



New Jersey State Board of Dentistry Public Session Minutes

BOARD OFFICE

NEWARK, NEW JERSEY

NOVEMBER 6, 2002

ATTENDANCE:

The following members of the Board were in attendance:

Dr. Valentine Bloch; Dr. Emil Cappetta; Mr. Louis Cardenas; Patricia Delaney, RDH; Mrs. Helen Huber; Dr. William Orlacchio; Dr. John Ricciani; Dr. Arnold Rosenheck; Dr. Abraham Samansky.

ADDITIONAL ATTENDEES WERE:

Nancy Costello Miller, Deputy Attorney General; Cecilia Moreira, Management Assistant and Michael Dominach, Paralegal.

ABSENT AND/OR EXCUSED:

Dr. Barbara Rich; Dr. Anthony Chibbaro

APPROVAL OF MINUTES:

September 18, 2002 - Approved as amended.

October 2, 2002 - Approved as amended.

NOT ON THE AGENDA:

1. Dr. Robert Karasek - Moved to Executive Session.

COMMITTEE REPORTS:

Dental Applications:

1. Dr. Lyuba Taft - The committee discussed an application for a dental license. Dr. Taft disclosed an arrest for shoplifting in 1997. After discussing this matter, the Board requested that additional information be obtained concerning her employment from 2000 to the present. A Data Bank report is to be obtained.

Dental Auxiliaries:

1. Vanessa Emmons - The committee discussed an application for Registered Dental Assistant registration. The applicant disclosed an arrest to DWI on her application which occurred 10 years ago. Ms. Emmons otherwise meets all requirements for licensure. The committee recommends approval.

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

PROPOSED REGULATIONS:

1. Notice of Reproposed Amendments: N.J.A.C. 13:30-1A.2 and 2.4 and Reproposed New Rule: N.J.A.C. 13:30-8.20 - Scope of Practice of Licensed Dental Hygienist; Scope of Practice of Registered Dental Assistant; Nitrous Oxide/Oxygen Inhalation Analgesia; Duties of a Licensed Dentist; Delegation to Licensed Dental Hygienist and Registered Dental Assistant. Comments are to be submitted by December 6, 2002. This matter will be placed on a future agenda along with all comments received.

2. Notice of Proposed Readoption: N.J.A.C. 13:44B - Per Diem Compensation for Members of Professional and Occupational Licensing Boards. The Board in a motion by Dr. Rosenheck seconded by Dr. Bloch determined that a comment be sent questioning the difference in increase per diem compensation between the Board of Medical Examiners and the other Boards. All Boards work the same way and should be compensated at the same rate.

3. Maryann S. Sheehan, Regulatory Analyst, reviewed the following proposed regulations with the Board: (enteral sedation with single and multiple pharmacological agents; termination of the dentist-patient relationship; and dispensing prescription medications for a fee).

A. Termination of the dentist-patient relationship - At the request of Mr. Arthur Meisel, Executive Director of N.J.D.A., this matter was tabled so he could be present for the discussion on this issue.

B. Dispensing prescription medications for a fee - The Board determined that the draft proposal be changed to include language that includes a disclosure to the patient advising of the 10% overhead and administrative costs. Dr. Bloch is not in favor of this proposal. The Board determined that the correction be incorporated into the draft and brought back for further review.

NOTE: Dr. Rosenheck left at 12:15 P.M.

C. Enteral sedation with single and multiple pharmacological agents - The following changes to the draft were noted:

- A definition of "parenteral conscious sedation" will be added.
- A licensee applying for the permit must complete a minimum of 40 hours of continuing education and completion of 10 cases.
- Waivers will be granted to licensees who have completed a General Practice Residency program within the last three years and demonstration of a minimum of 30 cases.

The Board tabled discussion on the remainder of the draft to the December 4, 2002 agenda.

PROPOSED LEGISLATION:

1. A-2264 - The Board reviewed this proposed legislation which requires criminal history record background checks for health care professionals as condition of initial licensure. The Board voted in support of this legislation.

2. A-2880 - The Board reviewed proposed legislation which concerns procedure and liability in medical malpractice actions. After discussing this matter, the Board determined that the Division of Consumer Affairs be requested to provide an explanation of this proposal specifically as it relates to the statute of limitations.

3. S-1977 - The Board reviewed proposed legislation which requires testimony by health care providers to be given by persons licensed in this State and to conform to currently accepted medical standards. The Board determined that a comment be submitted indicating that the Board does not agree that persons giving testimony in such actions be licensed in New Jersey but agrees that opinions proffered must conform to currently accepted medical standards. The Board does not believe plaintiff's and defendant's choice of expert in malpractice matters should be limited to New Jersey licensees only.

INCIDENT REPORTS:

1. Dr. Manish Mistry - The Board took this as informational.

REQUEST FOR REINSTATEMENT:

1. Dr. Richard A. Blossom - The Board reviewed a request for reinstatement of dental license. Dr. Blossom's license was suspended by Board Order on December 23, 1996. After discussing this matter, the Board determined that an appearance be scheduled. Also, the file is to be reviewed to determine the required number of continuing education credits for reinstatement and the amount of penalties/restitution owed.

OTHER MATTERS:

1. **Dr. Mark W. An** - Response to Provisional Order of Discipline. This matter was tabled.
2. **Dr. Michael Glogoff** - The Board reviewed the additional information requested in connection with the Uniform Penalty Letter issued for failure to complete the continuing education credits for the 99-00 period. The courses submitted by Dr. Glogoff were taken during the biennial period. The Board in a motion by Ms. Delaney, seconded by Dr. Bloch determined that the penalty be withdrawn.
3. **Dr. Edward D. Sledge, Jr.** - The Board reviewed a report from Dr. Barden as required by the Board's Consent Order. The Board in a motion by Ms. Delaney, seconded by Mrs. Huber, moved this matter to Executive Session.
4. **The Board reviewed a letter from Arthur Meisel, Executive Director of NJDA concerning non disciplinary dispositions with consumer complaints.** After discussing this matter the Board determined that Mr. Meisel be advised that his concerns have been noted and the Board will take this matter into consideration.
5. **The Board reviewed a letter from Kevin J. Lau, Esq. requesting guidance on "Dental Education Centers."** Deputy Attorney General, Nancy Costello Miller, informed the Board that she has spoken with Mr. Lau and requested that additional information be provided.

NOT ON THE AGENDA:

1. Dr. Ricciani reported on his attendance at the American Association of Dental Examiners meeting which took place in New Orleans on October 17th and 18th, 2002.
2. Ms. Delaney reported on her attendance at the NERB Steering Committee.

SECRETARY'S LIST:

The Board approved the list of licensees.

ADJOURNMENT: