

**NEW JERSEY STATE BOARD OF DENTISTRY  
PUBLIC SESSION MINUTES  
BOARD OFFICE (Somerset Room)  
DECEMBER 7, 2005 NEWARK, NEW JERSEY**

**ATTENDANCE:** The following members were in attendance:

Emil Cappetta, DDS; Patricia Delaney, RDH, Ed.M; Peter DeSciscio, DMD; Herbert Dolinsky, DDS; Karen Golding; Alexander Hall, DMD; Beverly Kupiec, RN, Ph.D; Sally-Jo Placa, DMD; John Ricciani, DMD; Arnold Rosenheck, DMD.

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

**ABSENT AND/OR EXCUSED:** Maxine Feinberg, DDS

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

**A. APPROVAL OF MINUTES:**

October 19, 2005 - Approved as amended.  
November 2, 2005 - Approved as amended.

**B. EXECUTIVE DIRECTOR'S REPORT:**

1. The Executive Director reviewed the reporting obligations of Public Law 2005: Ch. 83 "The Health Care Professional Responsibility and Reporting Enhancement Act." The Board took this as informational.

**C. COMMITTEE REPORTS:**

1. Credentials:

Dental Applications:

- Dr. Wynn Kapit - The committee discussed his application for a dental license by reciprocity. Dr. Kapit meets all requirements for licensure. The committee approves this application pending receipt of the passing National Board scores and successful completion of the Law & Jurisprudence exam.

Dental Auxiliaries:

- Luz Gomez - The committee reviewed her application for registration as a registered dental assistant. Ms. Gomez meets all requirements for registration. The committee recommends approval.

- Barbara Flynn - The committee reviewed her application for a dental hygiene license. Ms. Flynn meets all requirements for licensure. The committee recommends approval.

- Marguerite Free - The committee reviewed her application for a dental hygiene license. Ms. Free indicates on her application that she is currently working at the office of Dr. Antonio Cifelli. The committee recommends that clarification be obtained concerning the duties being performed at that office. This application was tabled.

- Lesia Matijiw - The committee reviewed her application for a dental hygiene license by credentials. Ms. Matijiw meets all requirements for licensure. The committee recommends approval.

- Jessica Scalia - The committee reviewed her application for a dental hygiene license. The committee

recommends that Ms. Scalia be scheduled for an appearance before the Board concerning the information disclosed on her application.

- Roxanne Smith - The committee reviewed her application for registration as a registered dental assistant license. The committee recommends that Ms. Smith be scheduled for an appearance before the Board concerning the information disclosed on her application.

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

## 2. Continuing Education:

The committee reported on 8 courses received. The committee recommends approval of six courses. The two courses concerning "hands-on" dentistry will be placed on the next agenda for Board review.

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

- David H. Scott, RDH - The Board reviewed Mr. Scott's request for waiver of the continuing education credits because he was on active military duty. The Board approved this request.

## **D. SECRETARY'S REPORT:**

The Board in a motion by Dr. Hall, seconded by Ms. Delaney approved the list of applicants for licensure.

## **E. ADMINISTRATIVE ACTION COMPLAINT:**

1. Bruce Leibowitz, D.M.D. - The Board reviewed a copy of an Administrative Complaint filed by the Attorney General and the Answer filed by Stephen Schechner, Esq., on behalf of Dr. Leibowitz. The Board in a motion by Ms. Delaney, seconded by Dr. Rosenheck, determined to refer this case to the Office of Administrative Law for hearing as a contested case.

## **F. INCIDENT REPORTS:**

1. John Frattellone, D.M.D. - The Board reviewed a report concerning an incident which occurred in his office. The Board noted that Dr. Frattellone's narrative was well done and his report reflects an appropriate response to the incident. Dr. Rosenheck stated that this would be a good teaching case and requests that permission be obtained from Dr. Frattellone to use it as a sample teaching case in the residency program at UMDNJ. Executive Director Earle will contact Dr. Frattellone.

2. Ruchi Bhatnagar, D.D.S. - This Board took this report as informational.

## **G. OTHER MATTERS:**

1. Dr. John G. McIntyre - The Board reviewed a copy of indictment and conviction against Dr. McIntyre for practicing dentistry without a license. The Board took this as informational. The Board noted that this is the same conduct underlying prior Board action.

2. The Board reviewed a letter from Arthur Meisel, Executive Director, New Jersey Dental Association concerning a correction to Board minutes of September 7, 2005 with regard to the letter from Raymond Guzzo. Mr. Meisel wants it to reflect that the regulation which the Board sought to adopt was not intended to "impose a new requirement" but to "clarify existing statutory law". The Board accepted this correction.

3. Limited Registered Dental Assistant in Orthodontics - The Board office has been approached by DANB to conduct a re-evaluation of the New Jersey Expanded Functions in Orthodontics Examination. Given the limited number of applicants, the Board is asked to consider using the DANB Certified Orthodontic

Assistant Examination. The Board also discussed several other changes in the regulations that might facilitate more applicants for this category of licensure.

The Board referred this matter to committee for a proposed change to the regulation. The committee will consist of Ms. Delaney, Dr. Ricciani, Dr. Frank Graham, and a representative from the New Jersey Society of Orthodontics.

4. The Board reviewed a letter from Carolyn Breen, Ed.D.,CDA, RDA, RDH concerning the incorporation of nitrous oxide instruction into existing American Dental Association approved programs in New Jersey. The Board determined that Dr. Breen be advised nitrous oxide instruction may be added to the curriculum. However, each institution offering this program must obtain separate approval from the Board. Individuals completing the program should be issued certificates attesting to the completion of the program in order to provide evidence to employers that the individual meets the requirements of the Board regulation for the monitoring of nitrous oxide.

5. The Board reviewed a letter from Rita Maroldo, Director, Cape May County Services, questioning whether a Medical Doctor or a Nurse Practitioner can order x-rays of the mouth or order procedures, such as fluoride treatments, in an office/clinic setting if a dentist is not in-house or on site at the time. This matter was tabled. Deputy Attorney General Miller will review and report at a future meeting.

6. Risa H. Levi, RDH, MS - The Board reviewed a request for reconsideration as a Northeast Regional Board Consultant. The Board determined that Ms. Levi be scheduled for an appearance before a committee of the Board. The Board also referred this matter to committee to set protocols on how candidates for NERB examiners and consultants should be evaluated.

7. The Board reviewed correspondence from WREB concerning tests for dental and dental hygiene licensure. The Board took this as informational.

8. AADE - Information concerning the 2006 AADE Mid-Year Meeting. Dr. DeSciscio and Executive Director Earle expressed interest in attending.

**ADJOURNMENT:**