



Jan Brewer, Governor

ARIZONA STATE BOARD OF DENTAL EXAMINERS

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

Telephone (602) 242-1492 • Fax (602) 242-1445

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

JUNE 5, 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) and (3), the Board may vote to go into Executive Session to obtain legal advice from its Legal Counsel for any of the following:

GENERAL BUSINESS

1. **CALL TO ORDER**

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) & (3) regarding the following:**
 - A. Legal advice regarding options under the dental practice act for disposition of complaints.
3. **RETURN TO OPEN MEETING**

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. Appointment of Mobile Dentistry Committee Chairman.
 - B. Appointment of dental hygienist to be a WREB DH-ERC representative.

5. EXECUTIVE DIRECTOR'S REPORT – Ms. Elaine Hugunin

- 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. BOARD MEMBER TRAINING
Presentation by attorney and staff regarding the following topics:
 - 1. Options under the dental practice act for disposition of complaints.
- C. Review, discussion and possible action regarding renewal of the Board's Interagency Service Agreements and contracts with the Office of Administrative Hearings, Attorney General's Office, Department of Administration - Central Services Bureau, MATP Medical Director, Legislative Liaison and Staff Consultant.
- D. Review, discussion and possible action regarding 2009 5-year Review Reports' Progress Report.
- E. Review, discussion and possible action regarding attendance of Dr. Joyce Rosenthal at the Western Conference of Dental Examiners and Dental Deans, July 17-18, 2009 in San Diego, CA.
- F. Review, discussion and possible action regarding attendance of Dr. Joyce Rosenthal and Ms. Elaine Hugunin at the AADA/AADE Annual Meetings, September 30 – October 4, 2009 in Hawaii.
- G. Review and discussion of Board's complaint investigation and adjudication process, including consideration of appointment of committee to evaluate the process.
- H. Dr. Dale R. Hamblin - Case 290063 - Review, discussion and possible action including administratively adjusting the case from the doctor's record.
- I. Dr. Hiba Kamal Malki - Case 290090 - Review, discussion and possible action including administratively adjusting the case from the doctor's record.
- J. Perfect Teeth - Review, discussion and possible action including vacating previous direction to place on June, 2009 agenda to open an investigation.
- K. Dr. Hazem Hussein Jabr - Case T-09-007 - Review, discussion and possible action including terminating this case for lack of jurisdiction.
- L. Review, discussion and possible action on letter from Dr. Stephen J. Harkins regarding conduct of Board member.
- M. Dr. Raymond M. Hubrich - Case T-09-034 - Review, discussion and possible action including terminating this case for lack of jurisdiction.
- N. Review, discussion and possible action regarding DANB proposal to eliminate paper/pencil testing sites and move to computerized testing as the only exam format.
- O. Discussion and possible action regarding possible Board Member Training Meeting.

- P. Review and discussion regarding the use of Southwest Laboratories randomization program for individuals requiring random urinalysis.
- Q. Review and discussion regarding the Board's FY10 budget.
- 6. **ASSISTANT ATTORNEY GENERAL'S REPORT FOR BOARD DIRECTION & POSSIBLE ACTION – Mary DeLaat Williams, AAG**
Status of Judicial Review Actions; Information only unless otherwise indicated.
 - A. VACANT
- 7. **PERSONNEL ISSUES**
 - A. Ms. Terry Bialostosky was promoted to new Projects and Programs Specialist position. Ms. Yvonne Barron will be promoted to Legal Secretary.

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. VACANT
- 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. Magali Partida - Certified in California
 - B. Dora N. Rodriguez- Certified in California
 - C. Martin M. Penaloza- Certified in California
 - D. Frances Galvin- Certified in California
 - E. Miriam Cruz- Certified in California
 - F. Rose S. Sabate- Certified in California
 - G. Mindy R. Deter- Certified in Oregon
 - H. Tracy Junell Walker- Certified in Oregon
- 10. **REQUEST FOR ACTION ON LICENSURE BY CREDENTIAL**
The Board will review, discuss and take action on the following applications
 - A. Michael S. Palopoli, RDH - Tabled from April 3, 2009 Board meeting pending receipt of additional information regarding applicant's work experience.
 - B. Dr. Bahman Saffari-Board approved Exam, Multiple malpractice, Disciplinary Action on TX license.
 - C. Dr. Michael David Fast- 1986 MS State exam prior to a regional. Signed consent agreement with MS to avoid discipline.

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.

D. Gloria J. Malloy, RDH-1985 NERB Hygiene

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.

E. Dr. Christopher R. Lamb- 2009 NERB

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. Sheenu Goel-2007/2008 NERB
- B. Dr. Stephanie L. Tsai-2007/2008 NERB
- C. Dr. Talayeh Afkhami-2006/2007 NERB
- D. Dr. Kevin H. Acone-2006/2007 NERB
- E. Dr. Nathan C. Dewsnup-2006/2007 NERB
- F. Dr. Walter Villanueva-2006/2007 NERB
- G. Dr. Amber C. Burgess- 2005/2006 NERB
- H. Dr. David W, Ho-2005/2006 NERB
- I. Dr. Eniko Alicea-2005/2006 NERB
- J. Dr. Jason J. Setlock- 2000 NERB
- K. Dr. Hargrow D. Barber,-1984 NERB
- L. Dr. Cynthia L. Snedeker-1982 NERB
- M. Dr. James L. Berning-1981 NERB
- N. Dr. Andrew P. Ingel-1980 NERB
- O. Dr. LeDeane Fattore-Bruno-1977 NERB
- P. Dr. Todd D. Southall-2002 CRDTS
- Q. Dr. Karolyn K. George-1999 CRDTS
- R. Dr. Carl L. Brownd-1983 WREB
- S. Dawn M. Mannarino, RDH-2007 NERB
- T. Emily A. Barenbrugge, RDH-2005 NERB
- U. Sharie A. Erickson, RDH 2004 NERB
- V. Hannah B. Peterson, RDH 2004 NERB
- W. Regina F. Ulises, RDH 2002 NERB
- X. Cleopatra A. Elashab, RDH- 1993 NERB
- Y. Polli Ann Patterson, RDH-1988 NERB
- Z. Jill M. Thunberg, RDH 1980 NERB
- AA. Paula K. Maynard-Akers, RDH 1988 CRDTS
- BB. Patricia L. Karlsrud, RDH 1980 CRDTS
- CC. Lindsey J. Sestak, RDH 2003 WREB
- DD. Sussan Makanvand, RDH 2002 WREB
- EE. Claudia A. Richter, RDH-2000 WREB
- FF. Rebecca S. Harada, RDH 1994 WREB

GG. Jodie L. Wenrick, RDH-1979 WREB

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. Dr. Julie B. Bradshaw - Review, discussion and possible action regarding supplement to 2008 renewal application. Tabled from April 3, 2009 meeting to receive information from medical providers.
- B. Dr. Matthew DeFelice - Review, discussion and possible action regarding DUI disclosure.

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

HEALTH AND WELL BEING

- A. Dr. Michael W. Dodd –
 - i. Case No. 280303 - Review, discussion and possible action regarding alleged substance abuse, reinstatement of license and possible entrance into the Board's MATP; consideration of evaluation by Dr. Sucher.
 - ii. Review, discussion and possible action regarding opening an investigation for alleged practice of dentistry while under a voluntary surrender.
- B. Dr. Cameron R.C. Smith - Case No. 270397 - Review, discussion and possible action regarding application for renewal, reinstatement of license and consideration of comprehensive medical evaluation.
- C. Dr. Hugh T. Keeffe - Case No. 280305 - Review, discussion and possible action regarding evaluation report by Dr. Sucher and adjudication of case.
- D. Dr. Alex E. Romberger - Case No. 280219 - Review, discussion and possible action regarding re-evaluation report by Dr. Sucher and adjudication of case.

REQUEST FOR ACTION ON LICENSURE/CERTIFICATE BY EXAMINATION

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

- E. VACANT

REQUEST FOR ACTION ON LICENSURE BY CREDENTIAL

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

- F. VACANT

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.

G. VACANT

14. CONSIDERATION OF MATP/ABUSE TRACK 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
A.	290031	Dr. Paul Chang	Review, discussion and possible action regarding removal of additional color assignment
B.	280236	Sarah G. Morones, RDH	Review, discussion and possible action regarding removal of additional color assignment
C.	260361	Dr. Carter A. Grampp	Review, discussion and possible action regarding removal of meeting log requirement and DEA restriction
D.	270064	Dr. Kelly J. Cook	Review, discussion and possible action regarding removal of meeting log requirement
E.	280304	Nina McGee, RDH	Review, discussion and possible action regarding opening an investigation for noncompliance with a consent agreement

15. UPDATE ON MATP PARTICIPANTS

A. Dr. Carter Grampp – 260361	B. Dr. Gregory P. Edmonds – 260280
C. Julie Nightingale, RDH - 280314	D. Dr. Thomas J. Hawkes – 260214
E. Dr. Kelly J. Cook – 270064	F. Dr. Wade A. Mendenhall - 270517
G. Dr. Chad F. Merrill – 270495	H. Dr. Sathish Bhadra Chari – 250091
I. Dr. Phillip L. Cooke – 240366	J. Dr. Jay H. Spiegel – 260115
K. Dr. Cameron Skaugrud – 270408	L. Dr. Earl Bruce Weisbrod – 260185
M. Dr. David J. Bernath - 280237	N. Dolores L. Victoria, RDH – 240234
O. Dr. Randall H. Monroe – 260116	P. Dr. Rogel A. Carlos – 260126
Q. Dr. John S. Coleman – 280461	R. Dr. Robert N. Hoskyns – 290112

16. UPDATE ON ABUSE TRACK PARTICIPANTS

A. Dr. Burke D. Frei – 270399	B. Lisa R. Murphy, RDH – 270398
C. Sarah Morones, RDH – 280236	D. Dr. Christopher Douville – 280313
E. Christina French, RDA – 280312	F. Nina McGee, RDH – 280304
G. Dr. Paul Chang – 290031	H. Dr. Malcolm D. Kaiser – 290113

17. 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
A.	250280	Dr. Michael R. Templeton	

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).

18. OTHER COMMITTEE REPORTS

- A. VACANT

MORNING AGENDA

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.

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
19	280368	Dr. Kenneth S. Thompson	
20	280417	Dr. Shervin Rahimi	Consider opening an Investigation against Dr. Emad G. Khalifa for alleged failure to comply with a subpoena
21	280297	Nicole Marie Humphrey, RDH	
22	280431	Dr. Paraon N. DeQuiroz	
23	280436	Dr. Lam G. Ngo	
24	290004	Dr. Steven S. Soraya	
25	290005	Dr. Morrie O. Talbot	
26	280447	Dr. Ronald J. Moon	
27	280449	Dr. Sathish Bhadra Chari	
28	280428	Dr. David S. Tsai	Consider opening an Investigation against Sun Coast Dental for alleged failure to supervise staff and permitting illegal conduct

ARIZONA STATE BOARD OF DENTAL EXAMINERS

June 5, 2009

Board Meeting

PAGE 9

Item No.	Case No.	Licensee	Board Action Taken
29	280465	Dr. Henry Minh Phan	
30	280440	Dr. Jack I. Lipton	
30A	280410	Dr. David C. Grieb	

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
31	280234	Dr. Michael K. Braegger	

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
31A	280210, 270540, 280097, 280127 and 280101	Dr. William A. Hoskyns	Review, discussion and possible action on proposed consent agreement or action on cases.

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.

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
32	280340	Dr. James B. Edwards	
33	280248	Dr. Enrico E. DiVito	
34	280355	Dr. Bradley K. Brittain	
35	280344	Dr. Michael G. Stojanovic	
36	280371	Dr. Phillip L. Cooke	
37	280358	Dr. Ronald J. Moon	
38	280359	Dr. Ronald J. Moon	
39	280360	Dr. Ronald J. Moon	
40	280353	Dr. Ronald J. Moon	
41	280434	Dr. Lewis P. Robinson	
42	280065	Dr. Richard George Strub	
43	280264	Dr. Matt O. Hanhila, Jr.	
44	280200	Dr. Ginger L. Price	
45	280253	Dr. Sarina K. Mercado	
46	280366	Dr. David E. Spring	
47	280365	Dr. Marissa L. Rubio-Ellis	
48	280381	Dr. Douglas O. Beischel	Consider opening an Investigation against Dr. Lance J. Skidmore for alleged failure to comply with a Board Subpoena

ARIZONA STATE BOARD OF DENTAL EXAMINERS
June 5, 2009
Board Meeting
PAGE 11

Item No.	Case No.	Licensee	Board Action Taken
49	280383	Mr. David M. Mengel	
50	280401	Dr. Rashmi Bhatnager	
51	280403	Dr. Mrinal Bhatt	Consider opening an investigation against Dr. Suneeta Annamareddy for alleged inadequate crown and bridge and Administratively Adjust case 280403 against Dr. Bhatt
52	290003	Dr. David T. Chiang	Consider opening an investigation against Dr. Gary F. Bernard and Mr. David A. Fishman for alleged inadequate complete dentures

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
53	290080	Dr. Nicholas B. LaFeber	Dr. LaFeber's license expired as of June 30, 2008
54	290149	Dr. Derrick V. Johnson	Dr. Johnson's license expired as of June 30, 2008

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
55	280424	Dr. Michael S. Cavender	Stating: Periodontal probing needs to be completed and charted in order for a treatment plan to be completed. Diagnosis should include all teeth in affected area.
56	280382	Dr. Mark P. Yates	Stating: The doctor should document the informed consent for immediate denture placement

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
57	280375	Dr. Rodney W. Gore	Continuing Education of 4 hours in Risk Management with 6 months time to complete
58	280485	Dr. Christopher S. Coplin	Continuing Education of 4 hours in Risk Management with 6 months time to complete

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
59	290066	Dr. David C. Greib	Per patient letter
60	280413	Dr. Brooke Zoumbaris	Per patient letter
61	280379	Dr. Keith M. Rogers	Per patient letter
62	T-09-011	Dr. James L. Cook	Insurance issue
63	T-09-012	Dr. J. Brent Sanders	Insurance issue
64	T-09-013	Dr. L. Mitchell Thomas	Staff behavior
65	280393	Dr. John W. Melde	Per patient letter

ARIZONA STATE BOARD OF DENTAL EXAMINERS
June 5, 2009
Board Meeting
PAGE 13

Item No.	Case No.	Licensee	Board Action Taken
66	T-09-015	Western Dental	Fee issue
67	T-09-017	Dr. James B. Mallory, Jr.	Fee issue
68	280470	Dr. Nitya Balan	Per patient letter
69	280416	Dr. Jack I. Lipton	Per patient letter
70	290127	Dr. Nafys Samandari	Per patient letter
71	T-09-019	Dr. Susan Mary Flores-Downs	Fee issue
72	T-09-022	Dr. Phillip L. Cooke	Fee issue; insurance issue
73	T-09-024	Dr. Albert E. Carlotti, III	Unlicensed dentist – refer to Medical Board
74	T-09-023	Aspen Dental	Scheduling issue
75	290087	Dr. Byron J. Larsen	Per patient letter
76	T-09-032	Dr. Ronald J. Moon	Fee issue

CASES RECOMMENDED FOR TERMINATION/LACK OF SUPPORTING EVIDENCE – CONSENT AGENDA

From Triage – 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 the evidence reviewed is insufficient to support the allegations found in the complaint.

Item No.	Case No.	Licensee	Board Action Taken
77	290013	Dr. Kimberly L. Sherrill	
78	290016	Dr. Lee R. Raddatz	
79	290022	Sun Coast Dental	
80	290034	Dr. Albert P. Serrano	
81	290052	Bright Now! Dental	

FAILURE TO TIMELY DISCLOSE – CONSENT AGENDA - From Triage

Roll call vote *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 discipline

Item No.	Case No.	Licensee	Board Action Taken
82	290046	Dr. Piyush Hirpara	Non-disciplinary C.E. of 6 hours in Ethics with 6 months time to complete

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

- A. Dr. Howard Allen Gerstein
- B. Dr. John Paul Mitchell
- C. Dr. Donald J. Meis

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

Eunjung Shim, DMD D 7730, issued: 03/30/2009	Bobbie L. Tucker, RDH H 6621, issued: 04/08/2009
Fleur A. Blethen, DDS D 7731, issued: 04/01/2009	Brittany N. Shlee, RDH H 6622, issued: 04/22/2009
Arwinder S. Judge, DDS D 7740, issued: 04/06/2009	Andra M. Mahoney, RDH H 6623, issued: 05/01/2009
Jeffery C. Greene, DMD D 7746, issued: 04/22/2009	Jenna C. Andrade, RDH H 6624, issued: 05/01/2009
Richard N. Michaud, DDS D 7747, issued: 04/23/2009	Jessica V. Hancock, RDH H 6625, issued: 05/12/2009
Jacob A. Johnson, DDS D 7748, issued: 05/12/2009	Christi Anderson, RDH H 6626, issued: 05/12/2009
Joseph S. Hale, DMD D 7749, issued: 05/20/2009	Chanel L. Fowler, RDH H 6627, issued: 05/27/2009
Ryan D. Swiss, DDS D 7750, issued: 05/20/2009	Kelley J. Quolas, RDH H 6628, issued: 05/27/2009
Scott R. Price, DMD D 7751, issued: 05/20/2009	Tamara Jo E. Thurber, RDH H 6629, issued: 05/27/2009
Bradley T. Konecnik, DMD D 7752, issued: 05/28/2009	Megan E. McNeece, RDH H 6630, issued: 05/27/2009
James Lai, DDS D 7753, issued: 05/28/2009	Rebecca S. Iannitelli, RDH H 6631, issued: 05/27/2009

Dental: 11

Dental Hygiene: 11

85. APPROVAL OF CONSULTANTS AND EXAMINERS – CONSENT AGENDA

- A. VACANT
- B. Dr. Donald J. Johnson - Anesthesia Evaluations
- C. Dr. Laila Baharloo Hishaw - Anesthesia Evaluations
- D. Dr. Thomas Gaetano Greco - Investigative Interviews and Clinical Evaluations

86. APPROVAL OF MINUTES – CONSENT AGENDA

- A. April 3, 2009 Board Meeting Minutes
- B. April 3, 2009 Executive Session Minutes
- C. Correction to February 6, 2009 Board Meeting Minutes

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

AFTERNOON AGENDA

I. 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.

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
87	280351	Dr. Jared Michael Pope	
88	280300	Dr. Howard I. Sommers	
89	280367	Dr. Don J. Lamb	
90	280175	Dr. John Andrew Loesch	
91	280402	Dr. Wayne O. Baldon	
92	290009	Dr. Stuart S. Sanders	
93	290036	Dr. Howard M. Steinberg	
94	280433	Dr. John J. Sullivan	
95	280412	Dr. Marcos A. Cervantes	
96	280471	Dr. Angela Jean Relf	
97	280443	Dr. Peter J. Lee	
98	280472	Dr. Steven Nicholas Booth	Consider opening an investigation against Dr. Thomas J. Piccolo for alleged failure to timely comply with a Board Subpoena

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.

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
99	280452	Dr. Donald O. French	
100	280362	Dr. Hong Xia	
101	280159	Dr. Mu-Hun Kim	
102	280425	Dr. Fadi F. Saleh	
103	280415	Dr. Michael Wassef	Consider opening an investigation against Dr. Scott E. Nuessle for alleged inadequate dentures
104	280363	Dr. Dileep S. A. Danivas	
105	280390	Dr. George L. Perry	
106	280350	Kathy Sue Gibbons, RDH	
107	280435	Dr. Trevor W. Lines	
108	290073	Dr. Michael LaCorte	
109	280256	Dr. Thomas J. Cipriano	
110	280464	Dr. Eric L. Kerbs	

Item No.	Case No.	Licensee	Board Action Taken
111	280445	Dr. Javier E. Portocarrero	
112	280442	Dr. Newton Harry Henderson, III	Consider opening an investigation against Total Dental Solutions for alleged noncompliance with a Board subpoena
113	280438	Dr. Joseph T. Nielsen	
114	280398	Dr. John K. Swain	
115	280429	Dr. Steven F. Kammeyer	
116	280476	Dr. Paul W. Haycock	
117	290001	Dr. Arthur J. Porter	
118	280394	Dr. Cory B. Rauch	

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
119	280280	Dr. Mark L. Moss	Stating: The doctor needs to communicate billing and refund policies more clearly to the patient
120	280396	Dr. Amer Zarif	Stating: The importance of ensuring that auxiliary personnel do not perform procedures outside limits allowed by the Dental Practice Act

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

From Triage – 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
121	290030	Dr. Charles C. Clausen	Stating: The doctor is responsible for responding timely to a patient’s request for a copy of the records
122	290060	Dr. Jeffrey H. Kootman	Stating: The doctor is responsible for a timely release of patient records when requested

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
123	280306	Southwest Dental Group - TMJ	Insufficient evidence
124	T-09-025	Desert Sky Family Dental	Fee issue; insurance issue
125	290152	Dr. Allen B. Ewell	Per patient letter
126	T-09-028	Dr. Rakesh D. Pema	Fee issue
127	T-09-029	Dr. Dennis P. Olson	Fee issue
128	T-09-031	Dr. Martin Margetis	Rude behavior; staff behavior
129	280446	Dr. Sean P. Henrie	Per patient letter
130	T-09-014	Dr. James J. Sidd, Jr.	Other agency

ARIZONA STATE BOARD OF DENTAL EXAMINERS
June 5, 2009
Board Meeting
PAGE 21

Item No.	Case No.	Licensee	Board Action Taken
131	T-09-016	Dr. Rick A. Light	Fee issue
132	T-09-018	Dr. Elwynn C. Caffall	Fee issue; insurance issue
133	290107	Dr. Edward Galapeaux	Per patient letter
134	T-09-020	Dr. Frederick A. Fenderson	Fee issue
135	T-09-021	Dr. William M. Martin	Fee issue; insurance issue
136	280486	Dr. Matthew S. Slivka	Per patient letter
137	290008	Dr. Marc R. Mondragon	Per patient letter
138	T-09-026	Dr. Robert H. Collier	Fee issue
139	T-09-027	Dr. Evan J. Short	Rude behavior
140	T-09-030	Dr. Robert D. Peterson	Fee issue; insurance issue
141	T-09-033	Dr. Stephen J. Vital	Fee issue

CASES RECOMMENDED FOR TERMINATION/LACK OF SUPPORTING EVIDENCE – CONSENT AGENDA

From Triage – 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 the evidence reviewed is insufficient to support the allegations found in the complaint.

Item No.	Case No.	Licensee	Board Action Taken
142	290014	Dr. Sharad N. Pandhi	
143	290027	Dr. Utpal C. Patel	
144	290038	Dr. Theodore S. Kimball, III	
145	290045	Dr. Joseph N. D’Aniello	
146	290048	Western Dental of Arizona, Inc.	

FAILURE TO COMPLY WITH A SUBPOENA – CONSENT AGENDA

From Triage – 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 discipline.

Item No.	Case No.	Licensee	Board Action Taken
147	290050	Dr. Paul J. Pease	Non-disciplinary Civil Penalty of \$1000

FAILURE TO COMPLY WITH A BOARD ORDER – CONSENT AGENDA - From Triage

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 discipline

Item No.	Case No.	Licensee	Board Action Taken
148	280487	Dr. Marc R. Mondragon	Administrative penalty of \$1500 and completion of previously ordered C.E. within 6 months
149	290047	Dr. George Edward Boughan	Administrative penalty of \$500 and completion of previously ordered C.E. within 6 months

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

Item No.	Case No.	Licensee	Board Action Taken
150	260213	Dr. Champa R. Chatterjee	

PROBATION MONITORING; COMPLIANCE REPORTING – CONSENT AGENDA

Item No.	Case No.	Licensee	Board Action Taken
151	270410	Dr. Orville S. Diggs	Review, discussion and possible action regarding audit report

ARIZONA STATE BOARD OF DENTAL EXAMINERS
June 5, 2009
Board Meeting
PAGE 23

Item No.	Case No.	Licensee	Board Action Taken
152	280015	Dr. Michael D. Elliott	Review, discussion and possible action regarding issuance of a subpoena for review of patients
153	270357	Dr. Gregory J. Lagermeier	Review, discussion and possible action regarding audit report.

FAILURE TO COMPLY WITH CONTINUING EDUCATION REQUIREMENTS – CONSENT AGENDA - From Triage

Roll call vote *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 discipline

Item No.	Case No.	Licensee	Board Action Taken
154	280466	Dr. Randall Steven Hurley	Administrative Penalty of \$500

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.

155	Dr. Joseph Robert Mikulicz - As a result of case 280309 for alleged inadequate crown and bridge
156	Marketplace Smiles - As a result of case 280324 for alleged fraud and misrepresentation
157	Alameda Crossing - As a result of case 280240 for alleged billing irregularities and fraud and misrepresentation
158	Dr. Paul J. Pease - As a result of case 280373 for alleged failure to supervise
159	Dr. David A. Borba - Malpractice report; for alleged inadequate crown and bridge
160	Dr. Steven C. Badger - Malpractice report; for alleged failure to diagnose
161	Dr. Paul J. Kelly - Malpractice report; for alleged complications during or after treatment
162	Dr. Hillary A. Douglas - Malpractice report; for alleged inadequate operative dentistry and inadequate crown and bridge
163	Dr. Susan B. Sharp - Malpractice report; for alleged unnecessary treatment

164	Dr. Daniel R. Rosales - Malpractice report; for alleged inadequate oral surgery, complications during and after treatment and failure to diagnose
165	Southwest Dental - As a result of case 280271 for alleged failure to comply with a Board subpoena
166	Dr. Joshua S. Hong - Malpractice report; for alleged inadequate operative dentistry and failure to diagnose
167	Dr. A. Ruben Turley - For alleged failure to report a charge or arrest
168	Dr. Lori K. Anderson – For alleged aiding and abetting unlicensed practice by a dentist

RATIFICATION OF CASES RECOMMENDED FOR INVESTIGATIVE INTERVIEW – CONSENT AGENDA

Roll Call Vote is *not required*

Based on the investigation, the Board will vote to ratify the recommendation that the following cases be forwarded to an Investigative Interview.

Item No.	Case No.	Licensee	Board Action Taken
169	290024	Dr. Robert D. Sundberg	
170	290023	Dr. Sara S. Mosley	
171	280454	Dr. Brian A. Lilien	

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

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.

172. **MEMBERS OF THE PUBLIC**

173. **ASSOCIATIONS**

174. **FUTURE AGENDA ITEMS**

175. **NEXT MEETING DATE**

176. **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).

Wednesday, June 03, 2009