NEW JERSEY STATE BOARD OF DENTISTRY

PUBLIC SESSION MINUTES

BOARD OFFICE
NEWARK, NEW JERSEY JUNE 6, 2012

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

ATTENDANCE: The following members were in attendance:
Shirley Birenz, RDH; Mr. Steven Brisgel; Emil Cappetta, DMD; Sheila Dashkow, DDS; Lydia David, DMD; Nicholas C. DeRobertis, DMD; Peter DeSciscio, DMD; Herbert Dolinsky, DDS; Maxine Feinberg, DDS; Roger M. Kriete, DMD; Beverly Kupiec, RN, PhD; Richard D. Riva, DDS

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

I. APPROVAL OF MINUTES: May 16, 2012 - Approved as amended.

II. COMMITTEE REPORTS:

1. Applications:

   - Jennifer Siok, R.D.H. - Request for reinstatement of her inactive dental hygiene license. Ms. Siok will have to submit a reinstatement application along with the required continuing education credits.

   - Dental Clinic - Application from Boys and Girls Club of Newark Dental Center for approval of its dental clinic. The Board approved this clinic subject to inspection of the facility and a request for additional information concerning the contract agreement. The Board noted that the dentists practicing at this facility should obtain a branch office permit. The fee for the branch will be waived for dentists providing pro-bono services at this dental clinic.

2. Continuing Education:

Global Dental Institute:

   - Implant Camp in Lima-Peru - The Board discussed a request for pre-approval of a course being sponsored by Dr. Aristo Carranza for 30 hours of hands-on and six credits didactic. The course is taking place in Lima-Peru. After discussing this matter, the Board expressed concerns with approving courses taking place in other countries. Dr. Carranza should first obtain approval through the ADA and AGD. The Board noted that Dr. Carranza be advised of NJSA 45:6-17 that “institute” may only be used in certain circumstances.
- AIC Basic Implant Course - The Board reviewed a request for pre-approval of a
dental aesthetics course being sponsored by Dr. Aristo Carranza. This course has
been approved by AGD for 24 credits. The Board approved this course.

III. REQUEST FOR MODIFICATION TO THE BOARD’S ORDER:

1. Dr. Brian DePetris - The Board reviewed a request from the Professional Assistance
Program requesting to permit Dr. DePetris to end his participation in the PAP as
required by the Board’s Consent Order filed on May 19, 2010. The Board in a motion
by Dr. Feinberg, seconded by Dr. DeRobertis, moved this matter to executive session for
deliberation.

The Board returned to public session and determined to remove Dr. DePetris from
the requirement to continue participation in the Professional Assistance Program.

IV. ADDITIONAL INFORMATION IN FOLLOW-UP TO THE BOARD’S ORDER:

1. Dr. Edward Levy - The Board reviewed information concerning completion of
“Practicing Practical Professional Ethics and Proactive Risk Management in Your
Practice, and PBI Professional Boundaries Course”, in addition to the two day approved
Medical Ethics and Professionalism Course in Sacramento, CA. This is in follow-up to
the Board’s Consent Order filed on September 12, 2011. The Board in a motion by
Dr. Feinberg, seconded by Dr. DeRobertis, moved this matter to executive session for
deliberation.

The Board returned to public session and approved these courses to satisfy the
requirement set forth in the Board’s order.

V. PROVISIONAL ORDERS OF DISCIPLINE TO BE FINALIZED:

1. Dr. George Szalavetz - The Board reviewed Dr. Szalavetz’s response to the Board’s
Provisional Order of Discipline along with response from DAG Oo in this matter.
The Board in a motion by Dr. Feinberg, seconded by Dr. DeRobertis, moved this
matter to executive session for deliberation.

The Board returned to public session and determined to finalize the Provisional Order
as written. The Board was not persuaded by the information provided by Dr. Szalavetz.

2. Dr. Marianna Weiner - The Board reviewed the Provisional Order of Discipline filed
against Dr. Weiner. Dr. Weiner indicated that she would not be submitting a response
to the POD. The Board in a motion by Dr. Feinberg, seconded by Dr. DeRobertis,
moved this matter to executive session for deliberation.

The Board returned to public session and determined to finalize the POD as written.
VI. RESPONSE TO UNIFORM PENALTY LETTER:

1. Dr. Eric J. Forte - The Board reviewed Dr. Forte’s response to a Uniform Penalty Letter assessing a $500 penalty for an advertising violation. The Board in a motion by Dr. Riva, seconded by Dr. Feinberg, moved this matter to executive session for deliberation.

The Board returned to public session and determined to sustain the penalty letter. The Board was not persuaded by the mitigation submitted by Dr. Forte.

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

Additional information requested:

1. Dr. Ignatius Scalia - The Board took this as informational.

New reports:

1. UMDNJ - New Jersey Dental School - The Board took this as informational.

   2. Cronin Dental Center - Dr. Michael Kay - The Board took this as informational.

NOTE: Arthur Meisel from the NJDA discussed Board minutes from March 7, 2012 concerning incident reports and the information posted. The Board in a motion by Dr. Feinberg, seconded by Dr. DeRobertis, determined that the minutes should reflect that a report was submitted and that the March 7, 2012 minutes be amended to reflect this determination.

VIII. ORDERS FILED WITH THE BOARD:

The following orders were taken as informational.

1. Dr. Marc Weber - Final Order filed on May 4, 2012.

   2. Dr. Helena Devaris - Consent Order of Voluntary Surrender of License filed on May 2, 2012.

IX. OTHER MATTERS:

1. Correspondence from Gary Heir, DMD, Clinical Professor, Clinical Director, Center for Temporomandibular Disorders and Orofacial Pain at UMDNJ concerning the “Core Curriculum in Orofacial Pain at UMDNJ-NJDS”. After discussing this matter the Board determined that Dr. Heir be advised that the therapeutic use of Botox as it relates to his course is permitted. Botox for therapeutic pain modalities are at the practitioners discretion.
X. APPEARANCE:

1. 11:30 A.M. - Alaa Mohsen, BDS, MS, MPH - Request for Limited Teaching Certificate to teach in a dental hygiene program at Eastern International College School of Dental Hygiene.

Dr. Mohsen obtained the degree Bachelor of Dental Surgery in Iraq. She obtained a dental license in Washington State. She does not hold a dental degree from an educational institution that is accredited by CODA. She completed the SRTA dental examination and received an official certificate from SRTA. She also took some courses at UMDNJ. The Board noted that SRTA and UMDNJ provided her with certificates that list her as having a DDS degree. The Board requested that she notify these agencies and provide a corrected copy. The Board also questioned her about the social security numbers listed on the materials submitted. The Board moved this matter to executive session for deliberation.

The Board returned to public session and in a motion by Dr. Feinberg, seconded by Dr. DeRobertis, determined to postpone making a decision this request until additional information is received.

XI. HAND-OUTS:

1. S-1902 - Proposed legislation which provides for issuance of certificate of rehabilitation to certain offenders with substance abuse disorders. The Board in a motion by Dr. Feinberg, seconded by Dr. DeRobertis, voted to remain neutral in this matter.

2. Dr. Bernard M. Kruger - The Board reviewed correspondence from Dr. Kruger questioning whether “micronutrient testing through company called Spectra Cell” is within the scope of practice of a dentist. The Board in a motion by Dr. Feinberg, seconded by Dr. DeRobertis, requested that Dr. Kruger provide refereed scientific publications to demonstrate the efficacy of such service.

XII. PUBLIC COMMENT:

1. Mr. Meisel inquired about the status of Board action on the teeth whitening matter transferred from the Appellate Division. The Board advised that it is conducting its own investigation of the practices of Beach Bum Tanning Salons. Mr. Meisel also asked about issues related to the administration of Botox and use of equipment for sleep apnea. The Board is continuing its review and discussion of these areas.

XIII. 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.