

**NEW JERSEY STATE BOARD OF DENTISTRY
PUBLIC SESSION MINUTES
BOARD OFFICE
NEWARK, NEW JERSEY DECEMBER 3, 2008**

ATTENDANCE: The following members were in attendance: Shirley Birenz, RDH; Steven Brisgel; Emil Cappetta, DDS; Herbert Dolinsky, DDS; Peter DeSciscio, DMD; Maxine Feinberg, DDS; Beverly Kupiec, RN, Ph.D.; John Ricciani, DMD

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

ABSENT AND/OR EXCUSED: Sheila Daskow, DDS; Alexander Hall, DMD Arnold Rosenheck, DMD

NOTE: Dr. Cappetta presided over the meeting in the absence of Dr. Alexander Hall. The Public Session Agenda started at 9:30 A.M.

I. APPROVAL OF MINUTES: November 5, 2008 - Approved as amended.

II. EXECUTIVE DIRECTOR'S REPORT:

1. Letter of gratitude from Dr. Placa concerning her term as a Board member.
2. Report on the number of applications received and licenses issued during the month of November.
3. S-2344 - Proposed legislation which upgrades penalties for assaulting certain health care professionals and workers. The Board in a motion by Dr. Feinberg, seconded by Dr. DeSciscio, supported this legislation.

III. COMMITTEE REPORTS:

1. Credentials:

Dental:

- Dr. Kevin Thornsberry - Application for a limited professional registration Certificate. Dr. Thornsberry meets all requirements. The committee recommends approval.
- Dr. Heather Hoffmann - Application for reinstatement of her New Jersey dental license. Dr. Hoffmann has not practiced dentistry since 2002. The committee recommended that Dr. Hoffmann complete the DSCE and submit proof of eighty hours of continuing education credits prior to reinstatement.

Dental Auxiliaries:

- Fina Saunders - Application for a dental hygiene license. Ms. Saunders meets all requirements for licensure. The committee recommended approval.
- Lisa Mazza - Application for a dental hygiene license. Ms. Mazza meets all requirements for licensure. The committee recommended approval.
- Michele Mandler - Application for reinstatement of her dental hygiene license. Ms. Mandler has not practiced dental hygiene in six years. The committee recommended that she take a refresher course prior to reinstatement of license.
- Benjamin Chavez - Application for reinstatement of his registered dental assistant registration. He last renewed in 2004. The committee recommended approval.

2. Continuing Education:

The Board in a motion by Dr. Feinberg, seconded by Ms. Kupiec, approved the committee's report.

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

1. Dr. Alan N. Levine - The Board determined that complete patient records and charts be obtained.

V. RESPONSE TO UNIFORM PENALTY LETTER:

1. Dr. Lawrence Law - The Board reviewed a response from Dr. Law to the Board's Uniform Penalty Letter for failure to complete the continuing education credits for licensure renewal. Dr. Law has made up the continuing education credits and is requesting the Board to rescind the UPL. The Board moved this matter to Executive Session to deliberate and to obtain advice from counsel. The Board in a motion by Dr. Feinberg, seconded by Dr. Dolinsky, sustained the Uniform Penalty Letter.

VI. REQUEST FOR MODIFICATIONS TO THE BOARD'S CONSENT ORDER:

1. Dr. Donald Dobrowolski - The Board reviewed a request from Raymond Hanbury, Ph.D., for modification to the Board's Consent Order. The Board moved this matter to Executive Session for deliberation. The Board determined to reduce the therapy sessions and toxicology screenings to monthly as recommended by Dr. Hanbury.

VII. REQUEST FOR REMOVAL OF DISCIPLINARY ACTION:

1. Dr. Catherine Ruiz-Santos - The Board reviewed a request from Dr. Ruiz-Santos for removal of the disciplinary action on her record. In April 2000 Dr. Ruiz-Santos paid a \$500 penalty for failure to provide the continuing education credits for licensure renewal. She indicates that this is affecting her credit. The Board requested that Dr. Ruiz-Santos provide the Board with specifics as to how this action is affecting her credit.

VIII. SISTER STATE ACTIONS:

1. Dr. Aram Y. Agadjanian - The Board reviewed copy of disciplinary action taken by the Dental Board of Connecticut which included a reprimand, a \$10,000 penalty and two year probation with monitoring. The board in a motion by Dr. Feinberg, seconded by Dr. DeSciscio, determined that a written narrative of the events in this matter be obtained from Dr. Agadjanian.

IX. COPY OF PUBLIC ORDERS FILED WITH THE BOARD IN THE MONTH OF NOVEMBER, 2008:

1. Dr. Geram Yakobashvili - Consent Order filed on November 19, 2008. The Board took this as informational.

2. Dr. Aleksandr Gurvich - Final Order of Discipline filed on November 21, 2008. The Board took this as informational.

3. Dr. Lloyd Calder - Final Order of Discipline filed on November 21, 2008. The Board took this as informational.

4. Dr. Hee Joon Kwak - Final Order of Discipline filed on November 21, 2008. The Board took this as informational.

X. OTHER MATTERS:

1. The Board reviewed correspondence from Carolyn Breen, RDH, Chairperson, Department of Allied Dental Education at UMDNJ, questioning whether UMDNJ graduates with a certificate in dental hygiene would qualify to take the National Board Dental Hygiene Examination and North East Regional Board Examination to obtain licensure to practice in New Jersey. The Board in a motion by Dr. Feinberg, seconded by Dr. Dolinsky, determined that it will not comment on the educational requirements of programs that are recognized by the Department of Higher Education. The Board referred Ms. Breen to CODA and the Department of Education for direction.

2. The Board reviewed correspondence from Kathy A. Banks, DMD, President of the New Jersey Society of Oral and Maxillofacial Surgeons, Inc. and from Vincent B. Ziccardi, DDS, MD Associate Professor and Chair, Department of Oral and Maxillofacial Surgery at UMDNJ, with a request concerning the proposed regulations governing the administration of Botox and other injectable pharmacologics. Dr. Banks and Dr. Ziccardi requested that oral and maxillofacial surgeons be exempt from the training requirements outlined in the Board's proposed regulations. Dr. Banks was present at the meeting and confirmed that all members of NJSOMS are specialty permit holders.

The Board discussed the draft Botox regulations. Maryann Sheehan from the Director's Office, Regulatory Section, was present to discuss this proposal. The Board in a motion by Dr. Feinberg, seconded by Dr. DeSciscio, determined that based on their training, oral and maxillofacial surgeons who have specialty permits issued by the State Board, will be exempt from the training provisions of the proposed regulation on the Administration of Botox and Injectable Pharmacologics. The Board encouraged oral and maxillofacial surgeons to avail themselves of the latest pharmacology in these matters.

3. The Board reviewed a copy of article entitled "Massachusetts Attorney General Martha Coakley obtains preliminary injunction against individuals and businesses involved in widespread dental finance scheme." The Board took this as informational.

4. Dr. John Kallis - The Board reviewed correspondence from Susan Fruchtman, Esq., counsel for Dr. Kallis and a response from Deputy Attorney General David Puteska. Ms. Fruchtman is requesting that the Board consider allowing Dr. Kallis to temporarily return to practice pending the full resolution of the matter before the Office of Administrative law. The Board noted that nothing submitted has persuaded them to allow Dr. Kallis to return to practice.

XI. ADJOURNMENT: