

# 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:** April 4, 2012

**Re:** NJ State Board of Dentistry Public Session

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On Wednesday, April 4<sup>th</sup>, 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:

The new members of the Board were introduced:

Nicholas Corrado DeRobertis, D.M.D. (Woodcliff Lake, Bergen)  
Roger M. Kriete, D.M.D. (Chatham Township, Morris)  
Richard D. Riva, D.D.S. (Millburn, Essex)

The Board also sent there thanks and best wishes to Dr. Rosenheck and Dr. Hall for their service on the Board.

**I. APPROVAL OF MINUTES: March 21, 2012** – Approved with minor changes.

**II. EXECUTIVE DIRECTOR’S REPORT:** No report given.

### **III. COMMITTEE REPORTS:**

#### 1. Credentials:

- Dr. Seong Lee – Appears to have served in the Army for 3.5 years and then 2 years in an endodontics program in NY. Passed WREB in 2006. Does not have the 5 years in one location to qualify for licensure by credential. Board to hold application so staff can get the individual WREB scores and confirm the military service.
- Dr. Yu – Licensed in NY since 2009, has one databank for \$95,000 related to a full mouth restoration. Board voted to approve.

#### 2. Continuing Education:

1 remedial CE course was approved and 4 CE courses were approved.

### **IV. LEGISLATION:**

1. S-298 & A-1759 - Revises statutes concerning dental hygienists and dentists. Board voted to support.

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

1. Dr. Mitesh Faldu – 33 year old male patient fainted following local anesthesia. Taken to the ER and later reported to be OK. Board accepted this report as informational.

2. Dr. Naomi D. Hillel – 8 year old female patient receiving restorations was lethargic following care which included LA and NO. Patient reported she was feeling OK a little later. Board accepted as informational.

### **VI. RESPONSE TO UNIFORM PENALTY LETTER:**

1. Dr. Andrew Maron – Cited by the Board for failing to keep patient records. Moved to Executive Session.

## **VII. ORDERS FILED WITH THE BOARD:**

1. Dr. Marianna M. Weiner - Provisional Order of Discipline filed on March 7, 2012
2. Dr. George Szalavetz - Provisional Order of Discipline filed on March 7, 2012
3. Dr. Jill A. Zaleski - Consent Order filed on March 7, 2012
4. Dr. Paul Tran - Final Order Rescinding Provisional Order of Discipline filed on Marchh 7, 2012
5. Dr. Louisa Correa - Final Order filed on March 7, 2012
6. Frank DeNorscio, Jr. - Settlement Letter filed on March 15, 2012
7. Dr. Adam Helfand - Consent Order filed on March 21, 2012
8. Dr. Alex Silman - Consent Order Modifying Board Order of Reinstatement dated July 20, 2011 filed on March 21, 2012
9. Dr. Richard J. Mercurio - Interim Consent Order filed on March 21, 2012
10. Dr. Richard Poller - Settlement Letter filed on March 22, 2012

All accepted as informational by the Board.

## **VIII. MISCELLANEOUS INQUIRIES:**

1. Dr. Helen P. Chiu - Additional information concerning her inquiry on surgical implant and bone grafting procedure. Dr. Chiu had previously asked about the use of a certain product (Board did not specify the product) to which the Board has asked for additional information. Dr. Chiu has since withdrawn her question and the Board considers the matter closed.

2. Additional information in follow-up to an inquiry from Mary Jo O'Donnell questioning whether a general dentist can use the "Pelleve" radiowave in the practice. The Board accepted the new information but was still unable to take a position as to the use of Pelleve in the dental setting. Board has instructed staff to get more information from the manufacturer.

3. Inquiry from Dr. Scott Peters concerning fee splitting terminology with regards to "groupon" type deals for dentistry. Dr. Peters is asking the Board if a dentist were to participate in some type of "groupon" coupon service if that would violate the rules on fee splitting. The Board indicated that it views each case on its own merits and will review the "groupon" contract. The short answer from the Board is it is a violation if the "groupon" type organization receives a percentage of the "sale". If it is a flat fee arrangement then it is OK.

#### **PUBLIC COMMENT:**

Art Meisel of the NJDA raised the question of when the Board would be reviewing the tooth whitening case against Beach Bum Tanning which was referred to them by the Appellate Court. The Board indicated that it was on their Executive Session Agenda for their mid-April meeting. More details will follow.

Mr. Meisel also asked about when the "Botox" committee was going to meet to go over the concerns the NJDA has raised on the use of Botox by dentists. The Board said that they don't have a date yet as they are currently shifting members around with the introduction of three new board members. They will announce as soon as they know.

Lastly, Kim McMahon from the NJDAA asked what the status of the DANB expanded functions exam was. The Board responded that Ms. Birenz has been working with DANB on this matter and will have something to announce in the near future.

#### **IX. APPEARANCE:**

1. 10:30 A.M. - Dr. Marc Weber - Board to finalize the "Initial Decision from the Office of Administrative Law" and mitigation hearing as appropriate.

**X. ADJOURNMENT:**