



ARIZONA STATE BOARD OF DENTAL EXAMINERS

5060 North 19th Avenue, Suite 406 • Phoenix, Arizona 85015-3214

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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

FEBRUARY 6, 2009 AT 8:00 AM

5060 NORTH 19th AVENUE, SUITE 405

PHOENIX, ARIZONA 85015

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)(2) and (3), the Board may vote to go into Executive Session to review and discuss confidential records and/or obtain legal advice from its Legal Counsel for the following:

I. GENERAL BUSINESS

1. **CALL TO ORDER**

II. EXECUTIVE SESSION

2. **The Board may go into executive session to review and discuss confidential records and/or obtain legal advice pursuant to A.R.S. § 38-431.03 (A)(2) and (3) regarding the following:**
 - A. Vacant
3. **RETURN TO OPEN MEETING**

III. GENERAL BUSINESS (CONTINUED)

The Board may vote to go into Executive Session to review and discuss confidential records and/or obtain legal advice from the Board's attorney on any of the following agenda items, pursuant to A.R.S. § 38-431.03 (A)(2) & (3).

4. **PRESIDENT'S REPORT – Dr. Rosenthal**
 - A. Committee Assignments
 - i. MATP - Dr. Lou Sommerhalter
 - B. WREB Appointments
 - i. Dr. Joyce Rosenthal - Dental Representative
 - ii. Sharon Zastrow, RDH - Provisional appointment as Dental Hygiene Representative

- C. Review, discussion and possible action regarding direction to staff for a letter to dental schools inviting students to attend Board meetings.

5. 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 Board meeting date change from October 2, to October 9, 2009.
- C. Review, discussion and possible action regarding the introduction of Mobile Dentistry legislation in the current legislative session.
- D. Dr. Donna A. Ash - Case 280395; Review, discussion and possible action including administratively adjusting the case from the doctor's record.
- E. Dr. Steven Ingersoll - Review, discussion and possible action regarding adverse occurrence report involving anesthesia.
- F. Dr. Donald Hom - Review, discussion and possible action regarding adverse occurrence report involving anesthesia.
- G. Dr. Jeffrey N. Brownstein - Review, discussion and possible action regarding adverse occurrence report involving anesthesia.
- H. Dr. Stacey L. Sanford - Case 280458; Review, discussion and possible action including administratively adjusting the case from the doctor's record.
- I. Dr. Mark C. Peck - Case 280475; Review, discussion and possible action including administratively adjusting the case from the doctor's record.
- J. Dr. Mu-Hun Kim - Case 280158; Review, discussion and possible action including administratively adjusting the case from the doctor's record.
- K. Review, discussion and possible action regarding Dr. Joyce Rosenthal and Ms. Elaine Hugunin's attendance at AADE Mid-Year Meeting, Chicago, IL, April 5 - 7, 2009.
- L. Dr. Ralph F. Wilson - Review, discussion and possible action on anonymous information regarding alleged substance abuse.
- M. Review, discussion and possible action regarding policy changes to the Two Year Substance Abuse Monitoring Track Program.
- N. For information only - National Board Examination dates and test sites provided from the Joint Commission on National Dental Examinations for any Board member who may be interested in assisting with exam administration.
- O. Discussion and possible action regarding standardization of on site anesthesia evaluations.
- P. Information regarding status of FY09 Budget and FY10-11 Budget request.

- Q. Information regarding Governor Brewer's suspension of rule making activities.
 - R. Review, discussion and possible action regarding the assignment of Blanket Allegations to complaints.
6. **ASSISTANT ATTORNEY GENERAL'S REPORT FOR BOARD DIRECTION & POSSIBLE ACTION – Mary DeLaat Williams, AAG**
- A. Status of Judicial Review Actions; Information only unless otherwise indicated.
 - i. Dr. Champa R. Chatterjee v. ASBDE (Case 260213)
 - B. Discussion regarding potential Board member conflicts of interest.
The Board may vote to go into Executive Session to obtain legal advice from the Board's attorney, pursuant to A.R.S. § 38-431.03 (A) (3).
7. **PERSONNEL ISSUES**
- A. Introduction of new Board Members - Dr. Lou Sommerhalter.
 - B. Introduction of new Executive Director Ms. Elaine Hugunin - effective February 11, 2009.

IV. ACTION ON LICENSING

The Board may vote to go into Executive Session to review and discuss confidential records and/or to obtain legal advice from the Board's attorney on any of the following agenda items, pursuant to A.R.S. § 38-431.03 (A)(2) & (3).

8. **REQUEST FOR ACTION ON LICENSURE/CERTIFICATE BY EXAMINATION**
The Board will review, discuss and take action on the following applications.
- A. Shelton L. Chow, DDS - disclosure of disciplinary action in dental school.
- 8.1 **REQUEST FOR ACTION ON APPLICATION(S) FOR DENTAL CONSULTANT LICENSE**
The Board will review, discuss and take action on the following applications for Dental Consultant License
- A. Dr. William G. Albrecht
9. **REQUEST FOR ACTION ON DENTAL ASSISTANT RADIOLOGY CERTIFICATION BY CREDENTIAL – CONSENT AGENDA**
The Board will review, discuss and take action on the following applications for Dental Assistant Radiology Certification
- A. Valerie J. Onken - Certified in CA
 - B. Sandra M. Roddy - Certified in CA
 - C. Terra L. Kerr - Certified in CA
 - D. Melinda K. Zalar - Certified in CA
 - E. Maria D. Torres - Certified in CA
 - F. Lizbeth E. Herrarte - Certified in CA
 - G. Vanessa Samaniego - Certified in CA
 - H. Norma I. Villa - Certified in CA
 - I. Dorothy B. Wittman-Ilano - Certified in CA
 - J. Jennifer E. Nitta - Certified in CA

K. Alison S. Jones - Certified in NM

10. REQUEST FOR ACTION ON LICENSURE BY CREDENTIAL

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

- A. Dr. Elliott P. Schlang - 1974 CA Dental exam prior to a regional. Three malpractice settlements, all less than \$10,000.
- B. Dr. Michael J. Lauk - 1968 IL State exam prior to a regional. Adverse Action listed on NPDB, IL has taken action on his license.
- C. Charlotte J. Wallace, RDH - 1973 MI State Exam prior to a regional.
- D. Jeanine K. Gooding, RDH - 1995 WA State Exam prior to a regional.

10.1 REQUEST FOR ACTION ON LICENSURE BY CREDENTIAL – Clinical Examination taken more than 5 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.

- E. Dr. Michael T. Kelly - 1993 FL
- F. Jennifer C. Kelly, RDH - 1993 FL

10.2 REQUEST FOR ACTION ON LICENSURE BY CREDENTIAL – Clinical Examination taken less than five years ago

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.

- G. VACANT

11. REQUEST FOR ACTION ON LICENSURE BY CREDENTIAL – CONSENT AGENDA Board-approved clinical examination

The following applicants for licensure by credential have submitted documentation of successful completion of a Board-approved clinical examination. The Board will review, discuss, and take action on the following applications.

- A. Dr. Brian D. Greenberg - 2006/2007 NERB
- B. Dr. Eric E. Ellis - 2005/2006 NERB
- C. Dr. Rashmi Swamy - 2003/2004 NERB
- D. Dr. Sundeep S. Gill - 2001 NERB
- E. Dr. George M. Bailey - 1975 NERB
- F. Dr. Barry G. Graham - 1973 NERB
- G. Dr. David A. Newitter, Jr. 1971 NERB
- H. Dr. Aaron J. Colby - 2006 CRDTS
- I. Dr. Kathleen Omodt Hubert - 1984 CRDTS
- J. Dr. Frank K. Fager - 1983 CRDTS
- K. Jennifer M. Gillan, RDH - 2006 NERB
- L. Alfia R. Marks, RDH - 2005 NERB
- M. Rebekah A. Chandler, RDH 2005 NERB
- N. Karen S. Clark, RDH - 1983 NERB
- O. Leah B. Domagalski, RDH - 2002 CRDTS

12. REQUEST FOR ACTION ON APPLICATION(S) FOR RENEWAL OF LICENSE

Roll Call Vote is Required

The Board will review, discuss and take action regarding disclosures on renewal applications.

A. VACANT

V. STIPULATION CONSENT AND ENFORCEMENT

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 to review and discuss confidential records and/or obtain legal advice from the Board's attorney on any of the following agenda items, pursuant to A.R.S. § 38-431.03 (A)(2) & (3).

13. RECOMMENDATION(S) FROM BOARD MATP MEDICAL DIRECTOR – 8:30 AM

A. REQUEST FOR ACTION ON LICENSURE/CERTIFICATE BY EXAMINATION

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

- i. Amy J. Nyberg, RDH - Review, discussion and possible action on report from Dr. Sucher regarding disclosure of DWI on application for licensure. DWI disclosure - over 5 years.

B. REQUEST FOR ACTION ON LICENSURE BY CREDENTIAL

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

- i. Dawn H. Krukar, RDH - Review, discussion and possible action on report from Dr. Sucher regarding disclosure of DUI on application for licensure.

C. REQUEST FOR ACTION ON APPLICATION(S) FOR RENEWAL OF LICENSE

Roll Call Vote is Required

The Board will review, discuss and take action regarding disclosures on renewal applications.

- i. VACANT

D. HEALTH AND WELL BEING

- i. Dr. Garrett F. Harnett - Case 280400; Review, discussion and possible action on Assessment Report from evaluation facility and evaluation report by Dr. Sucher and possible entrance into the Board's two-year substance abuse monitoring program.
- ii. Dr. Paul Chang - Review, discussion and possible action regarding reinstatement of license and recommendation of Dr. Sucher for entrance into the Board's two-year substance abuse monitoring program.
- iii. Dr. Cameron Skaugrud - Discussion and possible action regarding lifting the DEA restriction in his MATP stipulation.
- iv. Discussion regarding Committee's request that participants with a dual diagnosis appear before the committee at greater frequency.
- v. Discussion regarding clarification to participants when submitting prescription advisory forms.

E. CONSIDERATION OF MATP CONSENT AGREEMENTS & REQUIRED PERSONAL APPEARANCE

The following individuals shall appear to address the Board regarding the Monitored Aftercare Treatment Program. The Board may take action or provide direction to staff regarding these matters.

Item No.	Case No.	Licensee	Board Action Taken
	VACANT		

F. UPDATE ON MATP PARTICIPANTS

i. Dr. Carter Grampp – 260361	ii. Dr. Gregory P. Edmonds – 260280
iii. Julie Nightingale, RDH - 280314	iv. Dr. Thomas J. Hawkes – 260214
v. Dr. Kelly J. Cook – 270064	vi. Dr. Wade A. Mendenhall - 270517
vii. Dr. Chad F. Merrill – 270495	viii. Dr. Sathish Bhadra Chari – 250091
ix. Dr. Phillip L. Cooke – 240366	x. Dr. Jay H. Spiegel – 260115
xi. Dr. Cameron Skaugrud – 270408	xii. Dr. Earl Bruce Weisbrod – 260185
xiii. Dr. David J. Bernath - 280237	xiv. Dolores L. Victoria, RDH – 240234
xv. Dr. Randall H. Monroe – 260116	xvi. Dr. Rogel A. Carlos – 260126
xvii. Dr. John S. Coleman - 280461	

G. PROBATION MONITORING & REQUIRED PERSONAL APPEARANCE

The following individuals shall appear to address the Board regarding Probation Monitoring. The Board may take action or provide direction to staff regarding these matters.

Item No.	Case No.	Licensee	Board Action Taken
i.	280462	Sarah J. Byrne, RDH	Possible action regarding non-compliance with consent agreement and interim order for substance abuse evaluation.
ii.	280236	Sarah G. Morones, RDH	Possible action regarding non-compliance with consent agreement

VI. OTHER BUSINESS

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 to review and discuss confidential records and/or obtain legal advice from the Board's attorney on any of the following agenda items, pursuant to A.R.S. § 38-431.03 (A)(2) & (3).

14. OTHER COMMITTEE REPORTS

- A. Continuing Education Audit for Dentists Committee – Dr. Joyce Rosenthal
- i. Review, discussion and possible action regarding the 2008 Dental Continuing Education Audits. Upon recommendation from the Continuing Education Audit for Dentists Committee the Board may consider APPROVAL of the CE Audit responses from the following:
 - a. Dr. Elliott E. Angel
 - b. Dr. Massoud Eftekhari - with reminder letter to be sure that a course taken for a specific CE category meets the criteria of the category regardless of how the course is advertised and that when contacted by the Board, to respond timely.
 - c. Dr. Cory Douglas Giles - with reminder letter to be sure that a course taken for a specific CE category meets the criteria of the category regardless of how the course is advertised.
 - d. Dr. Tonya I. Harmon - with reminder letter to be sure that a course taken for a specific CE category meets the criteria of the category regardless of how the course is advertised.
 - ii. Review, discussion and possible action regarding the Continuing Education Audit for Dentists Committee recommendation to communicate to AzDA the concern that statement in the Western Regional Dental Convention Brochure that continuing education meets BODEX requirements is misleading because the continuing education may not meet the requirements as evidenced by recent continuing education audit responses; additionally the committee recommends asking AzDA to contact their membership and potential convention attendees advising them that it is their responsibility to determine if a course meets the Board's requirements.
- B. Dental Hygiene Committee – Ms. Catherine Bevers
- iii. Review, discussion and possible action regarding the 2008 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. Candace G. Greer, RDH
 - b. Naomie E. Oxberger, RDH
 - iv. Discussion and possible action regarding the recommendation from the Dental Hygiene Committee to open Arizona Administrative Code Article 12 Continuing Dental Education and Renewal Requirements for the purpose of adding a record-keeping course requirement for dentists, dental hygienists and denturists.

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VII. FORMAL HEARING – 9:00 AM

The Board may vote to go into Executive Session to review and discuss confidential records and/or obtain legal advice from the Board's attorney on any of the following agenda items, pursuant to A.R.S. § 32-431.03(A)(2) & (3). The Board usually allows 3 – 5 minutes per person for public comment; however, depending on the issue presented, the Board has the discretion to expand that time.

Item No.	Case No.	Licensee	Board Action Taken
15	280202	Dr. Clayton Wainwright	Petition to Rehear

The Board may go into executive session for discussion and instruction to the Board's attorney regarding settlement negotiations pursuant to A.R.S. § 38-431.03 (A)(2), (3) and (4) regarding the following:

16	270290	Dr. Marcus L. Paulus	Review, discussion and possible action regarding proposed consent agreement
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MORNING AGENDA

VIII. ACTION ON CASES – 8:30 AM

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 to review and discuss confidential records and/or obtain legal advice from the Board's attorney on any of the following agenda items, pursuant to A.R.S. § 38-431.03 (A)(2) & (3). The Board usually allows 3 – 5 minutes per person for public comment; however, depending on the issue presented, the Board has the discretion to expand that time.

A. ACTION ON CASES

From Investigative Interview or Informal Interview – Roll Call Vote is required

The Board will review, discuss and take action on the following cases. Based on the investigation, the Board may impose discipline, dismiss, issue a letter of concern, terminate, table for further investigation, postpone, and/or forward for further administrative review.

Item No.	Case No.	Licensee	Board Action Taken
17	280178	Dr. Nicholas J. Meyer	
18	280241	Dr. Yong-Suk Cha	
19	280234	Dr. Michael K. Braegger	
20	280175	Dr. John Andrew Loesch	Consider opening an Investigation against Southwest Dental Group for alleged billing irregularities

B. ACTION ON PREVIOUS ACTION

The Board will review, discuss and vote to take action on the following case(s):

Item No.	Case No.	Licensee	Board Action Taken
21	280085	Dr. Terry J. Lee	Tabled from the December meeting pending proof of restitution to the patient
22	270477	Dr. Jenny V. Wang	Tabled from the October meeting. Review, discussion and possible action on proposed Consent Agreement

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Item No.	Case No.	Licensee	Board Action Taken
22A	270285, 270312, 270336, 280173	Dr. Joseph G. Salkind	Review, discussion and possible action on proposed consent agreement.

C. PETITION TO REHEAR
Roll Call Vote is *required*

The Board will review, discuss and take action on the Petitions for Rehearing in the following cases. If GRANTED, the Board may remand for rehearing at an Investigative Interview or an immediate rehearing and determination.

Item No.	Case No.	Licensee	Board Action Taken
23	280046	Dr. Vernon S. Eddlemon	
24	280031	Dr. Michael Wassef	
25	280056	Dr. Sam Hashemian	
26	280065	Dr. Richard George Strub	

IX. CONSENT AGENDA – 10:00 AM

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 to review and discuss confidential records and/or obtain legal advice from the Board’s attorney on any of the following agenda items, pursuant to A.R.S. § 38-431.03 (A)(2) & (3).

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.

A. CASES RECOMMENDED FOR DISMISSAL – CONSENT AGENDA
From Investigative Interview – Roll Call Vote *required if case is pulled*

The Board will review and take action on the following cases. Based on the Investigative Interview Panel’s findings, these cases have been recommended for Dismissal.

Item No.	Case No.	Licensee	Board Action Taken
27	280189	Dr. Terry Berkley	

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Item No.	Case No.	Licensee	Board Action Taken
28	280195	Dr. Uriel Carranza	
29	280185	Dr. Morad R. Malaki	
30	280181	Dr. Larry Russell	
31	280160	Dr. Champa R. Chatterjee	
32	280140	Dr. Robert D. Sundberg	
33	280020	Dr. Lisa M. Beznoska	
34	280227	Dr. Michael W. Dodd	
35	280309	Dr. Daniel Nathan Indech	Consider opening Investigations against Dr. Joseph Mikuliez for inadequate crown and bridge; Dr. Paul Pease for failure to comply with a subpoena
36	280296	Dr. Ralph Forrest Wilson	
37	280200	Dr. Ginger L. Price	Vacate and remand with added allegation for failure to supervise.
38	280230	Western Dental of AZ, Inc.	
39	280192	Western Dental of AZ, Inc.	

B. CASES RECOMMENDED FOR DISMISSAL WITHOUT PREJUDICE – CONSENT AGENDA

The Board will review and take action on the following cases.

Item No.	Case No.	Licensee	Board Action Taken
40	280221	Dr. Soheyla Marzvaan	Dr.'s license has expired as of 06/30/08

C. CASES RECOMMENDED FOR ISSUANCE OF A LETTER OF CONCERN – CONSENT AGENDA

From Investigative Interview – Roll Call Vote is *required if case is pulled*

The Board will review and take action on the following cases. Based on the investigation these cases have been recommended for a Letter of Concern. 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 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	Board Action Taken
41	280205	Dr. John Alan Garza	Stating the doctor should closely monitor his advertising and/or information presented to the public so that it is in compliance with the statutes
42	280201	Dr. Michael J. Bricker	Stating there should be written communication with the patient concerning the number of appointments and length of time before an immediate denture can be reliably retained. Consider opening an investigation against Dr. Bricker for alleged billing irregularities

D. CASES RECOMMENDED FOR ISSUANCE OF NON-DISCIPLINARY CONTINUING EDUCATION – CONSENT AGENDA

From Investigative Interview – Roll Call Vote is *required if case is pulled*

The Board will review and take action on the following cases. Based on the investigation these cases have been recommended for a non-disciplinary order requiring Continuing Education. Non-disciplinary orders for continuing education require the licensee to complete a prescribed number of hours in an area or areas prescribed by the Board to provide the licensee with the necessary understanding of current developments, skills, procedures or treatment.

Item No.	Case No.	Licensee	Board Action Taken
43	280179	Dr. Richard George Strub	Consider imposing 4 hours in Endodontics
44	280203	Dr. Barry J. Uldrikson	Consider imposing 6 hours in Risk Management and 6 hours in Occlusal Diagnosis

E. **CASES RECOMMENDED FOR TERMINATION/LACK OF JURISDICTION – CONSENT AGENDA**

Roll Call Vote is *not required*

The Board will review and take action on the following cases. Based on the investigation these cases have been recommended for Termination because they do not fall within the jurisdiction of the Agency.

Item No.	Case No.	Licensee	Board Action Taken
45	280326	Dr. Wissam S. Ayoub	Per patient letter
46	280267	Dr. Christine Thuy-Anh Phan	Per patient letter
47	T-08-045	Dr. Michael W. Criddle	Insurance issue
48	280387	Dr. Ronald J. Moon	Per patient letter
49	280386	Dr. Ronald J. Moon	Per patient letter
50	280352	Dr. Ronald J. Moon	Per patient letter
51	280242	Western Dental	Per patient letter
52	280449	Dr. Sathish Bhadra Chari	Per patient letter

53. APPROVAL OF RESTRICTED PERMIT(S) (APPLICATION OR RENEWAL) – CONSENT AGENDA

A. VACANT

54. RATIFICATION OF NEW DENTAL AND DENTAL HYGIENE LICENSES – CONSENT AGENDA

Bryan D. Schelin, DMD
D 7685, issued: 11/25/2008

Brandon J. Tilts, DDS
D 7686, issued: 12/03/2008

Francyne L. Kohler, DDS
D 7691, issued: 12/10/2008

Jason M. Loop, DDS
D 7697, issued: 12/10/2008

Kaiyan Li, DDS
D 7698, issued: 12/19/2008

Dawit Adugna, DDS
D 7699, issued: 12/24/2008

Julia N. Benson, DMD
D 7700, issued: 01/07/2009

James S. Nielsen, DDS
D 7701, issued: 01/21/2009

Total Dental: 8

Paula Jean Hubley, RDH
H 6577, issued: 12/10/2008

Cheryl A. Torivio, RDH
H 6582, issued: 12/10/2008

Danielle L. Wiley, RDH
H 6596, issued: 12/16/2008

Rayna Gooslin, RDH
H 6597, issued: 12/19/2008

Jennifer I. Knight, RDH
H 6598, issued: 01/13/2009

Total Dental Hygiene: 5

55. APPROVAL OF CONSULTANTS AND EXAMINERS – CONSENT AGENDA

- A. VACANT
- B. Dr. Brown Harris, III - Anesthesia Evaluator, Investigative Interviews
- C. Dr. Jeffrey Todd Erickson - Anesthesia Evaluator

56. APPROVAL OF MINUTES – CONSENT AGENDA

- A. October 3, 2008 Board Meeting Minutes
- B. October 3, 2008 Executive Session Minutes
- C. December 5, 2008 Board Meeting Minutes
- D. December 5, 2008 Executive Session Minutes
- E. January 2, 2009 Board Meeting Minutes
- F. January 2, 2009 Executive Session Minutes

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

AFTERNOON AGENDA

X. ACTION ON CASES – 1:30 PM

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 to review and discuss confidential records and/or obtain legal advice from the Board's attorney on any of the following agenda items, pursuant to A.R.S. § 38-431.03 (A)(2) and (3). The Board usually allows 3 – 5 minutes per person for public comment; however, depending on the issue presented, the Board has the discretion to expand that time.

A. ACTION ON CASES

From Investigative Interview or Informal Interview – Roll Call Vote *is required*

The Board will review, discuss and take action on the following cases. Based on the investigation, the Board may impose discipline, dismiss, issue a letter of concern, terminate, table for further investigation, postpone, and/or forward for further administrative review.

Item No.	Case No.	Licensee	Board Action Taken
57	280207	Dr. Robert G. Baird	
58	280223	Dr. Marc R. Mondragon	Consider forwarding to Formal Hearing for suspension or revocation of license
59	280172	Dr. Steven M. Morales	
60	280206	Dr. Robert G. Manning	

B. ACTION ON PREVIOUS ACTION

The Board will review, discuss and vote to take action on the following case(s):

Item No.	Case No.	Licensee	Board Action Taken
61	270540	Dr. William A. Hoskyns	Tabled from the December meeting pending original records from Dr. Carter and records from Dr. Itko
61A	280115	Dr. Richard A. Johnson	Remanded for a clinical evaluation only.

C. PETITION TO REHEAR
Roll Call Vote is *required*

The Board will review, discuss and take action on the Petitions for Rehearing in the following cases. If GRANTED, the Board may remand for rehearing at an Investigative Interview or an immediate rehearing and determination.

Item No.	Case No.	Licensee	Board Action Taken
62	270530	Dr. Lori Karen Anderson	
63	270498	Dr. Hana K. Mansoor	
64	280120	Dr. Newton Harry Henderson, III	
64A	280300	Dr. Howard I. Sommers	The Board may consider forwarding to an Investigative Interview

XI. AFTERNOON CONSENT AGENDA – 2:30 PM

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 to review and discuss confidential records and/or obtain legal advice from the Board's attorney on any of the following agenda items, pursuant to A.R.S. § 38-431.03 (A)(2) and (3).

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.

A. CASES RECOMMENDED FOR DISMISSAL – CONSENT AGENDA
From Investigative Interview – Roll Call Vote *required if case is pulled*

The Board will review and take action on the following cases. Based on the Investigative Interview Panel's findings, these cases have been recommended for Dismissal.

Item No.	Case No.	Licensee	Board Action Taken
65	280163	Dr. Andrew M. Owe	
66	280204	Dr. Rochelle J. Riley	
67	280159	Dr. Mu-Hun Kim	
68	280167	Dr. Manuel C. Bedoya	

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Item No.	Case No.	Licensee	Board Action Taken
69	280216	Dr. Rodney J. Gold	
70	280191	Dr. Ryan D. O'Donnell	Consider opening an Investigation against Western Dental for inadequate follow-up care and billing irregularities
71	280166	Dr. Jill M. Carter	
72	280193	Dr. Eric J. Steinbrecher	
73	280209	Dr. Frank Ruiz Olivas	
74	280226	Dr. Donald Arthur Gage	
75	280275	Dr. Douglas O. Beischel	
76	270529	Dr. Peter P. Nguyen	
77	280378	Dr. Jason Mark Melde	

B. CASES RECOMMENDED FOR ISSUANCE OF A LETTER OF CONCERN – CONSENT AGENDA

From Investigative Interview – Roll Call Vote is *required if case is pulled*

The Board will review and take action on the following cases. Based on the investigation these cases have been recommended for a Letter of Concern. 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 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	Board Action Taken
78	280198	Dr. Jason A. Leach	Stating staff's lack of sensitivity to child's pain and requirement that emergency care must be provided for 30 days after dismissal of patient.

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C. CASES RECOMMENDED FOR REMAND – CONSENT AGENDA

Roll Call Vote is not required.

The Board will review and take action on the following cases.

Item No.	Case No.	Licensee	Board Action Taken
79	280097	Dr. William Hoskyns	The I.I. panel did not determine any recommendations
80	280127	Dr. William Hoskyns	The I.I. panel did not determine any recommendations
81	280101	Dr. William Hoskyns	The I.I. panel did not determine any recommendations

D. CASES RECOMMENDED FOR TERMINATION/LACK OF JURISDICTION – CONSENT AGENDA

Roll Call Vote is *not required*

The Board will review and take action on the following cases. Based on the investigation these cases have been recommended for Termination because they do not fall within the jurisdiction of the Agency.

Item No.	Case No.	Licensee	Board Action Taken
82	T-08-046	Associated Dental	Insurance issue
83	280345	Dr. George E. Mantell	Per patient letter
84	T-08-047	Dr. Brian A. Lilien	Fee issue; other agency
85	280421	Dr. Mark A. Costes	Per patient letter
86	T-08-048	Southwest Dental	Fee issue; insurance issue
87	T-08-044	Dr. Scott R. Harris	Fee issue
88	T-08-049	Dr. Michael D. Traylor	Rude staff

E. NONCOMPLIANCE WITH CONSENT AGREEMENT/BOARD ORDER – OPEN A NEW COMPLAINT – CONSENT AGENDA

Item No.	Case No.	Licensee	Board Action Taken
89	270369	Dr. George E. Boughan	

F. PROBATION MONITORING; COMPLIANCE REPORTING – CONSENT AGENDA

Item No.	Case No.	Licensee	Board Action Taken
90	270410	Dr. Orville S. Diggs	
91	250157	Dr. Terry J. Lee	

G. REVIEW AND FILING OF CASES FOR INVESTIGATION – CONSENT AGENDA

The Board will consider the facts and allegations set forth in these reports and vote whether to open investigations.

92	Dr. John R. Lee - For alleged billing irregularities, false statements and fraud and misrepresentation
93	Dr. Julie Anfinson - Alleged failure to supervise staff
94	Dr. Mark Allen Kerr - Alleged inadequate endodontic surgery and complications during or after treatment
95	Dr. Joshua B. Haslam - Alleged abuse of prescribing privileges and fraud or misrepresentation for obtaining a controlled substance by fraud or deceit
95A	Dr. Joseph D’Aniello - As a result of case 280161 for alleged noncompliance with a Board subpoena
95B	Bright Now! Dental - As a result of case 280282 for alleged billing irregularities

H. REVIEW AND FILING OF CASES FOR INVESTIGATION FOR FAILURE TO TIMELY DISCLOSE – CONSENT AGENDA

The Board will consider the facts and allegations set forth in these reports and vote whether to open investigations.

96	Dr. Piyush Hirpara - Disclosure of arrest for shoplifting
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***** END OF CONSENT AGENDA *****

XII. CALL TO THE PUBLIC

Consideration of comments from the public. Those wishing to address the Board need not request permission in advance, however, a call to the public form will need to be completed. The Board may not discuss or take any action on any public comment at this meeting except to direct staff to study the matter or reschedule the matter for further consideration and decision at a later date. The Board usually allows 3 – 5 minutes for public comment; however, depending on the issue presented, the Board has the discretion to expand that time.

Note: This is not the time set aside on the meeting agenda to discuss those specific cases that are listed on today's agenda. The participants in those matters will be afforded an opportunity to speak to the Board during the discussion of the item as specified on the agenda. Cases will be called in the order as indicated on the sign-in sheet.

- 97. **MEMBERS OF THE PUBLIC**
- 98. **ASSOCIATIONS**
- 99. **FUTURE AGENDA ITEMS**
- 100. **NEXT MEETING DATE April 3, 2009**
- 101. **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 Colleen Amos at 602 242-1492. 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).