

Memo

To: NJDHA
From: Paul J. Bent
CC: Becky Pugh / Russell F. Bent
Date: October 4, 2017
Re: NJ State Board of Dentistry Public Session

On Wednesday, October 4th, I had the pleasure of attending the meeting of the NJ State Board of Dentistry Public Session. The meeting was held at the Board Office in Newark and covered the following:

I. APPROVAL OF MINUTES: September 20, 2017 – Approved as written.

II. COMMITTEE REPORTS:

A. Continuing Education:

Multiple courses were approved. Two courses were denied. No further specifics were given.

III. PETITION FOR RULEMAKING – American Board of Dental Specialties

The American Board of Dental Specialties (ABDS) had, in March of this year, submitted a Petition for Rulemaking regarding what specialties the Board of Dentistry accepts for use in advertising. The Board currently accepts ADA specialties.

The ABDS had asked for a rule to be adopted which would recognize not only the ADA but also the ABDS approved specialties.

Since March the Board's Regulatory Committee has reviewed this issue and today came back with a finding.

It was the Regulatory Committee's finding (which was approved by the full Board) that the petition be denied as written. Instead, the Board will continue to look at this issue in an effort to rewrite their regulations regarding the use of specialty designations in advertising.

Further, the Board voted to place a moratorium on the enforcement of the use of specialty titles, however, they will still enforce all other aspects of the advertising regulations including those against misleading advertising.

What this means is the Board will not penalize a dentist for advertising a specialty (no matter where that specialty is derived) so long as they can demonstrate that they have cause to use such specialty designation.

IV. APPEARANCE:

1. 11:00 A.M. – Dr. Larry Sheer, Past President, New Jersey Association of Endodontics (NJAE) – Appearance to express concerns regarding deficiencies in the present standard of endodontic care provided to the public in New Jersey.

Presented by the association's Executive Director, the NJAE feels that there has been a significant decline in the quality of endodontic care in both New Jersey and Nationally. Several cases were offered up as an example.

The NJAE feels that the way "endo" is taught has declined over the years (i.e. using acrylic teeth instead of real teeth for education purposes) and that General Dentists are not making referrals for Endodontic care as often as they should.

They are looking to engage all stakeholders and feel efforts should be made to:

- Create a Patient Bill of Rights to ensure high standards of care;
- Have an Endodontist serve on the Board of Dentistry;
- Establish minimum educational standards;

- Establish referral guidelines for endodontic care.

The Board, in general, expressed their appreciation of the NJAE appearing before them. Several were concerned about where the line falls between the care that a general dentist can provide versus an Endodontist.

Some board members even mentioned feeling a bit “offended” by the tone the NJEA has taken in some of their correspondence toward general dentists.

While the Board took no action, or position, on what was presented, it was pointed out that several items would require legislative or gubernatorial action. The Board has left it open for continued dialog on these issues.

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

1. Dr. Marc E. Gordon – 54 year old female appearing for an extraction under local anesthesia developed an allergic response. Board accepted as informational.

2. Dr. Michael A. Steinle – 84 year old female while under IV sedation developed chest pain. Board moved this to Executive Session.

3. Dr. Nicholas Punzalan – 12 year old female having braces removed swallowed a band. Patient taken to ER for x-rays. Board accepted as informational.

4. Rutgers School of Dental Medicine (3 reports)

- 51 year old male presenting for an emergency exam expressed having back pain that was the result of a prior injury. Board accepted as informational.
- 51 year old female complaining of radiating pain in chest. Board accepted as informational.
- 61 year old female presenting for an Endo evaluation became “dizzy”. Board accepted as informational.

5. Dr. Deep Desai - 20 year old male presented for extraction with a significant infection. Patient was directed to the ER to begin IV antibiotics following dental care. Board accepted as informational.

VI. REQUEST IN FOLLOW-UP TO THE BOARD'S ORDER:

1. Dr. Jack Gelb – Moved to Executive Session.

VII. ORDERS AND SETTLEMENT LETTERS FILE BY THE BOARD:

1. Dr. Murray W. Borman – Settlement Letter filed on September 8, 2017.
2. Dr. Alan Cohn – Settlement Letter filed on September 18, 2017.
3. Dr. Ira S. Port – Settlement Letter filed on September 18, 2017.
4. Dr. Ping Cai – Consent Order filed on September 18, 2017.

All accepted as informational

Handouts:

Staff brought to the Boards attention a notice from the Attorney General dated August 31st regarding a rule proposal limiting things of value that can be given to providers from pharmaceutical companies. Said proposal has been published and is in open comment period. Board will review and discuss the possibility of submitting comments at a later date.

VIII. ADJOURNMENT:

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