



Janet Napolitano, Governor

ARIZONA STATE BOARD OF DENTAL EXAMINERS

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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
OCTOBER 5, 2007 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) & (3) regarding the following:

- A. Dr. Marta C. Persinger – Case. 270003 - Legal advice from Solicitor General regarding Motion to Deem Allegations Admitted and adjudication of case.
- B. Dr. Ralph L. Juriansz – Cases. 250209, 270025, 260094, 270239 – Legal advice from Solicitor General regarding Motion to Deem Allegations Admitted and adjudication of cases.
- C. Legal advice regarding Board options for implementation of new statutes:
 - i. A.R.S. § 32-1263.01 – Option to issue non-disciplinary order requiring continuing education.
 - ii. A.R.S. §§ 32-1240(2), 32-1292.01(2) – Board approval of all clinical examinations taken not more than five years ago.

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. Don Altman

- A. Appointment of Continuing Education Audit for Dentists Committee
- B. Report on AADA/AADE Annual Meeting held September 24-27, 2007 – Dr. Altman and Mr. Earle
- C. Introduction of new Board Members – Gary Gradke, DDS and Jack Cole, PhD
- D. Appointment of Dr. Gary Gradke to the Anesthesia Committee

5. EXECUTIVE DIRECTOR'S REPORT – Mr. Kevin B. Earle

- 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. For Information Only – American Dental Hygiene Association (ADHA) Draft Standards for Clinical Dental Hygiene Practice request for comments. The Dental Hygiene Committee will review the information November 9, 2007 and make recommendations to the Board December 7, 2007.
- C. Review, discussion and possible action regarding the following proposed legislative issues:
 - i. Arizona Revised Statutes (A.R.S.) § 32-1232 Qualifications of applicant; application; fee, amendment to Subsection A to clarify requirement for DDS or DMD degree, repeal of Subsection B
 - ii. A.R.S. § 32-1236 Dentist triennial licensure; forfeiture of license; reinstatement; license for each place of business; notice of change of address; penalties, amendments to clarify requirements for disabled and retired dentists
 - iii. A.R.S. § 32-1287 Dental hygienist triennial licensure; forfeiture of license; reinstatement; notice of change of address; penalties, amendment to clarify requirements for disabled and retired dental hygienists.
 - iv. Arizona Dental Association Sunrise Application – Community Dental Health Coordinator
 - v. A.R.S. § 32-1297 Accreditation of schools – repeal section.
- D. Review, discussion and possible action regarding Board direction to add an agenda item to consider opening an investigation against Sun Dental Systems for alleged failure to release records.

- E. Review, discussion and possible action regarding referral of the following licensees to WREB as examiners:
 - i. Dr. James S. Pashayan
 - ii. Dr. Howard H. Polk
 - F. Review, discussion and possible action regarding Board's use of mediation.
 - G. Review, discussion and possible action regarding the history of the four blanket allegations in quality of care complaints.
 - H. Review and discussion of the possibility of relocating the Board offices.
 - I. For Information Only – Letter from the Food and Drug Administration regarding electronic tools available from their website.
 - J. For Information Only – American Board of Dental Examiners, Inc. (ADEX) 2006 Annual Report
 - K. For Information Only – Attorney General Opinion regarding reporting requirements Under the Child Abuse Reporting Statute, A.R.S. § 13-3620 and Arizona Medical Board Alert to Physicians
 - L. Lisa M. Murphy, RDH – Review, discussion and possible action including opening an investigation for alleged use of marijuana.
 - M. Regina C. Rios, RDH – Review, discussion and possible action including opening an investigation regarding disclosure of DUI
 - N. Dr. Cameron Skaugrud – Review, discussion and possible action including opening an investigation regarding alleged inappropriate use of controlled substances, abuse of prescribing privileges, obtaining drugs by fraud or misrepresentation and failure to properly maintain records.
 - O. Review, discussion and possible action regarding attendance of Kevin Earle and Mary D. Williams at the Federation of Associations of Regulatory Boards Forum, January 25-27, 2008 in Santa Fe, NM.
 - P. Review, discussion and possible action regarding implementation of A.R.S. § 32-1263.01 – Option to issue non-disciplinary order requiring continuing education.
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. Terry J. Lee v. ASBDE (Case 240108)
 - B. Review, discussion and possible action regarding amendments to Arizona Revised Statutes §§ 25-517, 25-518, 33-964 child support enforcement

7. PERSONNEL ISSUES

- A. Ms. Yvonne Barron – Information Processing Specialist
- B. Ms. Lia Tamburro – Clerk Typist

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. John K. Wisthoff, RDH – Disclosure of DUI arrest on application for licensure.

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. Ms. Valta Ann Dawson – Certified in California
- B. Ms. Stephanie Denhalter – Certified in California
- C. Ms. Alba B. Moreno – Certified in California
- D. Ms. Tambra Ann Phillips – Certified in California
- E. Ms. Cynthia D. Valles – Certified in California

10. REQUEST FOR ACTION ON LICENSURE BY CREDENTIAL

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

- A. Dr. Rodney F. Meyer – 1964 MN State Exam prior to a regional Exam, disclosure of Board complaint (no action taken by Minnesota).
- B. Dr. George D. Karsant – 1977 CA State Exam prior to a regional exam, disclosure/malpractice
- C. Dr. Rodney J. Bridge – Disclosure regarding medication prescribed for treatment of back injury; Board approved exam
- D. Dr. Mounir Kharchaf – 1998/ 1999/ 2000 Michigan only exam administered by NERB U of TN transcript with degree of DDS Foreign Trained Faculty
- E. Dr. Donald S. Thorne – 1965 IL State Exam prior to a regional exam
- F. Dr. Alan R. Hunter – 1978 CA State Exam prior to a regional exam
- G. Dr. Levon G. Kouyoumdjian – 2000 CA State Exam prior to a regional exam
- H. Anna M. Sturza, RDH – 1992 WA State Exam prior to a regional exam
- I. Sharalyn R. Mikolajczyk, RDH – 1974 WA State Exam prior to a regional exam

- J. Bonnie J. Staley, RDH – 1973 WA State Exam prior to a regional exam
- K. Dr. Timothy J. Runco – Board approved exam; disclosure/adverse action default on public education loan

10.1 REQUEST FOR ACTION ON LICENSURE BY CREDENTIAL
Examination Equivalency Report

The following applicants for licensure by credential have, as part of their application, had an exam equivalency 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.

- L. Christine G. Gray, RDH – 1978 LA State Dental Hygiene Exam
- M. Karen A. Ford, RDH – 1983 IN State Dental Hygiene Exam

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.

- N. Taneika N. Duhaney, RDH – 2007 North Carolina State Exam

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. Christopher K. Wyszynski – 1988 NERB
- B. Dr. Jothi Nadarajah – 1990 NERB
- C. Dr. Joseph A. D'Ambrosio – 1994 NERB
- D. Dr. Ron S. Katyal – 2000 NERB
- E. Dr. Nitya Balan – 2002 NERB
- F. Dr. Cynthia P. McCord – 2004/2005 NERB
- G. Dr. Jeffrey J. Guelinas – 2006/2007 NERB
- H. Dr. Sumi Shrestha – 2006/2007 NERB
- I. Dr. Felipe Salinas – 2006/2007 NERB
- J. Dr. William G. Halliday, III – 2006/2007 NERB
- K. Dr. Robert J. Waite, Jr. – 1974 CRDTS
- L. Dr. Viray L. Patel – 2005 CRDTS
- M. Dr. Joy M. Collier – 2002 SRТА
- N. Dr. Ryan J. Robinson – 2003 SRТА
- O. Dr. Robert T. Coffey – 1986 WREB
- P. Susan A. Krischler, RDH – 1990 NERB
- Q. Susan J. Hutson, RDH – 1992 NERB
- R. Lisa K. Simpson, RDH – 1994/1995 NERB
- S. Jill E. Nielsen, RDH – 1998 NERB
- T. Jennifer L. Bereckis, RDH – 2002 NERB
- U. Kristin M. Dudek, RDH – 2006 NERB
- V. Candi S. Thorpe, RDH – 2007 NERB

