

# New Jersey State Board of Dentistry

April 4, 2001

## Public Meeting Minutes

The meeting was called to order at 10:00 A.M. by Dr. Barbara Rich, President of the Board.

### **OPEN PUBLIC MEETINGS ACT NOTICE:**

Read by Dr. Barbara Rich, President.

### **ATTENDANCE:**

The following members of the Board were in attendance: Dr. Valentine Bloch; Dr. Emil Cappetta; Patricia Delaney, RDH; Dr. Anthony Chibbaro; Mrs. Helen Huber; Dr. William Orlacchio; Dr. John Ricciani; Dr. Barbara Rich; Dr. Abraham Samansky.

### **ADDITIONAL ATTENDEES WERE:**

Nancy Costello Miller, Deputy Attorney General; Rhonda Pope Stephens, Deputy Attorney General; Bernadette Dudek, Div. Rep.; Michael Dominach, Paralegal; Cecilia Moreira, Management Assistant.

### **ABSENT AND/OR EXCUSED:**

Dr. Arnold Rosenheck; Mr. Louis Cardenas.

### **APPROVAL OF MINUTES:**

March 7, 2001 - Approved as amended. Ms. Delaney and Mrs. Huber abstained.

**NOTE:** The issue of remediation after an individual fails N.E.R.B. a certain number of times was referred to the regulations committee.

## **COMMITTEE REPORTS:**

### **DENTAL - PENDING APPLICATIONS:**

1. Sadina Roselin, DDS - The Board discussed her application for a dental license in New Jersey. The Board reviewed additional information submitted by the Massachusetts Board of Dentistry in addition to the evaluation program offered at the University of Pennsylvania. After discussing this matter, the Board in a motion by Ms. Delaney, seconded by Dr. Orlacchio determined that prior to licensure, she will have to submit to a skills assessment. She may contact the University of Pennsylvania for this evaluation.

The following applicants meet all requirements for licensure. The committee recommends approval:

Dr. Elizabeth Odincz-Bortfeld  
Dr. Michael Turner  
Dr. My Huong Ta

Dr. Dominick Marvilli - Application for a New Jersey dental license. The Board entered a Final Order of Denial of Licensure on September 2, 1999. A Provisional Order was entered based on action taken in New York. Dr. Marvilli failed to respond to the Board's POD. The Board in a motion by Dr. Orlacchio, seconded by Dr. Bloch determined that Dr. Marvilli be scheduled for a hearing.

### **DENTAL AUXILIARIES - PENDING APPLICATIONS:**

Ann Leight - Application for a dental hygiene license by credentials. She meets all requirements for licensure. The

committee recommends approval pending confirmation that she successfully passed the Law and Jurisprudence exam.

Michele Kunz - Application for a Registered Dental Assistant registration. She disclosed an arrest for DWI in 1993. She meets all requirements for licensure. The committee recommends approval.

Jennifer Geller - Application for a Registered Dental Assistant registration. She took the Expanded Functions course in Florida. The committee recommends approval, however, a letter is to be sent to Ms. Geller advising her of the delegable duties in New Jersey which are different from those allowed in Florida. Although she was taught certain duties they may not be permitted in New Jersey.

Kimberly Dougherty - Final report from Dr. Julian Freeman for LROA. The Board approved this report.

The Board in a motion by Ms. Delaney, seconded by Mrs. Huber approved the Dental Auxiliaries Committee report.

## **CONTINUING EDUCATION COMMITTEE REPORT:**

The committee discussed a request from Dr. Perkins for approval of his MBA program for continuing education credits. The Board indicated that this was not related to the practice of dentistry. He may apply seven (7) hours of practice management toward the forty required hours.

## **SECRETARY'S REPORT:**

The Board approved the Secretary's List of pending applications.

## **FILED ORDERS:**

Dr. Jeffrey L. Schupper, Dr. Michael S. Ayes, Dr. Richard L. Rush - Consent Order filed on March 21, 2001; Respondents' dental office Modern Dental Concepts was maintained in an unsanitary condition. ORDERED: Respondents shall each take seven (7) hours of continuing education in OSHA/Infection control related courses over and above those required for license renewal. Respondents Michael S. Ayes, D.D.S., Richard L. Rush, D.D.S. shall each pay a civil penalties in the amount of \$5000 and Jeffery L. Schupper, D.M.D. shall pay a civil penalty of \$2500. Respondents Michael S. Ayes, D.D.S. and Richard L. Rush, D.D.S. are jointly and severally liable to pay investigative costs in the amount of \$5249.82. Respondents shall permit at their sole expense, unannounced inspections of the dental office premises for two years following the entry of this order.

## **DEPUTY ATTORNEY GENERAL'S REPORT:**

Deputy Attorney General, Nancy Costello Miller, discussed the Dental Consultant Reg. proposal with the Board. Although the proposal is expected to be signed off shortly, the proposed hearing date for comments will have to be changed.

## **SAFETY NOTIFICATION:**

FDA - The Board office received notice from the FDA, as well as, a follow-up case from the NJ Department of Health, regarding possible lead exposure from dental films stored in lead lined containers. The notice had been posted on the Board's web-site.

## **MISCELLANEOUS INQUIRIES:**

Letters from Douglas G. Sanborn, Senior Vice President and General Counsel for Delta Dental and Arthur Meisel, General Counsel for NJDA concerning "Permitting Discounts Where Patients Pay In Full On the Date Services are Complete". Deputy Attorney General, Nancy Costello Miller requested additional time to review this matter.

Request from Drs. Milton Houpt and Nanci Tofsky for a waiver of the continuing education credits because they are full-time professors at UMDNJ. The Board in a motion by Dr. Bloch, seconded by Mrs. Delaney determined that they are allowed twenty hours of continuing education for full time faculty teaching position towards the forty required for renewal.

Letter from Craig B. Gimbel, DDS, President of the Metropolitan Academy of Laser Dentistry, recommending that the Board consider hygienist's use of laser soft tissue curettage as an adjunct to conventional curettage and root debridement using hand instrumentation and ultrasonics. The Board requested that the following additional information be obtained from Dr. Gimbel, CDC and ADA concerning this laser:

- To what device is he referring?
- What research has been done to make this an effective treatment?
- Description of technique employed.

Copy of letter from Senator John H. Adler to Acting Governor Donald DiFrancesco concerning the proposed revisions to the medical fee schedules promulgated by the Department of Banking and Insurance. Informational.

Letter from Rachel D. Nicol and Elaine D. McColgan concerning Dr. Peter McColgan. Referred to Executive Session.

Letter from Frederick Rotgers, Psy.D. introducing his services. The Board in a motion by Ms. Delaney, seconded by Dr. Bloch approved his name to be used in future Board cases.

ADA - Proposed Revisions to the Accreditation Standards for Advanced Specialty Education Programs in Periodontics and a Proposed Revised Accreditation Standard on Advanced Standing. Informational.

## **OLD & NEW BUSINESS:**

Donald Dobrowolski, D.M.D. - The Board discussed a letter from Louis E. Baxter, M.D. from the Physicians' Health Program requesting the Board to consider changing Dr. Dobrowolski's urine monitoring from each day that he works to a random basis. The Board in a motion by Dr. Bloch, seconded by Ms. Delaney modified the urine monitoring to six times per month on a random basis.

AADE- The Board reviewed a report from Dr. Rich, Ms. Delaney and Dr. Bloch on their attendance at the AADE meeting.

**NOTE:** David Carrogino, a dental student, was present at the meeting and urged the Board to consider accepting all four NERB regional examining boards. The Board agreed that this will be considered.

The Board requested that the validity of all four NERB testing agencies be obtained from NERB.

The Board authorized the President of the Board to hear emergent applications as they arise.

## **ADJOURNMENT:**