



ARIZONA STATE BOARD OF DENTAL EXAMINERS

1740 West Adams Street, Suite 2470 • Phoenix, Arizona 85007

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

AUGUST 3, 2018 AT 8:00 AM

1740 WEST ADAMS STREET, SUITE 2470

PHOENIX, ARIZONA 85007

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 ROLL CALL

2. PUBLIC COMMENT ON CASES

3. PRESIDENT'S REPORT – Dr. Gregory A. Waite

A. VACANT

4. ADMINISTRATIVE ITEMS

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. Review, discussion and possible action regarding 2019 Board meeting dates.
BOARD MEETINGS:

February 1, 2019

April 5, 2019

June 7, 2019

August 2, 2019

October 4, 2019

December 6, 2019

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BOARD MEETING
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- C. Information regarding status of FY 2019 Budget. Information only.
- D. Dr. Joseph Andrew Stirling – Review, discussion and possible action regarding Dr. Stirling's felony conviction for 2nd degree eluding police.
- E. Review, discussion and approval of Central Regional Dental Testing Service (CRDTS) local anesthesia examination.
- F. Review, discussion and possible action regarding training requirements for Extended Function Dental Assistants (EFDA).
- G. Arizona Allnation Refugee Resource Center – Review, discussion and possible action on Arizona Allnation Refugee Resource Center's request for Board recognition as a charitable organization.
- H. Susan Marie Tardif, RDH – Review, discussion and possible action regarding request for approval of Ms. Tardif's clinical examination taken in Colorado.
- I. Dr. Hugh T. Keeffe – Case No. 201800096 – Review, discussion and possible action, including filing an action for injunction, regarding refusal to allow access to Board representatives for Infectious Disease Control (IDC) Inspection.
- J. Dr. Aaron LeGrand Roberts – Case No. 201800046 and 201800047 – Review, discussion and possible action on results of investigation. Review, discussion and possible action on proposed consent agreement. (Pursuant to A.R.S. § 41-431-03(A)(2), the Board may vote to go into Executive Session on this agenda item to discuss or consider records exempt by law from public inspection, including the receipt and discussion or testimony that is confidential by State or Federal law.)
- K. VACANT
- L. Review, discussion and possible action on process to conduct new Executive Director search, including but not limited to appointing a hiring committee, the search and selection process and conducting interviews.
- M. Review, discussion and possible action regarding appointment of Interim Executive Director.
- N. Elaine Hugunin – Recognition of Ms. Hugunin's work and efforts during her tenure with the Board.
- O. Dr. Pankaj R. Goyal – Review, discussion and possible action regarding opening an investigation for non-compliance with Interim Consent Agreement based on information in August 1, 2018 letter from the Governor's Office.
- P. 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. Sathish Bhadra Chari v. ASBDE (Case No. 201500190) (Maricopa County Superior Court Case LC2017-000082, Court of Appeals Case No. CA-CV 18-0115) – Status update
- B. Review and discussion on 2018 legislative update memorandum

6. PERSONNEL ISSUES

- A. Miriam Thompson – Legal Assistant

7. COMMITTEE REPORTS

- A. Continuing Education Audit for Dentist Committee – Heather N. Hardy, RDH
 - i. Review, discussion and possible action regarding the 2018 Dental Continuing Education Audits. Upon recommendation from the Continuing Educations Audit for Dentists Committee, the Board may consider approval for the CE Audit responses from the following:
 - a. Dr. Kimberley Ann Baker-Grant extension until October 30, 2018
 - b. Dr. Steven Chen-Grant extension until October 30, 2018
 - c. Dr. Jonathan S. Coombs- Grant extension until October 30, 2018
 - d. Dr. Stephen J. Harkins-Grant extension until December 30, 2018
 - e. Dr. Shashi M. Kapur-Grant extension until December 30, 2018
 - f. Dr. James R. Landeros-Grant extension until December 30, 2018
 - g. Dr. C. Wilson Lathrop-Grant extension until September 30, 2018
 - h. Dr. Jinah Lee-Grant extension until December 30, 2018
 - i. Dr. Michael A. Lindstrom-Grant extension until December 30, 2018
 - j. Dr. Charles Joseph Lucero-Grant extension until October 30, 2018
 - k. Dr. Christopher J. Menghini- Grant extension until October 30, 2018
 - l. Dr. Jeffrey G. Robinson-Grant extension until September 30, 2018
 - m. Dr. Quintin L. Shaw-Grant extension until September 30, 2018
 - n. Dr. Mark Voight-Grant extension until October 30, 2018
 - o. Dr. Nitalya Bonita Williams-Grant extension until December 30, 2018
 - p. Dr. Terry G. Zucuskie-Grant extension until October 30, 2018
 - q. Dr. Kevin M. Shuster-Grant extension until September 30, 2018
- B. Dental Hygiene Committee – Heather N. Hardy, RDH
 - ii. Review, discussion and possible action regarding the 2018 Dental Hygiene Continuing Education Audits. Upon recommendation from the Dental Hygiene Committee, the Board may consider approval of the CE Audit responses from the following:
 - a. Shalyn Anderson, RDH-Grant extension until September 30, 2018
 - b. Alyson D. Casillas, RDH-Grant extension until September 30, 2018
 - c. Roxanne Borboa Flores, RDH-Grant extension until December 30, 2018
 - d. John A. Hamp, Jr., RDH- Grant extension until September 30, 2018
 - e. Jill Hammond, RDH- Grant extension until December 30, 2018

- f. Christine N. Malkowski, RDH-Grant extension until September 30, 2018
- g. Athina E. Martinez, RDH-Grant extension until September 30, 2018
- h. Afsaneh Mashreghi, RDH-Grant extension until September 30, 2018
- i. Edythe G. Ray, RDH-Grant extension until September 30, 2018
- j. Christine Yvonne Ruiz, RDH-Grant extension until September 30, 2018
- k. Alysha Dawn Schmitz, RDH-Grand extension until December 30, 2018
- l. Julie Fife Whiting, RDH- Grant extension until September 30, 2018

ACTION ON LICENSING

8. REQUEST FOR ACTION ON LICENSURE

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

- A. VACANT

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. Stuart S. Sanders, DDS – Review, discussion and possible action regarding continuing education audit.

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):

Item No.	Case No.	Licensee	Comments
A.	201400061 – 201700097 – 201700181	Dr. Michael Wassef	Review, discussion and possible action regarding the ALJ decision
B.	201700266-AO	Dr. Aaron LeGrand Roberts	Review, discussion and possible action regarding proposed consent agreement

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.	201600113-MP	Dr. James R. Chaffin	

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 – 17B and 19B and D, 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.	201700162 – 201800002	Dr. Aaron B. Kleiner	3 hours of CE in endodontics 3 hours of CE in crown and bridge 3 hours of CE in record keeping 4 hours of CE in risk management
B.	201700191-MP	Dr. Sathish Bhadra Chari	3 hours of CE in endodontics 3 hours of CE in crown and bridge 6 hours of CE in orthodontics with specific teaching in diagnosis & treatment
C.	201800013	Dr. Ginger L. Price	Administrative Penalty \$500.00
D.	201800026	Dr. Sibera T. Brannon	6 hours of CE in record keeping

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.	201700226	Dr. R. Spencer Bramwell	4 hours of CE in risk management 6 hours of CE in implants
B.	201800005	Dr. Lori Karen Anderson	3 hours of CE in crown and bridge
C.	201800011	Dr. Karl J. Baker	6 hours of CE in record keeping
D.	201800036	Dr. Sophon Heng	3 hours of CE in ethics
E.	201800057	Dr. Matthew Christopher Orzabal	3 hours of CE in diagnosis and treatment planning

**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.	201700261	Dr. Jason G. Barton	“Dr. Barton should completely and thoroughly document every patient encounter.”
B.	VACANT		
C.	201800017	Dr. Robert A. Masters	“Dr. Masters should always use a rubber dam when performing root canals.”
D.	201800031	Dr. Navbir S. Aurora	“Dr. Aurora’s treatment records should be clear, concise and legible.”

**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.	VACANT		

**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. Dr. Puneet S. Sandhu – Malpractice Report Recommendation – Take No Action
- B. Dr. Steven T. Nguyen – Malpractice Report Recommendation – Take No Action

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

- A. VACANT

**19. APPROVAL OF MINUTES
CONSENT AGENDA**

- A. June 1, 2018 – Board Meeting Minutes
- B. June 1, 2018 – Executive Session Board Meeting Minutes
- C. July 16, 2018 – Special Board Meeting Minutes
- D. July 16, 2018 – Executive Session 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.	201800001-ED	Dr. Olivia P. Chow	Recommendation to affirm ED-Termination
B.	201800020-ED	Dr. Jackson Tai Hong Kuo	Recommendation to affirm ED-Termination
C.	201800058-ED	Dr. Christopher Rogowski	Recommendation to affirm ED-Termination
D.	201800059-ED	Dr. Joshua Earl Cadwell	Recommendation to affirm ED-Termination

***** 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).

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 – OCTOBER 5, 2018**
- 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).