

**NEW JERSEY STATE BOARD OF DENTISTRY
PUBLIC SESSION MINUTES
BOARD OFFICE
NEWARK, NEW JERSEY SEPTEMBER 3, 2008**

ATTENDANCE: The following members were in attendance:

Emil Cappetta, DDS; 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 Miller and Joseph Donofrio; Executive Director, Jonathan Eisenmenger; Cecilia Moreira, Senior Management Assistant

ABSENT AND/OR EXCUSED: Ms. Belinda Caraballo; Patricia Delaney, RDH, Ed.M; Beverly Kupiec, RN, Ph.D.; Sally-Jo Placa, DMD

NOTE: Ms. Golding was present for a portion of the meeting (11:00 to 4:00).

NOTE: The Public Session was called to order at 10:00 A.M. by Dr. Alexander Hall, President of the Board.

NOTE: Dr. Hall discussed his appointment as President of the Board.

He thanked Dr. Feinberg on her term as President for a job well done.

A moment of silence was taken in memory of Dr. Jack Roemer, Case Manager and Donna Ricciani, wife of Board member Dr. John Ricciani, both of whom passed away recently.

I. APPROVAL OF MINUTES: August 6, 2008 - Approved as amended.

II. COMMITTEE REPORTS:

1. Credentials:

- Dr. Sang Kim - Request for reconsideration of the Board's decision. Dr. Kim did not take the NERB exam, he took the California exam. The Board determined that Dr. Kim does not qualify for licensure because the examination taken is not comparable to NERB.

The committee questioned whether Dr. Kim is currently practicing as a resident in New Jersey.

- Dr. Howard Cohen - Application for limited professional registration certificate. The committee recommends approval of this application.

- Dr. Roger Harris - Application for a New Jersey dental license. This matter was moved to Executive Session for discussion. The Board determined that additional information be obtained.

- Dr. Steven Brenman - Application for a New Jersey dental license. The committee recommended approval of this application.

- Dr. Eric Blamires - Application for a residency permit. The committee recommended that additional information be obtained with regard to his training program.

- Dr. Joshua Bloch - Application for a New Jersey dental license. The committee recommended approval of this application.

- Dr. Martin Turk - Application for reinstatement of a New Jersey dental license. The Board moved this matter to Executive Session for discussion.

The Board in a motion by Dr. Rosenheck, seconded by Dr. Dolinsky, approved the committee's recommendations.

III. APPROVED LEGISLATION:

1. A-789 - Delays expiration date for certain professional and occupational licenses and registrations for individuals with certain types of military service. The Board took this as informational.

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

1. Dr. Philip J. Santora, Jr. - The Board reviewed an incident report. The Board determined that additional information be obtained with regard to the follow-up Dr. Santora had with the patient and the patient's current status.

2. Dr. Jeffrey L. Carroll - The Board took this report as informational. Dr. Carroll will be advised to use the incident report form in the future including the outcome and any follow-up with the patient.

V. DELIBERATION OF CASE FOLLOWING APPEARANCE OF AUGUST 6, 2008:

1. Dr. Gerald P. Hirsch - The Board continued its deliberations following a public hearing on August 6, 2008. Dr. Hirsch was present. The Board determined that additional information be obtained, specifically, the Board requested a list of all individuals Dr. Hirsch defrauded, as well as a list of potential dental employment opportunities.

VI. REQUEST FOR MODIFICATION TO THE BOARD'S ORDER:

1. Dr. Michael Felber - The Board discussed a request for modification to the Board's Consent Order filed on March 17, 2004. The Board moved this matter to Executive Session for deliberation.

The Board determined to release Dr. Felber from restrictions contained in the Consent Order.

VII. REQUEST FOR REINSTATEMENT OF LICENSE:

1. Fern G. Ficarra (Dental Hygienist) - The Board reviewed Ms. Ficarra's request for reinstatement of her dental hygiene license which expired December 31, 2007. The Board moved this to Executive Session for deliberation.

The Board determined that Ms. Ficarra be scheduled for an appearance before the Board concerning information disclosed on her application.

2. Dr. Daniel Ripps - The Board reviewed Dr. Ripps' request for reinstatement of his New Jersey dental license. The Board moved this matter to Executive Session.

The Board determined this matter be placed on the next agenda along with copies of the transcript from Dr. Ripps' appearance before a Board committee on June 21, 2006.

VIII. FOLLOW-UP TO CONSENT ORDER'S FILED WITH THE BOARD:

1. Dr. John Kirkowski - The Board reviewed information provided by Dr. Kirkowski in follow-up to the filed Consent Order of July 30, 2008. He indicated that he has been unable to locate a course in sterilization. The Board recommended a course given by Dr. Harold Edelman.

2. Dr. Gary Osmanoff - The Board reviewed correspondence from Stephen Schechner, Esq. for Dr.

Osmanoff indicating that Dr. Osmanoff has attempted to register for the PRIM-E course as per the Board's Consent Order but the course is full until September 2008. The Board determined that Dr. Osmanoff can take the PRIM-E, ProBe or a similar course.

IX. REQUEST FOR REMOVAL OF DISCIPLINARY ACTION FROM HIS RECORD:

1. Dr. Susan H. Calmann - The Board reviewed a request from Dr. Calmann for removal of the disciplinary action noted on her record. Dr. Calmann's name was incorporated with an action against Dr. Michael Alkon for an advertising violation in the year 2000. Dr. Calman did not receive actual notice of the violation and she did not consent to any discipline. The Board in a motion by Dr. Feinberg, seconded by Dr. Cappetta, determined to rescind this sanction against Dr. Calmann.

X. OTHER MATTERS:

1. The Board reviewed correspondence from Mark D. Schorr, Esq., attorney for Correctional Dental Associates concerning dental services for Department of Corrections. Deputy Attorney General Nancy Miller briefed the Board about a report from the Inspector General and the history of the Board's review of this matter. This matter was moved to Executive Session for deliberation. The Board determined that additional information be obtained.

2. The Board reviewed an inquiry from Carolyn Breen, Ed.D., RDH, School of Health Related Professions, UMDNJ requesting approval of a course in the administration of local anesthesia and a request for clarification of the wording of the legislation. The Board in a motion by Dr. Dolinsky, seconded by Dr. DeSciscio, voted to approve this course. With regard to her request for clarification, the Board noted that the injections noted are included in this regulation.

3. Dr. Robert L. Albin (NJ Society of Oral and Maxillofacial Surgeons, Inc.) - The Board reviewed information requested by the Board with regard to the protocol used for office inspections and a request to grant four (4) hours of continuing education toward the biennial renewal for the general anesthesia permit for office evaluators who inspect the offices of general anesthesia permit holders. The Board in a motion by Dr. Rosenheck, seconded by Dr. Dolinsky, approved this request.

Also, the Board determined that a letter be sent to Dr. Albin thanking him for the valuable service he provides.

NOTE: Ms. Golding arrived at this time 11:10 A.M.

4. The Board reviewed an inquiry from R. Glenn Rosivack, DMD questioning whether the arrangements in the purchase of a practice violates the Board's statutes/regulations concerning fee splitting. Dr. Feinberg was recused because of a professional relationship with Dr. Rosivack. The Board determined to ask Dr. Rosivack to clarify the structure of this purchase and what role he will be assuming.

5. The Board reviewed an inquiry from Jacob Zablotsky and from Dr. Andrew M. Spector requesting information on opening a kiosk with tooth-whitening. Deputy Attorney General Nancy Miller will review and report at the next meeting.

XI. ITEMS MOVED FROM EXECUTIVE TO PUBLIC SESSION:

1. Joel P. Kurtz, D.M.D. - The Board discussed correspondence from Andrew A. Fraser, Esq., and Lauren D. McFadden, Esq., expressing their dismay that the Board reinstated Dr. Kurtz' license without considering testimony or information from his clients who are suing Dr. Kurtz and other potential witnesses in that matter . The Board moved this matter to Executive Session for deliberation.

The Board determined that Mr. Fraser and Ms. McFaden be advised that a decision was made after a thorough review of all information available at that time. The Board notes that Dr. Kurtz's license had been revoked with a two year bar to reapplying and that his license was only reinstated three years later after a psychological evaluation was provided. The Board's order of reinstatement included restrictions on Dr. Kurtz's practice. The Board thanks Mr. Fraser and Ms. McFadden for their correspondence.

ADJOURNMENT: