



New Jersey State Board of Dentistry

Public Session Minutes

BOARD OFFICE
NEWARK, NEW JERSEY April 3, 2002

The meeting was called to order at 10:00 A.M. by Dr. Emil Cappetta, President of the Board.

OPEN PUBLIC MEETINGS ACT NOTICE: Read by Kevin Earle, Executive Director.

ATTENDANCE:

The following members of the Board were in attendance:

Dr. Valentine Bloch; Dr. Emil Cappetta; Dr. Anthony Chibbaro; Patricia Delaney, RDH Dr. William Orlacchio; Dr. John Ricciani; Dr. Barbara Rich; Dr. Arnold Rosenheck; Dr. Abraham Samansky.

ADDITIONAL ATTENDEES WERE:

Nancy Costello Miller, Deputy Attorney General;
Michelle Albertson, Deputy Attorney General; Kevin B. Earle, Executive Director; Cecilia Moreira, Management Assistant; and Michael Dominach, Paralegal.

ABSENT AND/OR EXCUSED:

Mr. Louis Cardenas; Mrs. Helen Huber

APPROVAL OF MINUTES:

February 20, 2002 - Approved as amended.

March 6, 2002 - Approved as amended.

EXECUTIVE DIRECTOR'S REPORT:

1. Executive Director Kevin Earle advised the Board that the open Board Minutes and Agendas for the Board of Dentistry meetings for the last year have been posted on the Division of Consumer Affairs Website at: www.nj.gov/lps/ca/dentistry/minutes/demin.htm. In addition future Public Session Agendas will be posted on the Website within a few days of preparation and mailing. Public Minutes will be posted once they have been approved by the Board.
2. The Board reviewed a copy of the ADA State Legislative Report. This was taken as informational.
3. **Catherine Ruiz-Santos, DDS** - Mr. Earle discussed a request for a waiver of the continuing education credits for licensure renewal due to maternity leave. The Board had previously denied her request. Dr. Ruiz-Santos is now requesting an extension to complete the credits. After discussing this matter, the Board in a motion by Ms. Delaney, seconded by Dr. Bloch denied her request for an extension. The Board requested that she submit proof of completion of all continuing education courses taken for this biennial renewal.

COMMITTEE REPORTS:

Dental Applications:

The committee recommended that the following applications be approved for a dental license by N.E.R.B. past five years:

- Dr. Susanna Kayserman
- Dr. Margaret Farrell
- Dr. Marina Dukler

The committee recommended that the following applications be approved for a dental license by reciprocity:

- Dr. James Reinmiller
- Dr. John L. Santopolo

Dr. Tehreem Butt - The committee recommends that this application for a dental license be denied. Dr. Butt obtained a certificate from NYU but not a DDS or DMD degree as required by the regulation.

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

Dental Auxiliaries Applications:

1. **Mary Hess** - The committee recommends that this application for a dental hygiene license be approved for licensure by credentials.

2. **Mohamed Arafa** - The committee discussed this application for a Registered Dental Assistant registration. Mr. Arafa is a foreign dental graduate. He has passed the Expanded Functions exam but does not have a CDA certificate. The committee determined that Mr. Arafa must take the CDA exam in order to qualify for an RDA registration.

Continuing Education Committee:

1. The Board approved the continuing education courses given by the NJDA at their Annual Convention in June.

PROPOSED REGULATIONS:

1. The Board reviewed the adopted Regulation - Department of Banking and Insurance - Medical and Dental Fee Schedule - Automobile Insurance Personal Injury Protection and Motor Bus Medical Expense Insurance Coverage. This was taken as informational.

2. N.J.A.C. 13:30-8.18 - Proposed Rule on Dental Decisions Affecting Treatment; Obligations; Professional Misconduct. Deputy Attorney General Nancy Costello Miller advised the Board that she was in the process of reviewing the comments submitted and requested that this proposal be tabled to the next meeting. The Board will discuss this matter at its April 17th meeting at 8:15 A.M.

LEGISLATION:

1. **S-1224** - Provides for fingerprinting of certain applicants or employees and exchange of criminal history records. The Board in a motion by Ms. Delaney, seconded by Dr. Samansky voted in support of this legislation. Dr. Bloch was opposed.

INCIDENT REPORTS:

1. John F. Midlige, D.M.D.

2. Robin Feinberg, D.M.D.
3. Steve E. Baskin, D.D.S.
4. Pen-Hua Wang, D.D.S.

The Board took these reports as informational.

DEPUTY ATTORNEY GENERAL'S REPORT:

1. **Bruce Kaczer/Royal Dental Labs** - The Board reviewed a copy of the Filed Order in this matter entered in Superior Court, Essex County, further unlicensed practice of dentistry. The Order requires payment of \$37,500 penalties, \$6,504.78 in costs and \$7,737.58 in attorney fees and permanently enjoins Mr. Kaczer from offering dental services.

REQUEST FOR MODIFICATION OF BOARD ORDER:

1. **Salvatore Napoli, D.D.S., M.D.** - The Board reviewed a request for modification of the Board's Reinstatement Order filed on April 13, 2000. The Board determined that Dr. Napoli be scheduled for a status conference before any action will be taken.

OTHER MATTERS:

1. **Eileen E. Sullivan, R.D.H.** - The Board reviewed an inquiry whether she could form a professional service corporation and provide dental hygiene services to individual dental offices. The Board referred this matter to Deputy Attorney General Nancy Costello Miller for research.

2. **Cleber P. Silva, D.D.S.** - The Board reviewed an inquiry concerning a proposed dental and medical service plan. The Board referred this matter to Deputy Attorney General Nancy Costello Miller for research.

3. **ADA** - The Board reviewed a request for written comments to the proposed changes to ADA policies guidelines for licensure and specialty licensure. Comments were to be submitted by April 1st. It did not allow the Board sufficient time to respond. During discussion of this matter the Board expressed concerns with the proposed changes. The Board in a motion by Dr. Orlicchio, seconded by Dr. Samansky determined that this matter be placed on the May 1st agenda for further discussion and the drafting of an appropriate response.

4. The Board reviewed a letter from Lewis H. Robertson, Esq. concerning Dr. William S. Wood, Jr. with respect to a local ordinance requiring emergency access to premises and confidentiality issues. Deputy Attorney General Nancy Costello Miller will research this matter and report back to the Board.

SECRETARY'S LIST:

1. The list of applicants for licensure were approved by the Board.

NOT ON THE AGENDA:

1. The Board discussed the possibility of requiring licensees that any continuing education course mandated by Board Order should include a post evaluation test. The Board in a motion by Dr. Rich, seconded by Ms. Delaney referred this matter to an Ad-Hoc committee consisting of Dr. Rich, Ms. Delaney and Dr. Ricciani for their recommendation.

ADJOURNMENT:

A motion was made by Dr. Bloch, seconded by Dr. Samansky to go into Executive Session for the purposes of discussing disciplinary matters and consumer complaints.

The public session of the meeting adjourned at 11:30 P.M.

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