



## 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](http://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 7, 2015 AT 8:00 AM

4205 NORTH 7<sup>th</sup> 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, INTRODUCTIONS AND ANNOUNCEMENTS**

#### **2. PUBLIC COMMENT ON CASES**

#### **3. PRESIDENT'S REPORT – Dr. Michael R. Hauer**

A. Appointment of Dental Hygiene Selection Committee Members

B. Dental Exam Review Board Report

#### **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. Notice of final rulemaking for AAC Title 4, Chapter 11, Article 17 Rehearing and Review Rule – Economic, Small Business and Consumer Impact Statement and Title 4, Chapter 11

C. Board Training – Mary DeLaat Williams, Assistant Attorney General and Elaine Hugunin, Executive Director

**ARIZONA STATE BOARD OF DENTAL EXAMINERS  
AUGUST 7, 2015  
BOARD MEETING  
PAGE 2**

- D. Review, discussion and possible action regarding approving the airway management course Advanced Airway Management – Aaron Ketcher, CNP, CRNA specific to Arizona Administrative Code R4-11-1304(B)(4)(c)
- E. Review, discussion and possible action regarding 2016 Board meeting dates.

**BOARD MEETINGS:**

February 5, 2016

April 1, 2016

June 3, 2016

August 5, 2016

October 7, 2016

December 2, 2016

- F. Review, discussion and possible action on implementation of SB 1282 relating to Expanded Function Dental Assistants.
- G. Review, discussion and possible action regarding the mailing/delivery of Board Materials
- H. A.T. Still University of Health Sciences dba Arizona School of Health Sciences – Review, discussion and possible action on A.T. Still University of Health Sciences dba Arizona School of Health Sciences' request for Board recognition as a charitable organization for the purposes of Arizona Administrative Code R4-11-1209(A)(4)(f).
- 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. Legal advice on A.R.S. § § 32-1232(B), 32-1284(A), and 32-1297(A) requiring applicants for licensure to obtain fingerprint clearance cards.

Pursuant to 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 this agenda item.

- B. 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. VACANT

**7. COMMITTEE REPORTS**

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

- i. Upon recommendation of the Dental Hygiene Committee, the Board may consider the following continuing education extension request recommendations:
  - a. Barbara N. Romero, RDH grant extension until December 31, 2015
  - b. Lauren L. Broderick, RDH deny request, no extenuating circumstances
- ii. Upon recommendation of the Dental Hygiene Committee, the Board may consider recognizing the following Local Anesthesia and Nitrous Oxide coursework:
  - a. Kalamazoo Valley Community College-Kalamazoo, MI
  - b. Southwestern College-Continuing Education Course, National City, CA
  - c. Fortis College-Continuing Education Course, Phoenix, AZ
  - d. Henderson Community College-Henderson, KY
- iii. 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. Sheridan College-Sheridan, WY – Course does not include three injections of the Nasopalatine injection or three administrations of nitrous oxide.
  - b. Missouri College-Brentwood, MO – Course does not have three administrations of nitrous oxide

B. Dental 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. Thomas A. Holm-Andersen – Grant extension until September 30, 2015
  - b. Dr. Petr Kadera – Grant extension until September 30, 2015
  - c. Dr. Brian K. Kniff – Grant extension until September 30, 2015
  - d. Dr. Jinah Lee – Grant extension until September 30, 2015
  - e. Dr. Richard T. Mangum – Grant extension until September 30, 2015
  - f. Dr. Todd A. McHaney – Grant extension until September 30, 2015
  - g. Dr. Jesse Robert McGuire Jr. – Grant extension until September 30, 2015
  - h. Dr. Jeffrey W. Mix – Grant extension until September 30, 2015
  - i. Dr. Gus G. Nopoulos – Grant extension until December 30, 2015
  - j. Dr. Christina L. Pace – Grant extension until October 30, 2015
  - k. Dr. Edgar G. Valderrama – Grant extension until October 30, 2015
  - l. Dr. Kevin-Hyung Seok Choi – Deny, no extenuating circumstances
  - m. Dr. Armen Mirzayan – Deny, no extenuating circumstances

- ii. The Board will review, discuss and take action on the following applications for renewals requesting an extension for Continuing Dental Education:
  - a. Dr. Martin E. Maxon – The Continuing Education Audit for Dentist Committee is recommending the request for an extension be denied.

*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. VACANT

**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 – Equivalency Reports**

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 item 13A, 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):

**ARIZONA STATE BOARD OF DENTAL EXAMINERS  
AUGUST 7, 2015  
BOARD MEETING  
PAGE 5**

Item No.	Case No.	Licensee	Comments
A.	201500021	Dr. Gary D. Oreskovich	Non-disciplinary Consent Agreement

**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 a future rehearing after further investigation or an immediate rehearing and determination.

Item No.	Case No.	Licensee	Comments
A.	201400265	Dr. Neda E. Delavari	

**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 21B, 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.	201500010	Dr. Tzuyu Meng	
B.	201500034	Dr. Michael D. Margolis	
C.	201500015	Dr. Tzuyu Meng	

**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.	201500006	Dr. Ghassan Sheikh Sroujeh	6 hours in the area of placing implants
B.	201500024	Dr. Navid Zamani	6 hours in placement of implants related to removable prosthesis
C.	201500032	Dr. Richard L. Saran	6 hours of crown and bridge preparation in relationship to the biological width
D.	201500043	Dr. Christine M. Kopsky	6 hours of crown and bridge in full arch

**ARIZONA STATE BOARD OF DENTAL EXAMINERS  
AUGUST 7, 2015  
BOARD MEETING  
PAGE 6**

Item No.	Case No.	Licensee	Comments
			reconstruction
E.	201500055	Dr. Eric P. Wendelschafer	4 hours in risk management and 3 hours of ethics
F.	201500067	Dr. Chad F. Fine	6 hours of crown and bridge
G.	201500074	Dr. Saba Heday	4 hours of risk management
H.	201500079-MP	Dr. David D. Woon	6 hours of record keeping
I.	201500087	Dr. Matthew J. Cavendish	3 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.	201500051	Dr. Brian Q. Truong	"Dr. Truong should ensure complete documentation of all procedures including any adjustments made to prosthesis."
B.	201500090	Eyra Karina Vazquez, RDH	"Ms. Vazquez should completely and thoroughly document each patient encounter."
C.	201500102	Dr. Brett W. Barlow	"Dr. Barlow should inform the patient of any event related to the informed consent that occurs during treatment."
D.	201500104	Dr. Minseok Kang	"Dr. Kang should ensure appropriate communication between the front office and himself."
E.	201500110	Dr. Edward V. Kuch	"Dr. Kuch should completely and thoroughly document all of the procedures for treatment rendered."
F.	201500118	Dr. Peter A. Spanganberg	"Dr. Spanganberg should have surgical timeouts before proceeding with any surgical procedure."
G.	201500121	Dr. Terrence Teh-Hung Yu	"Dr. Yu should be familiar with the rules and regulations of the Dental Practice Act."

**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).

**ARIZONA STATE BOARD OF DENTAL EXAMINERS  
AUGUST 7, 2015  
BOARD MEETING  
PAGE 7**

Item No.	Case No.	Licensee	Comments
A.	201500018	Dr. David Haaslo	Per patient letter
B.	201500072	Dr. Isaac B. Howard	Per patient letter
C.	201500076	Dr. Ghassan Sheikh Sroujeh	Per patient letter
D.	201500084	Dr. Sathish Bhadra Chari	Per patient letter
E.	201500085	Dr. Christopher Thomas Spillers	Per patient letter
F.	201500127	Dr. Robert G. Baird	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, 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. Elwynn C. Caffall – Malpractice Report Recommendation – Take no action
- B. Dr. Kris A. Volcheck – Malpractice Report Recommendation – Take no action
- C. Dr. Leslie I. Davis – Adverse Occurrence Report Recommendation – Take no action

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

- A. Dr. James P. Davis – Dental Consultant
- B. Dr. Michael I. Domingo – Dental Consultant

**22. APPROVAL OF MINUTES  
**CONSENT AGENDA****

- A. June 5, 2015 – Board Meeting Minutes
- B. June 5, 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 item 22B pursuant to A.R.S. §38-431.03(A)(2).

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

*OTHER BUSINESS – 9:00 AM*

**23. 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 23A through 23F, 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.	201500036-ED	Dr. Corwin D. Martin	
B.	201500061-ED	Dr. Jessica L. Villalobos	
C.	201500070-ED	Dr. Nam Le Nguyen	
D.	201500088-ED	Dr. Mark K. McAlister	
E.	201500095-ED	Dr. Johnny Lee Smith	
F.	201500097-ED	Dr. Lee W. Harding	

*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 item 24A, pursuant to A.R.S. §38-431.03(A)(2).

Item No.	Case No.	Licensee	Comments
A.	201500020	Dr. Enrique A. Santiago	

*FORMAL INTERVIEWS – 10:00 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.	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).

**26. MEMBERS OF THE PUBLIC**

**27. FUTURE AGENDA ITEMS**

**28. NEXT MEETING DATE – October 2, 2015**

**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).