

Memo

To: Lauren Jaccodine, Vicky Fedor, Becky Pugh, Susan Singer, Debbie Myers, Gail Woller, Natale Carmela, Mia LoGiudice, Carolyn Breen, Rhoda Gladstone, Christine Casile

From: Paul J. Bent

CC: Russell F. Bent

Date: September 21, 2012

Re: NJ State Board of Dentistry Public Session

On Wednesday, October 3rd, 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 19, 2012 – Approved with minor changes.

II. COMMITTEE REPORTS:

1. Applications:

- Jeanine Marie Mangogna - Dental Hygiene reinstatement application. Has been out of practice for 5 or more years. Would like the Board to accept CE in lieu of a refresher course. The Board has asked for more information related to the CE she has taken. They are looking for programs that are clinical in nature.

2. Continuing Education: 3 remedial CE courses were reviewed with 2 being approved and one denied.

III. BUDGET REVIEW:

1. Darlene Kane, Budget Officer, from the Division of Consumer Affairs will discuss the Board's budget.

The Board's budget is looking good. Certain costs have increased related to employees of the Board, particularly in fringe benefits. These costs are out of the Board's control and are set by the State.

Depending on how numbers come in over the next 8 months, it is possible that licenses will see their renewal fees reduced based on a credit being applied. That won't be confirmed until May / early June of next year.

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

1. Dr. Sameera Quadri – 23 year old female patient with a developmental disability suffered a seizure while in the waiting area. Patient was taken to the ER and later released. Board accepted as informational.

2. Dr. David T. Bolger – 51 year old female patient being treated by a dental student experienced "gagging" while receiving a crown prep. Later complained of chest pain. Taken to ER and later released. Board accepted as informational.

3. Dr. Daya Bale – Moved to Executive Session.

4. Dr. Jennifer Lamphier & Dr. Robert Weinflash – 53 year old female patient with a history of hypertension complained of a headache following an incision and drainage. Patient took herself to the ER. Moved to Executive Session.

V. INQUIRY CONCERNING REQUIREMENTS SET FORTH IN THE BOARD'S CONSENT ORDER:

1. Dr. Richard Bradway – Looking for modification on a \$15,000 fine issued by the Board. Moved to Executive Session.

VI. INQUIRY CONCERNING THE BOARD'S CONTINUING EDUCATION REQUIREMENTS:

1. Dr. Albert Turpie – Back in November of 2011 Dr. Turpie asked the Board for a waiver of 16 CE credits because of personal issues involving an ill wife. At the time the Board voted to extend the time period in which he could obtain the 16 credits. Dr. Turpie is again asking for a waiver of the credits. Moved to Executive Session.

VII. ORDERS FILED WITH THE BOARD:

1. Jon Lackner, DDS - Final Consent Order filed on September 5, 2012. Arrested for sexual contact with a child. His license has been revoked pending the outcome of his trial.

2. Sherry L. Tranto, RDH - Final Order of Discipline filed on September 5, 2012. No further details given.

Board accepted both as informational.

VIII. OTHER MATTERS:

1. Inquiry from Samuel A. Fleishman, MD, President of the American Academy of Sleep Medicine concerning the scope of practice of a dentist. Feels that sleep test kits should only be issued and evaluated by physicians. The Board agrees that a diagnosis should be made by a physician and will share with him minutes of Board meetings reflecting that position.

2. Inquiry from the Jewish Renaissance Medical Center, Inc. requesting clarification on the branch office licensing requirement. They were looking for confirmation regarding the need for branch licenses at federally qualified health centers (FQHC's). The Board will respond yes, a dentist would need a branch license if working at an FQHC.

3. Inquiry from Lisa C. Mann questioning whether a dentist can delegate the administration of botox to a registered nurse. Yes, a dentist can delegate this duty to a properly trained nurse so long as the dentist could perform the same procedure. A dentist cannot delegate duties which they themselves could not legally perform.

4. Inquiry from Joan M. Block, Executive Director, Hepatitis B Foundation, requesting the requirements for infected individuals to obtain a dental license to practice dentistry. While the Board has no specific limitations, they would be guided by the American's with Disabilities Act and patient safety as applicants are reviewed on a case by case basis.

5. WREB - Fall 2012 Board Newsletter. Accepted as informational by the Board.

Public Comment:

Art Meisel, representing the NJDA, raised the following three questions:

- Can an RDH, operating under "general" supervision, apply topical or sulcular anesthetics? The Board said yes, however, they would like the RDH to have written or verbal permission from the supervising dentist to do so. Also, to clarify, the permission is not specific to the patient but to the act of working under "general" supervision.
- Can an RDH be a shareholder with a dentist in a professional organization such as an LLC or professional services corporation? The Board is unsure and will look into it.
- Does the Board of Dentistry intend to make a determination in the case against Beach Bum Tanning regarding tooth whitening? The Board is still doing its investigation and will make a determination when it feels it has all of the facts in the matter.

Kim McMahon, representing the NJDAA, asked what the status was regarding DANB's failure to test NJ dental assistant applicants in all of the functions they can perform here. Board tabled this matter to its next meeting at which they believe Board Member Shirley Birenz will be present as she has more knowledge on this subject.

IX. ADJOURNMENT: