

Memo

To: Lauren Jaccodine, Jodie Heimbach, Becky Pugh, Susan Singer, Gail Woller, Natale Carmela, Carolyn Breen, Rhoda Gladstone, Winnie Furnari, Sandra Berger and Tina Modi

From: Paul J. Bent

CC: Becky Pugh / Russell F. Bent

Date: June 11, 2014

Re: NJ State Board of Dentistry Public Session

On Wednesday, June 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: May 21, 2014 – Approved with minor changes.

II. COMMITTEE REPORTS:

A. Applications:

1. Dr. Jeremy Nehleber - Application for a New Jersey dental license. Passed the Florida exam (which was equivalent to NERB when he took it) and has been in a residency at NYU. Board approved as he meets all requirements for licensure.

B. Regulations committee:

1. Status concerning the following petitions for rulemaking:

- Regulatory Amendments to Allow Expansion of Functions for Dental Auxiliaries in an Orthodontic Office. A six month extension has been granted by the petitioner.

- Corporate Practice of Dentistry. Board President Birenz moved this item from the Regulations subcommittee and established an adhoc committee to review. Like the petition before, a six month extension has been granted.

2. Law and Jurisprudence examination for applicants. A clean-up regulation is being worked on as there are conflicting dates on how long the Jurisprudence exam is "good for" before the applicant must complete the licensure process. Once approved, the exam will be good for two years.

C. Continuing Education:

No Report.

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

1. Dr. Richard N. Tennenbaum – 18 year old female under IV sedation experienced increased pulse and blood pressure. Patient was transferred to the ER by ambulance and later released. Board accepted as informational.

2. Dr. Thomas R. Hada – 53 year old female was experiencing difficulty swallowing before any dental care was provided. Board accepted as informational.

3. Dr. Eugene S. Kulaga – A needle broke in the patient's mouth while administering local anesthesia to 37 year old female. Patient was sent to an oral surgeon to have the broken piece removed. Board voted to move this to Executive Session based on concerns raised about the type of needle chosen by the dentist.

4. Dr. Lawrence M. Gorzelnik – 15 year old male appearing for an extraction began to hyperventilate. Board accepted as informational.

5. Rutgers School of Dental Medicine – 57 year old patient had an incident while under local anesthesia for an extraction. Board accepted as informational.

6. Dr. Sita Gurung – 75 year old male became short of breath when leaving the dental office. Board accepted as informational.

IV. REQUEST FOR MODIFICATION TO THE BOARD'S ORDER:

1. Dr. Alan Schwartz – PAP report received by the Board. Board voted to move this to Executive Session.

2. Dr. Lawrence Gardner – PAP report received by the Board. Board voted to move this to Executive Session.

3. Dr. Scott Meltzer – Regarding voluntary surrender of license. Board voted to move to Executive Session.

V. ORDERS/SETTLEMENT LETTERS FILED WITH THE BOARD:

1. Dr. Kenneth Avery
2. Dr. Donald P. Lapine
3. Dr. Davis C. Thomas
4. Dr. Anthony Vocaturo
5. Dr. Robert Karasek

All five reports were accepted as informational by the Board.

VI. OTHER MATTERS:

1. Dr. John J. Graeber - Inquiry questioning whether the contract provided is fee splitting. This involves a billing service agreement in which the billing service takes a fee of 10% of monthly collections. The Board will respond that it appears to violate the regulations regarding fee splitting and will forward to him the relevant regulations for his review.

2. ADA - Information concerning the ADA Dental Personal Identification Number. This is an eight digit number being issued to dental professionals for use in the education and testing systems. The Board accepted this as informational.

Handouts:

A letter was received by the Board from an RDH in an office setting in which they were instructed by administrative staff to ask patients if they had ever had a "deep cleaning" and if they responded "yes" to bill for such service at all visits. The question from the RDH was if this instruction violated the practice act as it provided a treatment prior to a diagnosis being made. The Board agreed and will respond that the treatment must be related to a diagnosis by a dentist.

VII. ADJOURNMENT: