

NEW JERSEY STATE BOARD OF DENTISTRY
PUBLIC SESSION MINUTES
NEWARK, NEW JERSEY
DECEMBER 4, 2013

NOTE: The Public Session Agenda was called to order at 10:00 A.M. by Vice-President, Shirley Birenz, RDH.

ATTENDANCE: The following members were in attendance:
Shirley Birenz, RDH; Emil Cappetta, DDS; Herbert Dolinsky, DDS; Maxine Feinberg, DDS; Nicholas C. DeRobertis, DMD; Peter DeSciscio, DMD; Beverly Kupiec, RN, PhD; Richard D. Riva, DDS

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

ABSENT AND/OR EXCUSED: Sheila Dashkow, DDS; Lydia David, DMD; Roger M. Kriete, DMD

I. APPROVAL OF MINUTES: November 20, 2013 - Approved as amended.

II. COMMITTEE REPORTS:

Applications: No applications were reviewed.

Continuing Education: The Board approved the continuing education committee recommendations on the pre-approval of continuing education courses.

III. PROPOSED REGULATION CHANGES:

Regulatory Analyst Rachel Glasgow appeared before the Board to present these suggested changes to the Board's existing regulations.

1. 13:30-1.2 APPLICATION FOR LICENSURE TO PRACTICE DENTISTRY
The Board in a motion by Dr. DeRobertis, seconded by Dr. DeSciscio, moved to propose an amendment to 13:30-1.2 (b) 5 and to publish in the New Jersey Register.
2. 13:30-8.2 PARENTERAL CONSCIOUS SEDATION
This proposal amends the requirements for obtaining a permit by clarifying that the 80 hours must be completed with 40 hours in didactic instruction and 40 hours in clinical training. It also specifies the equipment that must be present in the dental office, and adds capnography.

The Board tabled the proposal concerning the training in order to gather additional information from existing course providers. (The Board established a committee to include Dr. Riva and Dr. Dolinsky to assist in gathering the necessary information.) The Board approved publishing on proposal the capnography and equipment requirements.

13:30-8.3 USE OF GENERAL ANESTHESIA

Amending to change training requirements from “basic life support” to “Advanced cardiac life support.” The Board approved publishing the amendment as a proposal.

13:30-8.4 ENTERAL SEDATION WITH SINGLE OR MULTIPLE PHARMACOLOGICAL AGENTS

Amending to change training requirement from “basic life support” to “Advanced cardiac life support” and adding capnography. The Board approved publishing the proposal, with specific amendments.

IV. LEGISLATION:

1. S-2875 - Requires prescribers and pharmacists to check prescription monitoring program prior to prescribing and dispensing Schedule II drugs. Tabled from previous meetings.

The Board supports the intent of addressing the epidemic of prescription drug abuse, but opposes this bill for several practical reasons. The Board notes that this bill imposes additional burdens that would pose a significant barrier to care for patients in pain. It also supercedes a licensee’s professional judgment in assessing and treating a patient, and circumvents other acceptable methods of assessing patients, verifying their medical history, and communicating with other medical professionals.

The Board supports encouraging dental professionals to voluntarily sign up for, and utilize, the PMP.

The Board also believes that it would be much better for the boards governing the medical professions to enact continuing education requirements that would mandate training in pharmacology and drug abuse awareness for the renewal of licenses.

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

1. Dr. Joshua R. Braunstein - Moved to executive session. When and if action is taken it will be reported in public session.
2. Dr. Alfred E. Berry - Moved to executive session. When and if action is taken it will be reported in public session.
3. Rutgers School of Dental Medicine - Taken as informational.

VI. OTHER MATTERS:

1. The Board reviewed additional information from Dr. Elana Wolf-Silver in follow-up to her request to use the credits awarded by the American Board of Pediatric exam towards the continuing education requirements for licensure renewal. The Board received additional rationale from the American Board of Pediatric for determining and granting the number of credits for preparing for a Board exam.

After reviewing the materials presented, the Board denied the request for continuing education credits for this method of studying. The Board also granted an additional six (6) months to complete the required credits for the renewal of her license, if necessary.

2. Inquiry from Chung Wong questioning whether a dentist can call a prescription in for the Hep B vaccine for office use or use as directed under his name. The Board tabled this matter for further legal review and counsel.

VII. OTHER MATTERS:

1. Correspondence from Dr. Suffiyah Webb concerning a new business where the mission is to provide in home oral exams, dental prophylaxis and fluoride application to young patients. The Board expressed concerns with safety/hygiene issues, what type of equipment will be used, lighting, not a controlled environment, what procedures are being used, is it a mobile practice, what if an emergency arises, will there be assistants. The Board determined to deny this request at this time because of safety concerns.
2. Academy of General Dentistry - Information concerning its "Licensing Board Transcript" and questioning whether the Board will accept this transcript for use during dentist's licensure renewal or if audited. The Board determined that it would accept a certified transcript as proof of completion of continuing education courses.

VIII. ORDERS FILED WITH THE BOARD:

The Board took the following Orders as informational.

1. Dr. Patricia F. Lynch - Settlement Letter filed on November 20, 2013.
2. Dr. Carlo J. Porcaro - Final Order of Discipline filed on November 20, 2013.
3. Dr. Syed Hussain - Interim Consent Order filed on November 20, 2013.
4. Dr. Uyen Bui - Settlement Letter filed on November 15, 2013.
5. Hipolito Solano, Unlicensed - Consent Order filed on November 6, 2013.
6. Dr. W. Thomas Breithaupt, Jr. - Order Removing Restrictions on License filed on November 1, 2013.

IX. PUBLIC COMMENT:

1. Arthur Meisel, Esq., NJDA - A reception for Dr. Feinberg on December 18, 2013 from 5-8 PM at the NJDA headquarters building.

X. 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.