

**NEW JERSEY STATE BOARD OF DENTISTRY  
PUBLIC SESSION MINUTES  
BOARD OFFICE APRIL 5, 2006  
NEWARK, NEW JERSEY**

ATTENDANCE: The following members were in attendance:

Peter DeSciscio, DMD; Maxine Feinberg, DDS; Ms. Karen Golding; Alexander Hall, DMD; Sally-Jo Placa, DMD; John Ricciani, DMD; Arnold Rosenheck, DMD

OTHER ATTENDEES: Deputy Attorneys General Nancy Costello Miller and Joseph Donofrio; Kevin Earle, Executive Director; Cecilia Moreira, Senior Management Assistant; Michael Dominach, Paralegal.

ABSENT AND/OR EXCUSED: Emil Cappetta, DDS; Ms. Belinda Caraballo; Patricia Delaney, RDH, Ed.M; Herbert Dolinsky, DDS; Beverly Kupiec, RN, Ph.D;

NOTE: Ms. Golding arrived at 10:00 A.M.

Dr. Feinberg left the meeting at 10:00 and returned at 12:30.

Dr. Ricciani left at 1:30 P.M.

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

THE BOARD MET IN COMMITTEE FOR LACK OF A QUORUM

**A. APPROVAL OF MINUTES:** March 1, 2006 - Approved as amended. March 15, 2006 - Approved as amended.

**B. COMMITTEE REPORTS:**

1. Credentials:

Dental Applications:

Dr. Marcy Woll - Application for a dental license by N.E.R.B. past five years. Dr. Woll meets all requirements for licensure. The committee recommends approval.

Dr. Marcy Borofsky - Application for a dental license by N.E.R.B. past five years. Dr. Borofsky meets all requirements for licensure. The committee recommends approval.

Dental Auxiliaries:

Jennifer Monticello - Application for a Registered Dental Assistant registration. Ms. Monticello meets all requirements for licensure. The committee recommends approval.

Mildred Albert - Application for a Registered Dental Assistant registration. The committee recommends that Ms. Albert be scheduled for an appearance concerning information disclosed on her application.

Nicole Diana - Application for a Registered Dental Assistant registration. The committee recommends that Ms. Diana be scheduled for an appearance concerning information disclosed on her application.

Tammy Moreiro - Application for a Dental Hygiene license. Ms. Moreiro meets all requirements for licensure. The committee recommends approval.

Alma Nin - Application for a dental hygiene license. Ms. Nin meets all requirements for licensure. The committee

recommends approval.

## 2. Botox Committee Report:

The Botox committee presented a report that contemplates the adoption of a regulation imposing an educational requirement before using Botox or fillers and the issuance of a permit. After discussing the recommendations of the committee, the Board determined to refer this matter back to committee for further review and consideration.

## C. PROPOSED LEGISLATION:

1. A-734 - The Board reviewed proposed legislation that "provides that information about residence of persons licensed by certain professional boards shall not be disclosed to the public." The Board supports this legislation.
2. A-2761 - The Board reviewed proposed legislation that "changes criteria for eligibility to receive limited teaching certificates in dental schools." Dr. Rosenheck and Dr. Ricciani were recused because of their affiliation with UMDNJ. The Board determined to table this matter and requested that additional information be obtained from UMDNJ concerning the criteria to be used. Dr. Cecile Feldman, Dean of the New Jersey Dental School, will be requested to attend the next public session meeting.

## D. REQUEST FOR REINSTATEMENT OF LICENSE FOLLOWING DISCIPLINARY ACTION:

1. Daniel Ripps, D.D.S. - The Board reviewed a request from Dr. Ripps for reinstatement of license which was revoked on May 17, 1995. The Board in a motion by Dr. Placa, seconded by Dr. Hall, moved this matter to Executive Session for deliberation.

The Board determined that he be requested to provide a copy of his C.V., proof of completion of eighty hours of continuing education credits, and a statement regarding rehabilitation. Once this information is received, an appearance will be scheduled.

2. Robert Posner, D.D.S. - The Board reviewed correspondence submitted by the Louis E. Baxter, Sr., M.D., Executive Medical Director, Professional Assistance Program, supporting reinstatement of Dr. Posner's license, which was suspended June 19, 1998. The Board in a motion by Dr. Placa, seconded by Dr. Hall, moved this matter to Executive Session for deliberation.

The Board determined that a letter be sent to Dr. Posner's therapist, Dr. Steven N. Gold, questioning whether Dr. Posner is fit to resume the practice of dentistry. Once this information is received, Dr. Posner will be scheduled for an appearance before the Board.

## E. INCIDENT REPORTS:

The Board reviewed the following incident reports:

1. Barry Elbaum, D.D.S. - The Board took this report as informational.
2. Efema Eguaihor-Nwajei, D.D.S. - The Board determined to obtain a copy of the patient's records, medical history and follow-up treatment performed.
3. Jin S. Park, D.D.S. - The Board determined to send Dr. Park a letter of advice concerning the medical history form. Affirmative responses by a patient on the medical history form must be pursued and salient details obtained.

## F. OTHER MATTERS:

1. Ira L. Cooper, DMD - The Board reviewed a request for an extension to complete the continuing education required by Board's Settlement Letter. The Board in a motion by Dr. Placa, seconded by Dr. Hall, granted a six month extension.

2. Frank M. Rosen, DMD - The Board reviewed a request from Dr. Rosen to work as a dental assistant. The Board in a motion by Dr. Rosenheck, seconded by Dr. Ricciari, moved this matter to Executive Session for deliberation.

The Board determined that he be advised that he can work as an unregistered dental assistant. If he wants to be a Registered Dental Assistant he will have to submit an application and meet the requirements for licensure.

3. The Board reviewed an inquiry from Robert S. Webber, DDS concerning the issue of abandonment of treatment by a patient. He indicates that a patient is in the midst of major prosthetic reconstructive work which was completed through the biscuit bake phase. The patient has not returned for continuation of treatment since October 2005. The Board recommended that he document his efforts to contact the patient in the patient's chart.

4. The Board reviewed an inquiry from the American Association of Oral and Maxillofacial Surgeons requesting the Board's policy regarding the performance of Microdermabrasion in dental offices. The Board noted that they do not have a policy at this time. The Board has determined microdermabrasion not to be within the scope of practice of dentistry.

#### **G. APPEARANCES:**

1. 2:00 P.M. - John D. Rosa, D.D.S. - Appearance concerning the reinstatement of his dental license which was voluntarily surrendered on November 28, 2005.

Dr. Rosa appeared with counsel, Pamela Mandel, Esq. Louis E. Baxter, Sr., M.D., FASAM from the Professional Assistance Program was also present.

The Board discussed the circumstances which led to the surrender of Dr. Rosa's license. Dr. Rosa had used cocaine and had obtained prescription medication under false pretenses by using fictitious patient names on more than one occasion. Dr. Rosa testified that he successfully completed a program at Marworth, is enrolled in the Professional Assistance Program, is in therapy with Dr. Beth Caton for weekly sessions. In addition he is actively participating in the 12-Step Program and attends NA meetings.

At the conclusion of testimony by Dr. Rosa and questions from the Board the inquiry was ended.

The Board moved to Executive Session for deliberation.

After discussing this matter the Board determined to reinstate Dr. Rosa's license with the following conditions:

- No CDS privileges
- Work hours limited to 20 hours per week plus the 8 hours in the residency at Staten Island Hospital.
- Continued participation in the Professional Assistance Program to include twice weekly urine screens.
- Attendance at AA/NA meetings.
- Continued therapy with Dr. Beth Caton.
- Payment of the investigative costs in lieu of a penalty.
- Request for modification to the number of work hours will not be entertained for at least six months.

#### **ADJOURNMENT:**