

NEW JERSEY STATE BOARD OF DENTISTRY
PUBLIC SESSION MINUTES
NEWARK, NEW JERSEY
JANUARY 20, 2016

NOTE: The Public Session was called to order by President Emil Cappetta, DDS.

ATTENDANCE: The following members were in attendance:

Joseph Battaglia, DMD; Emil Cappetta, DDS; Elizabeth Clemente, DDS;
Peter Clemente, DMD; Nicholas C. DeRobertis, DMD; Linda Hecker, RDH;
Roger Kriete, DMD; Richard D. Riva, DDS

OTHER ATTENDEES: Deputy Attorneys General Miller and Goulding; Executive Director Jonathan Eisenmenger; Cecilia Moreira Senior Management Assistant

ABSENT/EXCUSED: Steven Goldstein, DDS; Beverly Kupiec, PhD, RN; Jonathan Mangot, DMD

I. APPROVAL OF MINUTES: January 6, 2016 - The Board in a motion by Dr. Riva, seconded by Dr. E. Clemente, approved the minutes as amended.

II. COMMITTEE REPORTS:

A. Applications:

1. Dr. Rakhee Patel - Application for a dental license. The Board is granting Dr. Patel a NJ license based on experience in lieu of the completion of a substantially equivalent examination, as permitted by N.J.S.A. 45:1-7(b).
2. Dr. Faisal Ashtewi - Application for a dental license. He has not completed a clinical examination after earning a DDS/DMD degree. He must pass the ADEX exam.
3. Dr. Jennifer Waller-Smith - Application for a dental license. The Board is granting Dr. Waller-Smith a NJ license based on experience in lieu of the completion of a substantially equivalent examination, as permitted by N.J.S.A. 45:1-7(b).

B. Continuing Education:

The Board in a motion by Dr. DeRobertis, seconded by Dr. Battaglia, approved the continuing education courses submitted for pre-approval.

III. HAND-OUT:

1. Arthur Meisel, Esq. - Mr. Meisel questioned whether a dentist may draw blood in order to perform blood test prior to implant placement surgery. The Board determined that this is within the scope of practice of a dentist.
2. The Board discussed the PMP proposal and noted that under the proposed rule, a dentist writing a prescription for less than a thirty day supply of a Schedule II CDS within 24 hours following an operation, procedure, or treatment for acute trauma would not be obligated to check the PMP. DAG Miller noted that, as proposed, a dentist who did not perform an operation or procedure or who was not treating the patient following acute trauma - for example, a dentist who met with a patient for a consultation - would be required to check the PMP for that patient if the dentist were prescribing a Schedule II drug, regardless of the amount prescribed. The Board feels the requirement to look-up a patient under those circumstances is onerous on the individual practitioner, especially in the midst of a busy office setting. The Board is also concerned that there will be many unintended consequences that cannot be fully anticipated. The Board believes that the best practice necessarily falls upon the pharmacist and the pharmacy to consult the information available to ensure that patients are not able to obtain inappropriate CDS. The Board also felt that there could be a lower limit on the number of pills that could be dispensed or prescribed (suggestion of 6 pills or a three day supply) without the need to consult the PMP.
2. Dr. Anthony Mancino (DAG Gelber) - DAG Miller reported that a Certificate of Debt has been filed. DAG Miller discussed on a recent request from Dr. Mancino's new attorney, and a response from DAG Gelber. The Board noted the matter is on appeal and it lacks jurisdiction to address. The Board determined to make no modifications to the terms of the order.
3. Dr. Anthony Ramirez - Dr. Ramirez is licensed in New York and is requesting permission to perform dentistry during the Sirona 3D Summit educational event to be held on April 1-2, 2016 in Princeton, NJ. The Board determined that as provided in the regulations, as a dentist licensed in another state, he may participate in a continuing education course provided he has malpractice insurance.

IV. ADJOURNMENT: The Board adjourned the Public Session and moved to Executive Session for advice of counsel and review of open matters (investigations and deliberations). When and if action is taken, it will be reported in Public Session.