

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

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

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

ABSENT AND/OR EXCUSED: Emil Cappetta, DDS; Ms. Belinda Caraballo; Beverly Kupiec, RN, Ph.D.; Sally-Jo Placa, DMD

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

Executive Director Jonathan Eisenmenger reported on the following:

1. The Division of Consumer Affairs has a new Director, David Szuchman.
2. The Board considered a memorandum from the Executive Director requesting that the Board consider modifying the reinstatement fees charged to licensees desiring to change their license status from "Inactive" or "Retired" to "Active" status. The Board voted to apply the \$200 reinstatement fee to licensees who are in "Expired" or "Inactive- Unpaid" status. The Board also voted that licensees in "Retired" or "Inactive-Paid" status are exempt from paying the reinstatement fee.

The Board voted to initiate a change in the fee schedule to assess a different amount to licensees wishing to reinstate their license from "expired" or "inactive-unpaid" status. This will require a regulatory change. The discussion ended with a recommendation that dentists in this status be required to pay a \$200 reinstatement fee, and hygienists and assistants be required to pay a \$100 reinstatement fee.

**II. COMMITTEE REPORTS:**

1. Credentials:

Dental:

- Dr. Mary Johnson - Application for a New Jersey dental license. Dr. Johnson meets all requirements for licensure. The committee recommends approval.
- Dr. Eli Eliav - Dr. Rosenheck was recused because of his affiliation with UMDNJ. Application for a limited teaching certificate. Dr. Eliav received his dental degree from The Hebrew University, Israel. The Board discussed the limitations on practice to "Clinical facilities" . The Board directed the Executive Director to obtain current C.V., Dr. Eliav's schools transcripts and description of current activities at UMDNJ.
- Dr. Renuka Maringanti - Application for a New Jersey dental license. This applicant failed the NERB exam four times at which time she took a one year residency. The committee recommends that this be accepted as remediation in the subject area in order to qualify for a New Jersey dental license.
- Dr. Joseph Haimson - Application seeking reinstatement of his New Jersey dental license which was retired. The Board in a motion by Ms. Delaney, seconded by Dr. Rosenheck, approved the reinstatement of Dr. Haimson's license. Dr. DeSciscio abstained.

## Dental Auxiliaries:

- Danette Daniels - Application for a registered dental assistant registration. Ms. Daniels meets all requirements for licensure. The committee recommends approval.
- Ann Fetner - Application for reinstatement of her dental hygiene license which expired in 1997. The committee recommends approval pending receipt of a completed application.

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

Johnson & Johnson - The Board considered a request for a clinic permit from Johnson & Johnson (J&J) to conduct research into consumer dental products. The Board discussed the issues involved in the statutory definition of a dental clinic, and also the procedures J&J plans on performing in such a facility. The Board voted to approve the dental clinic permit, provided that they conform to the regulatory requirements for such clinics.

NOTE: The Board established a committee consisting of Ms. Delaney, Dr. DeSciscio, Dr. Hall and Dr. Feinberg to consider a change to the regulation.

### **III. NOMINATIONS FOR PRESIDENT AND VICE-PRESIDENT OF THE BOARD:**

#### President:

A motion was made by Dr. Rosenheck, seconded by Dr. Feinberg, nominating Dr. Hall for President of the Board. A motion to close the nominations was passed.

#### Vice-President:

A motion was made by Ms. Delaney, seconded by Dr. DeSciscio, nominating Dr. Cappetta for Vice-President of the Board. A motion to close the nominations was passed.

### **IV. PROPOSED LEGISLATION:**

1. S-1767 - Provides prescriber or health care facility with discretion to number prescription blank forms consecutively. The Board took no position.

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

#### Additional information requested:

1. Dr. Lawrence M. Gorzelnik - The Board took this as informational.

#### New Reports:

1. UMDNJ - New Jersey Dental School (2 reports) - The Board took this as informational.
2. Dr. Carmella Fanelle - The Board took this as informational. Dr. Fanelle will be requested to use the Board' incident report form for future incidents.
3. Dr. John E. Feeney - The Board took this as informational.
4. Dr. Deolinda Reverendo - The Board took this as informational.
5. Dr. James F. Skiba - The Board took this as informational.

6. Dr. Paul F. Varnis - The Board took this as informational.
7. Dr. William C. Pollak - The Board took this as informational.
8. Dr. Stephen B. Kahn - The Board took this as informational.
9. Dr. Jonathan Sasportas - The Board took this as informational.

#### **VI. REQUEST FOR MODIFICATIONS TO THE BOARD'S ORDER:**

1. Dr. Robert Malfara - Request for modifications to the Board's Order. Moved to Executive Session. Following deliberation, the Board determined to increase Dr. Malfara's hours of practice each week from 10 to 32.

#### **VII. APPLICATION TO REMOVE TEMPORARY SUSPENSION:**

1. Dr. John Kallis - Request for removal of temporary suspension. Moved to Executive Session. The Board tabled this request at the request of Dr. Kallis's counsel.

#### **VIII. RESPONSE TO UNIFORM PENALTY LETTER:**

1. Dr. Rushabh K. Shah - The Board reviewed a response from Dr. Shah to a Uniform Penalty Letter issued for advertising violations. This matter was moved to Executive Session. The Board determined to rescind the Uniform Penalty Letter.

#### **IX. OTHER MATTERS:**

1. Dr. Frances J. Glenn - Request for approval for the sale of dental whitening, take home kits at salons. The Board moved this matter to Executive Session. Dr. Glenn will be advised that provision of dental services, in a salon, including whitening, requires appropriate dental equipment.
2. The Board reviewed correspondence from Arthur J. Nowak, DMD, Executive Director of the American Board of Pediatric Dentistry, concerning the term "Board Eligible". The Board noted that its regulations are silent in this matter. The Board's regulation does not use the term "Board Eligible." This matter was taken as informational.
3. The Board reviewed correspondence from Alice Deforest, AAP Executive Director for the American Academy of Periodontology concerning its statement on "Periodontal Examinations for Initial Dental Licensure." The Board took this as informational.
4. The Board reviewed an inquiry from Dr. Arthur W. Thurm questioning whether there are any regulations certifying the safety of nitrous oxide machines. The Board noted that there are no Board regulations that address this matter. Board members noted that the machines have a fail safe mechanism. The Board took this as informational.
5. The Board reviewed correspondence from Kristin Garrison from Professional Protector Plan for dentists concerning Botox and use of dermal fillers. The Board directed that Ms. Garrison be advised that a regulation will be proposed in the near future concerning this matter.
6. The Board reviewed a copy of new amendments to Florida Dental Practice Act. The Board took this as informational.

#### **X. APPEARANCES:**

1. 2:15 P.M. - Victor Terranova, D.M.D. - Appearance concerning the reinstatement of his New Jersey dental license.

At the conclusion of testimony by Dr. Terranova and questions from the Board the inquiry was ended. The Board moved to Executive Session for deliberation.

The Board approved reinstating his license via Consent Order limiting his practice with a one year probationary period, prohibiting the dentist from performing complicated extractions, and completing a two day refresher course in periodontics within one year. The dentist must also immediately report the outcome of the pending complaint in Connecticut.

**XI. PUBLIC COMMENT:**

1. Paul Bent - NJDHA - Supports the proposed regulation and hopes the process will move along quickly.

**ADJOURNMENT:**