



Douglas A. Ducey,
Governor

Arizona State Board of
Dental Examiners
“Protecting the Public’s Health”

1740 West Adams Street, Suite 2470
Phoenix, Arizona 85007
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AMENDED NOTICE OF 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, October 4, 2019 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.

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 <https://dentalboard.az.gov/> or by calling the Board’s office at 602.241.1492 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 a 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:

<https://dentalboard.az.gov/>

<https://publicmeetings.az.gov/>

on October 2, 2019



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October 4, 2019 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. 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.

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

IV. 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, D and F 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 July 16, 2019 board meeting.
- B. Discussion and approval of the Executive Session Minutes from the July 16, 2019 board meeting.
- C. Discussion and approval of the Open Session Minutes from the August 2, 2019 board meeting.
- D. Discussion and approval of the Executive Session Minutes from the August 2, 2019 board meeting.

- E. Discussion and approval of the Open Session Minutes from the August 30, 2019 board meeting.
- F. Discussion and approval of the Executive Session Minutes from the August 30, 2019 board meeting.

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) – A.R.S. § 32-1231 et seq.
Board to review, discuss and take possible action on the following application(s):
 - 1. Farmer, Brenon K.
 - 2. Gilbert, Daniel
 - 3. Roberts, Kim
- B. Application(s) for Licensing of Dental Hygienist(s) – A.R.S. § 32-1281 et seq.
Board to review, discuss and take possible action on the following application(s):
 - 1. Reister, Marcia Lanay
- C. Renewal Application(s) for Licensing of Dentists
Board to review, discuss and take possible action on the following renewal application(s):
 - 1. Hamberlin, James Doyle
 - 2. Jorgensen, Seth
 - 3. Schnaidt, Leigh M.
 - 4. Spendlove, Jacob Elwood
- D. Formal Interview(s)
Board to review, discuss and take possible action on the following cases, which may include discipline, dismissal of the complaint, issuance of a letter of concern, non-disciplinary continuing education, termination of the complaint, table action pending further investigation and/or refer the matter to a formal hearing for the following case(s):
 - 1. 201800147; Kang, Minseok
 - 2. 201800179; Iskandar, Irma
 - 3. 201900084; Black Canyon Dentistry – owner – Eldon Jenkins
- E. Review of Investigation(s)
Board to review, discuss and take possible action on the results of the investigations on the following case(s):
 - 1. 201800105; Bramwell, Spencer R.
 - 2. 201800138; Bramwell, Spencer R.

- F. Malpractice, Adverse Occurrence Report and/or Disciplinary Action
Board to review, discuss and take possible action for the following case(s):
1. Ceyhan, Gregory K. – *Internal Investigative Review Committee recommended that the Board take no action and close the file.*
- G. Review Compliance/Non-compliance with Consent Agreement/Board Order
Board to review and discuss ongoing compliance/non-compliance with the terms of the Consent Agreement/Board Order. The Board may take possible action, if necessary regarding the following case(s):
1. 201700266-AO, 201800046 and 201800047; Roberts, Aaron
 2. 201000301; Robison, Brent
 3. 201600123 & 201700164; Margolis, Michael D.
 4. 201700256; Heiner, Nicholas P.
 5. 201800141; Shanahan, Bryan J.
- H. 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. 201800169;
 2. 201900008;
 3. 201900098;
 4. 201900141; and
 5. 201900161.
- I. Review of Executive Director Complaint Terminations and Subsequent Complainant Appeals – A.R.S. § 32-1263.03
Board to review, discuss and take possible action to approve, modify or reject the executive director's termination based on submitted appeals, from the complainants, for the following case(s):
1. 201900057;
 2. 201900070; and
 3. 201900097.
- J. Review of Investigation(s)
Board update, review and consideration of a proposed consent agreement for voluntary surrender. The Board may vote to take action on the following case(s):
1. Case no. 201900205; Nunez, Gilberto A.

VI. 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 or any other interested party wishes to remove an item for independent review, discussion, and possible action).

- A. Cases Recommended for Approval of Disciplinary Consent Agreements
Board to review, discuss and take possible action for the following case(s):
1. 201800137; Kleiner, Aaron B.
 2. 201800161; Marks, George
 3. 201800225; Bruehl, Rudolph G.
- B. Cases Recommended for Approval of Non-Disciplinary Consent Agreements
Board to review, discuss and take possible action for the following case(s):
1. 201800170; Weiss, Richard I.
 2. 201800202; Watkins, David A.
 3. 201900006; Shin, T. Phillip
- C. Cases Recommended for the Issuance of a Letter of Concern
Board to review, discuss and take possible action for the following case(s):
1. 201900129; Kamel, Andrea N.
- D. Cases Requested for Termination – By Patient
Board to review, discuss and take possible action for the following case(s):
1. 201900058; Yazdi, Mahsan Naimi
 2. 201900104; Kaushesh, Ashutosh
 3. 201900114; Moreira, Seaphim
 4. 201900155; Grieb, David C.
- E. Board Dental/Hygiene Consultants and Anesthesia and Sedation Evaluators
Board to review, discuss and take possible action regarding approval of the following individual(s) to perform consulting and/or evaluating services for the Board:
1. Halabi, Sue – (*dental hygienist consultant*)
 2. Saric, Sonata – (*dental hygienist consultant*)

VII. ALIGNER TREATMENT

Board to meet with representatives from SmileDirect Club, LLC and the American Association of Orthodontists regarding aligner treatment and the taking of digital scans of a patient's mouth for the purpose of having a dentist or orthodontist approve of a treatment plan for correcting a malposition of the patient's teeth.

VIII. ASSISTANT ATTORNEY'S GENERAL REPORT

Assistant Attorney General to provide an update and/or summary on state legislation that passed in the last legislative session. The listed items are subject to Board discussion and may result in action by the Board.

IX. WESTERN REGIONAL EXAMINING BOARD (“WREB”)

- A. Board to discuss, nominate and elect a dentist board member to WREB's Dental Examination Review Board (“DERB”).
- B. Consideration for the approval of the DERB representative and staff attendance at the 2019 WREB Member State Board Executive Directors Meeting held from Thursday, November 7, 2019 – Friday, November 8, 2019 in Denver, Colorado.

X. ANESTHESIA AND INTRAVENOUS SEDATION COMMITTEE

Board to review, discuss and take possible action to expand the size of the Committee, including the acceptance of new candidates.

XI. DENTISTS' AND HYGIENISTS' REQUESTS FOR A CONTINUING EDUCATION ("CE") EXTENSION – A.R.S. §§ 32-1236 & 32-1287

Board to review, discuss and take possible action to standardize the process of approving/denying CE extension requests.

XII. STANDARDIZED METHOD FOR DOCTOR REMEDIATION – (tabled from August board meeting)

Board to review, discuss and take possible action regarding continuing education courses offered by D.O.C.S. Education for preventing and remediating violations of the standard of care.

XIII. COMPENSATION OF THE BOARD – A.R.S. § 32-1206

Board to review, discuss and take possible action to approve/modify a compensation and expense policy and procedures.

XIV. NATIONAL COMMISSION ON RECOGNITION OF DENTAL SPECIALTIES AND CERTIFYING BOARDS ("NCRDSCB")

Board to review, discuss and take possible action to provide comments on the following applications that have been submitted to NCRDSCB for dental specialty recognition:

- A. The American Academy of Orofacial Pain applied for Orofacial Pain to be recognized as a dental specialty.
- B. The American Academy of Oral Medicine applied for Oral Medicine to be recognized as a dental specialty.

XV. INVESTIGATOR

Board to review, discuss and take possible action to select candidates to interview for the impending investigator position based on the applicants' qualifications.

XVI. RECOGNITION OF SERVICE

Mary DeLaat Williams, Esq, Board's Legal Counsel.....1994 – 2019

XVII. 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
 - 1. Potential 2020 Monthly Board Meeting Dates:
 - a. January 31, 2020;
 - c. March 6, 2020;
 - d. April 3, 2020;
 - e. May 1, 2020;
 - f. June 5, 2020;
 - g. July 10, 2020;
 - h. August 7, 2020;
 - i. September 4, 2020;

- j. October 2, 2020;
- k. November 6, 2020; and
- l. December 4, 2020.

XVIII. RULE MAKING PACKAGE

Board to review, discuss and take possible action to open a rule making package for submission to the Governor’s Regulatory Review Council (“GGRC”)

XIX. 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.

XX. DISCUSSION AND POSSIBLE ACTION ITEMS FOR FUTURE MEETING AGENDAS

XXI. NEXT BOARD MEETING DATE

- A. Friday, December 6, 2019

XXII. ADJOURNMENT