



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

P: (602)242-1492

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## NOTICE OF 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 6, 2020 at 8:00 a.m.** The meeting will be held in **Boardroom A** 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 <https://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 a 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:

<https://dentalboard.az.gov/>

<https://publicmeetings.az.gov/>

on February 21, 2020



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## March 6, 2020 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. INTRODUCTIONS AND WELCOME TO/FROM SEAN MURPHY, NEW EXECUTIVE DIRECTOR OF THE ARIZONA DENTAL ASSOCIATION**

### **III. 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.

### **IV. DECLARATION OF CONFLICTS OF INTEREST – A.R.S. § 38-503**

### **V. 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 31, 2020 board meeting.
- B. Discussion and approval of the Executive Session Minutes from the January 31, 2020 board meeting.

**VI. 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) – A.R.S. § 32-1231 et seq.

Board to review, discuss and take possible action on the following application(s):

1. Chang, Michael W.
2. Richter, Jonathan

B. Request for Reconsideration of Board’s Decision for Application for Licensing of Dentist – A.R.S. § 32-1231 et seq.

1. Thome, Nick (*action taken January 31, 2020*)

C. Review of Investigation(s)

Board to review, discuss and take possible action on the results of the investigations on the following case(s):

1. 201800220, Christensen, Cory
2. 201800189-MP, 201800218, 201900033 & 201900302; Unger, Erik (*tabled from January 31 board meeting*)
3. 201900115; Montes, Sergio
4. 201900147; Sokol, Ivo Bohumil

D. Review of Investigation(s) – Cases Recommended for Offer of Disciplinary Consent Agreement

Board to review, discuss and take possible action on the results of the investigations on the following case(s):

1. 201900079; Fox, Joseph
2. 201900122; Templeton, Michael
3. 201900153; Heng, Sophon
4. 201900159; DC Dental

E. Review of Investigation(s) – Cases Recommended for Offer of Non-Disciplinary Consent Agreements

Board to review, discuss and take possible action on the results of the investigations on the following case(s):

1. 201900075; Wright, Jack
2. 201900085; Dachs, Michael
3. 201900087; Mehanna, Sally Gabbour
4. 201900100; Lee, Mike C.Y.

F. Review of Investigation(s) – Cases Recommended for Issuance of a Letter of Concern

Board to review, discuss and take possible action on the results of the investigations on the following case(s):

1. 201900132; Dhillon, Inderraj
2. 201900173; Nejad, Marjan

- G. Response/Non-response to Offered Consent Agreement(s)  
Update on status of offered consent agreements. Board to review, discuss and take possible action on any response/counteroffer or failure to respond on the following: 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)(4) to discuss or consult with the attorney(s) of the public body in order to consider its position and instruct its attorney(s) regarding the public body's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation.
1. 201800137; Kliener, Aaron
- H. Continuing Education Extension Request(s)  
Board to review, discuss and take possible action regarding the following licensee's continuing education extension request:
1. 201800141; Shanahan, Bryan J.
- I. Proposed Board Order(s)  
Board update, review and consideration of a proposed board order(s). The Board may vote to take action on the following case(s):
1. 201800221; Walker, Ronald D. (*action taken December 6, 2019*)
  2. 201900117; Barnwell, Stacy (*action taken January 31, 2020*)
- J. 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. 201900002;  | 11. 201900158; | 21. 201900226;     |
| 2. 201900012;  | 12. 201900171; | 22. 201900227;     |
| 3. 201900026;  | 13. 201900178; | 23. 201900231;     |
| 4. 201900052;  | 14. 201900184; | 24. 201900240;     |
| 5. 201900068;  | 15. 201900187; | 25. 201900241;     |
| 6. 201900086;  | 16. 201900188; | 26. 201900242;     |
| 7. 201900103;  | 17. 201900190; | 27. 201900248;     |
| 8. 201900106;  | 18. 201900191; | 28. 201900249;     |
| 9. 201900110;  | 19. 201900192; | 29. 201900251; and |
| 10. 201900156; | 20. 201900206; | 30. 201900252.     |
- K. Voluntary Surrender(s)  
Board update, review and consideration of a proposed consent agreement(s) for voluntary surrender. The Board may vote to take action on the following case(s):
1. 201900162; Moore, Terri Y.
- L. Malpractice, Adverse Occurrence Report and/or Disciplinary Action  
Board to review, discuss and take possible action for the following case(s):
1. 201900146-AO; Ray, Andrew William – *Internal Investigative Review Committee recommended that the Board take no action and close the file.*

2. 201900176-AO; Kelly, Paul J. – *Internal Investigative Review Committee recommended that the Board take no action and close the file.*

M. Review of Executive Director Complaint Terminations and Subsequent Complainant Appeals – 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 appeals, from the complainants, for the following case(s):

1. 201900054;
2. 201900089;
3. 201900108; and
4. 201900119.

N. Review Compliance/Non-compliance with Consent Agreement/Board Order

Board to review and discuss ongoing compliance/non-compliance with the terms of the Consent Agreement/Board Order. The Board may take possible action, if necessary regarding the following file(s):

1. 201500190; Chari, Satish Bhadra
2. 201600123 & 201700164; Margolis, Michael
3. 201800174; Endicott, Thomas A.

O. Board Review – A.A.C. R4-11-1701

Review and possible reconsideration of November 26, 2019 Board Order for the following file:

1. 201800147; Kang, Minseok

P. Continuing Education Audit(s) for Licensee(s) – A.A.C. R4-11-1202(G)

Board to review, discuss and take possible action for the following license(es):

1. Sweetland, Viola L.

Q. Failure to Notify the Board of Criminal Charges – A.R.S. § 32-3208

Board to review, discuss and take possible action regarding the following licensee's conduct and failure to notify the Board of their criminal charges:

1. 201900183; Balmer III, Thomas Albert

R. Failure to Respond to Subpoena – A.R.S. §§ 32-1201.01(23), 32-1263(A)(1), 32-1208

Board to review, discuss and take possible action regarding the following licensees' failure to respond to the issued subpoena:

1. 201900221; Larson, Clark D.
2. 201900264; Smith, Colin Melville
3. 201900320; Bingham, Robert
4. 202000044; Meyer, Nicholas

## VII. 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 consulting and/or evaluating services for the Board:

1. Bill, Crystal – (*anesthesia & sedation evaluator*)
2. Hanf, Glenn – (*dental consultant*)

**VIII. DENTAL ASSISTING NATIONAL BOARD (DANB)**

Board to meet with representatives from DANB regarding dental assistants' certification exams, certificates of knowledge-based competency exams, state-specific dental assisting expanded functions and to discuss and take possible action regarding the administration of the same.

**IX. SUBSTANTIVE POLICY STATEMENT(S)**

Board to review, discuss and take possible action to approve, modify or reject the following draft substantive policy statement(s):

A. Dental Assistants' Scope of Practice

**X. CONTINUING EDUCATION MONITORING**

Board to review, discuss and take possible action to approve or reject a continuing education compliance program, reporting and monitoring with either CE Broker or StateReporting.com.

**XI. RECORDS MANAGEMENT COMMITTEE RECOMMENDATION**

Board to review, discuss and take possible action regarding the Committee's recommendation to the Board to focus on the complaint and not the patient records during the investigation process – if records are not obtained, then the matter should proceed to the Board for its consideration, including failure to comply with a subpoena.

**XII. EXAMINATION REQUIREMENTS – A.R.S. §§ 32-1233, 32-1276.01(B)(3), 32-1281(F) and 32-1285**

Board to review, discuss and take possible action regarding the examination components for licensure in Arizona.

**XIII. HEALTH PROFESSIONALS MONITORING AND ASSESSMENT SERVICES**

Board to review, discuss and take possible action regarding the approval of physician health program assessors and contracting with any of the following health professionals monitoring services:

- A. Arizona Pharmacy Foundation
- B. Community Bridges
- C. Gateway Recovery Institute

**XIV. AMERICAN ASSOCIATION OF DENTAL ADMINISTRATORS (AADA) AND AMERICAN ASSOCIATION OF DENTAL BOARDS (AADB)**

Consideration for the approval of a board member and staff attendance at the 2020 AADA/AADB Mid-Year Meeting held from Saturday, April 4, 2020 – Sunday, April 5, 2020 in Chicago, Illinois.

**XV. 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. Legislation Update on the following bills
  - a. HB2133;
  - b. HB2134;
  - c. HB2244;
  - d. HB2423;
  - e. HB2535;
  - f. HB2184;
  - g. HB2288;
  - h. HB2424;
  - i. HB2727;
  - j. HB2740;
  - k. SB1138;
  - l. SB1170;
  - m. SB1227;
  - n. SB1211; and
  - o. SB1274.

**XVI. 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.

**XVII. DISCUSSION AND POSSIBLE ACTION ITEMS FOR FUTURE MEETING AGENDAS**

**XVIII. NEXT BOARD MEETING DATE**

- A. Friday, May 6, 2020

**XIX. ADJOURNMENT**