

NEW JERSEY STATE BOARD OF DENTISTRY

PUBLIC SESSION MINUTES

BOARD OFFICE  
NEWARK, NEW JERSEY

JULY 25, 2012

**NOTE: The Public Session Agenda commenced at 9:30 A.M.**

ATTENDANCE: The following members were in attendance:  
Shirley Birenz, RDH; Mr. Steven Brisgel; Sheila Dashkow, DDS;  
Nicholas C. DeRobertis, DMD; Peter DeSciscio, DMD; Herbert  
Dolinsky, DDS; Maxine Feinberg, DDS; Roger M. Kriete, DMD; Beverly  
Kupiec, RN, PhD; Richard D. Riva, DDS

ABSENT AND/OR EXCUSED: Emil Cappetta, DMD; Lydia David, DMD

OTHER ATTENDEES: Deputy Attorneys General Miller and Oo; Cecilia Moreira, Senior  
Management Assistant

**I. APPROVAL OF MINUTES:** July 11, 2012 - Approved as amended.

**II. COMMITTEE REPORTS:**

1. Applications:

- Dr. Walter Silverstein - Application for New Jersey dental license by credentials.  
Dr. Silverstein graduated in 1966 from New York University and took the New York  
State exam. The Board in a motion by Dr. Feinberg, seconded by Dr. DeSciscio,  
approved this application.

2. Continuing Education:

The committee reviewed nine courses and approved all nine. The Board in a motion  
by Dr. Riva, seconded by Dr. DeRobertis, approved the committee's recommendations.

**III. HAND-OUTS:**

1. Dr. Patrick Bamgboye - The Board discussed a Consent Order signed by Dr. Bamgboye  
in which he, without admissions, agrees to surrender his license to practice dentistry  
effective immediately, pending the conclusion of the Board's investigation relating to  
death of a patient and further order of the Board. The Board in a motion by Dr.  
Feinberg, seconded by Dr. DeSciscio, determined to file the Order.

2. Dr. Richard Mercurio - The Board discussed a Consent Order filed on July 11, 2012 suspending Dr. Mercurio's enteral sedation permit until further order of the Board and requiring him to complete twenty hours of remedial continuing education in specific categories listed in the Order before he may treat patients under sedation. Dr. Mercurio submitted a request for approval of a preceptorship as opposed to the continuing education courses. The Board moved this matter to Executive Session for discussion. Upon return to public session, the Board did not approve Dr. Mercurio's proposal but indicated it would entertain other practitioners to give a 20 hour tutorial.
3. Articles entitled "Death, Greed at the Dentist: American Children at Risk" and "Plastics Chemical in Dental Fillings Might Affect Children's Behavior: Study." These were taken as informational.
4. Dr. Carlo Porcaro - The Board discussed Dr. Porcaro's failure to respond to Board inquiries in connection with pending complaints. The Board in a motion by Dr. Feinberg, seconded by Dr. DeRobertis, determined that a Provisional Order of Discipline be sent to Dr. Porcaro assessing a \$5,000 penalty for failure to cooperate and suspension of license until the requested records are provided.

#### **IV. PUBLIC COMMENT:**

1. Dr. Bryon Roshong - Dr. Feinberg was recused. Dr. Roshong from the New Jersey Dental Association questioned the Board on the process to have a webinar approved for remedial continuing education. He indicated that several dentists have contacted NJDA because they cannot locate the remedial courses mandated by the Board and that the courses are very costly. He also indicated that this webinar will be offered to all interested persons. The Board staff will assist Dr. Roshong through the review process.

#### **V. ADJOURNMENT:** The Board adjourned the Public Session and moved to Executive Session for advice of counsel and review of open matters (investigations and deliberations). When and if action is taken, it will be reported in Public Session.