

**NEW JERSEY STATE BOARD OF DENTISTRY
PUBLIC SESSION MINUTES
BOARD OFFICE
NEWARK, NEW JERSEY AUGUST 4, 2004**

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

ATTENDANCE: The following members were in attendance:

Emil Cappetta, DDS; Mr. Louis Cardenas, MBA; Patricia Delaney, RDH, Ed.M; Peter DeSciscio, DMD; Herbert Dolinsky, DDS; Alexander Hall, DMD; Sally-Jo Placa, DMD; John Ricciani, DMD; Barbara Rich, DDS; Arnold Rosenheck, DMD.

OTHER ATTENDEES:

Deputy Attorneys General Nancy Costello Miller and Joseph Donofrio, Kevin B. Earle, Executive Director, Terri Goldberg, Assistant to the Executive Director, Michael Dominach, Paralegal.

ABSENT AND/OR EXCUSED:

Ms. Laura Leach, MBA; Beverly Kupiec, RN, Ph.D

A. APPROVAL OF MINUTES: July 7, 2004 - Tabled to the next meeting.

B. COMMITTEE REPORTS:

Continuing Education:

The committee recommends approval of 13 continuing education courses. The Board in a motion by Ms. Delaney, seconded by Dr. Cappetta, approved the continuing education committee report.

C. SECRETARY'S REPORT:

The Board in a motion by Dr. Placa, seconded by Dr. DeSciscio, approved the list of applicants for licensure.

D. ELECTIONS:

Elections for President and Vice-President of the Board.

The Board discussed the possibility of holding a paper ballot. DAG Nancy Costello Miller advised that paper ballot may not be appropriate in light of the Open Public Meeting Act.. The Board requested that DAG Miller review this matter. A motion was made by Dr. Rosenheck, seconded by Dr. Rich, to table the election to the September meeting pending DAG Miller's advice in this matter.

E. REGULATIONS:

1. The Board reviewed a copy of the adopted New Regulation: N.J.A.C. 13:45A-27 concerning the NJ Uniform Prescription Blanks Program. The Board took this as informational.

2. Enteral Sedation - Executive Director Kevin Earle informed the Board that the proposed regulation concerning Enteral Sedation is scheduled for publication in The New Jersey Register on August 16, 2004 followed by the 60 day comment period.

F. LEGISLATIVE REVIEW:

1. S-1752 - The Board reviewed proposed bill which makes various revisions to the "Dental Plan Organization Act." The Board took no position in this matter.

G. OTHER MATTERS:

1. The Board scheduled the following meeting dates for 2005:

January 5th & 19th July 6th & 20th

February 2nd & 16th August 3rd & 17th

March 2nd & 16th September 7th & 21st

April 6th & 20th October 5th & 19th

May 4th & 18th November 2nd & 16th

June 8th & 22nd December 7th & 21st

Dr. Frank Graham, President of the New Jersey Dental Association, indicated that the NJDA would like the Board's presence at the NJDA conference. The Board decided to hold a full meeting including executive session during the NJDA conference in June 2005.

2. Ralph S. Reilly, DMD - The Board reviewed an inquiry concerning augmentation procedures. The Board directed that a letter be sent to Dr. Reilly asking for specifics as to what he plans to do with the such injections. Once this information is received it will be referred to the Board's committee reviewing this issue.

3. Joan Van Raalte, DMD - The Board reviewed a request for clarification of N.J.A.C. 13:30-8.22(b)2. The Board determined that a letter be sent advising Dr. Raalte that the regulation related to diagnostic testing contemplates that an MRI is appropriate following a panoramic or transcranial x-ray and six to eight weeks of conservative treatment. The Board indicated that the responses to the comments submitted during the comment period of this regulation will be sent to Dr. Raalte for her review. DAG Nancy Costello Miller will supply this information.

4. N.E.R.B. - The Board reviewed correspondence concerning the University of Vermont GPR residents. The Board took this as informational.

5. Lee M. Lichtenstein, DMD - The Board reviewed a letter concerning the pending regulation on enteral sedation. The information submitted will be kept on file to be considered during the Board's review of this matter.

6. Dr. Ricciani, President of the Board, thanked the Board members for their support and hard work during his term on the Board.

H. APPEARANCES:

1. 11:45 A.M. - Dr. Ismari Labrada - Dr. Labrada appeared before the Board concerning a pending application for a New Jersey dental license. Dr. Labrada appeared with counsel, Julio Morejon. Dr. Labrada was a practicing dentist for five years in Cuba before coming to the United States. She indicated that in order to help make ends meet financially, prior to receiving her dental license. She was performing dentistry on close friends and relatives, mostly cleanings and fillings. Dr. Labrada was prosecuted for the unlicensed practice of dentistry. She then enrolled in the NYU program and graduated with a dental degree in May 2004. Dr. Labrada is seeking licensure in New Jersey. She currently holds a license in New York.

The Board in a motion by Mr. Cardenas, seconded by Dr. Placa, approved her application for a New Jersey dental license. A letter will be sent reminding Dr. Labrada that employees working at her practice must be licensed if they are performing functions requiring licensure.

2. 1:30 P.M. - Dr. Arun Balakumar - Dr. Balakumar appeared concerning a pending application for a New

Jersey dental license. Dr. Balakumar was arrested in 2000 for a DWI. After hearing Dr. Balakumar's testimony, the Board moved to Executive Session for deliberation. The Board determined to table this application pending receipt of further information.

I. DISCIPLINARY MATTERS:

1. 11:00 A.M. - Hearing - I.M.O. the temporary suspension of Roy L. Rambo, D.M.D. DAG Hakima Bey outlined the allegations of the Verified Complaint relating to Dr. Rambo's actions in August 2002 when he shot his wife. Deputy Attorney General Bey asserted that his actions constituted professional misconduct, an offense involving moral turpitude or relating adversely to the practice of dentistry, demonstrated that he is incapable of discharging the functions of a licensee in a manner consistent with the public's health, safety and welfare and presented a clear and imminent danger to the public's health, safety and welfare.

DAG Hakima Bey requested that the Board temporarily suspend Dr. Rambo's license. Dr. Rambo who is presently incarcerated and awaiting trial submitted a letter addressed to Dr. Ricciani. That letter, in which Dr. Rambo asserted that he acted in self defense, was considered as an answer to the Board's complaint.

The Board in a motion by Dr. Rosenheck, seconded by Dr. Rich, temporarily suspended Dr. Rambo's license effective immediately. That suspension shall remain in effect pending the Board's disposition of the plenary proceedings in this matter or until further order of the Board. This matter shall be transferred to the Office of Administrative Law as a contested case.

ADJOURNMENT: