

**NEW JERSEY STATE BOARD OF DENTISTRY  
PUBLIC SESSION MINUTES  
BOARD OFFICE  
NEWARK, NEW JERSEY JULY 6, 2005**

The meeting was called to order by Dr. Herbert Dolinsky, Vice-President of the Board.

ATTENDANCE: The following members were in attendance: Emil Cappetta, DDS; Patricia Delaney, RDH, Ed.M; Peter DeSciscio, DMD; Herbert Dolinsky, DDS; Maxine Feinberg, DDS; John Ricciani, DMD; Arnold Rosenheck, DMD

OTHER ATTENDEES: Deputy Attorneys General Nancy Costello Miller and Joseph Donofrio; Michael Dominach, Paralegal; Cecilia Moreira, Senior Management Assistant; Lynn Edler, Head Clerk.

ABSENT AND/OR EXCUSED: Alexander Hall, DMD; Sally-Jo Placa, DMD; Beverly Kupiec, RN, Ph.D.

**A. APPROVAL OF MINUTES: June 8, 2005 - Approved as amended.**

**A. COMMITTEE REPORTS:**

1. Pending Applications:

Dental:

The following applicants meet the requirements for a New Jersey dental license by credentials and/or reciprocity. The committee recommends approval:

- Dr. Francisco Banchs
- Dr. Hardeek Patel
- Dr. David Moose

Dr. Woodley DeSir - The committee recommends that this application for a residency permit be approved. Dr. DeSir meets all necessary requirements.

Dr. Stanislaw Kaminski - Application for a New Jersey dental license. The committee recommends that Dr. Kaminski be scheduled for an appearance concerning the information disclosed on his application.

2. Continuing Education:

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

1. Regulatory Committee:

1. Committee report on a possible regulation change concerning "Digital Study Models." The Board in a motion by Dr. Rosenheck, seconded by Dr. DeSciscio, referred this matter to the Regulatory Unit for a modification to the Board's regulation to allow dentists the option of using traditional or digital models. Arthur Meisel, Esq., from the New Jersey Dental Association, questioned whether a regulation is required or if the Board can just interpret the current regulation to mean that traditional/digital models can be used. Maryann Sheehan, Esq. from the Regulatory Unit indicated that she would research this matter.

2. Discussion on a possible change to the regulation to allow dental hygienists to administer local anesthesia. The committee requested that Maryann Sheehan draft a regulation for their review and Board consideration. The committee will provide Mrs. Sheehan with the information required to draft this proposal.

### **C. SECRETARY'S REPORT:**

The Board in a motion by Ms. Delaney, seconded by Dr. Ricciani, approved the list of applicants for licensure.

### **D. NOMINATIONS:**

Nominations for President and Vice-President of the Board. Elections will be held at the August 3, 2005 meeting.

President

Dr. Feinberg, seconded by Ms. Delaney, nominated Dr. Dolinsky for President of the Board.

Vice-President

Ms. Delaney, seconded by Dr. Ricciani, nominated Dr. DeSciscio for Vice-President of the Board.

### **E. PROPOSED REGULATIONS:**

1. Proposed readoption with amendments: N.J.A.C. 13:30, proposed repeals: N.J.A.C. 13:30-1A.3, 1A.4, 2A and 8.5 and proposed repeals: N.J.A.C. 13:30-1A.3, 1A.4, 2A and 8.5 and proposed new rule: N.J.A.C. 13:30-8.6 - The Board reviewed copy of the five comments received.

NOTE: During discussion of Sunset Review the Board determined that an article be placed in the next Newsletter indicating that the patient's treatment record must be written in ink. This issue was also referred to the Board's regulation's committee.

The issue raised for Board consideration in allowing third-year dental school students to sit for the dental hygiene examination so that these students can provide dental hygiene services prior to their licensure as dentists was referred to the Board's regulation committee.

The Board determined to add on adoption a change to the continuing education requirements for dental hygienists. For the biennial renewal period commencing in January 2006 and thereafter, all licensed dental hygienists shall be required to complete 20 hours of continuing education every two years at the time of license renewal. This modification reflects the amendment to the Dental Practice Act increasing the required number of hours.

The Board in a motion by Ms. Delaney, seconded by Dr. DeSciscio, adopted the rules with the change noted . Change will be effective upon publication in the New Jersey Register.

2. Proposed Amendment: N.J.A.C. 13:30-8.1 - New Jersey Board of Dentistry Fee Schedules. No comments were received. The Board in a motion by Dr. Feinberg, seconded by Dr. Rosenheck, adopted the fee schedule. The new fees will be effective upon publication in the New Jersey Register.

### **F. PROPOSED LEGISLATION:**

1. A-4182 - The Board reviewed this proposed legislation which "deems utilization management decisions on behalf of certain insurers to be practice of health care profession." The Board took this as informational.

### **G. COSTS TO BE DETERMINED PER BOARD'S ORDER:**

1. Joel P. Kurtz, DMD - This matter was moved to Executive Session for discussion. When made, the Board's determination on the matter will be reported in public session.

## **H. INCIDENT REPORTS:**

1. David L. Sykes, DMD - This matter was moved to Executive Session for discussion.
2. Michele L. Horin, DMD - The Board took this as informational.
3. Nancy Herbst, DDS - The Board took this as informational.

## **I. OTHER MATTERS:**

1. Laura Leach - The Board reviewed a letter from Ms. Leach indicating her resignation from her position as a member to the Board. This was taken as informational.
2. The Board reviewed a letter from Jack L. Roemer, DDS, requesting consideration in granting continuing education credits for dentists who volunteer for the Donated Dental Services Program. He indicates that the State of Minnesota, Board of Dentistry, as a way of promoting community service, has approved a system in which dentists can fulfill some of their continuing education hours by volunteering for charitable programs. The Board requested that the Minnesota Board be contacted for information concerning their system on this issue. The Board agrees that Donated Dental Services Program is a worthwhile program and the volunteers should be honored for their service.
3. Jane Jager, DMD - The Board reviewed a request to treat the reinstatement of her license nunc pro tunc to October 31, 2003. The Board moved this matter to executive session for discussion. The Board denied this request.
4. David I. Kalter, DMD - The Board reviewed his request for removal of the requirement to submit triplicate prescriptions per the Board's Order. The Board in a motion by Dr. Rosenheck, seconded by Dr. Cappetta, determined to remove this restriction.
5. Dwight E. Garcia, DMD - The Board reviewed a request for removal of disciplinary action from his record. The Board moved this matter to Executive Session for discussion. The Board determined that he be advised that the Board cannot expunge a record. This would require a legislative change.
6. Affiliated Monitors, Inc. - The Board reviewed information concerning their practice monitoring and compliance services for healthcare professionals. The Board determined that a committee of the Board, consisting of Dr. Feinberg, Dr. Dolinsky and Dr. DeSciscio, meet with these individuals to obtain additional information concerning their program.
7. The Board reviewed letters from Dr. George H. Heflich, Jr. and David J. Pettigrew, DMD, questioning whether a non-dentist can collect a "Toothprint". The Board in a motion by Dr. Feinberg, seconded by Ms. Delaney, determined that these licensees be advised that the procedure as described does not appear to be the practice of dentistry over which the Board would exercise its regulatory authority.
8. ADA - The Board reviewed a copy of the Accreditation Standards for Dental Assisting and Dental Hygiene Education Programs per the Board's request. This matter was tabled. Ms. Delaney will review and report at a future meeting.
9. Correspondence from the following concerning the National Clinical Examination (ADEX): (Tabled from the June 22, 2005 meeting.)
  - Philip Elwood, Esq. - American Board of Dental Examiners, Inc. (ADEX) membership.
  - Dr. Richard Haught, ADA President
  - Correspondence from Jerrold H. Cohen, DMD, Board President, Maine Board of Dentistry, to Dr. Richard

Haught, President, American Dental Association.

- Lorin Peterson, DDS, WREB President

The Board tabled this matter.

10. The Board reviewed an article entitled "Grisly Effect of One Drug: 'Meth Mouth'". The Board took this as informational.

**J. APPEARANCE:**

1. 11:30 A.M. - Michele Scurti - Appearance concerning information disclosed on her application for a New Jersey dental hygiene license. Ms. Scurti appeared before the board and discussed the specifics concerning the arrest. She indicated that the charges are being dismissed and she is moving for an expungement.

The Board in a motion by Dr. Feinberg, seconded by Dr. Rosenheck approved her application for a dental hygiene license. A letter of advice will be sent to the applicant noting that future incidents may result in disciplinary action.

**ADJOURNMENT:**