



Jan Brewer, 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 9, 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) (3), the Board may vote to go into Executive Session to obtain legal advice from its Legal Counsel for the following:

GENERAL BUSINESS

1. **CALL TO ORDER AND INTRODUCTIONS**

EXECUTIVE SESSION

2. **The Board may go into executive session to obtain legal advice, pursuant to A.R.S. § 38-431.03 (A) (3) regarding the following:**
 - A. Dr. Rosalyn D. Keith – Case 270098 - Legal advice from Solicitor General representative regarding recommendation from the Administrative Law Judge.
3. **RETURN TO OPEN MEETING**

GENERAL BUSINESS (CONTINUED)

The Board may vote to go into Executive Session 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) (3).

4. **PRESIDENT'S REPORT – Dr. Rosenthal**
 - A. Report on A.A.D.E. annual meeting.
5. **EXECUTIVE DIRECTOR'S REPORT – Ms. Elaine Hugunin**
 - A. **BOARD MEMBER TRAINING**
Presentation by attorney and staff regarding the following topics:

VACANT

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- B. Review, discussion and possible action regarding referral of Dr. Lucius N. Butler, IV to WREB as an examiner.
- C. Alameda Crossing Dental Group – Review, discussion and possible action on staff recommendation to vacate vote to open an investigation.
- D. Marketplace Smiles - Review, discussion and possible action on staff recommendation to vacate vote to open an investigation.
- E. Review, discussion and possible action regarding revised Substantive Policy Statement #2, Community Service Guidelines, including revised list of approved clinics.
- F. Review, discussion and possible action regarding Investigative/Informal Interview Panel Checklist.
- G. Review, discussion and possible action on proposed template for Non-Disciplinary Consent Agreement for failure to comply with a subpoena and accompanying cover letter and delegation of authority to Executive Director to enter into the consent agreement on behalf of the Board.
- H. Report on FY11 Budget Request. Information only.
- I. Report on mandated 15% reduction in FY10 budget. Information only.
- J. Annual Report to the Governor. Information only.
- K. Review, discussion and possible action regarding Board approval of the following physicians to render physical assessments.
 - Bruce A. Bethancourt, M.D.
 - Mark R. Wallace, M.D.
 - Palliva Purohit, M.D.
 - Alfredo Lim, MD
 - Neil Sapin, MD
- L. Review, discussion and possible action regarding pre-approval of the following substance abuse courses to satisfy Board-ordered continuing education courses.
 - i. New Choices
 - ii. The Center for Life Skills Development
 - iii. Arizona Consulting and Counseling Services
 - iv. STI – Scottsdale Treatment Institute Policies and Procedures
 - v. Dynamic Living Counseling, Inc.
 - vi. Community Bridges
 - vii. NAADAC Approved Education Providers:
 - ABC Wellness Centre
 - Amity Foundation/Extension, LLC
 - Ben Franklin Institute
 - Byron Katie International, Inc.

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Calvary Center
Center for Applied Behavioral Health Policy
Cottonwood de Tucson, Inc.
International Institute for Trauma and Addiction Professionals
Kay Bennett
The Meadows
Patrick Paul and Associates
Rio Salado College
Sierra Tucson, LLC
Symbionic Innovation, LLC

M. VACANT

N. Discussion regarding prescribing of Latisse by Dentists.

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. Dr. Sam Hashemian v. ASBDE (Case 280056)

B. Dr. Mu-Hun Kim v. ASBDE (Case 280093)

7. **PERSONNEL ISSUES**

A. VACANT

ACTION ON LICENSING

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).

8. **REQUEST FOR ACTION ON LICENSURE/CERTIFICATE BY EXAMINATION**

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

A. Joanna Lee Knowles, RDH - Review, discussion and possible action on disclosure for solicitation.

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. Elizabeth Baltierra – Certified in California
- B. Christopher Buenaventura – Certified in California
- C. Felisha P. Long – Certified in California
- D. Lourdes Cervantes – Certified in California
- E. Renee R. Pimentel – Certified in California
- F. Annaliza D. Avendula – Certified in California
- G. Olga M. Virje – Certified in California
- H. Heidi E. Lauterbach – Certified in California
- I. Sandra Ornelas – Certified in California
- J. Jessica L. Roe – Certified in California

- K. Maria D. Andrade Rodriguez – Certified in California
- L. Veronica Gonzalez – 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. Shlaimon T. Sawa – Board approved exam, disclosure of action taken by CA Attorney General for Fraudulent Billing to Medi-Cal
- B. Dr. James J. Herget – Board approved exam, disclosure of complaints filed in Wisconsin. No action was taken by Wisconsin Dental Board.
- C. Dr. Jeffrey T. Meister – 1988 IN State Exam prior to a regional
- D. Dr. Jason G. Barton – 1995 CA State Exam prior to a regional

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. Shelia K. Levine, RDH – 1976 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.

- F. Courtney N. Bordbeck, RDH – 2009 NERB Hygiene
- G. Nadia R. Fattohi, RDH – 2009 NERB Hygiene
- H. Cara L. Simone, RDH – 2008 Florida Hygiene

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. Eric E. Jacobsen – 2005/2006 NERB
- B. Dr. Sarah I. Schaeffer – 2005/2006 NERB
- C. Dr. Gilberto A. Nunez – 2002 NERB
- D. Dr. David G. Carter, Jr. – 1999 NERB
- E. Dr. Bruce E. Stewart – 1984 NERB
- F. Dr. Peter M. LoFurno – 1979 NERB
- G. Dr. Gregory P. Mathieu – 1976 NERB
- H. Dr. Theodore Zislis – 1973 NERB
- I. Dr. Jason A. Monroe – 2001 CRDTS
- J. Dr. Travis Dee Whiteley – 2004 WREB
- K. Colleen M. Ondrejcek, RDH – 2006 NERB
- L. DONNA I. Tucker, RDH – 2001 NERB

M. Kathleen A. Smientana, RDH – 2000 NERB
N. Tiffany M. Trapp, RDH – 1996 NERB
O. Heather A. Lasky, RDH – 1995 NERB
P. Deborah J. Sanford, RDH – 1987 NERB
Q. Carolyn Stover Stewart, RDH – 1979 NERB
R. Kimberlee M. Loutzenhiser, RDH – 2009 CRDTS
S. Holly R. Tanner, RDH – 2005 CRDTS
T. Tasha L. Schmidt, RDH – 2004 CRDTS
U. Angelle R. Graham, RDH – 2003 CRDTS
V. Judy J. Toelle, RDH – 1995 WREB
W. Sharon I. Trotter, RDH – 1995 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 regarding disclosures on renewal applications.

- A. Dr. William E. Munson, Jr. - Review, discussion and possible action on disclosure of a DUI and related treatment; and physical disability. Review, discussion and possible action on opening an investigation for failure to timely report DUI.
- B. Dr. Sibera Brannon - Review, discussion and possible action on disclosure of disciplinary action taken by Michigan Department of Community Health.
- C. William M. Tudor, RDH - Review, discussion and possible action on disclosure of a criminal conviction for misdemeanor possession/use of marijuana; review, discussion and possible action on opening an investigation for failure to timely report arrest.
- D. Dr. Michael W. Dodd - Review, discussion and possible action on disclosure of criminal charges relating to possession of marijuana and assault; review, discussion and possible action on opening an investigation for failure to timely report arrests.
- E. VACANT

STIPULATION CONSENT AND ENFORCEMENT

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13. RECOMMENDATION(S) FROM BOARD MATP MEDICAL DIRECTOR – 9:30 AM

HEALTH AND WELL BEING

- A. Dr. Dennis Day - Review, discussion and possible action on evaluation by Dr. Sucher and accepting voluntary surrender of license in lieu of discipline.

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.

- B. Robert J. Freithoffer, RDH – Review, discussion and possible action on evaluation by Dr. Sucher related to DUI disclosure; review, discussion and possible action on

opening an investigation for failure to timely report DUI. Tabled from the August meeting.

- C. Dr. Chandan S. Walia - Review, discussion and possible action on DUI disclosure, evaluation by Dr. Sucher and opening an investigation for failure to timely disclose arrest.
- D. Dr. Stephen A. Kovar - Review, discussion and possible action on DUI disclosure, evaluation by Dr. Sucher and opening an investigation for failure to timely disclose arrest.
- E. Dr. Leigh-Ann Schuerman - Review, discussion and possible action on DUI disclosure, evaluation by Dr. Sucher and opening an investigation for failure to timely disclose arrest.
- F. Dr. Kevin M. Harris - Review, discussion and possible action on DUI disclosure, evaluation by Dr. Sucher and opening an investigation for failure to timely disclose arrest.
- G. Anita Webb, RDH – Review, discussion and possible action on evaluation by Dr. Sucher, opening an investigation and entrance into the MATP. Tabled from the August meeting.

REQUEST FOR ACTION ON LICENSE/CERTIFICATE BY EXAMINATION

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

- H. VACANT

REQUEST FOR ACTION ON LICENSE BY CREDENTIAL

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

- I. VACANT

14. 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
A.	VACANT		
B.	VACANT		
C.	None assigned	Dr. Keith Rogers	Review, discussion and possible action regarding opening an investigation, reinstatement of license and entrance into the MATP

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. Michael W. Dodd - 280303
M. Dr. David J. Bernath - 280237	N. Dr. Robert N. Hoskyns – 290112
O. Dr. Randall H. Monroe – 260116	P. Dr. Rogel A. Carlos – 260126
Q. Dr. John S. Coleman – 280461	R.

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.	VACANT		

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. Mobile Dentistry – Dr. Greg Waite

i. Review, discussion and possible action regarding draft legislation recommendations from the Mobile Dentistry Committee.

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FORMAL HEARING – 8:30 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.

The Board will review the Recommended Decision of the Administrative Law Judge. After review and consideration the Board may take action on the recommended decision of the Administrative Law Judge.

Item No.	Case No.	Licensee	Board Action Taken
19	270098	Dr. Rosalyn D. Keith	

MORNING AGENDA

ACTION ON CASES – 9:00 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.

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
20	290085	Dr. Richard J. Calabrese	
21	290078	Dr. Gregory L. Aldrich	
22	280380	Dr. Peter A. Bassett	
23	280467	Dr. Larry M. Blattner	
24	290092	Dr. Garth Holyoak	
25	290143	Dr. Byron J. Larsen	

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
25A	280400	Dr. Garrett Harnett	Tabled from August 2009 meeting for evaluation by Dr. Sucher. To be heard at 9:30 a.m.

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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
26	280440	Dr. Jack I. Lipton	

CONSENT AGENDA – 10:30 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 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
27	290076	Dr. Miguel Garcia	
28	290064	Dr. Todd S. Garrett	Consider opening an investigation against Dr. Naven Patel for alleged failure to diagnose a failed root canal
29	290049	Dr. Joseph Robert Mikulicz	
30	290044	Dr. Mark A. Kerr	
31	280408	Dr. Robert D. Sundberg	
32	290164	Dr. Lawrence Emmott	
33	280375	Dr. Rodney W. Gore	

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Item No.	Case No.	Licensee	Board Action Taken
34	290007	Dr. Leon B. Reed, II	
35	280407	Dr. Martin J. Sobieraj	
36	290028	Dr. Patrick T. Carter	
37	290061	Dr. Omaima S. Samain	
38	280456	Total Dental Solutions	
39	290083	Dr. David S. Daley	
40	290094	Dr. Tracey K. Yamamoto	
41	290033	Dr. Ronald J. Moon	
42	290011	Dr. John K. Swain	
43	290139	Dr. James H. Seib	
44	290135	Dr. Nam-Rene Nguyen	
45	290140	Dr. Anh Thu Becker	
46	290129	Dr. Deydokht Raoufi	
47	290144	Dr. Paul J. Pease	

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
48	290082	Dr. Arthur J. Porter	Stating Dr. Porter should document periodontal condition prior to treatment and take care not to damage tissue during crown preps

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Item No.	Case No.	Licensee	Board Action Taken
49	290120	Dr. John S. Coleman	Stating Dr. Coleman should establish better patient/doctor communication
50	280474	Dr. Terrence The-Hung Yu	Stating doctor must take full mouth series of x-rays or equivalent prior to treatment
51	290128	Dr. Deydokht Raoufi	Stating doctor needs to use correct codes when billing insurance
52	290137	Dr. Gordon Kenneth Wilson	Stating Dr. Wilson should stop using advertising which is misleading to the public

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
53	290067	Dr. Vincent A. Rauschel	6 hours in Implant Supported Dentures with 6 months time to complete
54	290023	Dr. Sara S. Mosley	6 hours in Crown and Bridge with 6 months time to complete
55	290018	Dr. A. Blaine Brimley	6 hours in Implants and 6 hours in Treatment Planning/Diagnosis with 6 months time to complete
56	290081	Dr. Eldon E. Hastings	4 hours in Risk Management with 6 months time to complete
57	290141	Dr. Byron J. Larsen	6 hours in Crown and Bridge 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
58	T-09-051	Dr. Anthony J. Kohler	Rude behavior

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Item No.	Case No.	Licensee	Board Action Taken
59	T-09-053	Meridian Dental Care	Money issue
60	T-09-050	Dr. Clayton Wainwright	Fee issue; insurance issue
61	T-09-052	Encanto Family Dental Care	Fee issue; insurance issue
62	290105	Dr. Matthew T. Smith	Per patient letter
63	T-09-054	Dr. Elonia Iasku	Fee issue
64	T-09-057	Dr. Angela S. Ratnam	Fee issue; insurance issue
65	T-09-058	Dr. Leslie R. Fish	Fee issue; insurance issue
66	T-09-056	Arrowhead Dental Group	Fee issue
67	T-09-059	Associated Dental Care Providers	Fee issue; insurance issue
68	T-09-063	Dr. Alexandre Aalam	Fee issue; insurance issue
69	T-09-065	Dr. Neil Miller	Fee issue; insurance issue
70	T-09-067	Dr. Mark R. Scilley	Insurance issue

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
71	290173	Dr. John Joseph Septer	
72	290147	Dr. Phillip L. Cooke	
73	290136	Dr. Ardeshir Dabestani	
74	290270	Dr. Kathleen L. Crowley	

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

A. VACANT

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

Jeffrey J. Styskal, DDS
D 7853, issued: 08/06/2009

Matthew J. West, DMD
D 7890, issued: 08/31/2009

Sasan B. Sani, DMD
D 7854, issued: 08/06/2009

Pooja B. Patel, DMD
D 7891, issued: 09/01/2009

Derek H. Lamb, DMD
D 7855, issued: 08/06/2009

Justin D. Church, DMD
D 7892, issued: 09/02/2009

James S. Ratcliff, DDS
D 7858, issued: 08/11/2009

Behnam Kamvari, DMD
D 7893, issued: 09/04/2009

Robert G. Hodous, DDS
D 7878, issued: 08/11/2009

Elias G. Abou Khalil, DDS
D 7894, issued: 09/09/2009

Marcus Ray Pope, DDS
D 7880, issued: 08/18/2009

Johnathan H. Tran, DDS
D 7895, issued: 09/16/2009

Robert E. Patterson, DDS
D 7881, issued: 08/18/2009

Lawlay Naeimasa Azizi, DMD
D 7896, issued: 09/16/2009

David R. Ericksen, DDS
D 7882, issued: 08/18/2009

Troy K. Lundell, DMD
D 7897, issued: 09/22/2009

Mark D. Stumphy, DDS
D 7883, issued: 08/18/2009

John D. Tingey, DMD
D 7898, issued: 09/22/2009

Michael A. Holm, DDS
D 7884, issued: 08/18/2009

Jonathan R. Peterson, DMD
D 7899, issued: 09/22/2009

Bryan W. Harman, DMD
D 7885, issued: 08/18/2009

David E. Hoffman, DMD
D 7900, issued: 09/28/2009

Rita Rostami Asrabadi, DDS
D 7886, issued: 08/21/2009

Aaron M. Olson, DDS
D 7901, issued: 09/28/2009

Caroline M. Kacer, DMD
D 7887, issued: 08/21/2009

Marianne R. Dano, DMD
D 7902, issued: 10/05/2009

Larry D. McIver, DMD
D 7888, issued: 08/26/2009

Lindsay L. Don, DDS
D 7903, issued: 10/06/2009

Stacy R. Williams, DMD
D 7889, issued: 08/28/2009

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Diane M. Daley, RDH
H 6765, issued: 08/06/2009

Bridget M. Wright, RDH
H 6786, issued: 09/14/2009

Ashley C. Hart, RDH
H 6766, issued: 08/06/2009

Natalie N. Mahaffey, RDH
H 6787, issued: 09/17/2009

Heather K. Spoehr, RDH
H 6767, issued: 08/13/2009

Megan A. Jeziorski, RDH
H 6788, issued: 09/17/2009

Lindsay C. Lawson, RDH
H 6770, issued: 08/13/2009

Sonia Saeidi, RDH
H 6789, issued: 09/22/2009

Aleyxis R. Garcia, RDH
H 6782, issued: 08/21/2009

Maria C. Rosales, RDH
H 6790, issued: 09/28/2009

Barbara L. Messer, RDH
H 6783, issued: 09/02/2009

Cynthia L. West, RDH
H 6791, issued: 09/28/2009

Rekha Kishore, RDH
H 6784, issued: 09/04/2009

Kelly N. Barnes, RDH
H 6792, issued: 09/28/2009

Stacie Lee Vanderpool, RDH
H 6785, issued: 09/09/2009

Jody E. Oller, RDH
H 6793, issued: 10/05/2009

77. APPROVAL OF CONSULTANTS AND EXAMINERS – CONSENT AGENDA

- A. Dr. Jason Zuch – Investigative Interviews, Clinical Evaluations and Anesthesia Evaluator
- B. Dr. Tannaz Z. Malekzadeh – Clinical Evaluations and Investigative Interviews
- C. Dr. Lorin Eric Jackrel – Investigative Interview and Clinical Evaluations
- D. Dr. Howard H. Polk – Investigative Interviews and Clinical Evaluations
- E. Ms. Lori Palmer – Public consultant, Investigative Interviews
- F. Mr. Robert L. Weigt – Public consultant, Investigative Interviews
- G. Ms. Michelle O’Hair-Schattenberg – Public consultant, Investigative Interviews
- H. Ms. Gloria DeHaven Pearson – Public consultant, Investigative Interviews
- I. Mr. Wayne F. Foraker – Public consultant, Investigative Interviews
- J. Ms. Sandra Cady - Public consultant, Investigative Interviews
- K. Mr. Charles E. Melker - Public consultant, Investigative Interviews
- L. Mr. Jules L. “Vick” Viquesney - Public consultant, Investigative Interviews
- M. Ms. Shirley Ann Petry - Public consultant, Investigative Interviews
- N. Mr. Philip Carrano - Public consultant, Investigative Interviews
- O. Ms. Tracy A. Scott – Public consultant, Investigative Interviews
- P. Mr. Donald D. Hom - Public consultant, Investigative Interviews
- Q. Ms. Stephanie A. Davee - Public consultant, Investigative Interviews
- R. Ms. Angela M. Lopez - Public consultant, Investigative Interviews
- S. Mr. Charles D. Brown - Public consultant, Investigative Interviews
- T. Ms. Karen Vollmuth – Public consultant, Investigative Interviews
- U. Ms. Kathryn Mara – Public consultant, Investigative Interviews
- V. Ms. Darleen Treude – Public consultant, Investigative Interviews
- W. Dr. George Richard Deeb – Anesthesia Evaluator
- X. Dr. Kendrick D. Gray – Investigative Interviews and Clinical Evaluations

78. APPROVAL OF MINUTES – CONSENT AGENDA

- A. August 7, 2009 Board Meeting Minutes
- B. August 7, 2009 Executive Session 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
79	290070	Dr. Robert C. Bingham	
80	280427	Dr. Peter Rinaldi	
81	290040	Dr. Gordon K. Wilson	
82	290138	Dr. William A. Hoskyns	
83	290098	Dr. William A. Hoskyns	
84	290110	Dr. Antonio G. Lugay, Jr.	
85	290130	Dr. Rosalyn D. Keith	
85A	290133	Dr. Abbas Nejad	

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
86	280397	Dr. Michael Wassef	This matter was tabled from the August meeting pending attorney representation
86A	290024	Dr. Robert D. Sundberg	Tabled from the August Board meeting pending proof of refund to the patient

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
87	280412	Dr. Marcos A. Cervantes	
88	VACANT		

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.

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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
89	290100	Dr. Gordon K. Wilson	
90	290134	Dr. Gordon K. Wilson	Consider entering into a Non-disciplinary Consent Agreement with Dr. Eric Petterson for alleged failure to completely comply with a subpoena
91	280454	Dr. Brian A. Lilien	
92	290072	Dr. Christine A. Nguyen	
93	290055	Dr. Tonya L. Phillips	
94	290086	Dr. Douglas Dewey Sewright	
95	290039	Dr. Stephen Samuel Baer	
96	290079	Dr. Barry J. Uldrikson	
97	290068	Dr. Steven W. Peterson	Consider entering into a Non-disciplinary Consent Agreement with Western Dental for alleged failure to comply with a subpoena
98	290108	Dr. Daniel B. Funk	
99	290029	Southwest Dental Group – General Dentistry	
100	290097	Dr. David Frausto, Jr.	
101	290089	Dr. Manu Alexander	
102	290177	Dr. Spencer G. Wilson	
103	290201	Dr. Paul J. Kelly	
104	280084	Dr. Nafys Samandari	
105	290171	Dr. Benjamin L. Studebaker	

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Item No.	Case No.	Licensee	Board Action Taken
106	290145	Dr. Eric L. Kerbs	
107	290142	Dr. David B. Drabs	
108	290096	Dr. Jeffrey J. Lysdale	
109	290077	Dr. Robert Norman Barber	
109A	290101	Dr. Kelly John Cook	

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
110	290043	Dr. Joshua B. Haslam	Stating it’s a violation of federal law to obtain a controlled substance by forging a prescription
111	280374	Dr. Navid Hajiseyed Javadi	Stating records should be clear, concise, legible and in chronological order
112	290091	Dr. Philip S. Johnson	Stating Dr. Johnson needs to update his chart to have an adequate health history and clear charting
113	290109	Dr. Edward M. Byers	Stating a comprehensive exam should be completed when treating a patient unless on an emergency basis
114	290162	Dr. Nishith S. Shah	Stating doctor should only bill for treatment rendered
114A	290106	Dr. Scott Edward Nuessle	Stating doctor must take full mouth series of x-rays or equivalent prior to treatment

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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
115	290123	Dr. Jill M. Carter	Stating doctor should submit all records in her possession when subpoenaed AND consider imposing a non-disciplinary Civil Penalty of \$500

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
116	T-09-055	Dr. Elizabeth Irene Katz	Rude behavior
117	T-09-062	Dr. Barry Uldrikson	Fee issue; insurance issue
118	T-09-064	Dr. Ronald Walker	Fee issue; insurance issue
119	T-09-066	Dr. Steven Badger	Rude/harassing behavior
120	T-09-068	Dr. Jeffrey H. Kootman	Fee issue; insurance issue
121	290265	Dr. Mark S. Sinnard	Per patient letter
122	T-09-061	General Dentistry for Kids	Rude/harassing behavior
123	T-09-069	Dr. Allan K. Bernstein	Fee issue
124	T-09-070	Dr. Michael Bricker	Fee issue
125	290244	Dr. Alexander C. Hatch	Per patient letter

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Item No.	Case No.	Licensee	Board Action Taken
126	290267	Dr. Kevin M. Harris	Per patient letter
127	290185	Dr. William H. Taylor	Per patient letter
128	290225	Dr. Michael E. Steinberg	Per patient letter

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
129	290154	Dr. Gordon K. Wilson	
130	290102	Dr. Gordon K. Wilson	
131	290099	Dr. Manuel C. Bedoya	
132	290088	Dr. Russell A. Rima	
133	290217	Dr. Cedric V. Loud	

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
134	290156	Dr. Champa R. Chatterjee	Administrative Penalty of \$500 and completion of the previously ordered CE with 6 months time to complete
135	290155	Western Dental of Arizona, Inc.	Administrative Penalty of \$1000

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

Item No.	Case No.	Licensee	Board Action Taken
136	280137	Dr. Michael Wassef	
136A	280175	Dr. John A. Loesch	

PROBATION MONITORING; COMPLIANCE REPORTING – CONSENT AGENDA

Item No.	Case No.	Licensee	Board Action Taken
137	270477	Dr. Jenny V. Wang	

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.

138	Dr. Daniel N. Indech – Malpractice Report, for alleged inadequate implants
139	Dr. Jeffrey H. Kootman – Malpractice Report, for alleged inadequate implants

RATIFICATION OF CASES RECOMMENDED FOR A CLINICAL EVALUATION – CONSENT AGENDA

Roll Call Vote is *not required*

Based on the investigation, the Board will vote to ratify the recommendation that these cases be forwarded to a Clinical Evaluation.

Item No.	Case No.	Licensee	Board Action Taken
140	290170	Dr. Glenn Cochran Hanf	

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
141	290130	Dr. Rosalyn D. Keith	
142	290114	Dr. Alex W. Yuen	

***** 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.

143. **MEMBERS OF THE PUBLIC**

144. **ASSOCIATIONS**

145. **FUTURE AGENDA ITEMS**

146. **NEXT MEETING DATE December 4, 2009**

147. **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, October 07, 2009