

NEW JERSEY STATE BOARD OF DENTISTRY
PUBLIC SESSION MINUTES
BOARD OFFICE
NEWARK, NEW JERSEY
OCTOBER 1, 2008

ATTENDANCE: The following members were in attendance: Patricia Delaney, RDH, Ed.M; 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; Jonathan Eisenmenger, Executive Director; Cecilia Moreira, Senior Management Assistant

ABSENT AND/OR EXCUSED: Emil Cappetta, DDS; Ms. Belinda Caraballo; Beverly Kupiec, RN, Ph.D.; Sally-Jo Placa, DMD

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

I. APPROVAL OF MINUTES: September 17, 2008 - Approved as amended.

II. EXECUTIVE DIRECTOR'S REPORT:

1. Report for September - The Board received 92 applications and issued 173 licenses/permits.
2. A-3216 - The Board discussed this proposed bill which requires a dentist to notify a patient before providing any dental prosthesis manufactured outside the United States. The Board in a motion by Dr. Feinberg, seconded by Dr. Ricciani, opposes this bill in its current form. The Board recommends that the Legislature consider requiring dental labs to be required to disclose the country of origin and the materials contained in the product. The Board also recommends that rather than referencing NJSA 45:6:13, the bill should reference the Uniform Enforcement Act NJSA 45:1-14, for penalties and sanctions. Arthur Meisel from the New Jersey Dental Association also commented that NJDA is not in favor of the bill in its current form.

The Board noted that dental laboratories are not regulated by this or any other Board. The Board requested that the Executive Director contact other state boards for their regulations on these matters.

III. COMMITTEE REPORTS:

1. Credentials:

Dental:

- Dr. Elliot Schlang - Application for a New Jersey dental license by reciprocity from California. He also disclosed three Data Bank reports that, according to the applicant, relate to his associates and that he was not the treating dentist. The Board in a motion by Dr. Dolinsky, seconded by Dr. Feinberg, determined that the patient files and his narrative be obtained regarding these Data Bank reports.

NOTE: The Board in a motion by Dr. Dolinsky, seconded by Ms. Delaney, determined to refer the issue of licensure by credentials to the rules and regulations committee, specifically with regard to the NERB exam and its equivalent from other states. The committee will also review 45:6-6 with regard to mutual agreements between state boards. The board also questioned what states do we have reciprocity with.

The Board also determined that a letter be sent to the NERB Credentials Committee questioning what state exams do they consider to be comparable to NERB.

- Dr. Jude Thomas - Application for a New Jersey dental license. Dr. Thomas meets all requirements for licensure. The Board in a motion by Dr. DeSciscio, seconded by Dr. Feinberg, approved this application.
- Dr. Shanon Guire - Application for a New Jersey dental license. Dr. Guire passed the Florida Boards in 2001. The Board in a motion by Dr. Feinberg, seconded by Dr. Dolinsky, denied this application because the Florida examination is not comparable to NERB.
- Dr. Roger Harris - Application for a New Jersey dental license. Dr. Harris meets all requirements for licensure. The Board in a motion by Dr. Dolinsky, seconded by Dr. Feinberg, approved this application.
- Dr. Brett Dormer - Application for a Limited Professional Registration Certificate. Dr. Dormer meets all requirements for registration. The Board in a motion by Dr. Feinberg, seconded by Ms. Delaney, approved this application.

Dental Auxiliaries:

- Dena Laskowski - Application for reinstatement of her registered dental assistant registration. The committee recommends approval.
- Pamela Phelan - Application for a registered dental assistant registration. Ms. Phelan meets all requirements. The committee recommends approval.
- Kimberly Dare - Application for a dental hygiene license. Ms. Dare meets all requirements for licensure. The committee recommends approval.
- Michelle Marusky - Application for a registered dental assistant registration. Ms. Marusky meets all requirements. The committee recommends approval.

The Board in a motion by Ms. Delaney, seconded by Dr. Feinberg, approved the committee recommendations.

2. Continuing Education:

The Board in a motion by Ms. Delaney, seconded by Dr. Feinberg, approved 36 applications for continuing education courses.

IV. MEETING DATES FOR BOARD OF DENTISTRY MEETINGS FOR 2009:

The following are the approved meeting dates for 2009:

- January 7 & 21
- February 4 & 18
- March 4 & 18
- April 1 & 15 (29)
- May 6 & 27
- June 17
- July 1 & 15 (29)
- August 5
- September 2 & 16 (30)
- October 7 & 21
- November 4 & 18
- December 2 & 16

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

1. Dr. Efema Eguabor-Nwajei - The Board took this report as informational.
2. Dr. Nancy Herbst-Modiano - The Board requested that Dr. Herbst-Modiano be advised that future reports should be on the board's incident report form. The Board requested that she advise it whether she has hospital privileges and also about the patient's condition upon discharge and any follow-up treatment.
3. Dr. Trisha Charland - The Board took this report as informational.
4. Dr. Prabhjot Singh - The Board took this report as informational.
5. Dr. David L. Sykes - The Board took this report as informational. Dr. Sykes will be advised that the incident described did not need to be reported.

VI. APPLICATION TO REMOVE TEMPORARY SUSPENSION:

1. Dr. John Kallis - The Board discussed Dr. Kallis' application to remove the temporary suspension placed on his New Jersey dental license. The Board, in a motion by Ms. Golding, seconded by Dr. Feinberg, moved this matter to Executive Session.

The Board in a motion by Dr. Rosenheck, seconded by Ms. Delaney, determined to sustain its original decision to deny reinstatement at this time.

VII. FOLLOW-UP TO REQUIREMENTS LISTED IN THE BOARD'S CONSENT ORDER:

1. Dr. David Snyder - Dr. Feinberg was recused because she has a referral relationship with Dr. Snyder. The Board reviewed information in follow-up to the Consent Order filed on July 11, 2007. The Board approved the certified public accountant to conduct the audits required in the order.
2. Dr. Jeffrey Hochstein - The Board reviewed proof of completion of the PRoBE course which was required by Board order filed on March 5, 2008. The Board took this as informational.

VIII. PROVISIONAL ORDER OF DISCIPLINE TO BE FINALIZED:

1. Dr. Aleksandr Gurvich - The Board reviewed the Provisional Order of Discipline filed on September 6, 2007 along with Dr. Gurvich response. The Board in a motion by Dr. Feinberg, seconded by Dr. Dolinsky, moved this matter to Executive Session.

The Board in a motion by Dr. Feinberg, seconded by Ms. Delaney, determined that the POD be finalized as written.

IX. RESPONSE TO UNIFORM PENALTY LETTER FOR FAILURE TO COMPLETE THE CONTINUING EDUCATION CREDITS FOR LICENSURE RENEWAL:

1. Dr. Patrice Taylor - The Board reviewed Dr. Taylor's response to the Board's Uniform Penalty Letter for failure to complete the continuing education credits for licensure renewal. The Board tabled this matter to the next meeting.
2. Dr. David O. Peart - The Board reviewed Dr. Peart's response to the Board's Uniform Penalty Letter for failure to complete the continuing education credits for licensure renewal. The Board tabled this matter to the next meeting.

X. OTHER MATTERS:

1. Dr. Azriel Rauzman - The Board reviewed additional information from Dr. Rauzman in follow-up to his request for a change of name on his New Jersey dental license. Dr. Rauzman submitted proof of correction of his name from Azriel to Adam from the dental school from which his degree was awarded. The Board

moved this matter to Executive Session for deliberation. The Board determined to change his name as requested.

2. The Board reviewed correspondence from Winnie Furnari, RDH, MS, FAADH, President of the American Dental Hygienists' Association concerning the education provided to dental hygiene students with regard to the use of Cone Beam Computed Tomography. This is in follow-up to correspondence from Paul G. Orlando, Chief Bureau of Radiological Health Department of Environmental Protection seeking input from the Board. The Board determined that the Department of Environmental Protection be advised that use of this equipment is within the scope of practice of a dental hygienist.

3. The Board reviewed an inquiry from Dr. Ziad Jalbout questioning whether the Board's regulations require dentists to perform an examination whenever a patient is seen by a hygienist and how often is it required to perform a comprehensive examination on a patient of record. The Board in a motion by Dr. Feinberg, seconded by Dr. DeSciscio, tabled this matter to the next meeting.

4. The Board reviewed correspondence from the Joint Commission on National Dental Examinations concerning recent policy changes. The Board will provide the information requested.

5. The Board reviewed correspondence from the American Dental Association concerning "Clinical Licensing Examinations." Also reviewed were copies of correspondence to ADA from the North Carolina Board, Alabama Board, Louisiana Board, Mississippi Board concerning this matter. The Board took this as informational.

6. The Board reviewed copy of article entitled "Mobile program brings dental care to Asbury Park Children." The Board took this as informational.

ADJOURNMENT: The Public Session adjourned at 11:45 A.M.