



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, May 31, 2024 at 8:00 a.m.** The meeting will be held in **Boardroom A** 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 +1 470-210-0522 followed by the meeting pin – 764 934 884# or virtually, by video conferencing through this link: meet.google.com/xhy-cmrz-rey. 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 May 29, 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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May 31, 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 C 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 April 16, 2024 special board meeting.
- B. Discussion and approval of the Open Session Minutes from the April 19, 2024 board meeting.
- C. Discussion and approval of the Executive Session Minutes from the April 19, 2024 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 applications(s):

1. Greco, Joan M., DDS (*by Credentials*)
2. Woodbury, Spencer, DDS (*by Credentials*)

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. Arnett, Bryan A., DMD (*consultant*)

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

1. 202200097; Toal, Maureen
2. 202200242; Jafari, Reza
3. 202200279; Bullock, Chandler
4. 202200284; Kim, Sean (*Bienstock conflicted*)
5. 202200325; Eccker, David
6. 202200333; Zargar, Andre
7. 202300183-MP; Choi, Han

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

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

1. 202300157; Whitener, Scott
2. 202300186; Wheeler, Sarah
3. 202300232; Salwin, Gary
4. 202300264; Thielen, David
5. 202300266; Monroe, Christina
6. 202300267; Sluyk, Daniel
7. 202300273-MP; Tyler, Kenneth
8. 202300317; Dodd, Michael
9. 202300324; Harrell, Katherine
10. 202300325; Bell, Thomas
11. 202300337; Baddam, Prashanthi
12. 202300353; Trujillo, Byron
13. 202300354; Kastala, Sri Lakshmi Silpa
14. 202300357; Horizon Modern Dentistry and Orthodontics, LLP
15. 202300360; Mayer, Zachary
16. 202300373; Vaghari, Bitu
17. 202300379; Spurling, Kent
18. 202300392; Bedoya, Manuel
19. 202300397; Benavides Davila, Carlos
20. 202300412; Badolato, John
21. 202300413; Kawamoto, Sheena
22. 202300436; Wettstein, Kelly
23. 202300448; Mallory, James Jr.
24. 202300450; Triggs, Christine

25. 202300452; Zeng, Rong
26. 202300453; Behbahani, Babak
27. 202300471; Mason, Brian
28. 202300475-MP; Fryberg, Harrison
29. 202300478; Hall, Jonathan
30. 202300493; Harris, Brown III

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. Review of Renewal Application(s)

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

1. Jarron Tawzer, DMD

B. 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. 202400042
2. A.I.
3. J.A.
4. M.F.

C. Review of Investigation(s)

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

1. 202000111; Choi, Cheol (*Bienstock conflicted*)

D. 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. 202300097; Bui, Long
2. 202300115; Razzaq, Mahwesh
3. 202300303; Williams, Jared
4. 202300309; Anderson, Charles
5. 202300343; Ison, Kevin
6. 202300355; Bedoya, Manuel
7. 202400106; Chapman, Brett
8. 202400107; Scott, Jay
9. 202400108; Coburn, Richard

E. 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 Order(s), Disciplinary Consent Agreement(s),

and/or any other action allowed by Board statute and rule, on the following case(s) related to the failure to comply with a Board subpoena:

1. 202300255; DiCarlo, Ricardo II

F. 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. 202200293; Khan, Azam
2. 202300311; Lopez, Gianira I.
3. 202300331; Nordean, Jason
4. 202300346; Masters, Robert
5. 202300377; Skinner, Cody
6. 202300378; Marsh, Christopher
7. 202300389; Persky, Elizabeth
8. 202300505; Associated Dental Care Providers
9. 202400110; Jones, Neal
10. Perfect Teeth
 - a. 202300198; Perfect Teeth Olive
 - b. 202300199; Perfect Teeth Olive
 - c. 202300200; Perfect Teeth Olive
 - d. 202300201; Perfect Teeth Frank Lloyd Wright PC
 - e. 202300202; Perfect Teeth Frank Lloyd Wright PC
 - f. 202300203; Perfect Teeth ABC PC
 - g. 202300204; Perfect Teeth Frank Lloyd Wright PC
 - h. 202300205; Perfect Teeth Olive
 - i. 202300206; Perfect Teeth Frank Lloyd Wright PC
 - j. 202300207; Perfect Teeth Olive
 - k. 202300226; Perfect Teeth Frank Lloyd Wright PC
 - l. 202300334; Perfect Teeth Olive
 - m. 202300336; Perfect Teeth Frank Lloyd Wright PC

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

Review, discussion and possible action regarding compliance with Consent Agreement(s)/Board Order(s), and/or consideration of licensee's request for extension, termination, or amendment of the terms of the Order, on the following case(s) listed below. The Board may also take further action as allowed by law related to the compliance review or licensee request.

1. 202000023 & 202000256-AO; Lam, Kenny (*Bienstock conflicted*)
2. 202000275-C
3. 202300013; Connell, Scott

H. Response/Non-Response to Offered/Issued Consent Agreement(s)/Board Order(s)

Board to review, discuss and take possible action regarding any response/non-response and/or counteroffer on the following case(s):

1. 202400122; Kassman, Andrew

I. Adverse Occurrence Report and/or Self-Report Pursuant to A.R.S. §§ 32-3208 and/or 32-1272, et seq.

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

1. 202400105-AO
2. 202400114-AO
3. 202400171-AO

J. Review of ALJ Recommended Decision(s)

Discussion, consideration and possible action on the Administrative Law Judge's Recommended Decision. Possible action includes accepting, rejecting, or modifying the Findings of Fact, Conclusions of Law, and Order. Pursuant to A.R.S. § 41-1092.08(I), the Board may meet and confer with the parties for purposes of modifying the recommended decision, including the Findings of Fact, Conclusions of Law, and Recommended Order set forth in the ALJ's recommended decision. The Board may only consider the official record when adjudicating a formal hearing matter; therefore, the Board cannot consider new testimony or evidence at this time. During the Board's consideration of this matter it may 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. 202200205; Rudolph, Lawrence
OAH Case No.: 24F-202200205-DEN

K. 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. 202100131; Brown Jr., Calvin
 - a. Lead Board Member: Dr. El-Gendy
 - b. Summary of Investigation: Dr. Dovgan
2. 202300022; Mangelsdorf, Jesse
 - a. Lead Board Member: Dr. Seaman
 - b. Summary of Investigation: Dr. Dovgan
3. 202300083; Gerace, Kenneth
 - a. Lead Board Member: Dr. Morrow
 - b. Summary of Investigation: Dr. Dovgan

VI. ANESTHESIA & SEDATION NOTICE OF PROPOSED RULEMAKING (“NPR”) STAKEHOLDERS SESSION

Board to hold a stakeholder session to review, discuss and take possible action to amend the draft NPR to include many of the stakeholders' positions as they relate to the Board's anesthesia permit process related to its Section 1304 permit process and requirements.

VII. ANESTHESIA & SEDATION NOTICE OF PROPOSED RULEMAKING (“NPR”)

Board to review, discuss, and take possible action to accept, reject or modify the draft NPR. Possible action to cover consideration of stakeholder's proposed changes to Section 1304 for potential incorporation into the final draft NPR. The vote will also include directing staff to submit an amended NPR to the Arizona Secretary of State's Office,

including proposed changes to Title 4, Chapter 11, Articles 1, 3, 4, 12 and 13, related to the Board’s anesthesia and sedation rules.

VIII. DENTAL COMPACT

Board to review and discuss potential licensure compacts with the representative(s) of the two respective proponents of proposed dental and dental hygiene compacts in an effort to gain more information about each compact. The Board may review, discuss and take possible action regarding the proposed dental compacts, and may take into consideration other documents received in support or opposition to either compact.

IX. DISPENSING REGISTRATION NOTICE OF PROPOSED RULEMAKING

Board to review, discuss and take possible action to open a rulemaking package to repeal the dispensing registration rule requirements pursuant to R4-11-1401 through R4-11-1406.

X. 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.

XI. ASSISTANT ATTORNEY GENERAL (“AAG”) REPORT

AAG to provide an update and/or summary on the following item(s): 202200205, 202300066, 202300073 & 202300416. The listed items are subject to Board review and discussion.

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
- C. Complaint Log
- D. Legislative Update
 - a. Dental Specific Bills
 - b. Other Impactful Bills

XIII. RECOGNITION OF SERVICE

Morgan B. Burg, Business Entity Member.....2019 – 2024

XIV. 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.

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

XVI. NEXT BOARD MEETING DATE

A. June 28, 2024

XVII. ADJOURNMENT