

NEW JERSEY STATE BOARD OF DENTISTRY  
PUBLIC SESSION MINUTES  
NEWARK, NEW JERSEY  
JUNE 6, 2018

NOTE: The Public Session was called to order at 10:00 A.M. by President Nicholas E. DeRobertis, D.M.D.

ATTENDANCE: The following members were in attendance:  
Steven C. Cohen, D.M.D.; Ms. Nicole DeMuro; Nicholas C. DeRobertis, D.M.D.; Daniel M. DiCesare, DMD; John E. Feeney, D.D.S.; Steven Goldstein D.D.S.; George McMurray, D.D.S.; Mr. Kevin Reich

OTHER ATTENDEES: Deputy Attorneys General Miller and Goulding; Jonathan Eisenmenger, Executive Director; Cecilia Moreira Senior Management Assistant; Ileana Botelho, Confidential Assistant

ABSENT AND/OR EXCUSED: Elizabeth Clemente, D.D.S.; Linda Hecker, R.D.H; Roger Kriete, D.M.D; Jonathan Mangot, D.M.D

**I. APPROVAL OF MINUTES:** May 2, 2018 – The Board in a motion by Dr. Cohen, seconded by Dr. Feeney, approved the minutes as amended.

**II. COMMITTEE REPORTS:**

**Continuing Education:**

1. Correspondence from Heather S. Jaramillo, JD, Compliance Specialist, Extended Learning, requesting approval of Online Dental Hygiene Programs, University of New Mexico Department of Dental Medicine.

After discussing this correspondence, the Board noted that it supports the University's efforts to increase the level of education in the dental hygiene field. However, the Board does not approve dental hygiene programs.

**III. PROPOSED REGULATION:**

1. Proposed amendment to N.J.A.C. 13:45J-1.1, 1.2 and 1.4.

The Attorney General notified the Board that he is proposing an amendment to the rules to increase the amount allowable for meals accepted by prescribing doctors during educational programs. On a motion by Dr. Goldstein, seconded by Dr. DiCesare, the Board supported these changes.

2. Discussion about license renewal requirements, N.J.A.C. 13:30-8.6  
The Board in a motion by Ms. DeMuro, seconded by Dr. Feeney, determined to amend the fee schedule to remove the renewal fee for “inactive-paid” and to remove all references to “inactive-paid” and refer more simply to only “inactive” in relationship to licenses.
3. The regulations committee has started discussions on implementing the recently enacted provisions governing telemedicine and tele-health.

**IV. REPORTS SUBMITTED PURSUANT TO N.J.A.C. 13:30-8.8:**

1. Dr. Nishi Kumar – The Board referred this matter to executive session.  
Upon return to public session, the Board took this as informational.
2. Rutgers School of Dental Medicine – The Board took this as informational.
3. Dr. Doron Ringler – The Board referred this matter to executive session.  
The Board determined that additional information be obtained.
4. Dr. Dhara Shah – The Board referred this matter to executive session.  
Upon return to public session, the Board took this as informational.

**V. ORDERS/SETTLEMENTS FILED WITH THE BOARD:**

The Board took the following as informational:

1. Dr. G. Gary Green – Settlement letter filed on May 1, 2018.
2. Dr. Marc D. Wertheim – Consent Order filed on May 7, 2018.
3. Dr. Scott M. Meltzer – Consent Order of Restrictions on Licensure filed on May 16, 2018.
4. Dr. Shannon M. Keyes – Settlement letter filed on May 24, 2018.

**VI. OTHER MATTERS:**

1. Correspondence from Dr. Brett L. Ferguson, President of the American Association of Oral and Maxillofacial Surgeons, concerning a self-reporting tool developed by the AAOMS to collect and analyze dental anesthesia-related incidents, Dental Anesthesia Incident Reporting System (DAIRS).  
This was received as informational.
2. Correspondence from Dr. Valerie Barba questioning whether dentists can offer Cool Sculpting.  
The Board in a motion by Dr. Goldstein, seconded by Dr. DiCesare, determined this

procedure is not within the scope of practice for dentists in the State of New Jersey. The Board also reminds Dr. Barba that treatments using injectable pharmacologics must conform to the regulations of the Board.

This motion failed (6 to 2).

The Board in a motion by Ms. DeMuro, seconded by Dr. Cohen, determined that a letter be sent indicating that her letter was not clear as to who would perform the procedure. However, it is the opinion of the Board that the cool sculpting procedure falls outside the scope of practice of a dentist.

Also, Dr. Barba will be reminded of a dentist's scope of practice with regard to injectable pharmacologics 13:30-8.4A, and to be mindful that she is complying with these regulations.

3. Correspondence from Dr. Luke Klele questioning whether someone certified by the National Laser Institute, could utilize the Viora V-ST handpiece (for invasive skin tightening).

The Board determined that a letter be sent indicating that his letter was not clear as to who would perform the procedure. However, it is the opinion of the Board that using Viora V-ST falls outside the scope of practice of a dentist.

4. Correspondence from Devon O. Howe, President & CEO of NOBILIUM questioning whether it's denture identification system, DentureID, meets the statutory requirements for identification of prosthesis. During discussion of this matter, the Board raised several issues with regard to this matter. The Board determined that Mr. Howe be invited to appear before the Board to discuss the product and technology.

## **VII. HAND-OUTS:**

1. Kinder Smile Foundation, Inc. – Report of site visit by Dr. DiCesare and Dr. Cohen, in follow-up to the application for a dental clinic permit. The clinic meets all requirements. The Board approved this application.
2. The Board reviewed minutes of April 4, 2018 with regard to dental hygienists applying silver diamine fluoride.  
The Board indicated that dental hygienists are permitted to apply silver diamine fluoride under both direct and general supervision of a dentist.
3. The Board discussed whether the September 19<sup>th</sup> meeting should be canceled. It was determined that the meeting proceed as scheduled. However, no appearances will be scheduled for that day.

**VIII. APPEARANCE:**

1. 1:00 P.M. – Raymond Marelic, Ethics Officer – Ethics presentation for Board members.  
Mr. Marelic provided information concerning their role as a Board member.

**IX. ADJOURNMENT:** The Board adjourned the Public Session and moved to Executive Session for advice of counsel and review of open matters (investigations and deliberations). When and if action is taken, it will be reported in Public Session.