

**NEW JERSEY STATE BOARD OF DENTISTRY  
PUBLIC SESSION MINUTES  
BOARD OFFICE  
NEWARK, NEW JERSEY MAY 7, 2008**

The Public Session of the meeting was called to order by the President, Dr. Maxine Feinberg, at 10:00 A.M.

**ATTENDANCE:** The following members were in attendance:

Emil Cappetta, DDS; Peter DeSciscio, DMD; Herbert Dolinsky, DDS; Maxine Feinberg, DDS; Karen Golding; Alexander Hall, DMD; Beverly Kupiec, RN, Ph.D.; John Ricciani, DMD

**OTHER ATTENDEES:** Deputy Attorneys General Miller and Joseph Donofrio; Executive Director, Jonathan Eisenmenger; Michael Dominach, Paralegal and Cecilia Moreira, Senior Management Assistant

**ABSENT AND/OR EXCUSED:** Ms. Belinda Caraballo; Patricia Delaney, RDH, Ed.M; Sally-Jo Placa, DMD; Arnold Rosenheck, DMD

**NOTE:** Ms. Golding arrived at 10:30 A.M.  
Dr. Kupiec left at 1:00 P.M.

**I. EXECUTIVE DIRECTOR'S REPORT:**

1. Executive Director Jonathan Eisenmenger reported that 188 applications were received and 105 licenses/permits were issued.

**II APPROVAL OF MINUTES:** April 2, 2008 - Approved as amended.  
April 16, 2008 - Approved as amended.

**III. COMMITTEE REPORTS:**

Dental:

1. Dr. Jason Gordon - Application for a New Jersey dental license. Dr. Gordon meets all requirements for licensure. The committee recommends approval.

2. Dr. Barbara Womack - Application for a New Jersey dental license. Dr. Womack meets all requirements for licensure. The committee recommends approval.

3. Dr. David Faust - Application for a New Jersey dental license. Dr. Faust meets all requirements for licensure. The committee recommends approval.

Dental Auxiliaries:

1. Laura Schuander - Application for reinstatement of her dental hygiene license. Ms. Schuander needs an additional eight hours of continuing education in order to qualify for reinstatement. Once this is received, the committee recommends approval of license.

2. Penny Elshen- Application for reinstatement of her dental hygiene license. The committee noted that Ms. Elshen has not practiced for at least five years and recommends that she take a refresher course prior to reinstatement.

3. Robin Machtinger - The committee discussed Ms. Machtinger's request for reinstatement of her dental hygiene license. The committee noted that Ms. Machtinger has not practiced for at least five years and recommends that she take a refresher course prior to reinstatement.

#### Continuing Education:

The committee reviewed nine continuing education courses and recommends approval of these courses.

The Board in a motion by Dr. Hall, seconded by Dr. Cappetta, approved the committee's recommendations.

#### **IV REPORTS SUBMITTED PURSUANT TO N.J.A.C. 13:30-8.8:**

1. Dr. Charles J. Rose - The Board took this as informational.
2. Dr. Maxine Strickland - Dr. Ricciani was recused because of his affiliation with UMDNJ. The Board took this report as informational.
3. Dr. Bassam k. Massabny - The Board determined that a copy of the patient's chart and a narrative be obtained from the treating dentist.
4. Dr. Allyn N. Holtzin- The Board took this as informational. Dr. Hotzin will be thanked for providing the report on behalf of Burlington County College.
5. Dr. Gaetano G. Spinnato - Dr. Ricciani was recused because of his affiliation with UMDNJ. The Board took this report as informational.
6. Dr. Edwin F. Eisenberg - The Board took this as informational.
7. Dr. August D. Pellegrini - The Board took this as informational.

#### **NOTE:**

Ms. Golding arrived at this time. 8. Dr. Scott A. Krosser - The Board in a motion by Dr. Hall, seconded by Dr. Dolinsky, moved this matter to Executive Session.

9. Dr. Ronald Federman - The Board took this as informational.

#### **V. PROVISIONAL ORDERS TO BE FINALIZED:**

1. Dr. Alexander Musheyev - Provisional Order of Discipline. This matter was tabled.

#### **VI. PROVISIONAL ORDER/REQUEST FOR REINSTATEMENT:**

1. Dr. Gerald Hirsch - This matter was moved to Executive Session for deliberation.

The Board in a motion by Dr. Hall, seconded by Dr. Cappetta, determined that a public hearing be scheduled.

#### **VII. OTHER MATTERS:**

1. The Board reviewed additional information from Dr. Neal A. Demby & Dr. Susan L. Dietrich concerning the Lutheran Medical Center dental resident placement in New Jersey to treat underserved populations. During discussion of this matter, the Board requested that additional information be obtained including an inquiry to other states to determine how this

matter is handled in their state. The Board also requested that CODA be contacted to determine how AEGD programs are defined. The Board in a motion by Dr. DeSciscio, seconded by Dr. Dolinsky, determined to table decision in this matter to the next meeting.

2. The Board reviewed correspondence from Paul G. Orlando, Chief, Bureau of Radiological Health, seeking input from the Board regarding the scope of practice of dental hygiene, specifically the use of new x-ray technology known as Cone-Beam Computed tomography. During the Board's discussion of this matter, it was noted that dental hygienists could perform this function so long as they have appropriate training. The Board questioned whether schools are incorporating such material as part of their curriculum. Paul Bent from the Dental Hygiene Association and Arthur Meisel, Esq., for the New Jersey Dental Association, will provide the Board with their respective association's positions on this matter. The Board tabled this matter pending additional information.

3. The Board reviewed correspondence from Arthur Meisel, Esq., New Jersey Dental Association, concerning the use of Sargenti paste. He also provided a copy of a policy statement released by the Ohio State Dental Board. The Board noted that this policy was sound. The Deputy Attorney General will review the matter and determine whether a policy statement is an appropriate vehicle to address the matter. The Board thanks Mr. Meisel for the information provided.

4. The Board reviewed an inquiry from Leonard Swimmer, DDS, concerning a New Jersey statute NJSA 2A:53A-41 which defines the qualifications for an "Expert Witness" to act in judicial proceedings. The Board took no position with regard to his first question, indicating that qualification of experts is a matter left to the court. With regard to his other question, the Board noted that claims review is the practice of dentistry, but not the clinical practice of dentistry.

5. The Board reviewed an inquiry from John F. Coelho, Johnson & Johnson, questioning whether the company needs a dental clinic permit for its facility. The Board question whether this is a research or corporate clinic. The Board determined that additional information be obtained.

6. Dental Organization for Conscious Sedation - The Board reviewed correspondence from John P. Bitting, Esq., seeking approval of their 24-hour course for the renewal of the enteral sedation permit. The Board noted that the course for the renewal of the permit does not have to be hospital based. The Board referred this matter to the committee to determine whether all other requirements have been met.

7. NERB - The Board reviewed correspondence concerning the following: - Copy of "Nominating Committee Report." - Copy of "Progress Notes." The Board took this as informational.

## **VIII. COMMENTS FROM THE PUBLIC:**

1. Paul Bent from the Dental Hygiene Association thanked the Board for its assistance with regard to the process in obtaining criminal history background checks for the dental auxiliaries.

2. Dr. Steven Fink, President elect for the New Jersey Dental Association, who regularly attend the Board of Dentistry meetings, noted this will be his last regulat meeting as a NJDA officer and thanked the Board members for their work.

3. Athur Meisel, Esq., for the New Jersey Dental Association, advised the Board of an issue involving dentists that have failed to renew their CDS registration and that it could take four to six weeks for reinstatement. The Board noted that this matter will be taken on a case by case

basis and it will consider all factors should an issue arise.

#### **IX. APPEARANCES:**

1. 11:30 A.M. - Juan Rosado - Mr. Rosado appeared before the Board to discuss information disclosed on his application for a registered dental assistant registration.

Mr. Rosado provided the Board with details surrounding the incidents described on the application.

The Board in a motion by Dr. Ricciani, seconded by Dr. Cappetta, determined to grant the registration with a letter of advice concerning future similar incidents.

#### **ADJOURNMENT:**