

**NEW JERSEY STATE BOARD OF DENTISTRY
PUBLIC SESSION MINUTES
BOARD OFFICE
NEWARK, NEW JERSEY APRIL 2, 2008**

ATTENDANCE: The following members were in attendance:

Emil Cappetta, DDS; Patricia Delaney, RDH, Ed.M; Peter DeSciscio, DMD; Ms. Karen Golding; Alexander Hall, DMD; Beverly Kupiec, RN, Ph.D.; Sally-Jo Placa, DMD; John Ricciani, DMD; Arnold Rosenheck, DMD

OTHER ATTENDEES:

Deputy Attorneys General Nancy Costello Miller and Joseph Donofrio; Cecilia Moreira, Senior Management Assistant; Jonathan Eisenmenger, Executive Director

ABSENT AND/OR EXCUSED: Ms. Belinda Caraballo; Herbert Dolinsky, DDS; Maxine Feinberg, DDS

NOTE: The Public Session Agenda convened at 10:00 A.M.

I. EXECUTIVE DIRECTOR'S REPORT:

Jonathan Eisenmenger, Executive Director, discussed the following:

1. The Board office processed 141 applications, issued 128 licenses and received 64 patient complaints in the month of March.
2. An article was provided to the Board concerning Dr. Michael Mastromarino's guilty plea in the case of body-parts theft. This was taken as informational.
3. An article was provided to the Board concerning dental prostheses made by labs outside of the United States and whether FDA approved materials are being used. The Board noted that the American Dental Association also has information available concerning this matter.
4. The Division of Consumer Affairs is conducting criminal history record background checks on all health care professionals. The initial letters and certification and authorization forms are in the process of being mailed to dentists, dental hygienists and registered dental assistants and limited registered orthodontic assistants holding an active license.
5. There are changes to the New Jersey Prescription Blanks. The new law requires prescription blanks for each prescriber or healthcare facility include National Provider Identification number.

THE FOLLOWING ITEMS WERE TABLED FROM THE MARCH 19, 2008 AGENDA:

I. APPROVAL OF MINUTES: February 20, 2008 - Approved as written.

II. COMMITTEE REPORTS:

1. Credentials:

Dental Auxiliaries:

- Juan Rosado - Application for registration as a Registered Dental Assistant. The committee recommends that Ms. Rosado be scheduled for an appearance to discuss the information disclosed on her application.

Dental:

- Dr. Christopher Marsh - Application for a dental license. Dr. Marsh meets all requirements for licensure. The committee recommends approval.

2. Continuing Education:

The committee provided two committee reports. One packet consists of five applications for approval of continuing education courses and recommends approval of all five and the other consists of 27 applications for continuing education credits. The committee recommends approval of 26 applications and denial of one course.

The Board in a motion by Ms. Delaney, seconded by Ms. Golding, approved the committee's recommendations.

Patricia Bocage, RDH - The committee discussed Ms. Bocage's request for approval of a nitrous oxide course taken at The Phoenix College. This course was previously denied. The committee indicated that this course is CODA approved and is recommending that the Board reconsider its previous decision. The Board in a motion by Ms. Delaney, seconded by Dr. Placa, approved this course.

III. PROVISIONAL ORDERS TO BE FINALIZED:

The Board, in a motion by Ms. Golding, seconded by Dr. Cappetta, moved the following Provisional Orders of Discipline to Executive Session for deliberation:

1. Dr. Robert Ostrander
2. Ms. Valerie Klingler
3. Dr. Dennis Wu-Hsun Peng
4. Dr. Arkady Pavlov
5. Dr. Chiu Lun Lui

The Board returned to Public Session and in a motion by Dr. Ricciani, seconded by Dr. Rosenheck, determined that the above Provisional Orders of Discipline be finalized and issue final orders with sanctions set forth in the Provisional Orders.

V. OTHER MATTERS:

1. The Board reviewed correspondence from Liz Koch, MA, MPH, Chief Operating Officer, Dental Assisting National Board, Inc., requesting to meet with the Board to update the DANB Expanded Functions exam. The Board determined that Ms. Koch be advised that the Board will meet with her at its July 16, 2008 meeting to discuss this exam.

NOTE: The Board in a motion by Dr. DeSciscio, seconded by Dr. Rosenheck, determined to cancel its June 4, 2008 meeting because members will not be available and a quorum would not be present.

NEWLY LISTED ITEMS:

I. APPROVAL OF MINUTES: March 5, 2008 (Committee Meeting Minutes) - Due to lack of a quorum, the Board met as a committee. By approving these minutes the Board is ratifying

the committee's recommendations.

The Board in a motion by Dr. Ricciani and seconded by Ms. Delaney, approved the March 5, 2008 minutes.

The Board, in a motion by Ms. Delaney, seconded by Ms. Golding, approved the March 5, 2008 committee recommendations with the exception of the matter concerning Dr. Joel Kurtz. Deputy Attorney General Nancy Costello Miller indicated that Dr. Kurtz's attorney has asked that the full Board discuss his request. This matter will be discussed at the next meeting.

II. APPLICATION FOR REINSTATEMENT OF A DENTAL LICENSE:

1. Dr. Victor Paul Terranova - The Board reviewed Dr. Terranova's request for reinstatement of his New Jersey dental license. The Board determined that additional information be obtained.

III. REPORTS SUBMITTED PURSUANT TO N.J.A.C. 13:30-8.8:

Additional information reviewed:

1. Dr. William C. Pollak - The Board determined that a copy of the patient's complete chart be obtained.

New Reports:

1. Dr. Lawrence M. Gorzelnik - Dr. Ricciani was recused because of his affiliation with UMDNJ. The Board in a motion by Ms. Delaney, seconded by Dr. Placa, determined that a narrative explanation be obtained with regard to the statement "patient non-responsive and subsequent seizure" and a copy of the patient records.

2. Dr. W. Christian Madsen, Jr. - Dr. Placa was recused as she is associated with Dr. Madsen. The Board took this as informational.

3. Dr. R. D. Seldin - Dr. Ricciani was recused because of his affiliation with UMDNJ. The Board took this as informational.

IV. REQUEST FOR REMOVAL OF RESTRICTIONS PLACED ON THEIR LICENSE:

1. Dr. Joseph Hannah - The Board reviewed a request for removal of restrictions placed on his license. The Board in a motion by Dr. Kupiec, seconded by Ms. Golding, moved this matter to Executive Session for deliberation.

The Board returned to Public Session and determined that additional information be obtained prior to making a decision.

2. Dr. Jill Zaleski - The Board reviewed a request for removal of restrictions placed on her license. The Board in a motion by Dr. Kupiec, seconded by Ms. Golding, moved this matter to Executive Session for deliberation.

The Board determined to schedule Dr. Zaleski for an appearance.

V. OTHER MATTERS:

1. The Board reviewed an inquiry from John J. McGrath, Esq., requesting an opinion from the Board regarding the delivery of porcelain crowns. The Board noted that it does not provide legal opinions and the Board's statutes and regulations do not address the situation presented.

The Board indicated that it may be inimical to patient health to provide the patient with uninserted, fixed prostheses as the insertion of these restorations requires a dental professional to ensure that the prostheses are properly seated and that the appropriate adjustments to the restorations or gingiva are made. The Deputy Attorney General will draft the response.

2. The Board reviewed articles concerning Minnesota bill expanding dental hygiene scope of practice. The Board took this as informational.

3. AADE - The Board reviewed correspondence concerning "Citizen of the Year." The Board in a motion by Dr. Placa, seconded by Ms. Delaney, determined that Dr. Barbara Rich's name be submitted to AADE for consideration.

VI. OTHER ITEMS - NOT ON THE AGENDA:

1. Dr. Adam Rauzman - The Board discussed Dr. Rauzman's request for a correction in his first name from Azriel to Adam. This matter was moved to Executive Session for deliberation. Dr. Rauzman used the name of Azriel while in dental school and was issued a license under Azriel. He is now requesting that his name be changed to Adam, which is his legal name. The Board declined to grant the request as his dental degree from Suny Stony Brook and his test scores bear the name Azriel Rauzman.

2. Dr. John Kallis - Deputy Attorney General Nancy Costello Miller provided a status update of this case. She indicated that Dr. Kallis sought a stay of the Board's order of temporary suspension pending review by the appellate court. The appellate division considered the matter on Friday March 28, 2008 and denied a stay of the Board's Order. Dr. Kallis' license is suspended effective 6:00 P.M. March 28, 2008.

Deputy Attorney General Nancy Costello Miller advised the Board that letters were received from Dr. Kallis' attorney requesting continued stay and remediation requirements. The Board moved this matter to Executive Session for deliberation.

The Board, upon return to public session, denied the request to stay the temporary suspension and did not take action on the request to identify remediation requirements.

3. Dr. Cindy Adelstein - The Board discussed a request from Dr. Adelstein's attorney questioning the requirement in the Consent Order requiring her to obtain a crash cart. He asks whether a regulation requires this. The Board determined that all licensees must be prepared for emergencies. Dr. Adelstein must comply with this requirement because it is part of the terms of the Consent Order filed on March 19, 2008.

4. Dr. Henno Prima - The Board in a motion by Ms. Golding, seconded by Dr. Cappetta, approved the break down of hours for the tutorial course required by Board Order as presented by Dr. Prima's attorney.

ADJOURNMENT:

The Public Session of the meeting adjourned at 11:25 A.M.