ATTENDANCE: The following members were in attendance:

Emil Cappetta, DDS; Peter DeSciscio, DMD; Herbert Dolinsky, DDS; Maxine Feinberg, DDS; Ms. Karen Golding; Alexander Hall, DMD; Sally-Jo Placa, DMD; John Ricciani, DMD; Arnold Rosenheck, DMD

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

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

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

NOTE: Dr. Feinberg thanked the Board for electing her as President of the Board. She appreciates the Board’s confidence and indicated that it is an honor.


NOTE: The Board determined that the minutes be sent to Dr. Rosenheck and Dr. Dolinsky for review prior to placing on the Board’s agenda.

II. COMMITTEE REPORTS:

1. Credentials:

Dental Auxiliaries:

- Karen L. Carman - Request for reinstatement of dental hygiene license which expired 12-31-2005. The committee recommends approval of reinstatement of her dental hygiene license.

- Matthew Mickle - Application for a dental hygiene license. Mr. Mickle meets all requirements for licensure. The committee recommends approval.

- Nadezhda Makharinova - Application for a dental hygiene license. Ms. Makharinova meets all requirements for licensure. The committee recommends approval.

- Molly Ganz - Application for a dental hygiene license. Ms. Ganz has not practiced since 1979. The committee recommends that Ms. Ganz be advised that she must take a refresher course and take NERB.

- Camilo Pichrado - Application for a dental hygiene license. Mr. Pichrado meets all requirements for licensure. The committee recommends approval.

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

2. Continuing Education:

The committee recommends approval of four continuing education courses. The Board in a motion by Dr. Placa, seconded by Dr. Rosenheck, approved the committee’s recommendations.
III. PROPOSED REGULATION:

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. The Board noted its disagreement with the commenter that removal of the requirement to include the specialty permit number will be problematic. The Board in a motion by Dr. Ricciani, seconded by Dr. Rosenheck, adopted this proposal.

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

1. Dr. Steven E. Baskin - The Board took this as informational.

2. Dr. Michael Slomovitz - The Board took this as informational.

V. PROVISIONAL ORDERS OF DISCIPLINE:

1. Dr. Howard A. Kaplan - The Board reviewed Dr. Kaplan’s response to the Board’s Provisional Order of Discipline. The Board in a motion by Dr. DeSciscio, seconded by Ms. Golding, moved this matter to Executive Session for deliberation. The Board determined that a Final Order be entered with the Findings of Fact and Conclusions of Law contained in the Provisional Order.

2. Dr. Steven Eidman - The Board reviewed the Provisional Order of Discipline filed against Dr. Eidman. Dr. Eidman has failed to provide a written response. The Board in a motion by Dr. DeSciscio, seconded by Ms. Golding, moved this matter to Executive Session for deliberation. The Board determined that a Final Order be entered with the Findings of Fact and Conclusions of Law contained in the Provisional Order.

VI. RESPONSE TO UNIFORM PENALTY LETTER:

1. Dr. Helena Devaris - The Board reviewed Dr. Devaris’s response to the Board’s Uniform Penalty Letter. The Board in a motion by Dr. DeSciscio, seconded by Dr. Hall, moved this matter to Executive Session for deliberation. The Board determined to dismiss the Uniform Penalty Letter.

VII. INQUIRIES CONCERNING CONTINUING EDUCATION REQUIREMENTS FOR RENEWAL OF ENERAL, PCS, AND ANESTHESIA PERMITS:

1. Dr. Joseph Silverman - The Board reviewed a request from Dr. Silverman concerning continuing education requirements for the renewal of the enteral sedation permit. The Board determined that the courses taken to obtain the initial enteral sedation permit in this renewal can be applied towards the twenty hour requirement for renewal of the permit.

2. Dr. Helen Ann DeSimone - The Board reviewed a request from Dr. DeSimone concerning the continuing education credits required for the renewal of her parenteral conscious sedation permit. Dr. DeSimone was questioning whether the courses must be in sedation. The Board indicated that the courses could also be in anesthesia. She also indicates that she obtained the permit in May 2007 and has limited courses for renewal. The Board indicated that the Residency Program she completed, which satisfied the permit requirements, covers the required continuing education for this renewal.

3. Dr. Joel Doner - The Board reviewed information concerning his teaching activities at Saint Barnabas which he wants to use to satisfy the continuing education requirements for renewal of his anesthesia permit. The Board in a motion by Dr. DeSciscio, seconded by Dr. Hall, determined that only ten hours can be used towards renewal of his dental license and ten hours towards the general anesthesia permit. Dr. Doner will
be granted a six month extension to complete the remainder of the credits. The Board noted that pursuant to Board regulations teaching and research activities used for continuing education should be new.

A committee consisting of Dr. DeSciscio, Dr. Cappetta, Dr. Placa was appointed to review the wording of the continuing education regulations, specifically as it relates to "A licensee involved in new teaching or research activities."

VIII. SISTER STATE ACTIONS:

The Board in a motion by Dr. DeSciscio, seconded by Dr. Hall, moved this matter to Executive Session for deliberation.

The Board returned to Public Session and determined the following:

1. Dr. Pascale Regine Chery - The Board reviewed a copy of a Final Order filed by the Florida Board of Dentistry. Dr. Chery has a current active New Jersey dental license. The Board took this as informational and requested that it be kept on file.

2. Dr. Farid Hakimzadeh - The Board reviewed a copy of a Consent Agreement For Conditional Licensure filed by the Maine Board of Dental Examiners. Dr. Hakimzadeh’s New Jersey dental license expired on October 31, 1997. The Board took this as informational and requested that it be kept on file.

3. Dr. Steve Vyacheslav Yuntanov - The Board reviewed a copy of disciplinary action taken by the New York Board of Dentistry. New York Board revoked Dr. Yuntanov’s license Dr. Yuntanov entered a guilty plea in Supreme Court of New York to the crimes of Grand Larceny in the Second Degree and unauthorized practice of dentistry. Dr. Yuntanov has a current active New Jersey dental license. The Board determined that a Provisional Order of Discipline be filed suspending his license until he is reinstated by the New York Board. An appearance before the Board will also be required prior to reinstatement.

4. Dr. Navid Asgari - The Board reviewed a copy of disciplinary action taken by the Maryland State Board of Dentistry concerning allegations that Dr. Asgari permitted unlicensed assistants to practice dentistry. Dr. Asgari’s license was suspended. The suspension was stayed to serve a period of probation. The Board also reviewed copy of disciplinary action taken by the Pennsylvania Board based on the Maryland action. They also suspended the license for three years to be stayed and run concurrent with the Maryland Board Order. Dr. Asgari’s New Jersey dental license is on expired status since October 31, 2003. The Board determined to keep this on file to be reviewed when Dr. Asgari activates his license.

5. Dr. Helen E. Ford - The Board reviewed a copy of disciplinary action taken by the Pennsylvania Board of Dentistry concerning allegations that Dr. Ford failed to provide records to a patient. Dr. Ford was reprimanded and suspended until the records were forwarded to the patient. Dr. Ford’s New Jersey dental license is on inactive status and expires on October 31, 2007. The Board took this as informational and requested that it be kept on file.

6. Dr. Albert C. LaTorre, Jr. - The Board reviewed a copy of disciplinary action taken by the Pennsylvania Board of Dentistry concerning allegations that Dr. LaTorre administered conscious sedation and nitrous oxide/oxygen analgesia without a permit. Dr. LaTorre was assessed a $500 penalty. Dr. Latorre’s New Jersey dental license expired on October 31, 1991. The Board took this as informational and requested that it be kept on file.

7. Dr. John V. Nungesser - The Board reviewed a copy of disciplinary action taken by the Maine and Pennsylvania Boards of Dentistry. Dr. Nungesser’s license was voluntary and permanently surrendered in both states for potential impairment medical issues related to alcohol dependence. Dr. Nungesser’s New Jersey dental license expired on October 31, 1999. The Board determined to keep this on file to be reviewed if Dr. Asgari seeks to reinstate his license.
IX. OTHER MATTERS:

1. The Board reviewed a letter from Tamesha Jenkins, dental hygienist, concerning a program she wants to implement to teach parents and children how to prevent plaque build-up. The Board determined that Ms. Jenkins be advised that she can teach about oral hygiene and dental caries but cannot provide any service in the oral cavity without the on site supervision of a dentist. If it is in an institution it may be under supervision, not direct supervision, of a licensed dentist. The Board’s regulations concerning Scope of Practice of a Dental Hygienist 13:30-1A.2 will be sent to Ms. Jenkins.

2. The Board reviewed a letter from M. John Matos, DDS, concerning Doral-Medicaid policies and practices. The Board determined that Dr. Matos be advised that this matter is not under the Board’s jurisdiction.

3. The Board reviewed a letter from Dr. Barry Jason concerning the wording being used for their 60 second radio spot. The Board expressed concern with the wording "don’t put it off, let them put you out." The Board believes this implies loss of consciousness. The cartoon used in the advertisement is giving the impression that patient is sleeping. A person under oral conscious sedation is not unconscious. The Board indicated that this advertisement may constitute misrepresentation. A copy of the Board’s regulations will be sent to Dr. Jason. In absence of a general anesthesia permit, sleep dentistry should not be used.

4. The Board reviewed a letter from Commission on Dental Accreditation concerning the advanced education in general dentistry program sponsored by the University of Medicine and Dentistry of New Jersey. The Board took this as informational.

5. The Board reviewed the following articles submitted by the American Dental Hygienists’ Association:

- Draft Competencies for the Advanced Dental Hygiene Practitioner
- Draft Standards for Clinical Dental Hygiene Practice

The Board took this as informational.

6. N.E.R.B. - The Board reviewed a list of proposed Consultant Members which will be considered by the NERB Executive Committee. The Board established a committee consisting of Dr. Cappetta, Ms. Delaney, Dr. DeSciscio, Dr. Placa and Dr. Feinberg, to review the list and make recommendations to the full Board.

The committee met and made a report to the full Board with its recommendations concerning the names being considered as NERB consultants. Some names on the list were recommended others were not recommended and the committee requested that a copy of some C.V.s be obtained. The Board approved the committee’s commendations.

7. The Board reviewed a letter from the Commission on Dental Accreditation concerning the Dental Assisting Program sponsored by Burlington County Institute of Technology. CODA has granted the accreditation status of "approval without reporting requirements." The Board determined that a letter be sent to Burlington County Institute of Technology indicating that the Board members are pleased that the school has received accreditation.

ADJOURNMENT: