



ARIZONA STATE BOARD OF DENTAL EXAMINERS

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

Telephone (602) 242-1492 • Fax (602) 242-1445

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

FEBRUARY 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. Reminders for Board members when speaking during Board meetings
- C. Approval for Executive Director and Board President to attend the mid-year American Association of Dental Administrators and American Association of Dental Boards. The mid-year meeting is April 10 – April 11, 2016 in Chicago, IL.
- D. Discussion on delivery of Board materials

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- E. Review and discussion regarding the Commission on Dental Competency Assessments (CDCA), formerly the Northeast Regional Board (NERB), administration of the Patient Centered Curriculum Integrated Format and American Board of Dental Examiners (ADEX) examination.
- F. Review, discussion and approval for Executive Director to attend Yuma study club May 19, 2016
- G. Review and discussion on Proposed Legislation
 - 1. HB 2501 – Relating to the transfer of Health Profession Regulatory Boards to the Department of Health Services. The department of health services succeeds to the administrative authority of the following health profession regulatory boards in the following fiscal years: In Fiscal year 2018-2019 - State board of dental examiners
 - 2. SB 1443 – Amending Section 32-3214, Arizona Revised Statutes and amending Title 32, Chapter 32, Article 1 by adding sections 32-3221 and 32-3222 relating to Health Profession Regulatory Boards
 - 3. SB 1110 – Amending Section 32-1210, Annual Report
 - 4. SB 1283 – Amending Section 32-2606, Arizona Revised Statutes; relating to the controlled substances prescription monitoring program
 - 5. SB 1524 – Amending Title 9, Chapter 7, Article 4, Arizona Revised Statutes, by adding section 9-841; Amending Title 11, Chapter 11
 - 6. SB 1509 – Amending Section 36-2903.12 Arizona Revised Statutes relating to the Arizona Health Care Cost Containment System
 - 7. SB 1421 – Amending Section 41-1279.03 Arizona Revised Statutes relating to the Auditor General
- 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. 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. Dee Woodard – Legal Administrator

7. COMMITTEE REPORTS

- A. Continuing Education Audit for Dentists Committee – Dr. Robert 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: Additional information was requested
 - a. Dr. Bruce Thomas Aahrens
 - b. Dr. Dennis E. Hanna-with a letter stating CE used in this audit may not be used for the next renewal
 - c. Dr. David W. Ho
 - d. Dr. George P. Spine III-with a letter stating CE used in this audit may not be used for the next renewal
 - e. Dr. Daniel Wolter-with a letter stating CE used in this audit may not be used for the next renewal

ACTION ON LICENSING

8. REQUEST FOR ACTION ON LICENSURE BY EXAMINATION

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

- A. Samantha Grace Ibrahim, RDH - Failure to disclose on application an arrest for criminal damage in 2014
- B. Parvin Singh Dhaliwal, DDS - Disclosure of a misdemeanor conviction, for music piracy, downloading and sharing music and video files which has been set aside.

9. REQUEST FOR ACTION ON LICENSURE BY CREDENTIAL

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

- A. Dr. Jacek Wojciech Wolniak- Board Approved Exam-NPDB lists one malpractice settlement that is less than ten years and over \$10,000.00
- B. Dr. Cathleen Toshie Arima-1982 California State Dental 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. VACANT

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. Dr. Ivey Daniell Agee- 2015 SRTA Exam
- B. Andrea Nemeth, RDH-2015 CITA Exam

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 13C, 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.	201500057	Dr. Christine M. Kopsky	Proposed Board Order from December 4, 2015 Formal Interview
B.	201500106	Dr. Peter J. Lee	Proposed Board Order from December 4, 2015 Formal Interview
C.	201500186	Dr. Walter J. Denham	Reconsideration of previous vote for non-disciplinary continuing education

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 – 18C, 22B and 22C, and 23A – 23F, 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.	201500209	Dr. Mu-Hun Kim	
B.	201500220	Dr. Michael D. Margolis	
C.	201500262	Dr. Christine M. Kopsky	
D.	201500266	Dr. Mark L. Moss	
E.	201500298	Dr. William S. Hickman	

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.	201500153	Dr. Mark D. Brannon	3 hours of continuing education in crown and bridge
B.	201500194	Dr. Stephen J. Conrad	4 hours of non-disciplinary continuing education in the area of risk management
C.	201500215	Dr. Ehsan Pourshirazi	6 hours of non-disciplinary continuing education in the area of record keeping
D.	201500217	Dr. Skylar Alan Lighthall	6 hours of non-disciplinary continuing education in the area of sedation in elderly patients
E.	201500224	Dr. Franklin T. Nguyen	6 hours of non-disciplinary continuing education in the area of Infectious Disease Control
F.	201500229	Dr. Joshua Earl Cadwell	6 hours of 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.	201500211	Dr. Ehsan Pourshirazi	“Dr. Pourshirazi should use a rubber dam when performing root canal treatment”
B.	201500223	Dr. Rodger S. Sears	“Dr. Sears should maintain records that are clear, concise and understandable”
C.	201500230	Arrowhead Smiles at Ismile Implant and Surgical Center	“Arrowhead Smiles at Ismile Implant and Surgical Center records should be clear, concise and understandable”
D.	201500251	Dr. Robert D. Sundberg	“Dr. Sundberg should ensure that his records are clear, concise and legible”
E.	201500296	Jerome C. Cutler	“Dr. Cutler should be aware of the rules and regulations governing the practice of dentistry in the state of Arizona”

**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.	201500244	Dr. Parisa Shahnava	Per patient letter
B.	201500250	Dr. Sanjay Nigam	Per patient letter
C.	201500258	Dr. Matthew D. Kennedy	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 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

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

A. VACANT

**22. APPROVAL OF MINUTES
 CONSENT AGENDA**

- A. December 4, 2015 – Board Meeting Minutes
- B. December 4, 2015 – Executive Session Meeting Minutes for Agenda Item 10A
- C. December 4, 2015 – Executive Session Meeting Minutes for Agenda 6 B & C

23. 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.	201500203-ED	Dr. Joe W. Pearson	
B.	201500204-ED	Dr. Sathish Bhadra Chari	
C.	201500206-ED	Dr. David A. Borba	
D.	201500226-ED	Dr. Ryan T. Stanger	
E.	201500227-ED	Dr. Michael J. Gibbons	
F.	201500248-ED	Dr. Brooke A. Zoumbaris	

***** 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.	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).

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- 25. MEMBERS OF THE PUBLIC**
- 26. FUTURE AGENDA ITEMS**
- 27. NEXT MEETING DATE – April 1, 2016**
- 28. 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).