



Arizona State Board of Dental Examiners

“Caring for the Public’s Dental
Health and Professional Standards”

1740 West Adams Street, Suite 2470
Phoenix, Arizona 85007
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AMENDED NOTICE OF BOARD MEETING OF THE ARIZONA STATE BOARD OF DENTAL EXAMINERS’

Pursuant to Arizona Revised Statute (“A.R.S”) § 38-431.02, notice is hereby given to the members of the Arizona State Board of Dental Examiners (“Board”) and to the general public that the Board will hold a meeting open to the public on **Friday, January 26, 2024 at 8:00 a.m.** The meeting will be held in **Boardroom C** located at 1740 West Adams Street, Phoenix, Arizona 85007. One or more members of the Board may participate in the meeting by telephonic communications. Board members and members of the public may access the meeting telephonically by dialing +1 641-583-6079 followed by the meeting pin – 951 093 083# or virtually, by video conferencing through this link: meet.google.com/ubk-mtnb-bfd. After the start of the meeting, the Board president and/or staff will request that members of the public place their phones/devices on mute.

Meetings of the Board are open to the public, and are conducted in a manner to ensure that the Board's deliberations are not disrupted. Therefore, the following statement shall be considered the only warning of proper decorum: "each person who addresses the Board must do so in an orderly manner and must not make impertinent, slanderous, threatening, abusive or profane remarks to any member of the Board, staff, licensee, complainant or general public. Any person who engages in any disorderly conduct that disrupts, disturbs, or otherwise impedes the orderly conduct of any meeting will be removed from the current meeting and closely monitored should they decide to attend future meetings".

During the course of the meeting, the Board, upon a majority vote of a quorum of the members, may, when necessary, hold an executive session pursuant to A.R.S. § 38-431.03(A)(2) and/or (3) as indicated on the Board’s Agenda. The executive session is not open to the public.

Information concerning the Board’s Agenda, including a copy of the Agenda and any amendments, can be obtained at the Board’s office, through the Board’s website at www.dentalboard.az.gov or by calling the Board’s office at 602.242.1492 The Agenda is subject to change up to 24 hours prior to the meeting. Agenda items are noted by number and letter for convenience and reference. The Board may address the agenda items in any order within the time frame, if any, indicated and may set over matters to a later time when necessary. The Board reserves the right to change the order of the agenda items, except for matters set for a specific time.

Title 2 of the Americans with Disabilities Act prohibits the Board from discriminating on the basis of disability in its public meetings. Persons with a disability may request reasonable accommodation, such as a sign language interpreter, by contacting Board staff at 602.242.1492. Requests should be made as early as possible to allow time to arrange the accommodation.

ARIZONA STATE BOARD OF DENTAL EXAMINERS

Ryan P. Edmonson, Executive Director

Posted on January 24, 2024:

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The Americans with Disabilities Act: Persons with disabilities may request reasonable accommodations, such as sign language interpreters. Requests should be made as early as possible to allow time to arrange the accommodation. This document is available in alternative format upon request.



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January 26, 2024 Amended Board Meeting Agenda

The Arizona State Board of Dental Examiners’ (“Board”) President reserves the right to change the order of items on the agenda, except for public hearings set for a specific time.

During the Board meeting and upon a vote of the majority of a quorum, the Board may go into executive session to obtain legal advice from the Board’s attorney(s) pursuant to Arizona Revised Statute (“A.R.S.”) § 38-431.03(A)(3) on any agenda items listed on the agenda. All meeting attendees whose presence is not required in an executive session will be required to leave the meeting room during executive session. Any and all legal action will take place in open session.

I. CALL TO ORDER AND ROLL CALL

II. DECLARATION OF CONFLICTS OF INTEREST – A.R.S. § 38-503

Individual board members may declare specific conflicts with specific agenda items. All conflicts are notated by a signed Conflict of Interest Form declaring the member's actual or perceived conflict, including the full nature of the conflict and the signed form is retained in a special Board file.

III. REVIEW, DISCUSSION AND POSSIBLE ACTION ON BOARD MEETING MINUTES

Upon a vote of the majority of a quorum, the Board may go into executive session for item B pursuant to A.R.S. § 38-431.03(A)(2) to discuss or consider records exempt, by law, from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law.

- A. Discussion and approval of the Open Session Minutes from the December 15, 2023 board meeting.
- B. Discussion and approval of the Executive Session Minutes from the December 15, 2023 board meeting.

IV. CONSENT AGENDA

Upon a vote of the majority of a quorum, the Board may go into executive session pursuant to A.R.S. § 38-431.03(A)(2) to discuss or consider records exempt, by law, from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law. (All items listed under the Consent Agenda are considered to be routine or have been previously reviewed by the Board or the Board’s Designee and may be considered for approval as a single action, unless a Board Member wishes to remove an item for independent review, discussion and possible action).

A. Termination of Board Orders(s)/Consent Agreements(s)

1. 202100030; Line, Darren (*Bienstock conflicted*)
2. 202200033; Mouzoon, Sassan
3. 202200253; Fox, Joseph
4. 202200280; Larece, Phillip
5. 202200322; Nielsen, Joseph
6. 202300045; Nyffeler, Gregory
7. 202300047; Snow, Jack

B. Review of Investigation(s) – Case(s) Recommended for Dismissal

Board to review, discuss and take possible action on the following case(s):

1. 202300156; Kym, Sarah
2. 202300158; Thomas, Jennifer
3. 202300173; Goff, Sarah
4. 202300175; Latif, Sarah
5. 202300177; Schmelter, Jeffrey
6. 202300208; Mehranfar, Nina
7. 202300209; Bricker, Michael
8. 202300234; Vander Schaaf, Beth
9. 202300245; Sung, David
10. 202300249; Lopez, Jesus
11. 202300254; Multine, Gwenlynn
12. 202300287; Mascarenhas, Jules
13. 202300289; Notice, Tinisha
14. 202300299; Rosser, Rocky
15. 202300364; Reese, Renee
16. 202300280; Rowe, Kurt
17. 202300326; Funk, Taylor
18. 202300143; Sabatino, Steven
19. 202300161; Park, Simon
20. 202300314; Casale, Jack

C. Review of Investigation(s) – Case(s) Recommended for a Letter of Concern

Board to review, discuss and take possible action on the following case(s):

1. 202300211; Palmer, Denver
2. 202300227; Boscamp, Clinton
3. 202300284; Berbos, Fleur
4. 202300451; Hynes, Kelly
5. 202300456; Antczak, Christopher

V. ITEMS FOR BOARD REVIEW, DISCUSSION AND POSSIBLE ACTION

Upon a vote of the majority of a quorum, the Board may go into executive session, pursuant to A.R.S. § 38-431.03(A)(2) to discuss or consider records exempt, by law, from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law.

A. Application(s) for Licensing of Dentist(s) or Hygienist(s) – A.R.S. §§ 32-1231 et seq. and 32-1281 et. seq. respectively

Board to review, discuss and take possible action on the following application(s):

1. Caba, Nicholas P., DMD (*by Universal Recognition*)
2. Mehta, Dibyendu P., DDS (*by Credentials*)

B. Review of Investigation(s)

Board to review, discuss and take possible action on the following case(s):

1. 202300066 & 202300073; Christy, Han
2. 202300416; Christy, Han

C. Review of Investigation(s) – Case(s) Recommended for Issuance of a Non-Disciplinary Order for Continuing Education – A.R.S. § 32-1263.02(F)(3)

Board to review and discuss the results of the investigation(s) and take possible action to *issue/offer* Non-Disciplinary Board Orders on the following case(s):

1. 202300269; Lee, Sung
2. 202300296; Woods, William
3. 202300183-MP; Choi, Han
4. 202300185; Haskell, Braydon
5. 202300329; Rodriguez, Cassandra

D. Review of Investigation(s) – Case(s) Recommended for Issuance of a Non-Disciplinary Order for Civil Penalty for Failure to Comply with a Board Subpoena – A.R.S. § 32-1208

Board to review and discuss the results of the investigation(s) and take possible action to *issue/offer* Non-Disciplinary Board Orders on the following case(s):

1. 202300306; The B.L.H.G. Group, LLC
2. 202300333; Sparacino, Amanda
3. 202300150; Gentle Dental Thunderbird

E. Review of Investigation(s) – Case(s) Recommended for an Offer of a Disciplinary Consent Agreement

Board to review and discuss the results of the investigation(s) and take possible action to *offer* Disciplinary Consent Agreement(s)/Board Order(s) on the following case(s):

1. 202300089; Perfect Teeth
2. 202300187; Haskell, Braydon
3. 202300215; Zargar, Andre
4. 202300220; Seymour, Andrew
5. 202300222; Erps, Kayla
6. 202300233; Nester, Fredrick
7. 202300285; Bhogal, Jaskaran
8. 202300286; Malik, Fareeha
9. 202300288; Khakwani, Mohammed
10. 202300297; Morris, Mark
11. 202300229; Western Dental F120

F. Malpractice, Adverse Occurrence Report and/or Self-Report Pursuant to A.R.S. § 32-3208 and/or A.A.C. R4-11-1305

Board to review, discuss and take possible action on the following case(s):

1. 202300494-AO
2. 202300495-AO
3. 202400016-AO

G. Review Draft Board Order(s)/Consent Agreement(s)

Board to review, discuss, and take possible action on approving previously determined or proposed settlement draft Board Order(s)/Consent Agreement(s).

Action may include but is not limited to the offer of a modified Board Order/Consent Agreement, rescission of its previous motion for Board Order/Consent Agreement, or any interim action as allowed by statute, for the following case(s):

1. 202400018

H. Formal Interview(s)

Board to conduct formal investigative interviews and review, discuss and take possible action on the following case(s):

**Formal interviews are scheduled for 45 minutes*

1. 202200168; Abaie, Kathleen
 - a. Lead Board Member: Dr. Bienstock
 - b. Summary of Investigation: Dr. Dovgan
2. 202200278-AO; Sheth, Rajan
 - a. Lead Board Member: Dr. Christensen
 - b. Summary of Investigation: Dr. Dovgan
3. 202300060-AO; Barrett, Christopher
 - a. Lead Board Member: Dr. Morrow
 - b. Summary of Investigation: Dr. Dovgan

I. Petition for Rehearing/Review – A.A.C. R4-11-1701

Board to review, discuss and take possible action regarding the petition for rehearing or review on the following case(s):

1. 202100034; DiVito, Enrico (*Herro and El-Gendy conflicted*)

J. Administrative Hearing(s)

Board to review, discuss, and take possible action, including, but not limited to, settlement of the matter on the following case(s) scheduled for an administrative hearing pursuant to A.R.S. § 32-1263.02(H) and A.R.S. §§ 41-1092, et seq.. During the administrative hearing, the Board may vote to go into executive session to discuss confidential records pursuant to A.R.S. § 38-431.03(A)(2) or to obtain legal advice pursuant to A.R.S. § 38-431.03(A)(3).

1. 201800220; Christensen, Cory

K. Proposed Settlement

Board to review, discuss, and take possible action, including, but not limited to, settlement of the matter on the following case scheduled for an administrative hearing pursuant to A.A.C. R4-11-303 and A.R.S. §§ 41-1092, et seq.. The Board may vote to go into executive session to discuss confidential records pursuant to A.R.S. § 38-431.03(A)(2) or to obtain legal advice pursuant to A.R.S. § 38-431.03(A)(3).

1. 202300072-AO; Gomes de Souza, Sergio

VI. CALL TO THE PUBLIC

Pursuant to A.R.S. § 38-431.01(H), the Board may make an open call to the public during a public meeting, subject to reasonable time, place and manner restrictions, to allow individuals to address the public body on any issue within the jurisdiction of the public body. However, members of the Board are not allowed to discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for

discussion and legal action. The Board, however, may ask staff to review a matter or may ask that a matter be put on a future agenda.

VII. ANESTHESIA AND SEDATION EVALUATIONS

Board to review, discuss and take possible action regarding the evaluation process when permitting dentists for the administration of anesthesia and sedation. Possible action may include forming an ad hoc committee to timely assist the Board with recommendations.

VIII. ASSISTANT ATTORNEY GENERAL (“AAG”) REPORT

AAG to provide an update and/or summary on the following items: 201800220, 202100066-AO, 202200205 and 202300072-AO. The listed items are subject to Board review and discussion.

IX. EXECUTIVE DIRECTOR’S REPORT

Executive Director to provide an update and/or summary on the following items: the listed items are subject to Board discussion and may result in action by the Board.

- A. Budget Update
- B. Agency Operations
- C. Legislative Update
 - a. Dental Specific Bills
 - 1. HB2069
 - 2. HB2070
 - 3. HB2071
 - 4. HB2072
 - 5. HB2306
 - 6. SB1032
 - b. Other Impactful Bills
 - 1. HB2043
 - 2. HB2077
 - 3. HB2100
 - 4. HB2139
 - 5. HB2187
 - 6. HB2243
 - 7. HB2308
 - 8. HB2312
 - 9. HB2313
- D. Complaint Log

X. SUMMARY OF CURRENT EVENTS

By law, the summary of current events is limited to summarizing recent occurrences. The Board cannot propose, discuss, deliberate or take legal action on any matter in the summary unless the specific matter is properly noticed for legal action.

XI. DISCUSSION REGARDING FUTURE MEETINGS AND POSSIBLE ACTION ITEMS FOR FUTURE MEETING AGENDAS

XII. NEXT BOARD MEETING DATE

- A. March 8, 2024

XIII. ADJOURNMENT