W. Shannon J. Lewis, RDH – 2007 NERB
X. Lynn M. Dalton, RDH – 1979 CRDTS
Y. Shelly A. Nelson, RDH – 1997 CRDTS
Z. Holly A. Ullrich, RDH – 2002 CRDTS
AA. Judith A. Simpson, RDH – 1999 WREB
BB. Deneen R. Coon, RDH – 1986 CA
CC. Marianne K. Gibson, RDH – 1988 CA
DD. Marcia L. DaBreo, RDH – 2000 CA

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

Roll Call Vote is Required

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

- A. Dr. Burke D. Frei – Review, discussion and possible action regarding DUI disclosure. Interim order at the August meeting; tabled pending evaluation report from Betty Ford.
- B. Dr. Robert J. Sachs – Review, discussion and possible action regarding disclosure of OWVI (operating a vehicle while visibly impaired) conviction. Tabled from the August meeting pending Dr. Sucher's review of the report.
- C. Allison R. Tollestrup, RDH – Review, discussion and possible action regarding DUI disclosure.
- D. Dr. James C. Snider – Review, discussion and possible action regarding DUI disclosure.
- E. Gina L. Southwick, RDH – Review, discussion and possible action regarding conviction of possession of drug paraphernalia and possession of a forgery device.
- F. Dr. Gregory T. Pifer – Review, discussion and possible action regarding DUI disclosure.
- G. Dr. Jerald D. Wienke – Review, discussion and possible action regarding DUI disclosure.
- H. Dr. Robert B. Smith – Review, discussion and possible action regarding disciplinary action in another state and not responding to the Board's request for information.
- I. Vacant
- J. Dr. Douglas M. Barr – Review, discussion and possible action regarding disciplinary action in another state.
- K. Dr. Steven D.R. Vergara – Review, discussion and possible action regarding conspiracy of federal tax case disclosure.
- L. Dr. Mark A. Engle – Review, discussion and possible action regarding DUI disclosure.
- M. Dr. Cameron R.C. Smith – Review, discussion and possible action regarding DUI disclosure

V. 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).

13. HEALTH AND WELL BEING COMMITTEE

A. UPDATE ON MATP PARTICIPANTS

i. Dr. Carter Grampp – 260361	ii. Susan M. Oliver, RDH – 230289
iii. Dr. Christopher R. Reavis – 240348	iv. Dr. Gregory P. Edmonds – 260280
v. Dr. Kelly J. Cook – 270064	vi. Dr. Thomas J. Hawkes – 260214
vii. Dr. James Lee Davenport II – 230422	viii. Dr. Gregory M. Joseph – 230223
ix. Dr. Jerrold K. Altman – 230123	x. Dr. Monte Begay Wells – 230083
xi. Dr. Phillip L. Cooke – 240366	xii. Dr. Sathish Bhadra Chari – 250091
xiii. Patrick M. McMillan, RDH – 250211	xiv. Dr. Jay H. Spiegel – 260115
xv. Dr. Mark S. Sinnard – 250210	xvi. Dr. Earl Bruce Weisbrod – 260185
xvii. Dr. Randall H. Monroe – 260116	xviii. Dolores L. Victoria, RDH – 240234
xix. Dr. Rogel A. Carlos – 260126	

14. OTHER COMMITTEE REPORTS

A. Legislative Committee – Dr. Daniels

- i. Review, discussion and possible action regarding the Legislative Committee recommendations for legislation:
 - a. A.R.S. 32-1201 Definitions – amendments to definition of "unprofessional conduct" to delete "repeated" from subsection (20)(n) and inclusion of new subsections for failing to report unprofessional conduct, impairment or incompetence of another licensee or certificate holder and definition of unprofessional conduct for business entities.
 - b. A.R.S. 32-1206 Compensation of board – increase in per diem amount
 - c. A.R.S. 32-1207 Powers and duties – amendment to remove Board's duty to determine applicant's eligibility for examination.
 - d. A.R.S. 32-1213 Business entities; registration; renewal; civil penalty; exception – amendments to existing statutes to broaden registration requirements and Board's regulation
 - e. A.R.S. 32-1261 Practicing without license; classification – clarification of existing statutes to exempt registered business entities.

- f. A.R.S. 32-1263 Grounds for disciplinary action; definition – addition to existing statute of possible disciplinary sanctions against business entities.
 - g. A.R.S. 32-1264 Maintenance of records – amendment to require request for treatment records to be in writing, prescribing a time frame to respond to request for records and giving the Board authority to prescribe, by rule, a reasonable fee for copies.
 - h. A.R.S. 32-1295 Board of Dental Examiners; additional powers and duties – amendment to clarify Board's duty regarding certification of denturists
 - i. A.R.S. 32-1296 Qualification of applicants – amendment to clarify certification requirements for denturists.
 - j. A.R.S. 32-1297.01 – Application for certification
 - k. A.R.S. 32-1297.02 – Repeal of statute
 - l. New statute Financial Responsibilities – new statute to require licensees to have malpractice insurance or surety bond coverage.
- ii. Review, discussion and possible action regarding the Legislative Committee recommendation to have a task force appointed to pursue legislation for the regulation of mobile dentistry units for the 2009 Legislative Session.

MORNING AGENDA

VI. ACTION ON CASES – 8:00 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 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
15	270001	Dr. John Gregory Sabol	
16	270158	Dr. Jared Michael Pope	
17	270148	Dr. John Alan Garza	
18	260331	Dr. Nicholas J. Meyer	
19	270098	Dr. Rosalyn D. Keith	
20	270209	Dr. Greg W. Brown	
21	270205	Dr. Anh N. Tran	
22	270198	Thunderbird Dental Group	
23	260368	Dr. Carter A. Grampp	
24	270257	Dr. David N. Sternsher	
25	270226	Dr. Leonard E. Beare, Jr.	

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
26	270062	Dr. Carter A. Grampp	Tabled from August 3, 2007 meeting.
27	270003	Dr. Marta C. Persinger	Review, discussion and possible action regarding Motion to Deem Allegations Admitted and adjudication of case – To be heard at 9:30 AM
28	250209, 270025, 260094, 270239	Dr. Ralph L. Juriansz	Review, discussion and possible action regarding Motion to Deem Allegations Admitted and adjudication of case – To be heard at 9:30 AM

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
29	260268	Mr. Dale A. Neiswender	

VII. 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
30	270120	Dr. Louis J. Casillas	
31	270145	Dr. Dennis K. Streich	
32	270196	Dr. Enrique G. Wismann	
33	270129	Dr. Jenny V. Wang	Open an investigation against Kelly M. Povar, RDH for alleged failure to release records
34	260274	Dr. Nicholas B. LaFeber	
35	270068	Dr. Jack I. Lipton	
36	270147	Dr. Richard J. Croft	
37	270020	Dr. Sepideh Malekpour	
38	270119	Dr. Brent R. Boyse	
39	270070	Dr. Clayton Wainwright	
40	270142	Dr. Thomas R. French	Open an investigation against Dr. Henry Yu
41	270201	Dr. Peter J. Lee	

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
42	270168	Dr. Champa R. Chatterjee	RE: Failure to take the necessary precautions to prevent patient injury
43	270002	Dr. Michael Brian Muscato	RE: Better documentation of the specifics of the treatment plan and informed consent
44	270191	Dr. Leonard Chiang	RE: Failure to release records when requested by a patient
45	270164	Dr. Ralph L. Juriansz	RE: Failure to properly maintain and ensure that all records are complete and include a clinical exam

C. 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
46	270172	Dr. Phillip L. Cooke	RE: Assistant polishing teeth and charging patient for a prophylaxis.
47	270173	Dr. Jean M. Madden	RE: Efforts should be made to address billing issues on a timely basis.
48	270195	Dr. Kenneth J. Marz	RE: When requested by a patient, copies of all records and x-rays must be provided to the patient. While Board statutes state that a dentist may charge a fee for duplication, the records cannot be withheld due to the lack of payment or an outstanding balance.

D. 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
49	270176	Dr. Paul F. Marischen	
50	270175	Dr. Howard L. Henry	
51	270160	Dr. Michael J. Hyneman	
52	270171	Dr. Michael Wade Hudson	
53	270135	Dr. Robert D. Sundberg	
54	270187	Dr. Chad Ryan Haak	
55	270188	Dr. Jaffar M. Elahi	
56	270229	Dr. Kenneth Joseph Frick	
57	270266	Dr. Navid Zamani	

E. CASES RECOMMENDED FOR TERMINATION/LACK OF SUPPORTING EVIDENCE – 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 the evidence reviewed is insufficient to support the allegations found in the complaint.

Item No.	Case No.	Licensee	Board Action Taken
57A	270154	Dr. Richard George Strub	

F. **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
58	T-07-038	Dr. Adrian E. Pulkrabek	Insurance issue
59	T-07-040	Thunderbird Dental	Other agency
60	T-07-043	Dr. Navid Zamani	Insurance issue
61	T-07-047	Dr. Sameera Solanki	Fee issue
62	270256	Dr. Christopher H.P. Chow	Per patient letter
63	T-07-049	Dr. Thomas J. Cipriano	Rude behavior
64	T-07-050	Dr. Jayganesh M. Bhatt	Staff behavior; practice/office policy
65	270240	Dr. Charles B. Jakobsen	Per patient letter

ARIZONA STATE BOARD OF DENTAL EXAMINERS
October 5, 2007
Board Meeting
PAGE 15

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

A. Vacant

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

Marisela M. Bedoya, DMD
D 7339, issued: 07/31/2007

Mouhammed M. Abdulrazzak, DDS
D 7388, issued: 08/13/2007

Roy R. Bratton, DDS
D 7340, issued: 08/01/2007

Ashlee L. Bower, DMD
D 7389, issued: 08/14/2007

Neelama P. Muthanna, DDS
D 7341, issued: 08/01/2007

Aaron J. Rinta, DMD
D 7390, issued: 08/14/2007

Kellie A. Harris, DDS
D 7342, issued: 08/01/2007

Gabriel I. McCormick, DMD
D 7391, issued: 08/14/2007

Uyen Nguyen, DMD
D 7343, issued: 08/01/2007

Kristen J. Morgan, DDS
D 7392, issued: 08/14/2007

Spencer D. Weed, DDS
D 7344, issued: 08/01/2007

Martin J. Sobieraj, DMD
D 7393, issued: 08/16/2007

Virna L. Villas, DDS
D 7345, issued: 08/01/2007

Anne F. Jernberg, DMD
D 7394, issued: 08/21/2007

Tinna T. Lee, DDS
D 7346, issued: 08/02/2007

Ryan W. Donley, DMD
D 7395, issued: 08/29/2007

Korinne M. Grieger, DDS
D 7347, issued: 08/02/2007

Adam T. Clark, DDS
D 7396, issued: 09/05/2007

Benjamin D. Karren, DMD
D 7348, issued: 08/02/2007

David J. Ellingson, DDS
D 7397, issued: 09/20/2007

Prabhsharan Kaur Sandhu, DDS
D 7349, issued: 08/07/2007

Elisa S. Sin, DMD
D 7398, issued: 09/25/2007

Joseph D. Tenney, DDS
D 7350, issued: 08/07/2007

Craig A. Young, DMD
D 7399, issued: 09/25/2007

Raymond E. Iannielli, DDS
D 7372, issued: 08/08/2007

Aminollah T. Bagheri, DDS
D 7400, issued: 09/25/2007

Josahua C. Tran, DDS
D 7373, issued: 08/08/2007

David S. Ung, DDS
D 7401, issued: 09/25/2007

Jonathan A. Bolesta, DMD
D 7387, issued: 08/09/2007

Andrew M. Owe, DDS
D 7402, issued: 09/25/2007

ARIZONA STATE BOARD OF DENTAL EXAMINERS
October 5, 2007
Board Meeting
PAGE 16

Rewadee D. Meevasin, DMD
D 7403, issued: 10/01/2007

Christopher S. Brendemuhl, DMD
D 7404, issued: 10/01/2007

Total Dental: 32

Shawn E. Wild, RDH
H 6288, issued: 08/01/2007

Michaela S. Parks, RDH
H 6313, issued: 08/09/2007

Shelley Ann DeMark, RDH
H 6289, issued: 08/01/2007

Josephine A. Espinoza, RDH
H 6314, issued: 08/16/2007

Crystal G. Govitz, RDH
H 6290, issued: 08/02/2007

Cara B. Sheehy, RDH
H 6315, issued: 08/21/2007

Lacy Jae Davenport, RDH
H 6308, issued: 08/07/2007

Jessica Y. Garcia, RDH
H 6316, issued: 08/27/2007

Amanda D. Murphy, RDH
H 6309, issued: 08/07/2007

Sue Ann Fresquez, RDH
H 6317, issued: 08/29/2007

Heather K. Estrada, RDH
H 6310, issued: 08/07/2007

Kristen Cosette Lund, RDH
H 6318, issued: 09/18/2007

Jennifer Erin Williams, RDH
H 6311, issued: 08/07/2007

Robin Lee Obar, RDH
H 6319, issued: 09/20/2007

Richard A. Arriaga, RDH
H 6312, issued: 08/07/2007

Konnie Richards, RDH
H 6320, issued: 09/27/2007

Maria T. Nelson, RDH
H 6321, issued: 10/01/2007

Total Dental Hygiene: 16

68. APPROVAL OF CONSULTANTS AND EXAMINERS – CONSENT AGENDA

- A. Dr. Carlos Llanes – Oral Sedation Permit Evaluator
- B. Dr. Enrico E. DiVito – Investigative Interview and Clinical Evaluator

69. APPROVAL OF MINUTES – CONSENT AGENDA

- A. August 3, 2007 Board Meeting Minutes
- B. August 3, 2007 Executive Session Minutes

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

AFTERNOON AGENDA

VIII. 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
70	270061	Western Dental of Arizona, Inc.	
71	270124	Western Dental of Arizona, Inc.	
72	270194	Dr. Michael C. Fair	
73	270202	Dr. D. Benjamin Whiting	
74	270214	Dr. Randolph P. Platt	
75	270233	Dr. Larry C. Lundin	
76	270235	Dr. Alen A. Madadi	
77	270234	Dr. Kevin Ryan Haley	
78	270210	Dr. Lior Berger	
79	270128	Dr. Jorge L. Alvarez	
80	270204	Dr. Richard D. Smith	
81	270293	Dr. Marcus L. Paulus	

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
82	250280	Dr. Michael R. Templeton	Review, discussion and possible action regarding compliance with 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
83	260132	Dr. Victor E. Trujillo	

IX. 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
84	270177	Dr. Edward R. Cole	

ARIZONA STATE BOARD OF DENTAL EXAMINERS
October 5, 2007
Board Meeting
PAGE 19

Item No.	Case No.	Licensee	Board Action Taken
85	270143	Dr. Namninder Girn	
86	270130	Dr. Jeffrey S. Nowak	
87	270161	Dr. Michael LaCorte	
88	270180	Dr. Anitha A. Goud	
89	270115	Dr. Karen A. Kramarczyk	
90	270076	Dr. Njeri Njoroge	
91	270149	Dr. George E. Mantell	
92	270190	Dr. Buthaynah Abunabah	Open an investigation against Dr. Paul Pease
93	270225	Dr. Rafal Pytlik	
94	270215	Dr. Peter P. Nguyen	
95	270206	Dr. Golbarg Pourkhomami	
96	270170	Arrowhead Smiles	
97	270179	Dr. Richard D. Smith	

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
98	270163, 270183, 270185, 270216, 270217, 270218, 270219, 270320, 270321, 270322, 270323, 270324, 270325, 270326, 270327, 270333, 270344	Dr. David E. Naisbitt	

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
99	270118	Dr. Michele A. Bibeau	RE: Past use of conscious sedation
100	270181	Dr. Mu-Hum Kim	RE: Placing implants without having a medical history or a documented clinical exam
101	270136	Dr. Marcus L. Paulus	RE: The collection of the co-payment when billing patients who have insurance
102	270294	Dr. Marcus L. Paulus	RE: A more thorough documentation of the clinical exam including existing restoration and conditions, soft tissue exam and the child's orthodontic status

D. 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
103	270236	Dr. Olga R. Nouri	RE: Board regulations do not require that records and x-rays be sent directly to another provider, the records may be given to the patient.
104	270247	Dr. Timothy R. Gailey	RE: Need to see a patient with a problem rather than handling it over the phone.
105	270228	Arthur J. Porter	RE: Releasing copies of all the records when requested by a patient.

E. 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
106	270192	Dr. Michael J. Bricker	
107	270184	Dr. Kent A. Hales	
108	270178	Dr. Luis G. Keys	
109	270174	Southwest Dental Group – General Dentistry	
110	270153	Dr. Timothy W. Mangelsdorf	
111	270162	Dr. Edouard Sorkin	
112	270186	Dr. Jon M. Delsnyder	
113	270211	Dr. Robert A. Lindinger	
114	270213	Dr. Leonard L. Brewster	
115	270244	Dr. Barry J. Uldrikson	
116	270272	Dr. Albert T. Dempsey	

G. 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
117	270238	Dr. Montana Jay Skyler	Per patient letter

ARIZONA STATE BOARD OF DENTAL EXAMINERS
October 5, 2007
Board Meeting
PAGE 22

Item No.	Case No.	Licensee	Board Action Taken
118	T-07-041	Western Dental of Arizona, Inc.	Fee issue
119	T-07-042	Dr. Terry Leroy Green	Fee issue
120	T-07-048	Southern Square Dentistry	Fee issue
121	270212	Dr. Edward F. Kirk	Per patient letter
122	T-07-051	Dr. Payam Abedi	Fee issue; insurance issue
123	270276	Dr. Robert D. Hurt	Per patient letter
124	270297	Dr. Eric L. Kerbs	Per patient letter

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

Item No.	Case No.	Licensee	Board Action Taken
125	260186	Dr. Terry J. Lee	
126	260244	Dr. William M. Martin	
127	260344	Dr. Theodore A. Kiersch	
128	260395	Dr. Soheyla Marzvaan	
129	260396	Dr. Marc R. Mondragon	
130	260378	Dr. John P. LaPine	
131	260391	Dr. John M. McLaughlin	

I. 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.

132	Dr. Erika L. Rowe – As a result of case 270100 for Alleged billing irregularities and fraud and misrepresentation
133	Dr. Kurt N. Rowe – As a result of case 270100 for Alleged billing irregularities and fraud and misrepresentation
134	Arrowhead Smiles – As a result of case 270100 for Alleged billing irregularities and fraud and misrepresentation
135	Dr. Sathish Bhadra Chari – Malpractice Report – Alleged inadequate endodontics, complications during or after treatment and failure to inform the patient of an adverse result
136	Dr. William J. Hooker – Malpractice Report – Alleged adverse occurrence involving anesthesia and complications during or after treatment
137	Dr. Ernesto E. Escala – Malpractice Report – Alleged complications following the injection of local anesthesia
138	Dr. Dana A. Perno – Alleged fraud or misrepresentation and billing irregularities
138A	Dr. Kimberly Blaser – Alleged altering records, failure to maintain records, fraud or misrepresentation, illegal storage of controlled substances and abuse of prescribing privileges
138B	Dr. Gregory J. Lagermeier – Alleged altering records, failure to maintain records, fraud or misrepresentation, illegal storage of controlled substances and abuse of prescribing privileges
138C	Dr. James E. Bertz – Alleged adverse occurrence following anesthesia and failure to report the occurrence to the Board in a timely manner
138D	Dr. Alex W. Yuen – Alleged over diagnosis
138E	Dr. Jeffrey J. Kootman – Anesthesia adverse occurrence report
138F	Dr. A. Ruben Turley – Failure to renew dental license and allegedly practicing dentistry on a suspended/expired license, review, discussion and possible action to file injunction for practicing on suspended/expired license.

J. **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
139	270170	Arrowhead Smiles	
140	270181	Dr. Mu-Hun Kim	
141	270189	Dr. Michael S. Dodd	
142	270246	Dr. Patrice S. Winterholler	
143	270248	Dr. John F. Dirks	
144	270249	Dr. Wissam S. Ayoub	
145	270254	Dr. Brian D. Griffiths	
146	270267	Dr. Michael G. Allard	
147	270277	Dr. Fadi F. Saleh	

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

X. 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.

148. **MEMBERS OF THE PUBLIC**

149. **ASSOCIATIONS**

150. **FUTURE AGENDA ITEMS**

151. **NEXT MEETING DATE December 7, 2007 8:00 AM**

152. **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).