



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

April 1, 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 possible action regarding pre-approval of Dental Ethics course provided by Jeffrey Tonner

D. 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 R4-11-1304(B)(4)(c).

ARIZONA STATE BOARD OF DENTAL EXAMINERS
APRIL 1, 2016
BOARD MEETING
PAGE 2

- E. Maribel Granados, RDH - Review, discussion and possible cancellation of Dental Hygiene license H008386 issued in error.
- F. Board Approved Clinical Examinations – Review, discussion and possible approval of all Dental and Dental Hygiene clinical examinations of another state, United States territory, District of Columbia or regional testing agency
- G. Review, discussion and possible action regarding request from the Arizona Dental Association and the Arizona Dental Hygiene Association for a fee reduction; Review, discussion, and possible action on requesting exemption to proceed with rule changes to AAC Title 11, Chapter 4, Article 4 (Fees)
- H. Sun West Dental - Case No. 201500229 - Review, discussion and possible action regarding opening an investigation alleging fraud
- I. Review and discussion on Proposed Legislation
 - i. 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
 - ii. 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
- J. 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
- B. Discussion regarding Attorney General Office new policy regarding the provision of independent legal advice
- C. Legal advice regarding advertising as a specialist rules

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. Dr. Chandni K. Patel – Disclosure of conviction for shoplifting in 2009.
B. Dr. Saba Sadeghi - Denied licensure in California.

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 8B, pursuant to A.R.S. §38-431.03(A)(2).

9. REQUEST FOR ACTION ON LICENSURE BY CREDENTIAL

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

- A. Dr. Richard Jay Handelman - Board Approved Exam; Discipline on Colorado license
B. Dr. Loretta Noble Babalmoradi - Board approved Exam; Discipline on Kentucky license

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. VACANT

ACTION ON CASES - 8:30 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 12A and 13A, pursuant to A.R.S. §38-431.03(A)(2).

12. 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.	201500153	Dr. Mark D. Brannon	
B.	201300256	Dr. Kelly B. Wettstein	Review, discussion and possible action on Affiliated Monitors Inc. Audit Reports

13. 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.	201500106	Dr. Peter J. Lee	

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 14A – 19A and 22, pursuant to A.R.S. §38-431.03(A)(2).

**14. 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.	201500190	Dr. Sathish Bhadra Chari	
B.	201500210	Dr. Mark L. Moss	
C.	201500261	Dr. Michael C. Fair	
D.	201500264	Dr. Trent Wilsey Smallwood	

**15. 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.	201500242-AO	Dr. Thien C. Pham	3 hrs of record keeping
B.	201500243	Dr. Jared Spencer Smith	3 hrs of record keeping
C.	201500265	Dr. Clark E. Melstrom	6 hrs of crown and bridge
D.	201500272	Dr. Earl L. Lord	6 hrs of diagnosis and treatment planning of complete immediate dentures

16. 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.	201500239	Dr. Keith H. Eskanos	“Dr. Eskanos should completely document each interaction with the patient.”
B.	201500295	Dr. Richard L. Traugh	“Dr. Traugh’s records should be clear, concise, and legible.”
C.	201500263	Dr. Gary A. Schoenrock	“Dr. Schoenrock should use appropriate, and current x-rays when placing implants.”

17. 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.	201500254	Dr. Allen B. Ewell	Terminate per patient letter
B.	201500276	Dr. Anthony J. Kohler	Terminate per patient letter
C.	201500282	Dr. Adam John Battaglia	Terminate per patient letter

18. 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		

19. MALPRACTICE AND ADVERSE OCCURRENCE REPORTS, AND DISCIPLINARY ACTION IN ANOTHER STATE

CONSENT AGENDA – Roll Vote *is required if case is pulled*

**ARIZONA STATE BOARD OF DENTAL EXAMINERS
 APRIL 1, 2016
 BOARD MEETING
 PAGE 6**

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

A. VACANT
**20. APPROVAL OF CONSULTANTS AND EXAMINERS
 CONSENT AGENDA**

A. Dr. Julie Chandler – Dental Consultant

**21. APPROVAL OF MINUTES
 CONSENT AGENDA**

A. February 5, 2016 – Board Meeting Minutes

**22. REVIEW OF EXECUTIVE DIRECTOR TERMINATIONS
 CONSENT AGENDA**

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

Item No.	Case No.	Licensee	Comments
A.	201500291-ED	Dr. Suneeta Annamareddy	Approve Termination
B.	201600011-ED	Dr. Anthony J. Oliveri	Approve Termination

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

FORMAL INTERVIEWS – 9:30 AM

23. 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 23A and 23B, pursuant to A.R.S. §38-431.03(A)(2).

Item No.	Case No.	Licensee	Comments
A.	201500209	Dr. Mu-Hun Kim	
B.	201500269	Dr. Minseok Kang	

FORMAL INTERVIEWS – 10:00 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.

ARIZONA STATE BOARD OF DENTAL EXAMINERS
APRIL 1, 2016
BOARD MEETING
PAGE 7

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.	201500256	Dr. Omaira S. Samain	

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 items 25A, pursuant to A.R.S. §38-431.03(A)(2).

Item No.	Case No.	Licensee	Comments
A.	201500219	Dr. Jaleh Keyhani	

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 – June 3, 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).