

Douglas A. Ducey,
Governor

Arizona State Board of Dental Examiners

“Caring for the Public’s Dental
Health and Professional Standards”

1740 West Adams Street, Suite 2470

Phoenix, Arizona 85007

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NOTICE OF BOARD MEETING OF THE ARIZONA STATE BOARD OF DENTAL EXAMINERS’

Pursuant to Arizona Revised Statute (“A.R.S”) § 38-431.02, notice is hereby given to the members of the Arizona State Board of Dental Examiners (“Board”) and to the general public that the Board will hold a meeting open to the public on **Friday, March 4, 2022 at 8:00 a.m.** The meeting will be held in **Boardroom C** located at 1740 West Adams Street, Phoenix, Arizona 85007. One or more members of the Board may participate in the meeting by telephonic communications.

The meeting is open to the public. However, during the course of the meeting, the Board, upon a majority vote of a quorum of the members, may, when necessary, hold an executive session pursuant to A.R.S. § 38-431.03(A)(2) and/or (3) as indicated on the Board’s Agenda. The executive session is not open to the public.

Information concerning the Board’s Agenda, including a copy of the Agenda and any amendments, can be obtained at the Board’s office, through the Board’s website at www.dentalboard.az.gov or by calling the Board’s office at 602.242.1492 The Agenda is subject to change up to 24 hours prior to the meeting. Agenda items are noted by number and letter for convenience and reference. The Board may address the agenda items in any order within the time frame, if any, indicated and may set over matters to a later time when necessary. The Board reserves the right to change the order of the agenda items, except for matters set for a specific time.

Title 2 of the Americans with Disabilities Act prohibits the Board from discriminating on the basis of disability in its public meetings. Persons with a disability may request reasonable accommodation, such as a sign language interpreter, by contacting Board staff at 602.242.1492. Requests should be made as early as possible to allow time to arrange the accommodation.

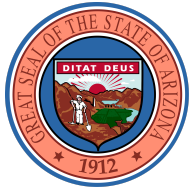
ARIZONA STATE BOARD OF DENTAL EXAMINERS

Ryan P. Edmonson, Executive Director

Posted on February 18, 2022:

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March 4, 2022 Board Meeting Agenda

The Arizona State Board of Dental Examiners’ (“Board”) President reserves the right to change the order of items on the agenda, except for public hearings set for a specific time.

During the Board meeting and upon a vote of the majority of a quorum, the Board may go into executive session to obtain legal advice from the Board’s attorney(s) pursuant to Arizona Revised Statute (“A.R.S.”) § 38-431.03(A)(3) on any agenda items listed on the agenda. All meeting attendees whose presence is not required in an executive session will be required to leave the meeting room during executive session. Any and all legal action will take place in open session.

I. CALL TO ORDER AND ROLL CALL

II. DECLARATION OF CONFLICTS OF INTEREST – A.R.S. § 38-503

III. REVIEW, DISCUSSION AND POSSIBLE ACTION ON BOARD MEETING MINUTES

Upon a vote of the majority of a quorum, the Board may go into executive session for item B pursuant to A.R.S. § 38-431.03(A)(2) to discuss or consider records exempt, by law, from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law.

- A. Discussion and approval of the Open Session Minutes from the January 28, 2022 board meeting.
- B. Discussion and approval of the Executive Session Minutes from the January 28, 2022 board meeting.

IV. ITEMS FOR BOARD REVIEW, DISCUSSION AND POSSIBLE ACTION

Upon a vote of the majority of a quorum, the Board may go into executive session, pursuant to A.R.S. § 38-431.03(A)(2) to discuss or consider records exempt, by law, from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law.

- A. Application(s) for Licensing of Dentist(s) or Hygienist(s) – A.R.S. §§ 32-1231 et seq. and 32-1281 et seq. respectively
Board to review, discuss and take possible action on the following application(s):
 - 1. Kouyoumdjian, Raffy, DMD
 - 2. Newman, Frank R., DMD

B. Review of Investigation(s)

Board to review, discuss and take possible action for the following case(s):

1. 201900091; Winterholler, Chris (*tabled from 01.28.22*)
2. 202000235; Mulmed, Kevin
3. 202000237; Benting; Douglas
4. 202100032; Marischen, Paul F.
5. 202100209; Spillers, Jeffrey

C. Review of Investigation(s) – Case(s) Recommended for a Letter of Concern

Board to review and discuss the results of the investigation(s) and take possible action to *issue* Letters of Concern on the following case(s):

1. 202100160; Cadden, Timothy P.
2. 202100186; Higgs, Richard Brian

D. Review of Investigation(s) – Case(s) Recommended for a Formal Interview(s)

Board to review and discuss the results of the investigation(s) and take possible action to *vote the matter* to a Formal Interview for the following case(s):

1. 202100066-AO; Endicott, Thomas A.

E. Review of Investigation(s) – Case(s) Recommended for Issuance of a Non-Disciplinary Order for Continuing Education – A.R.S. § 32-1263.02(F)(3)

Board to review and discuss the results of the investigation(s) and take possible action to *issue* Non-Disciplinary Board Orders on the following case(s):

1. 202000230-MP; Kuo, Jackson Tai Hong
2. 202100198; Seiler, Truman John
3. 202100210; Pace, Scott
4. 202100220; Kuch, Edward V.

F. Review of Investigation(s) – Case(s) Recommended for an Offer of a Disciplinary Consent Agreement

Board to review and discuss the results of the investigation(s) and take possible action to *offer* Disciplinary Consent Agreement(s)/Board Order(s) on the following case(s):

1. 202000255-AO; Benson, David A.
2. 202000286; Nordean, Jason H.
3. 202100143; Juriansz, Ralph L.

