

**NEW JERSEY STATE BOARD OF DENTISTRY
PUBLIC SESSION MINUTES
BOARD OFFICE
NEWARK, NEW JERSEY DECEMBER 6, 2006**

ATTENDANCE: The following members were in attendance:

Emil Cappetta, DDS; Peter DeSciscio, DMD; Herbert Dolinsky, DDS; Maxine Feinberg, DDS; Karen Golding;; Beverly Kupiec, RN, Ph.D; John Ricciani, DMD

OTHER ATTENDEES: Deputy Attorneys General Nancy Costello Miller and Joseph Donofrio; Kevin Earle, Executive Director; Cecilia Moreira, Senior Management Assistant; Michael Dominach, Paralegal

ABSENT AND/OR EXCUSED: Belinda Caraballo; Patricia Delaney, RDH, Ed.M; Alexander Hall, DMD; Sally-Jo Placa, DMD; Arnold Rosenheck, DMD

NOTE: The Public Session Agenda commenced at 10:00 A.M.

I. APPROVAL OF MINUTES: October 4, 2006 - Approved as amended. October 18, 2006 - Approved as amended.

II COMMITTEE REPORTS:

1. Credentials:

Dental Applications:

- Dr. Thomas F. Gengler - The committee reviewed a dental application for a New Jersey dental license. Dr. Gengler holds a dental license in the State of Wisconsin and has been a dental consultant in that state for the last five years. The committee recommends approval. The Board approved this application.

2. Continuing Education:

The Board approved the continuing education committee report.

III. INCIDENT REPORTS:

The Board reviewed the following incident reports:

1. Dr. Stephen Grober/Dental Director - Eastern Dental of Passaic/Essex - The Board took this report as informational.

2. Dr. Frederick Meiselman - Dr. Feinberg was recused due to a referral relationship. The Board took this report as informational.

IV. PROPOSED LEGISLATION:

1. A-3566 - The Board reviewed this proposed legislation which "requires physicians and other prescribers to obtain informed consent from parents or guardians of minors for medications with "black box warnings." The Board in a motion by Dr. Dolinsky, seconded by Dr. Feinberg, took no position on this legislation.

2. S-2311 - The Board reviewed this proposed legislation which "requires public body to post agendas and minutes on Internet site; requires any public body to devote part of each public meeting to public comment." The Board in a motion by Ms. Golding, seconded by Dr. Feinberg, voted in support of this proposed legislation.

3. A-3514 - The Board reviewed this proposed legislation which "requires health care representative to make health care decisions for incapacitated patients in accordance with patient's religious beliefs." The Board in a motion by Dr. Feinberg, seconded by Ms. Golding, took no position on this legislation.

4. A-3623 - The Board reviewed this proposed legislation which "establishes certificate of rehabilitation for certain persons with criminal records." The Board noted that it supports the legislation in concept so long as the Board still retains discretion to review and act on applications for licensure. The Board has always been mindful of the convicted offenders act. The Board noted that section 2 c and 3 in this proposal appear to be contradictory.

Not on the Agenda:

5. A-2761 - The Board reviewed this proposed legislation which "changes criteria for eligibility to receive limited teaching certificates in dental schools." While the Board does not believe that it is necessary to amend its current statute, the Board believes that the legislation in its present form needs certain amendments as follows:

- Line 10 - to as the Board, may issue to qualified applicants, who may not be otherwise qualified for licensure, ...

- Line 13 - and upon the premises of the dental school or its clinical teaching facilities, and which shall not include the faculty practice service

- Line 15 - dentistry in any of its branches is taught. Delete "except that as clinicians." Note: This provision is redundant. Already is in statute @ N.J.S.A. 45:6-19.

- Line 34 - Delete: "certify to the Board" Add: "provide all unexpurgated documentation to the Board" Add: "The Board shall review and evaluate the credentials and qualifications submitted with the application."

- Line 41 & 42 - "b. No dental school in this state shall employ, at any one time, more than 15 persons with limited teaching certificates."

- New - c. For the purpose of this section, if the dental school, from which the applicant graduates is located outside the United States, the credentials documenting graduation shall be subject to an independent evaluation by an agency approved by the Board.

- New - d. No such limited teaching certificate shall be deemed to authorize the certificate holder to engage in the private practice of dentistry outside of the premises of the dental school or its clinical teaching facilities.

- New - e. A limited teaching certificate shall automatically expire upon the termination of the certificate holder's employment by a dental school in this State.

- New - f. The Board shall adopt, pursuant to the Administrative Procedures Act & PL 1968 c 410 (c 52:14B - et seq.), rules and regulations necessary to implement the provisions of this Act.

6. S-2333 - Proposed legislation which "makes certain revisions to New Jersey Health Care Consumer Information Act, includes chiropractors and dentists under act." This matter was tabled to the next meeting to allow the Board time to review this proposal.

V. STATUS REPORTS FROM PROFESSIONAL ASSISTANCE PROGRAM:

1. John J. Fitzpatrick, DMD - Status report from the Professional Assistance Program. The Board moved this matter to Executive Session. The Board took this report as informational.

2. Amy Hoffman, RDA - Status report from the Professional Assistance Program. The Board moved this matter to Executive Session.

The Board reviewed a letter from the Professional Assistance Program indicating that Ms. Hoffman has expressed a desire to discontinue monitoring. Based on her compliance with PAP over the past year, they are not opposed to Ms. Hoffman's request. The Board determined to approve Ms. Hoffman's request to discontinue monitoring with PAP as required by Board Order filed on November 3, 2005.

VI. REQUEST FOR REINSTATEMENT OF LICENSE FOLLOWING DISCIPLINARY ACTION:

1. Judd Garson, DDS - The Board reviewed Dr. Garson's request for reinstatement of his New Jersey license. This matter was moved to Executive Session to discuss this matter.

Dr. Garson indicates that he continues to practice in the State of New York and is currently involved in its Professional Assistance Program. The Board determined that a release be obtained from Dr. Garson to obtain reports from the New York PAP.

VII. OTHER MATTERS:

1. The Board reviewed correspondence from Commission on Dental Accreditation concerning "State Board Participation on Accreditation Site Visits." The Board took this as informational.

2. The Board reviewed correspondence concerning arrangements for administration of National Board Dental and Dental Hygiene Examinations. The Board took this as informational.

VIII. APPEARANCES:

1. 11:15 A.M. - Nicole Turner - Ms. Turner appeared with counsel, Mr. Lawrence Leff, concerning an application for the reinstatement of her dental hygiene license. There was a Judgment of Conviction in 2001 for obtaining CDS by fraud. Ms. Turner was sentenced to four years probation and had to forfeit her dental hygiene license.

At the conclusion of her testimony and questions from the Board, the inquiry was ended. The Board determined that Ms. Turner's clinical skills should be evaluated by Ms. Delaney and Dr. Feinberg. A letter agreement will be prepared whereby she will agree to continue participation in the Professional Assistance Program for at least one year.

ADJOURNMENT: