No Action
- C. Dr. Keiko Hori Willcox – Malpractice – Take No Action

18. APPROVAL OF CONSULTANTS AND EXAMINERS
CONSENT AGENDA

- A. Dr. Johanna J. Tesoniero – Dental Consultant
- B. Dr. Stephen J. Montoya – Anesthesia/Sedation Evaluator

19. APPROVAL OF MINUTES
CONSENT AGENDA

- A. October 7, 2016 Board Meeting Minutes
- B. October 7, 2016 Board Meeting Executive Session 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.	201600118-ED	Dr. David A. Foreman	ED-Appeal
B.	201600124-ED	Dr. Michael Wassef	ED-Appeal
C.	201600134-ED	Dr. Azam H. Khan	ED-Appeal
D.	201600138-ED	Dr. Michael LaCorte	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.

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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).

Item No.	Case No.	Licensee	Comments
A.	VACANT		

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 – February 3, 2017

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.