G. Review of Executive Director Complaint Terminations and Subsequent Grievances Filed by the Complainants – A.R.S. § 32-1263.03

Board to review, discuss and take possible action to *approve, modify or reject* the executive director's termination based on submitted written request(s), from the complainant(s), for the following case(s):

1. 2020000225; Winterholler, Chris
2. 202100202; Guelinas, Jeffrey
3. 202100237; Seymour, Andrew

H. Formal Interview(s)

Board to conduct formal investigative interviews and review, discuss and take possible action for the following case(s):

1. 202100176; Keeffe, Hugh T.
 - a. Lead Board Member: Dr. Seaman
 - b. Summary of investigation: Dr. Cutler

I. Review of Prior Board Action/Notice of Violation(s) – A.R.S. §§ 32-1288 & 32-3227

Board to review and discuss court records obtained from the Yavapai County Superior Court regarding the respondent's unauthorized practice as a dentist and may take possible action to rescind the Board's vote on January 28, 2022 to open a complaint file and file an injunction in Superior Court for the unauthorized practice of dentistry. Pursuant to A.R.S. § 32-3227(B)(3), the Board may also take action to post, on the board's public website, for five years, information regarding the person who the board verifies has engaged in the unauthorized practice of a health profession for the following case:

1. 202200031; Froehlich, Denis J.

V. **CONSENT AGENDA**

Upon a vote of the majority of a quorum, the Board may go into executive session pursuant to A.R.S. § 38-431.03(A)(2) to discuss or consider records exempt, by law, from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law. (All items listed under the Consent Agenda are considered to be routine or have been previously reviewed by the Board or the Board's Designee and may be considered for approval as a single action, unless a Board Member wishes to remove an item for independent review, discussion and possible action).

A. Board Dental/Hygiene Consultant(s) and Anesthesia and Sedation Evaluator(s)

Board to review, discuss and take possible action regarding approval of the following individual(s) to perform investigative consulting and/or evaluating services for the Board:

1. Conner Vinikoor, DDS (*Anesthesia and Sedation Evaluator*)

B. Executive Director Complaint Terminations – A.R.S. § 32-1263.03

Board to review, discuss and take possible action on the following confidential list of complaints that were terminated by the executive director, with the concurrence of the Board's investigative staff due to the complaints being without merit and termination being appropriate:

- | | |
|--------------|---------------|
| 1. 202000170 | 9. 202000267 |
| 2. 202000189 | 10. 202100159 |
| 3. 202000196 | 11. 202100165 |
| 4. 202000210 | 12. 202100166 |
| 5. 202000226 | 13. 202100172 |
| 6. 202000227 | 14. 202100178 |
| 7. 202000233 | 15. 202100187 |
| 8. 202000240 | 16. 202100193 |

- C. Termination of Board Orders(s)/Consent Agreements(s)
1. 201900047; Phillips, Matthew D.
 2. 201900074; Garagozloo, Behzad
 3. 201900325-AO; Arnall, Matthew
 4. 202000004; Farrell, Jack
 5. 202000063; Yole, Jason
 6. 202000153-MP; Schmidtke, Gabriel
 7. 202000163-MP; Shanaz, Pourya

VI. CALL TO THE PUBLIC

Pursuant to A.R.S. § 38-431.01(H), the Board may make an open call to the public during a public meeting, subject to reasonable time, place and manner restrictions, to allow individuals to address the public body on any issue within the jurisdiction of the public body. However, members of the Board are not allowed to discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. The Board, however, may ask staff to review a matter or may ask that a matter be put on a future agenda.

VII. CENTRAL REGIONAL DENTAL TESTING SERVICE, INC. (“CRDTS”)

Board to meet with Dr. Sam Jacoby, CRDTS’ President and Ms. Kim Laudenslager, Director of Communication and Education regarding CRDTS’ exam platform for patient based and simulated patient examinations and other CRDTS enhancements.

VIII. RENEWAL OF PERMIT, EDUCATION AND CONTINUED COMPETENCY

Board to review, discuss and take possible action to amend A.A.C. R4-11-1306 and 1307 regarding the requirements when renewing a Section 1301, 1302 and/or 1303 permit.

IX. NOTICES OF PROPOSED RULEMAKING (“NPR”)

Board to review, discuss and take possible action on the oral proceeding public comments and the Board’s response regarding the draft NPRs including proposed changes to Title 4, Chapter 11, Articles 2, 3, 4, 6, 9, 12, 13 and 14 pertaining to general rule changes and CE rule changes.

X. EXECUTIVE DIRECTOR’S REPORT

Executive Director to provide an update and/or summary on the following items: the listed items are subject to Board discussion and may result in action by the Board.

- A. Budget Update
- B. Agency Operations
- C. Investigative Committee
- D. Update on 2022 Legislative Session Bills
 1. Dental Specific:
 - a. SB1074
 - b. SB1112
 - c. SB1240
 - d. SB2167
 - e. SB1316
 2. Other Impactful Bills

XI. SUMMARY OF CURRENT EVENTS

By law, the summary of current events is limited to summarizing recent occurrences. The Board cannot propose, discuss, deliberate or take legal action on any matter in the summary unless the specific matter is properly noticed for legal action.

XII. DISCUSSION REGARDING FUTURE MEETINGS AND POSSIBLE ACTION ITEMS FOR FUTURE MEETING AGENDAS

XIII. NEXT BOARD MEETING DATE

A. April 1, 2022

XIV. ADJOURNMENT