

NEW JERSEY STATE BOARD OF DENTISTRY
PUBLIC SESSION MINUTES
NEWARK, NEW JERSEY
FEBRUARY 3, 2016

NOTE: The Public Session was called to order by President Emil Cappetta, DDS.

ATTENDANCE: The following members were in attendance:

Joseph Battaglia, DMD; Emil Cappetta, DDS; Elizabeth Clemente, DDS;
Peter Clemente, DMD; Nicholas C. DeRobertis, DMD; Steven Goldstein,
DDS; Linda Hecker, RDH; Jonathan Mangot, DMD; Roger Kriete, DMD;

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

ABSENT/EXCUSED: Beverly Kupiec, PhD, RN; Richard D. Riva, DDS

I. APPROVAL OF MINUTES: January 20, 2016 - The Board in a motion by
Dr. DeRobertis, seconded by Dr. Goldstein approved the
minutes as amended.

II. COMMITTEE REPORTS:

A. Applications:

1. Dr. Mahnaz Baghaei - Application for a dental license. The Board approved this application.

B. Continuing Education:

1. Golden Dental Solutions - Additional information requested in follow-up to a request for approval of a continuing education course.
2. Course submitted by Dr. Steven Rasner entitled "Atraumatic Extraction & Implant Course".

The Board in a motion by Dr. Battaglia, seconded by Dr. Kriete, determined to have Dr. Rasner attend a future meeting to discuss the courses he would like to provide at his practice location.

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

1. Jersey City Medical Center - This was received as informational.

IV. REPORTS FROM THE PROFESSIONAL ASSISTANCE PROGRAM:

1. Dr. Jennifer Lamphier - The Board reviewed a report from the Professional Assistance Program stating that Dr. Lamphier has discontinued her involvement in the program because of non-payment. Dr. Lamphier is required by Final Consent Order filed on March 23, 2015 to continue participation in PAP.
This matter was referred to executive session for deliberation.

The Board returned to public session. The Board determined that Dr. Lamphier be advised that the Board has been notified by the PAPNJ that she is no longer participating with that program. Any application to reinstate of license will require that she provide proof that she has maintained sobriety.

V. ORDERS FILED WITH THE BOARD:

The following items were received as informational:

1. Dr. Joanne Tobias - Consent Order Reactivating License filed on January 5, 2016.
2. Dr. Dayna M. Cassandra - Settlement Letter filed on January 5, 2016.
3. Dr. Dennis A. Walker - Settlement Letter filed on December 24, 2015.
4. Dr. Chandon Ahuja - Consent Order filed on January 6, 2016.
5. Dr. Iouri Krainov - Final Order of Discipline filed on January 6, 2016.
6. Dr. James Manwaring - Final Order of Discipline filed on January 6, 2016.
7. Dr. Sam Oh - Final Order of Discipline filed on January 6, 2016.
8. Dr. James A. Batchelor - Order of Summary Suspension filed on January 20, 2016.
9. Dr. Michael K. Jefferson - Final Order of Discipline filed on January 20, 2016.
10. Dr. William J. Cannon - Order of Summary Suspension filed on January 20, 2016.

VI. OLD BUSINESS:

1. Discussion concerning the Board's decision of September 2, 2015, that states "that it is not within the scope of practice for a dental hygienist or dental assistant to do a VelScope or Vizilite examination as it requires a diagnosis and only a dentist can diagnose.

The Board in a motion by Dr. E. Clemente, seconded by Dr. DeRobertis, determined to sustain the previous decision that the use of these devices is not within the scope of practice for hygienists. The Board recognizes that a dentist employs the use of these and similar devices, and the efficacy of these diagnostic tools rests in the skill of the dentist in examining the patient and the results presented.

VII. NEW BUSINESS:

1. AADB - Information concerning the American Association of Dental Boards Mid-Year meeting - April 10-11, 2016.

The Board designated Dr. Battaglia as the official delegate to the AADB meeting.

2. ADEX - Correspondence concerning the ADEX Dental Examination Committee Member. This was received as informational.

VIII. HAND-OUTS:

1. Inquiry from Stephanie Smekal about whether an RDA may apply silver nitrate on patient's teeth.
Request more information from the dentist who runs the office about the procedure.
2. Decision of the United States District Court for the Western District of Texas on January 21, 2016 regarding advertising. This was taken as informational.
3. Inquiry from Charles Perle, DMD, New Jersey Academy of General Dentistry concerning the definition of "university setting" in the regulations governing where the course work for the injectable pharmacologics program must be held.

The Board directed the executive director to contact the course provider advising the intent of the hospital/university setting does not include a student center; the Board contemplated there being clinical facilities in a hospital or clinical setting.

4. Request from Dr. Anthony Mancino and response from the Attorney General concerning Dr. Mancino's request in connection with the Final Order filed.
Because the matter is under appeal, the Board lacks jurisdiction to make modifications to the order.

The Board also approved Dr. Harvey Nash to serve as the monitor described in paragraph 8 of the Order. The Board determined to send a copy of the Order to Dr. Nash and request a copy of Dr. Nash's CV for the Board's file.

* NOTE: Objection to Dr. Narsh by DAG Gelber. Refer to February 17, 2016 minutes.

- VIII. 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.