

NEW JERSEY STATE BOARD OF DENTISTRY
PUBLIC SESSION MINUTES
NEWARK, NEW JERSEY
OCTOBER 7, 2015

NOTE: The Public Session was called to order by President Emil Cappetta, DDS.

ATTENDANCE: The following members were in attendance:

Joseph Battaglia, DMD; Shirley Birenz, RDH; Emil Cappetta, DDS; Elizabeth Clemente, DDS; Peter Clemente, DMD; Nicholas C. DeRobertis, DMD; Herbert Dolinsky, DDS; Steven Goldstein, DDS; Beverly Kupiec, PhD, RN

OTHER ATTENDEES: Deputy Attorneys General Miller and Goulding; Executive Director Jonathan Eisenmenger; Cecilia Moreira Senior Management Assistant

ABSENT/EXCUSED: Roger Kriete, DMD; Richard D. Riva, DDS

I. APPROVAL OF MINUTES: September 16, 2015 - Approved as amended.

II. COMMITTEE REPORTS:

A. Regulations Committee:

Regulatory Analyst Rachel Glasgow discussed changes to the Dental Hygiene proposal. Ms. Glasgow worked through the revisions made by the Office of Administrative Law. She also discussed the list of functions that had been developed by the regulations committee and previously approved by the Board.

The Board President referred the regulations back to a committee for further review.

B. Applications:

1. Dr. Sawsan Sami Philibs - Application for reinstatement of dental license. The Board moved this matter to Executive Session for deliberation. Upon return to public session, the Board determined that Dr. Philibs appear before the Board to discuss her reinstatement application.
2. Dr. Amir Rabiee - Application for a dental license. Dr. Rabiee took the WREB exam in April 2010. The Board determined that Dr. Rabiee must take and pass the ADEX clinical exam in restorative dentistry and the DSCE (for treatment planning) in order to qualify for licensure.
3. Dr. Katherine Wong - Application for a dental license. Dr. Wong took the WREB exam in March 2010. The Board determined that Dr. Wong must take and pass the ADEX clinical exam in restorative dentistry and endodontics in order to qualify for licensure.
4. Dr. Jeffrey Straub - Application for a dental license. The Board at a previous meeting reviewed Dr. Straub's application and indicated that he would qualify for a Limited Professional Certificate because he will be reviewing claims. Dr. Straub responded that he needs a dental license to do appeals. The Board approved the application for a dental license.

5. Patricia Gyasi - The Board reviewed inquiry concerning the ADEX exam. The Board currently accepts the ADEX exam, and is currently considering other clinical examinations. She should find a location where ADEX is administered to retake the sections she has not yet passed.

C. Continuing Education:

The Board in a motion by Dr. Battaglia, seconded by Dr. DeRobertis, approved the continuing education courses.

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

1. Dr. Robert L. Albin - Received as informational.
2. Dr. Robert T. McTaggart - Received as informational.
3. Dr. John Butler - Received as informational.
4. Dr. Thomas Hada - Received as informational.
5. Dr. David T. Bolger - Received as informational.
6. Dr. Shawn Kelly - Received as informational.

IV. ORDERS/SETTLEMENTS FILED WITH THE BOARD:

The following Orders were taken as informational:

1. Dr. Amibahen Patel - Settlement Letter filed on September 8, 2015.
2. Dr. Patrick Bamgboye - Consent Order filed on September 16, 2015.
3. Dr. John J. Choi - Settlement Letter filed on September 16, 2015.

V. OTHER MATTERS:

1. Dr. Anthony J. Mancino - The Board reviewed a request from Mr. Schechner for the Board to grant a stay of the Board's Order entered on September 16, 2015 and a response from the Attorney General dated October 5, 2015 requesting the Board deny the request for a stay.
The Board moved to Executive Session for deliberation.
Upon return to Public Session, the Board denied the stay of the Board's Order.

2. The Board reviewed additional information from August D. Pellegrini, DDS, concerning a previous request regarding the ability of physicians to oversee dental students. *Note: Dr. Cappetta is recused on discussion of this matter.* The Board has previously referred Dr. Pellegrini to the statute (N.J.S.A. 45:6-19.3), which requires that students be supervised by a licensed dentist. The Board discussed the request and declines to change its previous position.
3. Inquiry from Bonnie T. Stanley, DDS, Dental Director, NJ Family Care, Bureau of Dental Services concerning the use of mobile dental vans and practices with mobile dental units.
There are no current regulations to address this inquiry, other than that dentists are expected to perform their services according the standard of care, to include sterilization of equipment, record keeping, and the ability to provide a certain level of care for patients.
The Board referred this matter to a committee for discussion and to make recommendations to the Board of any potential regulatory initiatives.
4. Inquiry from Kenneth L. Hilsen, DDS, concerning the treatment of sleep apnea. Dr. Hilsen was present and answered questions.
The Board president referred this inquiry to the committee that is drafting regulations to address the field of sleep apnea. Dr. Hilsen may be invited to provide additional information for the committee to consider.
5. Dr. Sari Zimmer - Correspondence concerning the continuing education credits necessary for renewal of the enteral sedation permit.
These courses seem acceptable as long as they comply with the requirements N.J.A.C. 13:30-5.1(i)(1)(iv), they must have a post test. Dr. Zimmer will be reminded that no more than half of the continuing education course work may be completed by distance learning methods.
6. Dr. Alan Kratenstein - Request for an extension to complete the required forty hours of continuing education for licensure renewal. After discussing Dr. Kratenstein's request the Board determined to grant a six month extension to complete the credits.
7. Inquiry from Isaac Castaneda, Vizstara, concerning "Halimeter readings."
After discussing this matter the Board determined that additional information be obtained:
 - Information about FDA approval of products.
 - A statement about how it is related to the practice of dentistry
 - What other disorders are they screening for?
 - What referrals are to be made and to whom?
8. CODA - Additional information concerning the "Commission on Dental Accreditation unofficial report of major actions August 6-7, 2015."
Received as informational.

9. Information from Sarah Thiel, a dental hygienist serving on the New Mexico state dental board, concerning “continuing education tracker”.
Received as informational.
10. Inquiry from Rita Frand concerning the Board’s advertising regulations.
The Board determined to refer Ms. Frand to the Board’s regulation (13:30-6.2(j)) and advise her that it would be prudent to include a disclaimer that although the dentist earned an MD degree, he or she is not licensed to practice medicine in the State of NJ.
11. ADEX - Evaluating clinical licensing examinations for dentists and dental ygienists.
Executive Director Eisenmenger reported that he is in the process of gathering information from the various clinical examinations for the Board’s review.
12. (Hand-out) - Information from the Commission on Dental Competency Assessments (CDCA) concerning the 2016 Annual Meeting. Received as informational.
13. (Hand-out) - Stefano DeSteno, DMD - Request for waiver of the continuing education requirements. The Board reviewed his request and determined he may complete all 40 credits through distance learning methods by April 30, 2016.

VI. ADJOURNMENT: The Board adjourned the Public Session and moved to Executive Session for advice of counsel and review of open matters (investigations and deliberations). When and if action is taken, it will be reported in Public Session.