

# 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:** June 5, 2013

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

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On Wednesday, June 5<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:

**I. APPROVAL OF MINUTES:** May 15, 2013 - Approved

**II. COMMITTEE REPORTS:**

1. Applications:

- Jasleen K. Dhillon - Dental Hygiene application by credentials. Approved by the Board.

- Nicole Kent - Dental Hygiene application by credentials. This is actually an application to practice as a dentist, not an RDH. Dr. Kent does not have the 5 years in one jurisdiction to be licensed by credential. The Board noted that Dr. Kent took the NERB exam except for the clinical portion. The Board is going to recommend that Dr. Kent seek initial licensure after passing the NERB clinical exam.

2. Continuing Education: An unspecified number of remedial CE courses were approved.

### **III. PROPOSED REGULATIONS:**

1. Draft of proposed amendments to:
  - 13:30-8.2 Parenteral Conscious Sedation
  - 13:30-8.3 Use of General Anesthesia
  - 13:30-8.4 Enteral Sedation with Single or Multiple Pharmacological Agents

Initiated by a letter from the NJ Society of Oral & Maxillofacial Surgeons, the regulations committee is recommending the following:

- For Parenteral Conscious Sedation – add requirement for an AED, Advanced Cardiac Life Support (ACLS) for the permit holder, and use of capnography to hold this permit.
- For General Anesthesia – add ACLS and capnography requirement.
- For Enteral Sedation – add capnography requirement.

It should be noted that the ACLS requirement will not apply for those “monitoring” patients. Those individuals will need Basic Life Support (aka CPR).

During discussion, the Board voted to have staff add the following, all for Enteral Sedation permits:

- Reiterate the importance for complete patient histories, especially focusing on substance abuse.
- Require 7 hours of CE every renewal period covering pharma and addiction / abuse recognition.

Staff will report back with this added language at their July 10<sup>th</sup> meeting.

**NOTE:** Staff indicated that they will also present to the Board on July 10<sup>th</sup> proposed RDH rules regarding supervision.

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

1. Dr. Nilesh R. Patel – Patient awoke from sedation in an agitated state and was taken to the ER upon the insistence of the parents. Patient reported to be OK. Board accepted as informational.

2. Dr. Omar D. Porras – 54 year old female with a history of seizure’s had a seizure while under care. Board noted a delay of 45 minutes before the patient was taken to the ER. Staff to request additional information on what was done during those 45 minutes.

3. Dr. Kayvon Haghghi – 37 year old female reporting for 1 week post op check “passed out” while being seen. As above, Board noted a lengthy delay between the time of the incident and transport to the ER. Staff to request additional information.

**V. ORDERS/SETTLEMENT LETTERS FILED WITH THE BOARD:**

1. Dagomar Lazo (Unlicensed) - Offer of Settlement filed May 9, 2013.
2. Dr. Gennaro J. Langella - Final Order of Discipline filed May 1, 2013.
3. Dr. Scott M. Meltzer - Consent Order of Temporary Suspension of Licensed filed May 3, 2013.
4. Dr. Ronald M. Jupiter - Consent Order of Temporary Suspension of License filed April 26, 2013.

All four accepted as informational with no additional information being given.

**VI. REQUEST FOR MODIFICATION TO THE BOARD’S ORDER:**

1. Dr. Michael Scaglione – Moved to Executive Session.

**VII. OTHER MATTERS:**

1. Information from Adam J. Telanoff, Esq, Viva Dental, LLC concerning the “Viva Program”, a marketing company for dentists and dental practices. Involves the use of “credit card” like cards patients can use as coupons. Allows for easy tracking of card users. Board not sure why they are writing in and have some concerns about what information would be on the cards. Staff will send them the advertising regulations as a reminder of what the requirements are here in NJ.

2. Information from the U.S. Food and Drug Administration concerning prescription drugs distributed by Medical Device King. This included a list of 14 dentists who purchased drugs from them including botox. Board is asking the 14 dentists to provide the Board with information about when

the drugs were purchased, when and how they were disposed of, how patients were notified, and confirmation that they have the training to use Botox if that was a drug used. Board also wants confirmation that the 14 have complied with all of the FDA requirements.

3. Inquiry from Dr. Sam Zwetchkenbaum concerning "Education of Nursing Home Staff in Mouth Care". He is a geriatric dentistry fellow asking if they can train aides to perform basic care on residents (i.e. help them brush their teeth and the like). The Board noted that this happens often and that such activity is permissible so long as it does not go beyond that basic level of care.

### **Public Comment:**

NJDA asked if any further review had been done on the issue of "fee splitting" involving groups like GroupOn or Living Social. Staff apologized and indicated they would try to have more information at the July 10<sup>th</sup> meeting.

### **VIII. APPEARANCES:**

The public meeting was closed prior to these appearances.

1. 11:00 A.M. - Coreen Noguera, RDH - Appearance concerning reinstatement of Ms. Noguera's dental hygiene license following the Voluntary Surrender Order filed on November 3, 2010.
2. 2:00 P.M. - Richard J. Mercurio, DDS - Appearance in follow-up to Dr. Mercurio's request for modification of the Consent Order filed by the Board on July 11, 2012.

### **IX. ADJOURNMENT:**