

**NEW JERSEY STATE BOARD OF DENTISTRY
PUBLIC SESSION MINUTES
BOARD OFFICE
NEWARK, NEW JERSEY JULY 11, 2007**

ATTENDANCE: The following members were in attendance:

Patricia Delaney, RDH, Ed.M; Peter DeSciscio, DMD; Herbert Dolinsky, DDS; Maxine Feinberg, DDS; Ms. Karen Golding; Beverly Kupiec, RN, Ph.D.; John Ricciani, DMD; Arnold Rosenheck, DMD

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

ABSENT AND/OR EXCUSED Emil Cappetta, DDS; Ms. Belinda Caraballo; Alexander Hall, DMD; Sally-Jo Placa, DMD

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

I. APPROVAL OF MINUTES: June 20, 2007 - Approved as amended.

II NOMINATIONS:

1. Nominations for President and Vice-President of the Board.

President

A motion was made by Ms. Delaney, seconded by Dr. Dolinsky, nominating Dr. Feinberg for President of the Board.

Vice-President

A motion was made by Ms. Golding, seconded by Dr. Feinberg, nominating Dr. Hall for Vice-President of the Board.

III. COMMITTEE REPORTS:

1. Credentials:

Dental:

Dr. Robert From - Application for a New Jersey dental license. The Board in a motion by Dr. Ricciani, seconded by Dr. Feinberg, moved this matter to Executive Session for deliberation. The committee recommends approval.

Dr. John Kim - Application for a New Jersey dental license. Dr. Kim meets all requirements for licensure. The committee tabled this matter pending receipt of the data bank reports.

2. Continuing Education:

The committee recommends approval of nine applications for course approval.

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

JERM Examination - The Board discussed this examination, which is administered by NERB covering the areas of jurisprudence, ethics, and risk management. The Board discussed this as a possible tool to use for

remediation where a licensee has ethical or standard of care issues. This exam would not take the place of ProBe or PRIME. The Board requested that Dr. Ellis Hall from NERB be contacted to determine whether he would release this examination for the Board's review. The Board would agree to return the exam after its review.

IV PROPOSED REGULATIONS:

1. Professional Advertising, proposed amendment: N.J.A.C. 13:30-6.2. The comment period for this proposal ends July 20, 2007. The Board took this as informational. This proposal will be listed on the Board's August 8, 2007 for adoption along with comments received.

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

1. Dr. Edwin Eisenberg - The Board took this report as informational. The Board requested that Dr. Eisenberg be advised that future reports should be typed.

2. UMDNJ - New Jersey Dental School (Dr. Hani Braidy) - Dr. Ricciani was recused because of his affiliation with UMDNJ. The Board took this report as informational.

3. Dr. Wendy S. Brill - The Board requested that Dr. Brill provide the rationale for using the specific type and amount of local anesthetic.

4. Dr. Neetha Ravindra - The Board took this as informational.

5. UMDNJ - New Jersey Dental School (Dr. John Ricciani) - Dr. Ricciani was recused because of his affiliation with UMDNJ. The Board took this report as informational.

6. UMDNJ - New Jersey Dental School (Dr. Ira Saber) - Dr. Ricciani was recused because of his affiliation with UMDNJ. The patient was treated by Dr. Saber and Samirah Meymond (OMFS Resident, Bethesda, MD). The Board requested that a letter be sent to Dr. Vincent Ziccardi, Chairman of Oral Surgery Department at UMDNJ, requesting the nature of the exchange program and whether the individuals participating in this program meet the requirements for a residency permit.

VI. REQUEST FOR WAIVER OF THE CONTINUING EDUCATION COURSES:

1. Dr. Lawrence T. Rozanski - The Board reviewed a letter from Dr. Rozanski requesting a waiver of the continuing education courses required for licensure renewal. He indicates that he is 79 years old and is limiting his practice. The Board determined that in order to maintain an active license he must complete forty hours of continuing education. Twenty hours can be taken in home study courses. If he doesn't have the required continuing education, he may want to consider placing his license on retired status.

VII. REQUEST FOR CONFIRMATION THAT THE CONTINUING EDUCATION CREDITS TAKEN MEET THE BOARD'S REQUIREMENT FOR LICENSURE RENEWAL:

1. Dr. Carlos Bou Assi - The Board reviewed correspondence from Dr. Assi along with the continuing education credits he wants to apply toward the renewal of his New Jersey dental license. After discussing this matter the Board determined that the proofs submitted by Dr. Assi satisfy the continuing education requirements for the renewal of his license in November 2007.

VIII. RESPONSE TO UNIFORM PENALTY LETTER:

1. Dr. Edward Poller - The Board reviewed Dr. Poller's response to the Board's Uniform Penalty Letter for an advertising violation. The Board in a motion by Ms. Delaney, seconded by Dr. Rosenheck, moved this matter to Executive Session for deliberation. After discussing this matter the Board determined to sustain its original decision.

IX REQUEST FOR REINSTATEMENT OF LICENSE FOLLOWING DISCIPLINARY ACTION:

1. Dr. Joel Kurtz - The Board reviewed Dr. Kurtz' request for reinstatement of his New Jersey dental license. The Board in a motion by Dr. Feinberg, seconded by Ms. Golding, moved this matter to Executive Session for deliberation. The Board determined to table decision in this matter.

X. REPORTS FROM THE PROFESSIONAL ASSISTANCE PROGRAM:

1. Stacy J. Cupolo-Theibault, Dental Hygienist - The Board reviewed a report from the Professional Assistance Program. The Board in a motion by Dr. Feinberg, seconded by Ms. Golding, moved this matter to Executive Session for deliberation.

After discussing this matter, the Board determined that a strong letter be sent to Ms. Theibault indicating that she has violated the Consent Order and future violations will result in the automatic suspension of her license. She will also be advised that the Board will not entertain any requests for modification to the Board's Order for a minimum period of one year.

2. Carly Woodward, Dental Hygienist - The Board reviewed a report from the Professional Assistance Program. The Board in a motion by Dr. Feinberg, seconded by Ms. Golding, moved this matter to Executive Session for deliberation. The Board determined to table this matter and requested that a status report be obtained from PAP.

3. Dr. Marianne Mauro - The Board reviewed a request from PAP for reduction in her urine drug screens to random, twice-monthly and her follow-up appointments to every two months. The Board in a motion by Dr. Feinberg, seconded by Ms. Golding, moved this matter to Executive Session for deliberation. The Board determined that Dr. Baxter be advised that the Board will not consider this request until Dr. Mauro has at least six months at her new place of employment.

XI. PROOF OF COMPLETION OF THE PROBE/PRIME COURSE:

1. Dr. Patrick O. Bamgboye - The Board reviewed proof of completion of the ProBE program. The Board in a motion by Dr. Feinberg, seconded by Ms. Golding, moved this matter to Executive Session for deliberation. No action on this information is necessary at this time.

2. Dr. Joel Storm - The Board reviewed proof of completion of the ProBe course, which was required by Board Order October 25, 2006. The Board took this as informational.

3. Dr. Carl Tinkelman - The Board reviewed proof of completion of the PRIME course, which was required by Board Order dated January 17, 2007. The Board took this as informational.

XII. OTHER MATTERS:

1. The Board reviewed a request from Dr. Clifford Lisman for clarification of a practice's usual and customary fee. The Board in a motion by Ms. Delaney, seconded by Dr. Feinberg, determined that Dr. Lisman be advised that the matter presented in his letter is not an appropriate issue before the Board. He may want to contact the Department of Insurance or his legal counsel.

2. The Board reviewed correspondence from Dr. Arthur W. Thurm concerning rules for deep sedation and general anesthesia. The Board noted that Dr. Thurm raises important issues. This matter was referred to the Board's anesthesia committee (Dr. Dolinsky, Dr. Rosenheck, Dr. Riccianni) for review. The committee will also review the Medical Board regulations concerning this matter.

3. The Board reviewed a copy of an enteral sedation article from the Dental Organization for Conscious Sedation which was addressed to individual board members. The Board determined that a letter be sent to Michael D. Silverman, DMD, President of DOCS, advising that in the future all correspondence to Board

members must be conducted through the Board. The Board also determined that Dr. Silverman be advised that the Board of Dentistry supports use of enteral sedation and the Board's regulations are self explanatory. A copy of the regulations will also be sent to Dr. Silverman.

4. The Board reviewed an article from Richard F. Edlich, M.D., Ph.D., University of Virginia Health Care System, entitled "The need for informed consent for dentists who use mercury amalgam restorative material as well as technical considerations in removal of dental amalgam restorations." The Board determined that Dr. Edlich be advised that the Board continues to support the ADA, CDC, and World Health Organization's positions on the safety and efficacy of amalgams.

5. ADA - The Board reviewed a copy of the 2006 House of Delegates Actions on policy and issues related to dental education and licensure. The Board determined that this matter be referred to the Board's regulation committee to determine whether any change to the Board's current regulations is in order.

6. DANB - The Board reviewed a report of major actions of the Board of Directors of the Dental Assisting National Board, Inc., discussed at its Annual Meeting. The Board took this as informational.

7. (Not on the Agenda) - Arthur Meisel, Esq., Executive Director of the New Jersey Dental Association addressed the Board requesting clarification of a Board regulation. The regulation indicates that a licensee graduating in the first year of the renewal period requires twenty (20) hours of continuing education for licensure renewal. Mr. Meisel questioned as to the number of hours that can be taken via home study. The Board noted that the regulation does not specify, however, the intent of the regulation was that half of the courses submitted should be via home study.

8. (Not on the Agenda) - Arthur Meisel, Esq., Executive Director of the New Jersey Dental Association, addressed the Board on NJDA drafted proposed legislation which would provide continuing education credit to dentists who render dental services to eligible persons, free of charge.

This draft has not yet been introduced or sponsored. Mr. Meisel is looking for input from the Board and its support. Mr. Meisel stated that this would assist in the need for access and delivery of dental care to the public. He believes this would be a public service and would save the State money. The Board discussed some concerns, specifically, on the implementation of this program and how it would affect Medicaid.

After discussing this matter, the Board, in a motion by Dr. Feinberg, seconded by Dr. Ricciani, indicated that it supports the concept and efforts of the New Jersey Dental Association to create such a program. The Board will work with the Association on any changes required to this draft.

XIII. APPEARANCE:

1. 11:30 A.M. - Dr. Kyung E. Sung - Dr. Sung appeared before the Board concerning information disclosed on her application for a New Jersey dental license.

Dr. Sung discussed her educational background. She also provided the Board with details concerning the arrest disclosed on her application.

At the conclusion of her testimony and questions from the Board, the matter was ended. The Board moved to Executive Session for deliberation. The Board returned to public session and found insufficient cause for action.

ADJOURNMENT: