

**NEW JERSEY STATE BOARD OF DENTISTRY
PUBLIC SESSION MINUTES
BOARD OFFICE
NEWARK, NEW JERSEY AUGUST 8, 2007**

ATTENDANCE: The following members were in attendance:

Emil Cappetta, DDS; Patricia Delaney, RDH, Ed.M; Peter DeSciscio, DMD; Herbert Dolinsky, DDS;; Alexander Hall, DMD; Ms. Karen Golding; 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: Ms. Belinda Caraballo; Maxine Feinberg, DDS; Beverly Kupiec, RN, Ph.D.; John Ricciani, DMD; Sally-Jo Placa, DMD

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

I. APPROVAL OF MINUTES: July 11, 2007 - Approved as amended.

II. ELECTIONS:

Elections for President and Vice-President of the Board of Dentistry.

The Board in a motion by Dr. Dolinsky, seconded by Dr. Cappetta, elected Dr. Maxine Feinberg President of the Board and Dr. Alexander Hall as Vice-President.

NOTE: Dr. Dolinsky along with the rest of the Board thanked Dr. DeSciscio for a terrific job as President of the Board.

Dr. DeSciscio thanked the Board and the public for their support for the past year. He indicated that it was a privilege and honor to serve as President of the New Jersey State Board of Dentistry.

III. COMMITTEE REPORTS:

1. Credentials:

- Dr. Paul Ahn - The committee discussed this application for a New Jersey dental license. Dr. Ahn meets all requirements for licensure. The committee recommends approval.

- Dr. Alexander Kim - The committee discussed this application for a New Jersey dental license. The committee recommends that additional information be obtained with regard to responses on the application.

- Dr. John Kim - The committee discussed this application for a New Jersey dental license. Dr. Kim meets all requirements for licensure. The committee recommends approval.

2. Continuing Education:

The committee reviewed 27 applications for course approval. The committee recommends approval of all applications.

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

IV. 2008 BOARD OF DENTISTRY MEETING DATES:

The Board approved the following list of meeting dates for 2008:

January 2 & 16 (30 - committees)
February 6 & 20
March 5 & 19
April 2 & 16 (30 - committees)
May 7 & 21
June 4 & 18
July 2 & 16
August 6
September 3 & 17
October 1 & 15 (29 - committees)
November 5 & 19
December 3 & 17

V. PROPOSED REGULATIONS:

1. Professional Advertising, proposed amendment: N.J.A.C. 13:30-6.2. Comment was received from Stanley Gersch, DMD, President of the New Jersey Association of Orthodontists. Dr. Gersch indicates that it is the recommendation of the Association to request the Board refrain from changing the current regulations. He requests that the NJAO be given the opportunity to present their reasons. The Board determined to table this matter. A letter will be sent to Dr. Gersch advising him of the proposal and allowing any submissions for Board consideration to be sent to the Board office no later than August 30th. The Board will consider this matter at its September 5, 2007 meeting.
2. Botox Committee - The Board requested that the Botox committee meet with Maryann Sheehan, Regulatory Analyst, on September 5, 2007 to discuss the drafted regulation.

VI. PROPOSED LEGISLATION:

1. A-4382 - The Board reviewed proposed legislation which "delays expiration date of certain professional and occupational licenses for individuals with certain types of military service." The Board voted to support of this proposed legislation.
2. S-2844 - The Board reviewed proposed legislation which "establishes criminal penalties for health care professionals who provide false or misleading expert testimony or affidavit in medical malpractice actions." The Board members noted that although they understand this requires a remedy, the Board may be in a better position to assess the questionable testimony. An amendment to the Uniform Enforcement Act should be considered or some other mechanism to address an important public policy concern.

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

1. UMDNJ - New Jersey Dental School - The Board took this report as informational.

VIII. REQUEST FOR REMOVAL OF RESTRICTIONS OF LICENSE.

1. Dr. Robert Wollman - The Board reviewed a request for removal of restrictions placed on his license. The Board moved this matter to Executive Session for deliberation.

The Board determined that Dr. Wollman be scheduled for an appearance to discuss his request.

2. Dr. Joseph Duddy - The Board reviewed a request for removal of restrictions placed on his license. The Board moved this matter to Executive Session for discussion.

The Board determined to prepare a Consent Order removing the restrictions on Dr. Duddy's license.

IX. DEPUTY ATTORNEY GENERAL'S REPORT:

1. Vincent A. LaBruna, D.D.S. - The Board reviewed a response to Provisional Order of Discipline. The Board moved this matter to Executive Session for deliberation.

The Board returned to Public Session. The Board in a motion by Dr. Cappetta, seconded by Dr. Hall, accepted the conclusions of law with regard to the fraud conviction in New York. The Board adopted the findings of fact outlined by the Deputy Attorney General in paragraphs 3, 4 and 5 of the Provisional Order of Discipline. A mitigation hearing will be scheduled for October.

X. OTHER MATTERS:

1. The Board reviewed letters from the following licensees requesting the Board's guidelines for performing Botox and injectible fillers:

- Dr. Alexander Rockwell
- Dr. Robert From
- Dr. Michael Gruber

The Board determined that these individuals be advised that the Board intends to propose regulations regarding requirements for the use of such injectable agents or adjuvants. The Board requested that their names be placed on a list of interested parties who will be advised of the proposal.

2. The Board reviewed a letter from Jane E. Ligums, DMD requesting permission to provide hair removal treatment to her patients. The Board determined that Dr. Ligums be advised that this is not within the scope of practice of dentistry.

3. AADE - The Board reviewed information concerning "New ADA Proposed Documents on Sedation and General Anesthesia and Their Impact on State Regulation," at AADE Annual Meeting. The Board took this as informational.

4. ADEX - The Board reviewed a copy of 2006 Annual Report. The Board took this as informational.

5. (Not on the agenda) - The Board reviewed correspondence from Carl Greenberg, Esq. requesting whether the Board "has mandated, published or recommended standards regarding the maintenance, inspection, upkeep, and/or cleaning of dental water systems." The Board determined that he be advised that the Board does not have specific regulations. The Board expects its licensees to follow the recommendations set by CDC, OSHA and Department of Health.

XI. ITEMS MOVED FROM EXECUTIVE TO PUBLIC SESSION:

1. Dr. Kevin Ward - The Board reviewed a report from Richard Reichbart, Ph.D., along with a copy of the transcript of Dr. Ward's appearance before the Board held on April 4, 2007. After discussing this matter, the Board determined to reinstate Dr. Ward's license with restrictions. Dr. Ward will be permitted to treat all patients over the age 12 not to include handicapped patients and adult handicapped patients. He must continue with therapy.

XII. APPEARANCES:

1. 11:30 A.M. - William S. Ditchkus, DMD - Appearance concerning request for reinstatement of his New Jersey dental license which was suspended by Consent Order filed on May 16, 2007.

Dr. Ditchkus appeared with counsel, Richard West, Esq. Dr. Ditchkus discussed the events that led to the filing of the Board's Consent Order.

At the conclusion of all questions from the Board and testimony from Dr. Ditchkus the matter was ended.

The Board moved this matter to Executive Session for deliberation.

The Board determined that an Order be drafted reinstating Dr. Ditchkus license.

ADJOURNMENT: