

NEW JERSEY STATE BOARD OF DENTISTRY

PUBLIC SESSION MINUTES

BOARD OFFICE
NEWARK, NEW JERSEY

NOVEMBER 16, 2011

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

ATTENDANCE: The following members were in attendance:
Shirley Birenz, RDH; Mr. Steven Brisgel; Emil Cappetta, DMD; Sheila Dashkow, DDS; Lydia David, DMD; Peter DeSciscio, DMD; Maxine Feinberg, DDS

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

ABSENT AND/OR EXCUSED: Herbert Dolinsky, DDS; Alexander Hall, DMD; Beverly Kupiec, RN, Ph.D.; Arnold Rosenheck, DMD

I. APPROVAL OF MINUTES: November 2, 2011 - Approved as amended.

II. EXECUTIVE DIRECTOR'S REPORT:

1. Status of renewals for dentists and dental hygienists.

III. HANDOUTS:

1. Inquiry from Arthur Meisel, NJDA, concerning the implementation of N.J.A.C. 13:30-8.4A(b), which states "*No dentist shall administer an injectable pharmacologic unless the minimum standards of training and procedure set forth in this section are satisfied.*" The Board noted that this regulation will be published as an adoption in the New Jersey Register on November 21, 2011. Dentists who presently administer injectable pharmacologics, but who have not yet completed a Board approved course or are not an oral and maxillofacial surgeon possessing a specialty permit number will be required to cease further administrations effective November 21, 2011.

The Board requested that Mr. Meisel place a notice in the NJDA capsule concerning this matter.

2. The Board requested that Darlene Kane, Budget Officer from the Division of Consumer Affairs come before the Board to discuss how the licensing fees are set and any surplus in the budget.

3. Inquiry from Paul Condello, D.M.D., concerning the limits of the use of Botox and other injectable pharmacologics in a dental context. The Board reiterates that the use of injectable pharmacologics by dentists is intended to be restricted to be used in conjunction with dental treatments in the peri-oral area. To the extent Botox may be indicated for treatment of temporomandibular joint dysfunction, injections outside the peri-oral area may be appropriate.
4. Discussion concerning the Botox course sponsored by Dr. Malcmacher. The Board requested that a letter be sent to Dr. Malcmacher with concerns about deviating from the outline the Board approved for his course.
5. Information from Shirley Birenz concerning the local anesthesia course given by Dr. Vishali Singhal, UMDNJ, in Scotch Plains. The Board determined that Dr. Singhal be advised that the students need to take the refresher course including all of the maxillary blocks, including the greater palatine and nasal palatine in order to renew their permit.

IV. APPEARANCES:

1. 1:00 P.M. - Dr. Louisa Correa-Hunter - Hearing.
Dr. Correa-Hunter appeared with counsel, Nicholas G. Sekas, Esq.
Deputy Attorney General Bindi Merchant appeared on behalf of the Attorney General.
- The parties entered exhibits into evidence by consent.

The Board in a motion by Dr. Feinberg, seconded by Ms. Birenz, moved to executive session for deliberation on the basis for liability.

The Board in a motion by Dr. Feinberg, seconded by Dr. Dashkow, found that Dr. Correa-Hunter violated the following:

- Allowed the unlicensed practice of dentistry.
- Made improper submissions to an insurance company resulting in a settlement with the Office of Insurance Fraud Prosecutor, and a criminal conviction.

The Board then heard mitigation from Dr. Correa.

Mr. Sekas presented the following witnesses:

- Mr. Louis Baer
- Mrs. Lorraine Baer
- Tom Demaras

Dr. Correa-Hunter also testified on her own behalf.

DAG Merchant deferred to the Board for imposition of sanction.

At the conclusion of testimony, the Board in a motion by Dr. Feinberg, seconded by Dr. Dashkow, moved to Executive Session for deliberation.

The Board returned to public session, in a motion by Dr. Feinberg, seconded by Dr. Dashkow, determined the following:

- Dr. Correa's license shall be suspended for three (3) years, one month active, the remainder served as a period of probation; she shall be reprimanded; be assessed costs and attorney's fees; and she shall perform 100 hours of community service by providing dental services to eligible persons as approved by the Board.
- A written order will be prepared.

- V. 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.