



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

DECEMBER 9, 2011 AT 8:00 AM

4205 NORTH 7th AVENUE, SUITE 205

PHOENIX, ARIZONA 85013

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 attorney on any agenda item.

The Board usually allows 3 – 5 minutes per person for public comment on any agenda item; however, depending on the issue presented, the Board President has the discretion to expand that time. Cases will be called in order as indicated on the sign-in sheet.

GENERAL BUSINESS

1. CALL TO ORDER AND INTRODUCTIONS

2. PRESIDENT'S REPORT – Dr. Greg Waite

- A. Review and discussion regarding the AADB Meeting Report.
- B. Review, discussion and approval for the Executive Director and Board President to attend the mid-year AADA and AADB meeting in Chicago on April 22 - 23, 2012.
- C. Appointment of Board Members (one Dentist and one Dental Hygienist) to the Dental Hygiene Committee.

3. 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. Election of Officers.
- C. Review, discussion and possible action regarding accepting ADA/CERP and AGD/PACE providers as national associations for the purposes of Arizona Administrative Code R4-11-601(H)(1).

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- D. Review, discussion and possible action to clarify prior Board action on the call to the public procedures.
- E. Review, discussion and possible action regarding revisions to renewal application questions.
- F. Review, discussion and possible action regarding licensure renewal fees for dentists, dental consultants, dental hygienists and denturists pursuant to A.R.S. §§32-1236(A), -1287(A), and -1297.06(A).
- G. Review, discussion and possible action regarding Board ordered restitution as a disciplinary sanction.
- H. Mahmoud S. Gad, DMD – Review, discussion and possible action regarding the voluntary surrender of Dr. Gad’s license.
- I. Dr. Doug Chang (Case # 100030) – Review, discussion and possible action regarding clarification on Dr. Chang’s Consent Agreement and Order.
- J. Review, discussion and possible action regarding the Central Arizona Dental Society Foundation’s request for recognition as a charitable organization.
- K. Review and discussion regarding the Executive Director Complaint Terminations.

Pursuant to A.R.S. § 32-1263.03(C), the Executive Director has provided a list of each complaint terminated under A.R.S. § 32-1263.03(A) to the Board. The list of complaints is confidential pursuant to A.R.S. § 32-1207(A)(3). The Board may vote to go into Executive Session on this agenda item, pursuant to A.R.S. § 38-431.03(A)(2), to discuss and consider records exempt by law from public inspection, including the receipt and discussion of information or testimony that is confidential by State or Federal law.

4. ASSISTANT ATTORNEY GENERAL’S REPORT FOR BOARD DIRECTION & POSSIBLE ACTION – Mary DeLaat Williams, AAG

- A. Review, discussion and possible action on filing injunctions in Superior Court against Lamah Sabbagh and Trevor Neate for practicing as a denturist and/or dentist without a license and/or certificate.

5. PERSONNEL ISSUES

- A. VACANT

ACTION ON LICENSING

6. REQUEST FOR ACTION ON LICENSURE BY EXAMINATION

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

- A. Dr. Brett Barry Hulet – Disclosure regarding theft charges.

7. REQUEST FOR ACTION ON LICENSURE BY CREDENTIAL

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

- A. VACANT

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- B. Dr. Emerson Eugene Overstreet - Board approved exam, disclosure of DUI arrest and review, discussion and possible action regarding issuance of interim order for substance abuse evaluation.
- C. Dr. Anne Catherine Shackelford - 1998 IN State Exam prior to a regional
- D. Sheryl Ann Oppen, RDH - 1978 WA State Exam prior to a regional

**8. 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.

- A. Dr. Bruce Buchanan Harsha - 1978 SRTA

**9. 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.

- A. VACANT

**10. REQUEST FOR ACTION ON APPLICATION(S) FOR RENEWAL OF LICENSE
Roll Call Vote is Required**

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

- A. Lisa K. Simpson, RDH - Review, discussion and possible action regarding possible interim order for substance abuse evaluation.
- B. A. Ruben Turley, DDS - Review, discussion and possible action regarding disclosure of federal misdemeanor conviction for willful failure to file tax returns.
- C. James B. Cunningham, DDS - Review, discussion and possible action regarding Dr. Cunningham's request to change his license status from Retired to Active.

11. VACANT

12. VACANT

ACTION ON CASES – 8:30 AM

The Board president reserves the right to change the order of items on the agenda, except for public hearing set for a specific time. The Board may vote to go into Executive Session to discuss and consider records exempt by law from public inspection, including the receipt and discussion of information or testimony that is confidential by State or Federal law on agenda items 13A through 20C, pursuant to A.R.S. §38-431.03(A)(2). 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.

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13. ACTION ON CASES – Roll Call Vote *is required*

The Board will review, discuss and vote to take action on the following cases and 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	Comments
A.	201000306	Dr. Nicholas J. Meyer	
B.	201100128	Dr. Don Lamb	
C.	201000311	Anissa M. Angulo, RDH	Action on previous action: Review, discussion and possible action regarding Motion to Deem Allegations Admitted and adjudication of case.
D.	201000238, 201100022, 201100042, & 201100047	Dr. Ralph L. Juriansz	Action on previous action: Review, discussion and possible action regarding Motion to Deem Allegations Admitted and adjudication of case/consideration of Consent Agreement.

CONSENT AGENDA – 9:00 AM

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.

14. CONSENT AGREEMENTS – Roll Call Vote *is required*

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

Item No.	Case No.	Licensee	Comments
A.	201100144	Dr. Trent Wilsey Smallwood	
B.	201100149	Dr. Jared Michael Pope	
C.	201100217	Dr. Michael D. Elliott	

15. PETITION TO REHEAR – Roll Call Vote *is required*

The Board will review, discuss and vote to take action on the Petition(s) for Rehearing for the following case(s). If GRANTED, the Board may remand for rehearing at an Investigative Interview or an immediate rehearing and determination.

Item No.	Case No.	Licensee	Comments
A.	VACANT	VACANT	

16. CASES RECOMMENDED FOR DISMISSAL

CONSENT AGENDA - Roll Call Vote *is required if case is pulled*

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

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Item No.	Case No.	Licensee	Recommendation
A.	201100102	Dr. Donna Ann Ash	
B.	201100106	Dr. Karen Chu	
C.	201100119	Dr. Maureen M. Toal	
D.	201100120	Dr. Ginger L. Price	
E.	201100129	Dr. Luke W. Denton	
F.	201100134	Dr. Dana A. Weinreich	

**17. CASES RECOMMENDED FOR ISSUANCE OF LETTER OF CONCERN
CONSENT AGENDA - Roll Call Vote *is required if case is pulled***

The Board will review and vote to take action on the following case(s). 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 the 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	Recommendation
A.	201100124	Dr. Morteza Zamani	Stating Dr. Zamani should ensure a patient's records contain clinical charting and documentation of periodontal charting.
B.	201100152	Dr. Mohammad Khaknegar	Stating Dr. Khaknegar should ensure a patient's record contains periodontal charting.

**18. CASES RECOMMENDED FOR NON-DISCIPLINARY CONTINUING EDUCATION
CONSENT AGENDA - Roll Call Vote *is required if case is pulled***

The Board will review and vote to take action on the following case(s). While the evidence does not warrant disciplinary action, the Board believes that the licensee should modify or eliminate certain practices through Continuing Education and that continuation of the activities that led to the information being submitted to the Board may result in the Board action against the practitioner's license.

Item No.	Case No.	Licensee	Recommendation
A.	201100167	Dr. Donald Arthur Gage	Non-disciplinary Continuing Education – 4 hours in the area of Risk Management 6 months to complete

**19. CASES RECOMMENDED FOR TERMINATION
CONSENT AGENDA - Roll Call Vote *is not required***

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

Item No.	Case No.	Licensee	Recommendation
A.	201100164	Dr. Talayeh Afkhami	Per patient letter
B.	201100170	Dr. Paul R. Sandstrom	Per patient letter
C.	201100181	Dr. David K. Yang	Per patient letter
D.	201100173	Dr. Mark W. Redford	Per patient letter

**20. CASES RECOMMENDED FOR TERMINATION – LACK OF SUPPORTING EVIDENCE
 CONSENT AGENDA - Roll Call Vote *is not required***

The Board will review and vote to take action on the following case(s). 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	Recommendation
A.	201100148	Dr. Mark A. Espinoza	
B.	201100174	Dr. Jenny V. Wang	
C.	201100177	Dr. Ronnie L. Cook	

21. REVIEW AND FILING OF CASES FOR INVESTIGATION

CONSENT AGENDA – Roll Call Vote *is required if case is pulled*

The Board will consider the facts and allegations set forth in these reports and vote to take the action indicated.

A. VACANT

22. APPROVAL OF RESTRICTED PERMIT(S) (APPLICATION/RENEWAL) – CONSENT AGENDA

A. Dr. David Walter Twomey

23. APPROVAL OF CONSULTANTS AND EXAMINERS – CONSENT AGENDA

- A. Dr. Anthony J.E. Herro - Anesthesia Evaluator
- B. Dr. John A. Gawlik - Anesthesia Evaluator
- C. Dr. Howard J. Sorensen - Dental Consultant

24. APPROVAL OF MINUTES – CONSENT AGENDA

- A. October 7, 2011 - Board Meeting Minutes
- B. October 7, 2011 - Executive Session Minutes

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

OTHER BUSINESS

25. REVIEW OF EXECUTIVE DIRECTOR TERMINATIONS

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

Item No.	Case No.	Licensee	Comments
A.	201100123-ED	Dr. Todd H. Mabry	
B.	201100135-ED	Dr. Tori Sandoval	
C.	201100141-ED	Dr. Shaylar M. Hatch	
D.	201100142-ED	Dr. Michael D. Dachs	

26. OTHER COMMITTEE REPORTS – 8:30AM

A. Dental Hygiene Selection Committee - Ms. Laurie Buckles

Review, discussion and possible action regarding candidates for two Dental Hygiene Committee members:

- i. The Dental Hygiene Selection Committee recommends the re-appointment of Patricia A. Price, RDH to represent central Arizona
- ii. The Dental Hygiene Selection Committee recommends the appointment of April Lynette Pohlman, RDH to represent northern Arizona.
- iii. The Dental Hygiene Selection Committee recommends Catherine L. Roustan, RDH as an alternate choice.

B. Dental Hygiene Committee – Laurie Buckles, RDH

- i. Review, discussion and possible action regarding the 2011 Dental Hygiene Continuing Education Audit responses. Upon recommendation from the Dental Hygiene Committee the Board may consider approval of the CE Audit responses from the following:
 - a. Lori A. Bierman, RDH
 - b. Jenine M. Blondeau, RDH
 - c. Michelle B. Burman, RDH
 - d. Wendi L. Campa, RDH
 - e. Nichole M. Clark, RDH
 - f. Analee Culler, RDH
 - g. Debra Ann Davis, RDH
 - h. Heather D. Gunnell, RDH
 - i. Sandra Lee Hagstrom, RDH
 - j. Michelle L. Hayes, RDH
 - k. Georgiana Johnson, RDH
 - l. Tenna Marie Kochendarfer, RDH
 - m. Susan A. Krischler, RDH
 - n. Melissa A. McIver, RDH
 - o. Anne W. Summerson, RDH
 - p. Suzanne L. Timmer, RDH
 - q. Angel R. Van Driel, RDH
- ii. Upon recommendation of the Dental Hygiene Committee, the Board may consider recognizing the Local Anesthesia and Nitrous Oxide coursework from Community College of Denver.
- iii. Upon recommendation of the Dental Hygiene Committee, the Board may consider denying recognition of the Local Anesthesia and Nitrous Oxide coursework from the following schools:
 - a. The Ohio State University: Course does not include nitrous oxide
 - b. University of New England - Portland, ME: Course does not include nitrous oxide
- iv. Upon recommendation of the Dental Hygiene Committee the Board regarding AAC R4-11-601(H)(1) accepting ADA/CERP and AGD/PACE providers as national associations.
- v. Discussion and possible action regarding the Dental Hygiene Committee recommendation of appointing Patricia A. Price, RDH to the Continuing Education Rules Committee.

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- C. Continuing Education Audit for Dentists Committee – Dr. Robert Foster
- i. Review, discussion and possible action regarding the 2011 Dental Continuing Education Audits. Upon recommendation from the Continuing Education Audit for Dentists Committee, the Board may consider approval of the CE Audit responses from the following:
- | | |
|-------------------------------------|-------------------------------------|
| a. Dr. Terence L. Alderette | l. Dr. Scott E. Hicks |
| b. Dr. Prashanthi Baddam | m. Dr. Robert B. Leipziger |
| c. Dr. David P. Beeson | n. Dr. Bridget A. Maniscalco |
| d. Dr. William B. Blocher | o. Dr. Nick H. Randall, II |
| e. Dr. Virginia A. Boland-Robillard | p. Dr. Jehyun Ryu |
| f. Dr. Scott W. Cairns | q. Dr. Gregory Whelan |
| g. Dr. Brian A. Christopherson | r. Dr. Mark Alfred Shousha with a |
| h. Dr. Paul C. Crowley | reminder letter that dentists are |
| i. Dr. Jeffrey C. Derickson | limited to no more than 24 hours of |
| j. Dr. Michael T. Don | the activities listed in AAC R4-11- |
| k. Dr. Christopher W. Fowler | 1209(A)(3). |

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.

Note: This is not the time set aside on the meeting agenda to discuss those specific cases that are listed on today's agenda.

- 27. MEMBERS OF THE PUBLIC**
- 28. ASSOCIATIONS**
- 29. FUTURE AGENDA ITEMS**
- 30. NEXT MEETING DATE – February 3, 2012**
- 31. 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 Terry Bialostosky 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).