



ARIZONA STATE BOARD OF DENTAL EXAMINERS

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**MEETING OF THE ARIZONA
STATE BOARD OF DENTAL EXAMINERS
MINUTES OF THE BOARD MEETING
APRIL 1, 2011**

Board Members Present:

Gregory A. Waite, DDS, President
Scott W. Morrison, DDS, Vice President
Laurie A. Buckles, RDH
Robert H. Foster, DDS
Michael R. Hauer, DDS
Gary M. Gradke, DDS
D. Benjamin Whiting, DDS
Mr. Charles E. Jackson
Mr. Joshua Greer

Board Members Absent:

Catherine L. Bevers, RDH
Mr. Jason D. Farnsworth

Staff Present:

Ms. Elaine Hugunin, Executive Director
Ms. Nancy Chambers, Deputy Director
Ms. Elizabeth Campbell, Assistant Attorney General
Ms. Terry Bialostosky, Investigations Supervisor
Ms. Sherrie Biggs, Licensure Manager
Ms. Yvonne Barron, Program/Project Specialist
Ms. Jaclyn Warren, Legal Administrator
Ms. Monica Crowley, Legal Secretary
Ms. Nancy Elia, Licensure Administrator

NOTICE:

Roll Call votes are recorded and provided as an attachment to these minutes pursuant to A.R.S. §32-3205 which reads "If a disciplinary action requires a vote of Board members, the health professional regulatory Board shall conduct that vote by roll call. The Board shall maintain a record of each member's vote. This section does not prohibit a Board from using a Consent Agenda."

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GENERAL BUSINESS

Agenda Item No. 1 - Call to Order and Introductions

Dr. Waite called the meeting to order at 8:00 a.m.

Agenda Item No. 2 - President's Report

- A. Commission on Dental Accreditation Nominations – Review, discussion and possible action regarding CODA nominations.

Dr. Waite explained that Dr. Hauer is willing to be nominated and directed Dir. Hugunin to send him the information. Mr. Greer stated the Board missed the nomination date but Dir. Hugunin responded that the commission would be more than willing to accept it. Mr. Greer said he would be willing to look at the form.

Agenda Item No. 3 - Executive Director's Report

- A. Summary of current events that affect the Arizona State Board of Dental Examiners.
- B. Arizona Coronal Polishing Exam – Review, discussion and possible action regarding approval of the Dental Assisting National Board (DANB) national, written Coronal Polishing Examination as the written portion of the Arizona Coronal Polishing Examination.

Ms. Chambers stated DANB developed a national coronal polishing written exam and would like the Board to approve it in lieu of an Arizona specific exam, which includes Arizona jurisprudence on the exam. The benefit to the applicant for coronal polishing is they would have a national coronal polishing exam. DANB based their exam on Arizona's exam. If the Board does not approve, then they will go forward as they are now. To be certified nationally in coronal polishing, the applicant would have to take DANB's exam and incur an expense for both exams.

Dr. Gradke asked if the jurisprudence part of the exam should be included in the national exam. He has some concerns if it is left out. Dr. Hauer stated Arizona students are being penalized if it is not included. Mr. Greer said the jurisprudence part only consists of 5% of the exam so he could go either way.

Upon MOTION by Dr. Waite, second by Dr. Morrison, the Board voted to ACCEPT DANB's National Coronal Polishing Exam in lieu of the Arizona Exam. MOTION PASSED UNANIMOUSLY.

- C. Letter from Frank Recker regarding advertising regulations. Information only.

Dir. Hugunin explained that Ms. Williams has reviewed the correspondence and staff has discussed as they have received a similar letter a year ago. The issue is whether the AAID or ABOI/ID credentials are potentially misleading. This item was presented for information only and Ms. Williams has researched this and other regulatory boards are not taking action at this time.

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- D. Dr. David Naisbitt – Review and discussion on communications from Dr. Naisbitt regarding license revocation. Information only.

Dir. Hugunin stated at the last Board meeting, staff shared two emails as samples from Dr. Naisbitt and told the Board they would bring a summary of the matter for review, which was provided in the Board material. No action is required at this time.

- E. Dr. Timothy S. Taylor – Review, discussion and possible action to rescind vote to open a complaint against Dr. Taylor and approve of Dr. Taylor's 2010 Continuing Education Audit response.

Ms. Chambers explained that this is the case that could not be determined if the courses that Dr. Taylor took were ADA approved or recognized as continuing education. Dr. Taylor provided information which verified that these courses were approved.

Upon MOTION by Mr. Greer, second by Dr. Gradke, the Board voted to RESCIND the vote to open a complaint against Dr. Taylor and APPROVE Dr. Taylor's 2010 Continuing Education Audit response. MOTION PASSED UNANIMOUSLY.

- F. Dr. David Kloss – Review and discussion regarding March 21, 2011 voluntary suspension of dental license, opening an investigation for alleged substance abuse and entrance into the MATP program. Information only.

- G. Current Proposed Legislation – Review, discussion and possible action regarding current proposed legislation for the 2011 session:

- i. HB 2155: Dental Board; Omnibus – Amending sections 32-1207, 32-1232, 32-1236, 32-1271, 32-1284, 32-1287, 32-1292, 32-1297.01, 32-1297.06, and 32-1299; Amending Title 32, Chapter 11, Article 3; Adding 32-1271; and Repealing 32-1292.02; Session laws.

Bill passed out of the Senate Rules Committee and awaiting to be voted on the floor.

- ii. HB 2156: Dental hygienists; Supervision requirements – Amending section 32-1281.

Bill did not pass.

- iii. HB 2530: Board of Dental Examiners – Amending sections 32-1201, 32-1202, 32-1213, and 32-1261.

Bill passed out of the Senate Health Committee and awaiting to be voted on the floor.

- iv. SB 1030: Dental hygienists; Supervision – Amending section 32-1281.

Bill did not pass.

- v. HB 2554: Dental board; Investigations; Disciplinary action - Repealing Section 32-1263.02; Amending Title 32, Chapter 11, Article 3, Arizona Revised Statutes, by adding a new section 32-1263.02.

Bill passed out of the Senate Rules Committee and awaiting to be voted on the floor.

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- vi. HB 2169: Dental board; Fees - Amending sections 32-1236, 32-1287 and 32-1297.06.

Bill passed out of the Senate Health Committee and awaiting to be voted on the floor.

- vii. HB 2233: Mobile dental facilities – Including possible changes to informed consent provisions.

Bill passed out of the Senate Rules Committee and awaiting to be voted on the floor.

- H. Executive Director Terminations – Review, discussion, and possible action on Executive Director Complaint Terminations.

Dir. Hugunin stated twenty cases have been terminated in accordance with ARS §32-1263.03 since the last Board meeting. The time frame in which to appeal six of these cases has already expired.

Agenda Item No. 4 - Assistant Attorney General's Report for Board Direction & Possible Action

- A. Dr. Mu-Hun Kim v. ASBDE (Case 280093) (Court Case LC2009-000370)

Ms. Campbell stated that Ms. Williams was able to reverse the Superior Court's decision.

- B. Dr. Rosalyn D. Keith v. ASBDE (Case 270098) (Court Case LC2009-000836)

The oral argument in Superior Court has been set for May 9, 2011.

- C. Dr. Steven Morales v. ASBDE (Case 290247) (Court Case LC2010-000569)

The briefs are currently being filed in Superior Court.

Agenda Item No. 5 - Personnel Issues

- A. Dir. Hugunin announced the appointment of Jill Barenbaum into the Information Processing Specialist position.

Agenda Item No. 6 – Request for Action on Licensure/Certificate by Examination

- A. VACANT

Agenda Item No. 7 – Request for Action on Dental Assistant Radiology Certification by Credential – Consent Agenda

Nothing was pulled. Upon MOTION by Dr. Morrison, second by Mr. Greer, the Board voted to GRANT Certification in Radiology to the following applicants. MOTION PASSED UNANIMOUSLY.

- A. Aleena Jocelyn Puailoa – Certified in CA
- B. Ileana del Carmen Menjivar - Certified in CA
- C. Dawn Michelle Dates - Certified in CA

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- D. Edward Steven Haynes - Certified in CA
- E. Stephanie J. Ferguson - Certified in CA
- F. Aldarus Mohamed Hassan - Certified in CA
- G. Yolanda McCain - Certified in TX

Agenda Item No. 8 – Request for Action on Licensure by Credential

- A. Dr. Allen A. Robinson - Board approved exam, DUI disclosure, Evaluation from Dr. Sucher.

Dir. Hugunin stated Dr. Robinson was unable to attend the Board meeting per a letter that staff received. She proceeded to read the letter to the Board.

Upon MOTION by Mr. Greer, second by Dr. Gradke, the Board voted to GRANT licensure to the applicant. MOTION PASSED UNANIMOUSLY.

- B. Dr. Mark Wassef - Board approved exam; disclosure of disciplinary action taken by New Jersey Dental Board and malpractice actions.

Dr. Wassef stated there were disciplinary actions taken against him from complaints that were ranging from 2001-2008 that all came in at the same exact time. Since then, all issues have been resolved, corrected and remediated. He stated he has taken the positive out of what the Board presented to him and has bettered himself. He is proud of his practice and his ethics. He is not one to repeat his mistakes.

Dr. Morrison asked how he has remediated his mistakes. Dr. Wassef responded he and his lawyer have corrected any issues the Board may have felt were not up to par with a standard. He has implemented policies in the office and consent forms. Dr. Morrison wanted to know specifically how he has corrected his mistakes. Dr. Wassef explained his protocol has changed how he goes about working a patient up and explaining what needs to be done. Accurate record keeping is a must. All forms have been redone and the office has focused on record keeping. The periodontal issue was from a patient with only three teeth and was highly referred. She was pleased with his work and he was under the assumption that she would get periodontal treatment. Since this was the first time he worked on her and since she wanted to bypass the periodontal work he told her he could not continue the work. She still wanted him to continue so he did. The Board found that he placed those crowns in the presence of periodontal disease. He realized that was a wrong decision and will not overlook it again. Dr. Wassef also explained his policies have changed regarding the over-ordering and charging patients. He does not charge for materials and has refunded the patient the money. The policies were not the greatest but he has rectified it. He has also taken continuing education for implant dentistry.

Mr. Gradke asked if his license is on probation in New Jersey and Dr. Wassef responded it is for five years.

Upon MOTION by Dr. Gradke, second by Dr. Morrison, the Board voted to DENY licensure to the applicant based on the probation in New Jersey. MOTION QUASHED.

Ms. Campbell stated Dr. Wassef has disciplinary Consent Agreements in New Jersey. She read the statutes pertaining to denial of a license, unprofessional conduct and disciplinary

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action. Mr. Greer stated in the past, the Board has allowed others to withdraw their requests prior to taking a vote. Dr. Waite explained to Dr. Wassef if they go through with the denial, he cannot reapply for five years. But if he withdraws his application he can reapply. Dr. Wassef requested to withdraw his application for licensure.

Upon MOTION by Mr. Greer, second by Ms. Buckles, the Board voted to ACCEPT the withdrawal of Dr. Wassef's application for licensure. MOTION PASSED UNANIMOUSLY.

- C. Dr. Vern L. Prewitt - 1959 California State exam prior to a regional exam; disclosure of disciplinary action taken by Washington Dental Board and malpractice action over ten years old.

Dr. Prewitt explained the disciplinary action taken by Washington. He previously worked at an Oregon State prison and would like to be granted an Arizona license in order to teach at Carrington College.

Upon MOTION by Dr. Waite, second by Mr. Greer, the Board voted to GRANT licensure to the applicant. MOTION PASSED UNANIMOUSLY.

- D. Dr. Gregory M. Schuster - 1992 Washington State exam prior to a regional exam.

Dr. Schuster stated he took a Washington exam in 1992. He practiced for eight years in Washington and ten years in Montana. He recently accepted a position to teach at Midwestern University.

Upon MOTION by Dr. Morrison, second by Dr. Gradke, the Board voted to GRANT licensure by credential. MOTION PASSED UNANIMOUSLY.

Request for Action on Licensure by Credential – Clinical Examination taken more than 5 years ago

- E. VACANT

Request for Action on Licensure by Credential – Consent Agenda Clinical Examination taken less than five years ago

- F. VACANT

Agenda Item No. 9 – Request for Action on Licensure by Credential – Consent Agenda – Board-approved Clinical Examination

Nothing was pulled. Upon MOTION by Dr. Morrison, second by Dr. Foster, the Board voted to GRANT licensure by credential to the following applicants. MOTION PASSED UNANIMOUSLY.

- A. Dr. William C. McLuckie - 1988 NERB
B. Dr. Michael P. Thompson - 2002 CRDTS
C. Dr. Jessie P. Jacobs - 1979 CRDTS
D. Dr. Troy A. Williams - 1999 WREB
E. Gale L. Adams, RDH - 1995 NERB
F. Sandra L. Peterson, RDH - 1986 NERB
G. Robin M. Gould, RDH -1982 NERB

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- H. Linda N. Fletcher, RDH - 2007 SRТА
- I. Steven W. Smith, RDH - 2000 SRТА
- J. Christi L. Ritterbush, RDH - 2007 CRDTS
- K. Shawna C. Russell, RDH - 1996 WREB

Agenda Item No. 10 – Request for Action on Application(s) for Renewal of License

- L. VACANT

Agenda Item No. 11 – Recommendation(s) From Board MATP Medical Director

- A. Kelly Povar, RDH - Review, discussion and possible action regarding opening an investigation and recommendation from MATP Director for entrance into the two-year Abuse Track Program.

Jeffrey Tonner on behalf of Ms. Povar was present. He stated Ms. Povar would accept Dr. Sucher's recommendation.

Upon MOTION by Dr. Morrison, second by Mr. Greer, the Board voted to OPEN an investigation. MOTION PASSED UNANIMOUSLY.

Upon MOTION by Dr. Morrison, second by Dr. Gradke, the Board voted to OFFER a Consent Agreement. MOTION PASSED UNANIMOUSLY.

- B. Sarah Morones, RDH - Review, discussion and possible action, including opening an investigation regarding non-compliance with MATP Stipulation Agreement.

No one was present to address the Board. Dir. Hugunin stated Ms. Morones has yet to meet with Dr. Sucher. It was verified that the information on the memo to the Board is up to date.

Upon MOTION by Ms. Buckles, second by Dr. Gradke, the Board voted to OPEN an investigation. MOTION PASSED UNANIMOUSLY.

Ms. Morones arrived after the voted. She stated she contacted staff and Dr. Sucher by phone and told them what she was doing and was not told to her to submit anything in writing. Dr. Waite explained there was a violation for not complying with the stipulation agreement. She stated she is not practicing or living in Arizona. The motion stands.

Agenda Item No. 12 - Current Abuse Track Participants

VACANT

**ACTION ON CASES
From Investigative or Informal Interview**

Agenda Items No. 13 and 14 were heard and adjudicated together

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**Agenda Item No. 13 Case No. 290098
 Dr. William Hoskyns**

Ms. Corcoran on behalf of Dr. Hoskyns and complainant MK were present.

Ms. Campbell stated this matter is back based on a Petition to Rehear. Ms. Corcoran stated that Dr. Hoskyns has secured funding for the restitution in the amount of \$5,551 for patient MK and \$686 for patient CW. Ms. Williams and Ms. Corcoran will prepare the Consent Agreement and present to the Board at the Board meeting in June.

MK stated the Board has reviewed her case for a year and half. Dr. Hoskyns was ordered to pay and has stalled the process. This has been put off and she is still in her temporaries. A few days before the February Board meeting, he called to say he couldn't attend the meeting and he is not here today. MK claims it is costing her more than \$5,500 to fix Dr. Hoskyns' botched job.

Dr. Waite explained to MK that with the Consent Agreement she will get something and without it she would get nothing.

**Agenda Item No. 14 Case No. 290138
 Dr. William Hoskyns**

Ms. Corcoran on behalf of Dr. Hoskyns and complainant CW were present.

CW understands the Consent Agreement. He saw a dentist recently and was told that because of the adjustment he had to get a new night guard that had to be ground down to fit correctly. The left corner broke so Dr. Hoskyns ground both sides down more to fit. He has had discomfort in the morning and was told it is because of the cut Dr. Hoskyns made. The teeth are free floating and CW was told his posterior molars are super erupted due to them not making contact. It will now cost thousands to get them lifted.

Ms. Corcoran stated funding has been secured for the restitution. Once the Consent Agreement is signed, checks will be mailed to the Board and on to the patients within 30 days. They want to resolve this. When asked by the Board, Ms. Corcoran explained the funding came from negotiations with the insurance companies.

Upon MOTION by Dr. Morrison, second by Dr. Foster, the Board voted to TABLE agenda items 13 and 14. MOTION PASSED UNANIMOUSLY.

**Agenda Item No. 15 Case No. 201000103
 Dr. Clayton Wainwright**

Mr. Tonner on behalf of Dr. Wainwright was present.

Mr. Tonner stated he was going to try to present a Consent Agreement but was unable to get it worked out. He had nothing else to add.

Dr. Hauer explained the grounds for rehearing. He agrees with the findings of fact and feels the Board order was appropriate.

Upon MOTION by Dr. Hauer, second by Dr. Morrison, the Board voted to DENY the rehearing. MOTION PASSED UNANIMOUSLY.

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**Agenda Item No. 16 Case No. 201000171
Dr. Monte Begay Wells**

Mr. Tonner on behalf of Dr. Wells and complainant RR were present.

Mr. Tonner stated from 1999-2008 the patient saw a periodontist periodically named Dr. Carlson. In 2001, he referred the patient to Dr. Wells. In 2002, #9 was extracted and five crowns and a porcelain bridge were completed. Two years later in 2004, one of the connections failed and he redid the bridge at no charge. Later that year, another connection failed and he redid the bridge a third time at no charge. In 2009, a subsequent dentist told the patient there was decay and three weeks later the bridge fractured. Mr. Tonner went through the allegations. He stated the patient did see Dr. Carlson periodically for perio, but he had no treatment from 2003-2009 and that is critical. The patient stated he would fix the problems with diet, exercise and herbs. One crown had recurrent caries seven years after with no perio during six of those seven years. The bridge went from 2005-2009 with recurrent caries with no perio. Mr. Tonner said everything is covered with the exception of records and recommended this case be dismissed or issue a letter of concern for the record keeping issue.

RR stated he has been before the Board three times. Two times the Board has ruled in his favor. The bridge broke four different times and a crown fell out and caused an infection. He had to have four root canals because of poor work. While he was in Italy and the bridge broke a fourth time and ruined his vacation. He has been wearing a flipper for sixteen months. Food constantly gets stuck and when he does public speaking, it falls out. He feels like he has been cheated out of \$10,000. What really upsets RR is Mr. Tonner waited until the last minute to file the petition and he had to wait four more months. He goes to a perio every four months and has for the last twenty years. All he wants is for Dr. Wells to fix the work he did improperly.

Dr. Foster stated the basis for this appeal Mr. Tonner claimed that the findings of fact were arbitrary and capricious and that the penalties were excessive. After reading through the facts and allegations of the case, Dr. Foster recommended the Board uphold allegations 1, 2, 3 & 5 and dismiss allegation 4. To do this, the Board would have to grant the petition. Dr. Waite asked if the discipline would change by doing this and Dr. Foster responded it would not.

Upon MOTION by Dr. Foster, second by Dr. Gradke, the Board voted to GRANT the petition to rehear the case. MOTION PASSED UNANIMOUSLY.

Upon MOTION by Dr. Foster, second by Dr. Morrison, the Board voted to ACCEPT the Findings of Fact for allegations 1, 2, 3, & 5 and AMEND allegation 4 to adequate treatment plan. MOTION PASSED UNANIMOUSLY.

Upon MOTION by Dr. Foster, second by Dr. Hauer, the Board voted to UPHOLD the Conclusions of Law and finding a violation of ARS §32-1201-21(n), UPHOLD Restitution in the amount of \$2,208 and Continuing Education: 6 hours in the area of crown and bridge. MOTION PASSED UNANIMOUSLY.

Agenda Item No. 17 VACANT

Agenda Item No. 18 VACANT

**Agenda Item No. 19 Case No. 201100022, 201100042 & 201100047
Dr. Ralph J. Juriansz**

No one was present to address the Board.

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Upon MOTION by Dr. Gradke, second by Mr. Greer, the Board voted to FORWARD to Formal Hearing. MOTION PASSED UNANIMOUSLY.

**Agenda Item No. 20 Case No. 201000299
 Dr. J. Ladd Williams**

No one was present to address the Board.

Upon MOTION by Dr. Morrison, second by Dr. Gradke, the Board voted to ACCEPT the Findings of Fact and Conclusions of Law by finding a violation of ARS §32-1201-21(n), unprofessional conduct. MOTION PASSED UNANIMOUSLY.

**The Board requested priors – staff reported no violations.

Upon MOTION by Dr. Morrison, second by Mr. Greer, the Board voted to IMPOSE a \$1,000 Administrative Penalty. MOTION PASSED UNANIMOUSLY.

CONSENT AGENDA

The following items were pulled from the Consent Agenda either at the request of a Board Member or by the public. These items will be discussed individually:

Cases pulled from the Consent Agenda

Agenda Item No. 21	Case No. 201000260	Dr. Gordon K. Wilson
Agenda Item No. 25	Case No. 201000290	Dr. Carter C. Grampp
Agenda Item No. 27	Case No. 201000295	Dr. Donald P. Carlson
Agenda Item No. 28	Case No. 201000304	Dr. David M Hamblin
Agenda Item No. 29	Case No. 201000319	Dr. Robert G. Baird
Agenda Item No. 36.A		Dr. Montana Jay Skyler
Agenda Item No. 37		Dr. Joseph S. Dovgan

Upon MOTION by Dr. Foster, second by Mr. Greer, the Board voted to ACCEPT the recommendations for the remaining cases that are recommended for dismissal. MOTION PASSED UNANIMOUSLY.

Cases ADJUDICATED:

Agenda Item No. 22	Case No. 201000263	Dr. Luz D. Tobias Dismiss
Agenda Item No. 23	Case No. 201000285	Dr. Robert C. Bingham Dismiss
Agenda Item No. 24	Case No. 201000289	Dr. Clayton Wainwright Dismiss
Agenda Item No. 26	Case No. 201000302	Dr. Javier E. Portocarrero Dismiss

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Upon MOTION by Mr. Greer, second by Dr. Foster, the Board voted to ACCEPT the recommendations to Terminate on the Consent Agenda for lack of jurisdiction. MOTION PASSED UNANIMOUSLY.

Agenda Item No. 30	Case No. 201100004	Dr. Benjamin G. Weir Terminate – Lack of Jurisdiction
Agenda Item No. 31	Case No. 201100007	Dr. Ghassan Sheikh Sroujeh Terminate – Lack of Jurisdiction
Agenda Item No. 32	Case No. 201100009	Dr. Gerald D. Halbach Terminate – Lack of Jurisdiction
Agenda Item No. 33	Case No. 201100021	Dr. Bradley K. Brittain Terminate – Lack of Jurisdiction

Upon MOTION by Mr. Greer, second by Ms. Buckles, the Board voted to ACCEPT the recommendations for the remaining cases on the Consent Agenda. MOTION PASSED UNANIMOUSLY.

Agenda Item No. 34	Case No. 201100030	Dr. Gail G. Goodman Jr. Terminate – Lack of Supporting Evidence
Agenda Item No. 35		Dr. Sibera T. Brannon Open an investigation for alleged inappropriate prescribing practices.
Agenda Item No. 36		Dr. Isabel C. Simpson Malpractice Report: Take no action.
Agenda Item No. 36.B		Dr. Stephen Baer Malpractice Report: Take no action.
Agenda Item No. 38		Dr. Jerome C. Cutler Open an investigation for noncompliance with a subpoena.
Agenda Item No. 38.A		Dr. Barry Uldrickson Open an investigation for fraud, misrepresentation and false statements.
Agenda Item No. 38.B		Dr. Dileep S.A. Danivas Open an investigation regarding the treatment of pediatric patients.
Agenda Item No. 38.C		Dr. Hong Xia Open an investigation regarding the treatment of pediatric patients.

**Agenda Item No. 39 Approval of Restricted Permit (Application/Renewal) –
Consent Agenda**

A. VACANT

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Agenda Item No. 40 – Ratification of New Dental and Dental Hygiene Licenses – Consent Agenda

Nothing was pulled. Upon MOTION by Dr. Morrison, second by Mr. Greer, the Board voted to RATIFY the following licenses. MOTION PASSED UNANIMOUSLY.

Dental:

Jennifer A. Mohr, DDS
D008140 Issued: 01/25/2011

Clark D. Larson, DDS
D008141 Issued: 01/26/2011

Sowjanya Tadakapalli, DMD
D008142 Issued: 01/28/2011

Devin T. Matsumori, DDS
D008150 Issued: 02/07/2011

Morgan P. Evershed, DDS
D008151 Issued: 02/09/2011

Jay D. Simonton, DDS
D008152 Issued: 02/18/2011

Adam J. Geach, DMD
D008153 Issued: 02/18/2011

Victor M. Israel, DMD
D008154 Issued: 02/22/2011

Christina L. Feliz, DDS
D008155 Issued: 02/23/2011

Kel-lee S. Harling, DDS
D008157 Issued: 03/02/2011

Jared M. Sorensen, DDS
D008158 Issued: 03/02/2011

Soulmaz T. Tabrizi, DDS
D008159 Issued: 03/02/2011

Shanna K. Kim, DDS
D008160 Issued: 03/02/2011

Matthew D. Arnall, DDS
D008161 Issued: 03/02/2011

Steven J. Petruzzi, DDS
D008162 Issued: 03/03/2011

James C. Guymon, DDS
D008163 Issued: 03/14/2011

Tyler J.C. Johnson, DDS
D008164 Issued: 03/16/2011

Nathan A. Sprenger, DDS
D008165 Issued: 03/16/2011

Dental Hygiene:

Jennifer Pehrson, RDH
H007049 Issued: 01/25/2011

Melleny F. Magill, RDH
H007050 Issued: 01/28/2011

Alisha L. Luman, RDH
H007051 Issued: 02/01/2011

Denise Y. Tanori, RDH
H007060 Issued: 02/23/2011

Jamie L. Stein, RDH
H007061 Issued: 03/03/2011

Julie A. Boggess, RDH
H007062 Issued: 03/03/2011

Jennifer E. Doss, RDH
H007063 Issued: 03/10/2011

Nestina Jo Duncan, RDH
H007064 Issued: 03/14/2011

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Agenda Item No. 41 – Ratification of Anesthesia and Sedation Permits – Consent Agenda

Nothing was pulled. Upon MOTION by Dr. Morrison, second by Mr. Greer, the Board voted to RATIFY the following anesthesia and sedation permits. MOTION PASSED UNANIMOUSLY.

A. Ratification of Anesthesia and Sedation Permits

Issue Date	Name	Type	New/Renew
2/2/2011	Richard R. Salb, DDS	1301	Renew
2/9/2011	Robert J. Buch, DDS	1301	New
2/10/2011	Jack A. Buhrow, DDS	1301	Renew
1/28/2011	Bradley J. Sandvik, DMD	1302	Renew
1/28/2011	Rodney J. Brimhall, DDS	1302	New
2/14/2011	Jonathan I. Kalika, DMD	1302	New
2/16/2011	Orest G. Komarnyckyj, DDS	1303	Renew
1/24/2011	Cheri K. Roque, DMD	1303	New
1/26/2011	John A. Dehnert, DDS	1303	Renew
2/1/2011	Lanita A. Morrison, DMD	1303	Renew
2/1/2011	Bianca A. Chan McWilliams, DDS	1303	Renew
2/4/2011	Kenneth J. Scott, DDS	1303	Renew
2/8/2011	John W. Dovgan, DDS	1303	New
2/16/2011	John Joseph Septer, DDS	1303	Renew
2/16/2011	Ginger L. Price, DDS	1303	Renew
2/16/2011	Jared W. Haws, DDS	1303	Renew
2/16/2011	Christopher D. Babych, DMD	1303	Renew
2/16/2011	Jay R. Ayass, DDS	1303	New
2/25/2011	Kendrick Doron Gray, DDS	1303	New
2/25/2011	Maria A. Fuentes, DDS	1303	Renew
3/14/2011	Ray William Tuckett, DDS	1303	Renew
1/25/2011	Justin Truong Manh Nguyen, DMD	1301 Employs	New
1/28/2011	Douglas Leigh Campbell, DDS	1301 Employs	New
2/25/2011	Maria A. Fuentes, DDS	1301 Employs	Renew

Agenda Item No. 42 – Approval of Consultants and Examiners – Consent Agenda

A. Dr. Charles A. Davis - Anesthesia Permit Evaluator

Upon MOTION by Dr. Morrison, second by Dr. Gradke, the Board voted to ACCEPT Dr. Davis as an Anesthesia Permit Evaluator. MOTION PASSED UNANIMOUSLY.

Agenda Item No. 43 – Approval of Minutes – Consent Agenda

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Upon MOTION by Dr. Foster, second by Mr. Greer, the Board voted to APPROVE the following minutes. MOTION PASSED UNANIMOUSLY.

- A. February 4, 2011 Board Meeting Minutes
- B. February 4, 2011 Executive Session Minutes

**Agenda Item No. 21 Case No. 201000260
 Dr. Gordon K. Wilson**

Attorney Ed Gaines on behalf of Dr. Wilson and complainant ET were present.

ET stated he paid Dr. Wilson upfront for false teeth. Two other dentists would not even look at his teeth. His dentures constantly hurt and his TMJ is messed up. He can only wear them four hours at a time. He went in eight times to have them redone. ET wants to find Mr. Wilson and get his money. He never could wear the bottoms and he cannot eat. He wants his money back so he can get new dentures.

Mr. Gaines stated Mr. Wilson had placed upper and lower dentures and adjusted the patient a couple of times. The patient filed a complaint two years after the doctor last saw him. Dr. Wilson did acknowledge that the dentures needed to be realigned and adjusted but he filed bankruptcy.

Dr. Gradke explained he pulled the case not to change the findings of fact but to change the recommendation from dismiss to letter of concern. Dr. Wilson's testimony said that radiographs are not necessary but Dr. Gradke believes radiographs are required. Mr. Greer asked if the patient had notice of the bankruptcy and Mr. Gaines does not believe he did.

Upon MOTION by Dr. Gradke, second by Mr. Greer, to Board voted to ISSUE a Letter of Concern stating radiographs are necessary when treating the edentulous patients. MOTION PASSED UNANIMOUSLY.

**Agenda Item No. 25 Case No. 201000290
 Dr. Carter C. Grampp**

Dr. Grampp, attorney Mr. Tonner, and complainant TM were present.

TM referenced her ledger which stated she had scaling and cleaning completed in 2007. She gets regular cleanings. The ledger also said she had flippers but she claimed to have two teeth glued together and attached to the other teeth to keep them in place. She had to go back multiple times to have them glued in. She was told they would look natural but that was not the case. The implants were not cheap and insurance would not cover them. She needs to have them removed and a bone graft done. TM said it is devastating to have to go through this again. She just wants to have her teeth fixed properly.

Mr. Tonner stated in June 2007 Dr. Grampp extracted two teeth, #24 & 25, and placed implants. They were restored three times until the patient was satisfied. The last time he saw her was June of 2008. He explained to her at that time that she had periodontal disease and referred her but she refused. According to the x-rays, the implants failed between 2009 and 2010. It is unknown why the implants failed but it could be due to the perio issues or her 30 years of smoking. Mr. Tonner said that Dr. Grampp placed the implants properly and everything he did was within the standard of care. He is requesting the Board follow the investigative interview recommendation and dismiss the case.

Upon MOTION by Dr. Morrison, second by Mr. Greer, the Board voted to DISMISS this case. MOTION PASSED UNANIMOUSLY.

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**Agenda Item No. 27 Case No. 201000295
 Dr. Donald P. Carlson**

Mr. Tonner on behalf of Dr. Carlson and complainant NL were present.

NL explained that knowing he had periodontal disease researched for laser treatment on the computer. He found Dr. Carlson and had him do three treatments without x-rays and was referred to a different dentist. The subsequent dentist told him he had to have one tooth out and had to take medication before they could even pull it because it was so infected. He put more than \$2,000 into his teeth and is nowhere near finished or cured.

Mr. Tonner stated the patient was seen by Dr. Carlson for four months. The x-rays that were available were only 14 months old and the patient refused to take x-rays due to cost. In August 2010, the patient went for a second opinion and the assessment was the same as Dr. Carlson's. Everything he did was proper and within the standard of care. Mr. Tonner recommends this case be dismissed without a letter of concern.

Upon MOTION by Dr. Waite, second by Dr. Morrison, the Board voted to DISMISS this case. MOTION PASSED UNANIMOUSLY.

**Agenda Item No. 29 Case No. 201000319
 Dr. Robert G. Baird**

Mr. Tonner on behalf of Dr. Baird was present.

Dr. Morrison stated he pulled this case because the records appear to be about tooth #18 but it very well could be #17 based on the anatomy of the tooth. On page 22 of the records, it states that during the root canal, he does have an x-ray showing a good filling with rubber dam in place. He recommends limiting the six hours of continuing education in the area of endodontics because he does not think it will help the situation.

Upon MOTION by Dr. Morrison, second by Dr. Gradke, the Board voted to IMPOSE non-disciplinary Continuing Education: 6 hours in the area of Record Keeping. MOTION PASSED UNANIMOUSLY.

Agenda Item No. 36.A Dr. Montana Jay Skyler

No one was present to address the Board.

Dr. Waite pulled this case because he does not think the dentist did anything wrong. Dr. Gradke said the cardiac arrest could have been because of airway obstruction due to a misdiagnosis.

Upon MOTION by Dr. Gradke, second by Mr. Greer, the Board voted to OPEN an investigation. Dr. Morrison and Dr. Waite OPPOSED. MOTION PASSED.

**Agenda Item No. 44.A Case No. 201000271-ED
 Dr. David Curtis**

No one was present to address the Board.

Upon MOTION by Dr. Morrison, second by Dr. Foster, the Board voted to APPROVE the Executive Director's termination. MOTION PASSED UNANIMOUSLY.

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**Agenda Item No. 44.B Case No. 201000272-ED
Dr. Douglas E. McMaster**

Complainant KS was present.

KS stated she is here because of her principles and to advocate for herself. She is seeking justice. The bottom line is Dr. McMaster placed a crown that broke apart after 8 ½ months. She was dismissed from his practice without any reason and with her \$1,380. She experienced discomfort subsequent to the placement of the crown and contacted him four months later. His office staff told her he would not see her and was referred to an endodontist. The endodontist did not know why she was there. His minor adjustment ended all the discomfort. Four months later, the crown broke so she called Dr. McMaster and was told he was unavailable. The same day, a dismissal letter was postmarked and mailed to her. She is requesting reimbursement to help offset the cost of a new crown.

Upon MOTION by Dr. Morrison, second by Dr. Gradke, the Board voted to APPROVE the Executive Director's termination. Ms. Buckles OPPOSED. MOTION PASSED.

**Agenda Item No. 44.C Case No. 201000294-ED
Dr. Abbas Fazel**

No one was present to address the Board.

Upon MOTION by Mr. Greer, second by Dr. Gradke, the Board voted to APPROVE the Executive Director's termination. MOTION PASSED UNANIMOUSLY.

**Agenda Item No. 44.D Case No. 201000296-ED
Dr. Perry Fraiman**

Mr. Smith on behalf of Dr. Fraiman and complainant SLK were present.

SLK stated Dr. Mar performed her first complete restoration and she was very happy with the care and color she received. When problems were evident, she was referred to Dr. Fraiman for his opinion as to why the bridges were coming loose. Dr. Fraiman indicated she would need a complete restoration which would total \$40,000 and would take less than a year. After four years, the restoration is still in progress and she has spent approximately \$100,000. During her last visit with Dr. Fraiman, she told him she is still in pain and he responded the crowns were sealed. She sought help from a subsequent dentist and spent over \$8,000 to correct the problems. SLK stated Dr. Fraiman removed the bridge by pounding and not cutting like in the past and she thinks that is what damaged her teeth. She believes a full refund is due.

Mr. Smith stated this is a patient with an extensive history of poor dental health. She has had treatment with Dr. Mar which she claimed to be happy with but she was refunded \$20,000 for the work, which shows she must not have been too happy with it. She is still having other work done which would affect the ability to even make an objective assessment of what the condition was when she first went to Dr. Fraiman. She is asking for a refund just like she did for Dr. Mar. She complained about the cost but she was presented with and approved a treatment plan. She complained about the color but she selected and approved the color. The records show Dr. Fraiman treated and responded to the patient accordingly. Mr. Smith stated the executive director termination is the appropriate action.

Upon MOTION by Mr. Greer, second by Dr. Gradke, the Board voted to APPROVE the Executive Director's termination. MOTION PASSED UNANIMOUSLY.

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**Agenda Item No. 44.E Case No. 201000308-ED
Dr. Blake G. Shreeve**

No one was present to address the Board.

Upon MOTION by Mr. Greer, second by Dr. Foster, the Board voted to APPROVE the Executive Director's termination. MOTION PASSED UNANIMOUSLY.

**Agenda Item No. 44.F Case No. 201000312-ED
Dr. S. Burton Ross**

Mr. Gaines was present on behalf of Dr. Ross.

Upon MOTION by Mr. Greer, second by Dr. Gradke, the Board voted to APPROVE the Executive Director's termination. MOTION PASSED UNANIMOUSLY.

**Agenda Item No. 44.G Case No. 201000315-ED
Dr. Mandeep Vermani**

Susan McLellan was present on behalf of Dr. Vermani.

Upon MOTION by Mr. Greer, second by Dr. Gradke, the Board voted to APPROVE the Executive Director's termination. MOTION PASSED UNANIMOUSLY.

**Agenda Item No. 44.H Case No. 201000316-ED
Dr. A. Jay Citron**

Dr. Citron was present.

Upon MOTION by Mr. Greer, second by Dr. Foster, the Board voted to APPROVE the Executive Director's termination. MOTION PASSED UNANIMOUSLY.

**Agenda Item No. 44.I Case No. 201000325-ED
Dr. Ronald D. Morgan**

Mr. Tonner on behalf of Dr. Morgan and complainant KW were present.

KW said that after she filed the complaint, the tooth fell out again. Her subsequent dentist explained to her that the reason it keeps falling is because it was not put on the bridge. The last time it fell out, she swallowed it. Dr. Morgan claimed to stand behind his work, which he did not. The dentures are so big they're rubbing the inside of her mouth raw.

Mr. Tonner stated in 2008, the dentures were realigned. Dr. Morgan has not seen the patient to reevaluate her since then. She came in twice in 2010 with #8 out of the plate and no complaints were made at that time. Then in December 2010, she filed the complaint saying the dentures did not fit. The doctor has not seen her since 2008. She can come back to his office to get it fixed anytime. He is recommending this case be dismissed.

Upon MOTION by Mr. Greer, second by Dr. Foster, the Board voted to APPROVE the Executive Director's termination. MOTION PASSED UNANIMOUSLY.

Agenda Item No. J. – OTHER COMMITTEE REPORTS

VACANT

Agenda Item No. K. – Members of the Public

VACANT

Agenda Item No. L. – Associations

VACANT

Agenda Item No. M. – Future Agenda Items

VACANT

Agenda Item No. N. – Next Meeting Date

June 3, 2011

Agenda Item No. 37 Dr. Joseph S. Dovgan

No one was present to address the Board.

Dr. Gradke stated he pulled this case because he would like an evaluation done of his office due to the amount of medication in the office.

Upon MOTION by Dr. Gradke, second by Dr. Foster, the Board voted to OPEN an investigation with an allegation of overdosing of sedatives or hypnotics with a reevaluation. Dr. Morrison and Dr. Waite OPPOSED. MOTION PASSED.

**Agenda Item No. 28 Case No. 201000304
 Dr. David M Hamblin**

No one was present to address the Board.

Dr. Waite explained he pulled the case and recommends dismissal.

Upon MOTION by Dr. Waite, second by Dr. Hauer, the Board voted to DISMISS this case. Dr. Gradke, Dr. Foster, Ms. Buckles, Mr. Greer, Mr. Jackson and Dr. Morrison OPPOSED. MOTION FAILED.

Upon MOTION by Dr. Gradke, second by Dr. Foster, the Board voted to ISSUE a Letter of Concern stating to be more attentive in patient care. Dr. Hauer, Dr. Whiting, and Dr. Waite OPPOSED. MOTION PASSED.

Agenda Item No. O. – Adjournment

Upon MOTION by Dr. Hauer, second by Dr. Morrison, the Board voted to ADJOURN the Board meeting. MOTION PASSED UNANIMOUSLY.

Dr. Waite adjourned the meeting at 10:16 AM.

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Minutes APPROVED at the June 3, 2011 Board Meeting.



Elaine Hugunin, Executive Director