

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: May 15, 2012

Re: NJ State Board of Dentistry Public Session

On Wednesday, May 2nd, 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: April 18, 2012

Approved with minor changes.

II. EXECUTIVE DIRECTOR'S REPORT:

A letter has been sent to all residency programs reminding them to register those in their program.

2088 applications (of all kinds) have been received this year making for a record setting year.

III. COMMITTEE REPORTS:

1. Credentials: No Report

2. Continuing Education: Approved with no discussion

IV. ADOPTED REGULATION:

1. Division of Consumer Affairs Uniform Regulations - Waivers; Performance-Based Outcomes - N.J.A.C. 13:45C-2 and 3. Adopted by State on April 16th, requests for waivers to Board rules may now be submitted.

V. PROPOSED LEGISLATION:

1. S-670 - Allows graduates of foreign dental schools to take examination and become licensed as a dental hygienist.

- Burt Liebman from the Division will speak to the Board on this proposal.

The Board asked Mr. Liebman, who handles legislative issues for the Division, to attend this meeting so the Board could reiterate its strong opposition to this legislation.

The Board opposes for multiple reasons including:

- The Board can't accredit foreign dental schools and there is no consistency among the various schools. In fact, several offer only bachelor level degrees.
- It would be unfair to graduates of CODA approved programs.
- The Board would have no means to verify if an applicant actually graduated from a foreign dental school or not.

Mr. Liebman reported that no action has taken place on this legislation and, should it be scheduled for a hearing, he will relay the Boards position to the legislature.

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

1. Dr. Warren M. Torchinsky – 55 year old male patient who was in for an extraction and fainted. Taken to the ER and later reported to be OK. Board accepted as informational.

2. Mountainside Hospital Dental Clinic – 74 year old female administered local anesthesia for a tooth extraction later experienced pain in the arm, neck and face and had shortness of breath. Taken to the ER and later cleared. Board accepted as informational.

3. Dr. David T. Bolger – 38 year old female administered local anesthesia for a tooth extraction became light headed and nauseous. Taken to ER and later released. Board accepted as informational.

VII. ORDERS FILED WITH THE BOARD:

1. Dr. Ewa Baginski and Mr. Piotr Baginski - Consent Order filed on April 4, 2012
2. Dr. Walter Bilotta - Consent Order of Reinstatement filed on April 4, 2012
3. Dr. Ralph Famiglietti - Consent Order filed on April 4, 2012

Accepted as informational by the Board.

VIII. OTHER MATTERS:

1. Correspondence from Dr. Richard P. Charmoy and Dr. Robert Schwartz concerning sleep apnea. Two separate letters. The first asked if a dentist can be part of treating team with physicians. The Board will respond that the answer is yes.

The second question was if a dentist can send a patient home with a home test kit for sleep apnea if it is interpreted by a physician. The Board had an involved conversation and welcomed the comments from a dentist who came to lend his thoughts on the matter. The Board decided to table this matter to a later date after staff has had an opportunity to do more research.

2. NERB - Inquiry questioning whether the Board would approve continuing education credit for individuals involved in the development and administration of the dental and dental hygiene licensing examinations. The Board indicated that it would accept such CE so long as it followed the usual process to be granted CE

3. Aparna Chawla, DDS - Additional information requested in follow-up to her request for an extension of the continuing education credits for licensure renewal. I had to leave the room and missed this discussion.

4. Dr. Anthony Terra - Inquiry concerning the continuing education credits for licensure renewal. He is a retired dentist (72 years old) doing volunteer work in Guatemala. He is asking for CE credit for his volunteer work. His license is currently expired and he would need to reinstate his license. The Board is willing to grant him 20 credits of CE for his volunteer work and he will need to get the remaining 20 from other approved sources.

5. Inquiry from Cathy Silverman, Executive Director, National Council of Jewish Women, concerning their program "NCJW Back 2 School Store." Eastern Dental is looking to donate coupons for free dental exams for inclusion in the NCJW backpack program (which includes multiple items in a backpack) valued at \$80. The Board will respond that it is ok so long as Eastern Dental does not attempt to bill an insurance carrier or Medicaid for the "free" exam. Also, they would remind Eastern Dental that each patient that submits to this becomes a patient of record and they will be expected to keep records.

6. Additional information in follow-up to a request from Dr. Kellyann A. Metz questioning whether she can offer TMJ massage to her patients in her office. Dr. Metz is asking if she could have a massage therapist perform TMJ massage in her office. This item was tables so that staff could find out more about the practice of massage therapists and their scope of practice.

7. Correspondence from Dr. Donna Vagnozzi-Bucci concerning the standard of care for a crown build up procedure. She received a letter from an insurance carrier regarding her billing of crown build ups. Apparently the insurance carrier says most dentists bills average around 45% while she is over 80% for frequency. The Board is going to suggest that she send the letter she sent to the Board, which details why she does it so often, to the insurance carrier.

8. Inquiry from Dr. Charles M. Calantone concerning branch office requirement. Asking if he needs a branch license to work in a hospital ER. Board will respond no so long as he is on staff.

9. ADA - AHA statement: No causative link found between periodontal disease and heart disease. Board feels that this is not what research said and that the real message from the study was that more research is needed.

Handouts:

An orthodontist who is doing claims review is asking if he can get a limited consultant license. His license is currently expired. Board to respond that to obtain a limited consultant license he must be licensed in good standing somewhere in the US. He needs to either get the CE and seek to reinstate his dental license or seek a waiver from the Board following the new rule that was mentioned earlier.

Public Comments:

Art Meisel – NJDA

- Asked about an incident report from a couple months ago in which the minutes show a request for a death certificate. He indicated that this could reflect poorly on the dentist and asked if, going into the future, the Board could rephrase and ask for additional documentation instead of showing it is for a death certificate. Board will consider it.
- Asked about sleep apnea and why the Board continues to delay on this issue. Board responded that it wants to educate itself first on the issue before making a decision.

No other comments were made.

IX. ADJOURNMENT: