

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: March 10, 2014

Re: NJ State Board of Dentistry Public Session

On Wednesday, March 5th, 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: February 19, 2014

Approved with minor changes.

II. COMMITTEE REPORTS:

A. Applications:

1. Dr. Yuhui Hu - Application for a dental license by credentials. Board voted to deny this application as he does not have five years in a single jurisdiction. The Board noted that, after July 1st, they would have more discretion based on recent legislation that was signed into law.

2. Dr. Hector Sarmiento - Application for a dental license. The Board voted to deny this application as the applicant is a foreign trained dentist who does not have the required two years at an ADA approved

program. It was noted that this is a statutory requirement that cannot be waived by the Board.

3. Dr. Manjusha Tummala - Inquiry as to whether she qualifies for a dental license. Has 4 years 9 months in Texas. Board is going to advise that she hold off for three more months and then file under the provisions of 5 years in a single jurisdiction and successful passage of NERB.

4. Elieta Hairston, RDA - Inquiry concerning reinstatement of her registered dental Assistant registration. Was initially licensed in 2000 as an RDA but allowed her license to lapse. Board will respond that she needs to pay the reinstatement fee and pass the expanded functions exam.

B. Continuing Education:

1. Committee report. President Birenz indicated that she only just received the packet so this will be held until later in the day so she has time to review. The Board indicated that 11 remedial courses were approved and 1 was denied. The course that was denied for remedial credit for dentists was an oncology course for dental auxiliaries.

C. Regulations:

1. 13:30-8.25 - Credit by third party lenders for dental services; requirements; disclosures. Committee update. The Regs Committee is looking into the issue of third party "credit" companies which provide a "credit card" like loan for dental procedures. The Committee is looking at what protections exist for consumers and if any additional protections need to be considered by the Board. They hope to have something for Board review soon.

III. PROPOSED REGULATION CHANGES:

1. SUBCHAPTER 1A. DENTAL HYGIENISTS. Additional changes are being made to provide more clarity to licenses. Specifically, a breakdown of the scope of practice for an RDH acting under direct supervision and one for under general supervision. This breakdown

will also distinguish between settings such as a school setting or clinical office.

Also, the Board will be clarifying that curing lights will be used under direct supervision, except when used with sealants, as well as light activated bleaching agents. Note, however, that with light activated bleaching agents the RDH will not be required to provide constant supervision of the patient.

Finally, the Board is requiring some form of review within 30 days by the supervising dentist of any notes or forms generated by the RDH while working under general supervision in a school setting. Also, the Board is specifying that parental consent in the school setting be in writing.

IV. LEGISLATION:

1. A-1545 - Revises law concerning certain professional and occupational licenses. This was signed into law at the end of the session (PL 2013, c.182) and provides licensing boards (including the Board of Dentistry) to reinstate lapsed licenses by charging only 1 period of fees (used to have to charge all lapsed licensing periods) and not require the retaking of exam (however, the Board could ask for some proof of competency). Also provides more discretion in accepting out of state licenses for reciprocity. Expect regulatory changes as staff continue to review the new law.

V. REQUEST FOR LICENSURE REINSTATEMENT:

1. Dr. Judd Garson. Moved to Executive Session.

VI. RESPONSE TO UNIFORM PENALTY LETTER:

1. Dr. Stephen J. Markus

VII. PROVISIONAL ORDER OF DISCIPLINE TO BE FINALIZED:

1. Dr. James Manwaring

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

1. Dr. Gene J. Martin, Jr.
2. Dr. Barry J. Morse

IX. THE FOLLOWING ORDERS/SETTLEMENT LETTERS HAVE BEEN FILED WITH THE BOARD:

1. Dr. Aaron W. Prestup - Settlement Letter filed on January 6, 2014.
2. Dr. Joseph Reed - Consent Order filed on January 6, 2014.
3. Dr. Frank Conte - Consent Order of Voluntary Surrender of Licensure filed on January 13, 2014.
4. Dr. Murray W. Borman - Consent Order filed on January 13, 2014.
5. Dr. Lon J. Rosen - Settlement Letter filed on January 17, 2014.

X. OTHER MATTERS:

1. Letter from Arthur Meisel from the New Jersey Dental Association in follow-up to the Botox issue that was referred to a committee of the Board to "determine whether, given the scope of practice for dentists, additional educational requirements would permit dentists other than oral and maxillofacial surgeons to administer injectable pharmacologics in certain areas of the face."
2. ADEX - Letter indicating that Dr. Barbara Rich has served as the New Jersey Representative to the ADEX Dental Examination Committee and that the term will expire on December 1, 2013. They are questioning whether the Board wants Dr. Rich to be reappointed.
3. Responses from the dentists identified by the FDA who may have ordered prescription drugs distributed by Medical Device King.
4. Inquiry from Judith Zirkle, Director of the Dental Assisting program at Cumberland County Technical Education Center concerning continuing education credits for dentists.
5. Correspondence from Patricia A. Steitz, CDA, RDH, BS, President of the New Jersey Dental Assistants Association, requesting that a dental assisting member be added to the composition of the State Board of

Dentistry and are recommending Kim McMahon, CDA, RDA, RDH, BSHS for this position.

6. Dr. Frank R. Besson - Correspondence concerning the continuing education credits for licensure renewal.

7. Information from CODA concerning their 2014 accreditation actions.

8. AADB - Copy of the Bulletin
- Copy of Bylaw Amendments

XI. ADJOURNMENT: