

**NEW JERSEY STATE BOARD OF DENTISTRY  
PUBLIC SESSION MINUTES  
BOARD OFFICE  
NEWARK, NEW JERSEY NOVEMBER 4, 2009**

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

ATTENDANCE: The following members were in attendance:

Shirley Birenz, RDH; Steven Brisgel; Emil Cappetta, DDS; Sheila Dashkow, DMD; Peter DeSciscio, DMD; Herbert Dolinsky, DDS; Maxine Feinberg, DDS; Alexander Hall, DMD; Arnold Rosenheck, DMD

OTHER ATTENDEES: Deputy Attorneys General Nancy Miller and Swang Oo; Executive Director, Jonathan Eisenmenger; Cecilia Moreira, Senior Management Assistant

ABSENT AND/OR EXCUSED: Beverly Kupiec, RN, Ph.D.; John Ricciani, DMD

I. APPROVAL OF MINUTES: October 7, 2009 - Approved as amended.

II. EXECUTIVE DIRECTOR'S REPORT:

- In October 97 applications were received and 159 licenses/permits were issued;

- As of yesterday, 7,882 dentists have renewed active, and 494 dentists have not renewed their licenses. There are 8,376 dentists in active status, 980 in inactive-paid, and 3,286 inactive.

III. COMMITTEE REPORTS:

1. Credentials:

Lisa Choi (RDH) - Application for dental hygiene license. The committee recommends approval.

Kimberly Crisafulli (RDA) - Application for registered dental assistant. The committee indicated that she must take the expanded functions exam.

Catherine Ryckman (RDA) (Expired) - Application for reinstatement of registration. The committee indicated that she must pass CDA exam and the expanded functions exam.

Linda Sangenito (RDH) (Expired) - Application for reinstatement of dental hygiene license. The committee recommends approval pending the successful completion of the refresher course or pass the NERB exam.

Dental:

Dr. Philip Zaveloff - Inquiry questioning whether he meets the requirements for a New Jersey dental license. The committee indicated that he must take the NERB exam.

Dr. Michael Pilar - Inquiry questioning whether the Florida exam is acceptable. The committee indicated that the exam is acceptable and that Dr. Pilar must submit a complete application prior to approval.

Dr. Sofia Petrov - Application for a New Jersey dental license. Dr. Petrov took the WREB exam. The committee recommends approval.

2. Continuing Education:

The committee recommended approval of 16 continuing education courses and denied two. The committee also recommended approval of three remedial continuing education courses.

- Dental Studies Institute - Request from Dr. Hillel Ephros for reconsideration of the Board's decision of denial of the nitrous oxide course. The Board referred Dr. Ephros to the Board's regulations. St. Joseph's Regional Medical Center has to offer the program and can rent space at Dental Studies Institute for the didactic portion of the course. The course cannot be "co-sponsored" by a non-CODA approved organization and the clinical portion must be in a university/hospital/CODA approved facility. The Dental Studies Institute is not qualified to be a provider of this course.

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

1. Dr. Robert A. Hersh - (Dr. Feinberg is recused) - The Board took this as informational.
2. UMDNJ - New Jersey Dental School - The Board took this as informational. Notify school the reports should be typed.

#### V. REQUEST FOR REMOVAL OF RESTRICTIONS ON HIS LICENSE:

1. Dr. Victor P. Terranova - The Board reviewed a request for removal of the restrictions placed on his license. The Board requested that Dr. Terranova submit proof that he has complied with all the terms of the Consent Order along with a quarterly report from the Professional Assistance Program.
2. Dr. Donald Dobrowolski - The Board reviewed a request for removal of the restrictions placed on his license. The Board moved this matter to Executive Session for deliberation. The Board determined to remove the remain restrictions on his license.

#### VI. ADDITIONAL INFORMATION FOLLOWING APPEARANCE BEFORE THE BOARD FOR REMOVAL OF RESTRICTIONS ON HER LICENSE:

1. Dr. Jill Zaleski - The Board reviewed additional information following appearance before the Board for removal of restrictions on her license. The Board moved this matter to Executive Session for deliberation. The Board determined that additional information be obtained.

#### VII. SISTER STATE ACTIONS:

1. Dr. Hubert H. Byron - The Board reviewed a copy of disciplinary action taken by the Virginia Board of Dentistry. Dr. Byron's New Jersey dental license expired on October 31, 1993. The Board determined to flag his record and get a response if he applies for reinstatement.
2. Christine Tunnicliffe, RDH - The Board reviewed a copy of disciplinary action taken by the Pennsylvania Board of Dentistry based on New Jersey action: Consent Order Imposing Restrictions on License filed on December 5, 2008. The Board requested that a status report be obtained from the Professional Assistance Program.

#### VIII. PROVISIONAL ORDERS OF DISCIPLINE TO BE FINALIZED:

1. Dr. Peter Crapanzano - The Board discussed the Provisional Orders of Discipline filed in this matter. The Board moved to executive session for deliberation.

The Board in a motion by Dr. Feinberg, seconded by Dr. Hall, determined to finalize the Provisional Order of Discipline as written. The mitigation presented by Dr. Crapanzano has failed to persuade the Board to modify the terms of the Order. The suspension will become effective four (4) weeks from the entry of the Final Order.

2. Dr. Michael F. Monica - The Board discussed the Provisional Orders of Discipline filed in this matter. The Board moved to executive session for deliberation.

The Board requested to table decision in this matter pending confirmation that Dr. Monica was properly served with the Provisional Order.

#### IX. REQUEST THAT THE FILED CONSENT ORDER BE RESCINDED:

1. Dr. Jerome Hodlofski - The Board reviewed a request from Dr. Hodlofski requesting that the Consent Order filed on April 4, 1996 be removed from his record. The Order was as a result of a medical condition disclosed on his biennial renewal application. The Board determined to file an Order Removing Restrictions provided he agrees to refrain from clinical practice.

#### X. REQUEST FOR EXTENSION TO COMPLETE THE CONTINUING EDUCATION CREDITS REQUIRED FOR RENEWAL OF THE LICENSE

1. Dr. Aliya Khan - The Board reviewed a request from Dr. Khan for an extension to complete the continuing education credits for licensure renewal. The Board granted a two (2) month extension; advise Dr. Khan that in the future he must comply with deadline requirements.

#### XI. OTHER MATTERS

1. The Board reviewed additional information from Chedva Werblowsky from Center for Health Education in follow-up to her inquiry of supervision of dental hygienists. The Board determined that the following additional information be obtained:

- Copy of the Federally Qualified Health Center guidelines.
- Proof that the center is a Federally Qualified Health Center.
- Who is on the Board?
- What dentists provide treatment?
- Who supervises the hygienists and auxiliaries?
- How is billing handled? What NPI number is being used?

NOTE: The Board asked that this be considered during Sunset Review.

2. The Board reviewed additional information from NJDA concerning the inquiry dealing with the “scope of practice of a dental assisting student.” The Board determined that as long as the individuals are (1) enrolled in a dental assisting class that has a curriculum requirement to perform these functions, and (2) they are under the direct supervision of a licensed dentist, and (3) they are identified as students.

3. The Board reviewed an inquiry from Dr. Ben Peck concerning the registration of a free dental clinic. The Board determined that the following additional information be obtained:

- Who owns this facility?
- Is this a dental office or a “clinic”?
- Who is responsible for all the equipment?
- Who will supervise the auxiliaries?

4. NERB - The Board reviewed a request for consideration of NERB consultants. The Board referred this to the NERB committee for review.

5. The Board reviewed correspondence from Dr. Jeffrey P. Pancer, President, American Academy of Dental Sleep Medicine concerning “dental care for patients with obstructive sleep apnea.” The Board thanks Dr. Pancer for the inquiry, however, declines to modify it’s original position from the April 1, 2009 Board Meeting.

6. The Board reviewed correspondence from Daniel Kurdyla, Liberty Mutual, requesting clarification with regard to the practice of dentistry in a chiropractic office. The Board determined that the following

additional information be obtained:

- Who is billing for this?
- What medical/dental providers are involved?
- Provide specifics with regard to this operation.

7. DANB - The Board reviewed a copy of summary of major actions taken by DANB's Board of Directors at the August 21-23, 2009 annual meeting. The Board took this as informational.

## XII. COPIES OF ORDERS FILED IN THE MONTH OF OCTOBER

1. Dr. Vyacheslav Yunatanov - Final Order of Discipline filed on October 7, 2009.
2. Dr. Jason Birnbaum - Order Rescinding Provisional Order of Discipline filed on October 7, 2009.
3. Dr. William E. Kurylo - Settlement Letter filed on October 7, 2009.

The Board took this as informational.

## PUBLIC COMMENTS -

Arthur Meisel, NJDA -

1. Request for an update on the status of the Botox rule proposal. The proposed regulation regarding injectable pharmacologics is being reviewed in the Director's office.
2. Question about the advertising of Invisalign. This matter requires a legal opinion and will be placed on a future agenda.

Paul Bent, NJDHA -

1. Follow up from Carolyn Breen's inquiry about their program's proposed changes. The NJDHA is comfortable with the program as long as the student receives an Associates Degree and the RDH program is CODA approved.

## XIII. APPEARANCE

1. 1:00 P.M. - Dr. John Kallis - Appearance concerning the reinstatement of Dr. Kallis' New Jersey license which was suspended on July 15, 2009.

Dr. Kallis appeared with counsel, Susan Fruchtman, Esq., and Anthony LaBue, Esq. Dr. Kallis entered PTI in November 2008, without any admissions. He received 3 years of probation and agree to testify against any co-defendant if asked in the future.

Dr. Kallis testified that he has received remuneration from Hudson Facial Trauma, LLC, since he signed the Consent Order, but only for work that he had done previously. He has not legally divested from that entity. Dr. Kallis must provide information about divesting his interest in Hudson Facial Trauma.

Dr. Kallis is licensed in New York and in Greece (European Union). The Board requested that he provide exact dates for his practice in Greece and other places of practice between July 15, 2009 and December 31, 2009.

Upon reinstatement Dr. Kallis expects to practice as a solo practitioner in Englewood Cliffs, New Jersey. Dr. Kallis has agreed to read the book "Sickness Behavior and the Sick Role" and provide a written report.

ADJOURNMENT:

