



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, December 2, 2022 at 8:00 a.m.** The meeting will be held in virtual and telephonic formats. Members of the public may also participate virtually or telephonically. Board members and members of the public may access the meeting telephonically by dialing +1 347-566-5487 followed by the meeting pin – 276 852 418# or virtually, by video conferencing through this link: meet.google.com/dui-exxi-ijw. 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.

The meeting is open to the public. However, 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 602-241-1492 The Board 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 November 30, 2022:

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December 2, 2022

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

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 items B and D 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 October 7, 2022 board meeting.
- B. Discussion and approval of the Executive Session Minutes from the October 7, 2022 board meeting.
- C. Discussion and approval of the Open Session Minutes from the November 4, 2022 board meeting.
- D. Discussion and approval of the Executive Session Minutes from the November 4, 2022 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. 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. Jackson, Julia L., DMD (*by Credential*)

B. Board Dental/Hygiene Consultant(s) and Anesthesia and Sedation Evaluator(s)

Board to review, discuss and take possible action regarding approval of the following individual(s) to perform investigative consulting and/or evaluating services for the Board:

1. Hegle, Trond, DMD (*Dental Consultant*)
2. Roberts, Eugenia Popescu, DDS (*Dental Consultant*)
3. Steinhilber, Andrew, DDS, MSD (*Dental Consultant*)

C. Executive Director Complaint Terminations – A.R.S. § 32-1263.03

Board to review, discuss and take possible action on the following confidential list of complaints that were terminated by the executive director, with the concurrence of the Board's investigative staff due to the complaints being without merit and termination being appropriate:

- | | | |
|---------------|---------------|---------------|
| 1. 202100055 | 11. 202100104 | 21. 202200076 |
| 2. 202100058 | 12. 202100111 | 22. 202200078 |
| 3. 202100064 | 13. 202100112 | 23. 202200081 |
| 4. 202100067 | 14. 202100136 | 24. 202200092 |
| 5. 202100070 | 15. 202100264 | 25. 202200098 |
| 6. 202100071 | 16. 202100280 | 26. 202200113 |
| 7. 202100082 | 17. 202200018 | |
| 8. 202100085 | 18. 202200034 | |
| 9. 202100097 | 19. 202200057 | |
| 10. 202100102 | 20. 202200067 | |

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

1. 202000255-AO; Benson David
2. 202100201; Raiffe, David

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

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

1. 202100036; Daley, David
2. 202100090; Blaser, Kimberly
3. 202100109; Espinoza, Mark
4. 202100119; Payne, Christopher
5. 202100121; Gallemore, Joseph
6. 202100139; Gentle Dental Prescott
7. 202100279; Lovio, Cathryn Denise
8. 202200024; Farnum, Ryan
9. 202200069; Miller, Derek
10. 202200086; Nordean, Jason
11. 202200111; Baker, Karl J.
12. 202200112; Baker, Justin A.
13. 202200117; Axx, Kevin
14. 202200119; Hamann, Elizaveta
15. 202200128; Mahn, Ingo Guenther

16. 202200132; Zeng, Rong
17. 202200136; Arora, Manu
18. 202200140; Stratman, Matthew
19. 202200143; Krizman, Jeanne A.
20. 202200150; Arias, Lenny
21. 202200154; Colson, Cynthia
22. 202200160; Sadre, Avis
23. 202200169; Sims, Darrell
24. 202200170; Toal, Maureen
25. 202200171; Ebadi, Mehrdad
26. 202200202-MP; Van Dusen, Justin
27. 202200213; Wiesner, Enoch
28. 202200218; Petersen, Aric M.

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

Board to review and discuss the results of the investigation(s) and take possible action to *issue* Letters of Concern on the following case(s):

1. 202200070; Brase, Jon M.
2. 202200099; Samain, Omaina
3. 202200161; Rauch, Corey

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. Initial Review

Board to review, discuss and take possible action on information received to determine whether cause exists to open an investigation file and/or take non-disciplinary/disciplinary action.

1. Pope, Jared, DDS

B. Review of Investigation(s) (pulled and tabled from the November consent agenda)

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

1. 202100029; Ung, David
2. 202100271; Chu, Catherine
3. 202200135; Sheckley, Sal

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. 202100037; Conrad, Stephen
2. 202200134; Lazore, Dariene V.
3. 202200142-MP; Denton, Luke
4. 202200145; Sedell, Alan

D. 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. 202000306; Hossieni, Rozbeh
2. 202100052; Gardner, Michael
3. 202100118; Koo, Bonjung (Jane)
4. 202100123; Dhillion, Inderraj (*tabled from the 11.4.2022 board meeting*)
5. 202100278; Endicott, Thomas A.
6. 202100284; Magnus, George
7. 202200104; Escala, Ernesto E.
8. 202200106; Raiffe, David
9. 202200149; Tran, My-Anh
10. 202200156; Smile Now (The B.L.H.G. Group, LLC)
11. 202200179; Boyse, Brent

E. Review of Compliance/Non Compliance for Consent Agreement(s)/Board Order(s)

Review, discussion and possible action on whether or not the requirements of the Consent Agreement(s)/Board Order(s) have been met, and if not, may vote to take further action on the following case(s):

1. 201500190; Chari, Sathish
2. 201700191-MP; Chari, Sathish

F. 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. 20170000175-MP & 202000129; Trujillo, Victor
 - a. Lead Board Member: Dr. Bienstock
 - b. Summary of Investigation: Dr. Cutler
2. 201900145; Sandstrom, Paul
 - a. Lead Board Member: Dr. Seaman
 - b. Summary of Investigation: Dr. Cutler
3. 202200022; Conderato, Kathleen
 - a. Lead Board Member: Dr. Morrow
 - b. Summary of Investigation: Dr. Cutler

G. Malpractice, Adverse Occurrence Report and/or Self-Report Pursuant to A.R.S. § 32-3208

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

1. 202200269-AO

H. Motion to Associate Counsel Via Pro Hac Vice Status

Board to review, discuss and take possible action to *grant or reject* the motion for admission pro hac vice for the following case(s):

1. 202000324; Nelson, Amanda

I. Renewal Application Disclosure(s)

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

1. Nyffeler, Gregory, DDS
2. Svoboda, Christina, RDH

J. Failure to Respond/Timely Respond to Subpoena – A.R.S. § 32-1208

Board to review, discuss and take possible action pursuant to A.R.S. § 32-1213(H) regarding the following case(s):

1. 202200103; Laveen Modern Dentistry

K. Motion for Rehearing/Review – A.A.C. R4-11-1701

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

1. 202000343; Garza John

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. CENTRAL REGIONAL DENTAL TESTING SERVICE, INC. (“CRDTS”)

After meeting with Richael Cobler, CRDTS’ Executive Director and Dr. Mark Edwards, Director of Dental Examinations regarding CRDTS’ remediation program, the Board may discuss and take possible action to include CRDTS remediation as a component of its future orders/consent agreements.

VIII. FEDERATION OF ASSOCIATIONS OF REGULATORY BOARDS (“FARB”)

Review, discussion and possible action for the approval of Board staff and the Board’s legal counsel’s attendance at the 2023 FARB Forum on Professional Regulation held from Thursday, January 26, 2023 – Saturday, January 28, 2023 in Nashville, Tennessee.

IX. THE ARIZONA DENTAL ASSOCIATION (“AzDA”) AND THE ARIZONA DENTAL HYGIENE ASSOCIATION (“AzDHA”)

After reviewing the request provided and hearing reports offered by the AzDA and AzDHA regarding the Board’s scope of practice, specifically as it relates to the new law allowing for the administration of BOTOX™ and/or dermal fillers by dentists, the Board may discuss and take possible action to do either of the following:

1. Draft a Substantive Policy Statement to clarify which dental professions may administer BOTOX™ and/or dermal fillers, or
2. Take a position that there is a need for other dental professions to file their own Sunrise Application to administer the same.
3. Continue the matter and request staff to review and report on the information presented

X. NOTICES OF PROPOSED RULEMAKING (“NPR”)

- A. Board to review, discuss and take possible action to approve, reject or modify the draft NPRs for submission to the Governor’s Regulatory Review Council, including proposed changes to Title 4, Chapter 11, Articles 4, 5, 7, 9, 11 and 15, which include the amendments to the Board’s rules regarding Licensing Fees, Mobile Dental Facilities and Portable Dental Units Annual Registration Fees and Late Fees, general amendments and Advertising.
- B. Board to review, discuss and take possible action on the oral proceeding public comments and the Board’s response regarding the draft NPRs including proposed changes to Title 4, Chapter 11, Articles 1, 2, 3, 4, 7, 12, 15 and add in Article 16 pertaining to Dental Therapy.

XI. BOARD ELECTIONS – A.R.S. § 32-1205

Board to review, discuss and take possible action to nominate and elect a Board President Vice-President for Calendar year 2023

- A. Nomination and Election of Board President
- B. Nomination and Election of Board Vice-President

XII. 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

XIII. 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.

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

XV. NEXT BOARD MEETING DATE

- A. January 27, 2023

XVI. ADJOURNMENT