

**New Jersey State Board of Dentistry
PUBLIC SESSION MINUTES
BOARD OFFICE (Somerset Room)
OCTOBER 5, 2005 NEWARK, NEW JERSEY**

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

ATTENDANCE: The following members were in attendance: Emil Cappetta, DDS; Patricia Delaney, RDH; Ed.M.; Peter DeSciscio, DMD; Herbert Dolinsky, DDS; Maxine Feinberg, DDS; Alexander Hall, DMD; Sally-Jo Placa, DMD; John Ricciani, DMD; Arnold Rosenheck, DMD

OTHER ATTENDEES: Deputy Attorneys General Nancy Costello Miller and Joseph Donofrio; Kevin Earle, Executive Director and Michael Dominach, Paralegal.

ABSENT AND/OR EXCUSED: Beverly Kupiec, RN, Ph.D

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

A. APPROVAL OF MINUTES: September 7, 2005 - Approved as amended.

B. COMMITTEE REPORTS:

Dental Applications:

1. Dr. Barbara Popek - Application for a dental license by N.E.R.B. past five years. Dr. Popek meets all requirements for licensure. The committee recommends approval.

2. Dr. Phillip Zavaloff - Application for a dental license. The committee recommends denial of this license because Dr. Zavaloff did not take the N.E.R.B. exam. He qualified for a license in New York by completing a year of post graduate residency with an exam. He does not meet the qualifications for a dental license in New Jersey.

3. Dr. Jeffrey Rouse - Application for a dental license by reciprocity. Dr. Rouse is licensed in New York and Indiana. Dr. Rouse meets all requirements for licensure. The committee recommends approval.

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

Dental Auxiliaries:

1. Kasteania Branham - Application for registered dental assistant registration. Ms. Branham disclosed prior arrests on her application. After review of the facts submitted, the committee determined that they did not constitute an impediment to licensure. Therefore the committee recommends approval of this application.

2. Dianne Phillips - Application for a dental hygiene license by N.E.R.B. past five years. Ms. Phillips meets all requirements for licensure. The committee recommends approval.

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

Continuing Education:

1. The committee reported on 72 courses received. The committee recommends approval of all with the exception of 5 which require additional information.

2. The Board discussed a request from Dr. Jack Roemer, Donated Dental Services, for approval of continuing education credit for the dentists that participate in this program. The Board in a motion by Ms. Delaney, seconded by Dr. DeSciscio, tabled this request pending receipt of additional information. Dr. Roemer will be requested to submit an application and provide details of the services provided and how it is coordinated.

3. Enteral Sedation Regulation - The committee discussed the enteral sedation course submitted by H. Kendall Beacham, Assistant Dean, New York University.

This course is being offered in conjunction with the Dental Organization for Conscious Sedation. The Board determined that these materials should be submitted to Dr. Lee Lichtenstein for evaluation.

C. SECRETARY'S LIST:

The Board in a motion by Ms. Delaney, seconded by Dr. Hall, approved the list of applicants for licensure.

< D. PROPOSED REGULATIONS:

1. The Board reviewed proposed Readoption: N.J.A.C. 11:10 - Department of Banking and Insurance - Dental Services. The Board took this as informational.

2. The Board reviewed a Readoption of 13:45C; Duty to Cooperate Regulation - The Board in a motion by Dr. Feinberg, seconded by Dr. DeSciscio, supports this readoption.

E. REQUESTS FOR WAIVER OF CONTINUING EDUCATION CREDITS FOR LICENSURE RENEWAL:

1. Dolly Harris, Dental Hygienist - The Board reviewed correspondence from Ms. Harris requesting a waiver of the continuing education credits because she has been in military service in Iraq. The Board in a motion by Ms. Delaney, seconded by Dr. Rosenheck, approved this request and thanks her for her service to the country.

2. Philip G. Kotick, DDS - The Board reviewed correspondence from Dr. Kotick requesting a waiver of the continuing education credits for licensure renewal due to a medical condition. The Board granted the waiver.

F. REQUEST FOR EXTENSION TO COMPLETE THE CONTINUING EDUCATION CREDITS FOR LICENSURE RENEWAL:

1. Robert Di Salvo, DMD - The Board reviewed correspondence from Dr. Di Salvo requesting an extension to complete the continuing education credits because of hardship. The Board granted a six month extension.

G. REQUESTS FOR REINSTATEMENT OF LICENSE FOLLOWING DISCIPLINARY ACTION:

1. Marianne Mauro, D.M.D. - The Board reviewed her request for reinstatement of the New Jersey dental license which was suspended in September 2004. The Board moved this matter to Executive Session for discussion.

2. Robert Posner, DDS - The Board reviewed his request for reinstatement of the New Jersey dental license which was suspended by the Board. The Board moved this matter to Executive Session for discussion.

H. INCIDENT REPORTS:

1. Shari Werner, D.M.D. - The Board took the incident report as informational.

I. OTHER MATTERS:

1. The Board reviewed the American Academy of Pediatric Dentistry - Oral Health Policies and Clinical Guidelines - 2004-2005 Reference Manual. The Board took this as informational.
2. ADA - The Board reviewed a request for Board assistance with the administration of the December National Board Dental Examinations. The members are not available to participate in this examination.

J. APPEARANCES:

1. 11:30 A.M. - Amy Lee Hoffman, Dental Hygienist - Appearance concerning information disclosed on her application for a dental hygiene license.

Ms. Hoffman appeared without counsel. She was given the option of holding this appearance in Public or Executive Session. She agreed to continue in Public Session.

The Board questioned Ms. Hoffman on her educational background and work history. Ms. Hoffman testified that she was registered by the Board as a registered dental assistant on May 23, 2002 and had recently completed her studies to become a dental hygienist. The Board questioned her concerning the arrest disclosed on her application. Ms. Hoffman acknowledged that she had been arrested and charged with possession of marijuana. She was sentenced to probation for a period of one year. Pursuant to the Municipal Court Judgment of Conviction, the matter has been conditionally discharged, subject to completion of probation for a period of one year.

After discussing this matter, the Board in a motion by Dr. Feinberg, seconded by Dr. Hall, granted her license to practice dental hygiene provided that she complies with the following terms and restrictions:

- Shall enroll in a the Professional Assistance Program and abide by all recommendations of that program including but not limited to counseling, urine testing and participation in AA/NA meetings.
- The Board will not entertain an application to modify the provisions of the Order earlier than one year following its entry.

Ms. Delaney and Dr. Cappetta were opposed.

K. N.E.R.B. EXAMINERS

The Board determined to recommend the following names to N.E.R.B. for consideration as consultants:

- Dr. Brian Silverman
- Dr. Frank Graham
- Dr. Michael Ferrara
- Dr. Anita PatelB - Dr. Gregory Shupik

The Board deferred making a recommendation concerning the following:

- Risa H. Levi, RDH
- Michelle E. Ziegler, DDS
- Robert Castracane, DMD
- Michael Cappuccilli, DDS

L. ITEMS NOT LISTED ON THE AGENDA:

1. The Board discussed the new wording under Patient Record Rule regulation which requires licensees to write in the patient's chart alternative treatments offered. The Board noted that this can benefit both the patients as well as the dentists. Mr. Meisel from the New Jersey Dental Association indicated that there is

confusion among the dental community as to what needs to be included in the patient record. The Board indicated that it is sensitive to the licensee's concerns but proper documentation needs to be in the patient record. The Board referred this matter to the regulatory committee to draft a clarification for Board review. An article will be placed in the next Newsletter concerning this issue as well as a notice on the Board's web site.

ADJOURNMENT: