



New Jersey State Board of Dentistry Public Session Minutes

BOARD OFFICE

NEWARK, NEW JERSEY

October 2, 2002

ATTENDANCE:

The following members of the Board were in attendance: Dr. Valentine Bloch; Patricia Delaney, RDH; Dr. William Orlacchio; Dr. John Ricciani; Dr. Barbara Rich; Dr. Arnold Rosenheck; Dr. Abraham Samansky.

ADDITIONAL ATTENDEES WERE:

Nancy Costello Miller, Deputy Attorney General; Kevin B. Earle, Executive Director, Cecilia Moreira, Management Assistant and Michael Dominach, Paralegal.

ABSENT AND/OR EXCUSED:

Dr. Emil Cappetta; Mr. Louis Cardenas; Dr. Anthony Chibbaro;

NOTE:

Mrs. Helen Huber left the meeting at 10:30 A.M.

APPROVAL OF MINUTES:

September 4, 2002 - Approved as amended.

EXECUTIVE DIRECTOR'S REPORT:

1. **Open Public Records Act** - Executive Director Kevin Earle discussed this matter with the Board specifically addressing the Board's decisions and how they are affected by this new law. Board decisions which were previously considered confidential such as letters of advice, admonishment, insufficient cause, assurance of voluntary compliance are available under OPRA.

1. **Dr. John McIntyre** - Executive Director Earle reported on the status of the equipment removed from Dr. McIntyre's office.

2. **HIPAA** - Mr. Earle discussed the new Health Insurance Portability and Accountability Act. These are new Federal government regulations that deal with the privacy of medical information, particularly in relation to the electronic transmission of health insurance claims. Many licensees have contacted the Board office to obtain information concerning HIPAA. Mr. Earle reported that he obtained websites with information to which licensees can be referred. NJDA and other organizations are sponsoring seminars to explain the implications of HIPAA.

COMMITTEE REPORTS:

DENTAL APPLICATIONS:

The committee discussed the following applications for licensure by reciprocity and/or NERB past five years. The committee recommends approval:

- Dr. Divyana Govind
- Dr. Augusto Wong

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

DENTAL AUXILIARIES:

Angela Grella - Ms. Grella is requesting reinstatement of the dental hygiene license which expired in 1995. Ms. Grella has not practiced dental hygiene since 1995. The committee recommends that she take a refresher course or challenge the N.E.R.B. exam and then reapply.

Cheryl Spreen - The committee discussed an application for a dental hygiene license by credentials. The committee recommends approval.

Josephine Rustico - The committee discussed an application for a dental hygiene license by NERB past five years. The committee recommends approval.

Andrea Pelinaro - The committee discussed an application for a dental hygiene license along with information concerning a previous arrest. The committee recommended that a letter of explanation of the incident be obtained.

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

CONTINUING EDUCATION:

The Board in a motion by Dr. Bloch, seconded by Ms. Delaney approved the continuing education committee report.

PROPOSED REGULATION:

1. The Board discussed one comment received concerning its proposed amendment to N.J.A.C. 13:30-8.2 - Parenteral Conscious Sedation, from Rex Ponnudurai, MD, Chair, Dental Anesthesia Committee of the New Jersey State Society of Anesthesiologists. Marianne Sheehan from the Division's Regulatory Section was present for the discussion. The Board discussed Dr. Ponnudurai's comment. He suggested that the use of inhalation medications should be excluded from the proposal and that the Board should require ACLS and not give licensees an option between ACLS or BLS. The Board in a motion by Ms. Delaney, seconded by Dr. Bloch determined that no change be made to the proposal. Dr. Ponnudurai will be advised that the proposal does is consistent with present requirements for medications and life support training, however, the Board will give the matter further study. The Board in a motion by Dr. Samansky, seconded by Ms. Delaney, moved to adopt the proposed regulation as published.

2. The Board reviewed a letter from Michael D. Silverman, DMD, President of the Dental Organization for Conscious Sedation, concerning "ental conscious sedation". Dr. Bloch requested that this letter be sent to the New Jersey Society of Dental Anesthesiology for comment. This motion did not carry. The Board took this as informational.

3. The Board reviewed the Board of Medical Examiners - Proposed New Rules: N.J.A.C. 13:35-7.1A, 7.4 and 7.4A - Examination of patient's condition required prior to dispensing drugs or issuing a prescription; exceptions; facsimile transmitted prescriptions; electronically transmitted prescriptions. The Board took this as informational.

PROPOSED LEGISLATION:

1. **A-2653** - The Board reviewed this proposed legislation which reduces statute of limitations for medical malpractice liability actions to three years and provides that such actions by a minor under the full age of four years shall be commenced within two years or prior to the minor's 6th birthday, whichever is later. The Board in a motion by Dr. Samansky, seconded by Dr. Bloch took no position. Ms. Delaney was opposed.

2. **A-2658** - The Board reviewed this proposed legislation concerning "New Jersey Patient Safety Act"; makes self-critical analysis by health care facility privileged information. The Board in a motion by Dr. Samansky seconded by Dr. Bloch, took no position on the legislation.

3. **A-2736** - The Board reviewed this proposed legislation which revises continuing education requirements for dental hygienists. The Board in a motion by Ms. Delaney, seconded by Dr. Samansky voted to support this legislation, noting that it is appropriate for dental hygienists to complete additional continuing education.

INCIDENT REPORTS:

The Board reviewed the following incident reports

1. Richard N. Tennenbaum, DMD
2. Margaret Vanmarcke, DMD

The Board took this as informational.

OTHER MATTERS:

1. **Sonal Thakore, DDS** - The Board reviewed an inquiry concerning penalty letter issued in January 2000 for failure to complete the continuing education credits for the 1999-01 licensure renewal. The Board tabled this matter and requested that the entire file in this matter be provided to the Board at the next meeting.

2. The Board reviewed a letter from Cosmo V. DeSteno, DMD requesting that Dr. Michael Conte be considered as a NERB examiner. The Board indicated that the names have been submitted for this year. He may want to resubmit his name next year.

SECRETARY'S REPORT:

The Board approved the list of applicants for licensure.

NOT ON THE AGENDA:

1. **Dental Consultant Reg.** - The Board determined that the Attorney General's office be requested to send a representative to address the Board on the reasons for the Attorney General's determination on the Board's proposal concerning dental consultants.

ADJOURNMENT:

The Public Session adjourned at 1:00 P.M.

Posted November 2002