



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Division of Health Professions Licensure
239 Causeway Street, Suite 500, 5th Floor, Boston, MA 02114

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COMMISSIONER

MASSACHUSETTS BOARD OF REGISTRATION IN DENTISTRY
239 Causeway Street, Boston, MA 02114
Room 417A & B
April 4, 2012
AGENDA

9:30 a.m.

Call to Order

- A. Complaint Resolution—Pending Board Case—Eileen Mulligan
--In the Matter of SA-INV-1854: Dr. Renato Carpinito
- B. Complaint Resolution—Pending Board Cases—Sarah Millar
--In the Matter of SA-INV-2378: Dr. Peggy Timothe
--In the Matter of SA-INV-2480: Dr. Charles Malkemus
--In the Matter of SA-INV-2481: Dr. Terrence Criswell
--In the Matter of SA-INV-2503: Dr. Fernando Perez
- C. Complaint Resolution—Pending Board Cases—Kathleen O'Connell
--In the Matter of SA-INV-2088: Dr. Jeffrey Fayerman
--In the Matter of SA-INV-2243: Dr. Ryan Blissett
--In the Matter of SA-INV-2291: Aspen Dental Methuen
--In the Matter of SA-INV-2363: Dr. Jagjeet Singh
- D. Approval of Minutes of the Meeting of March 7, 2012
- E. Administrative Matters
--Correspondence from Porter and Chester Institute
--Update on AADB and ADEX Matters
- F. M.G.L.c.112, §65C Session (Closed to the public)
- G. Probation Matters—Karen Fishman, Probation Monitor
--In the Matter of DEN-2011-0092: Dr. Kerry Grolman
--In the Matter of DEN-2011-0114 and DEN-2011-0144:
Dr. Paul Virgadamo
- H. Policy Discussions
--Administration of Botulinum Toxin and Dermal Fillers by Dentists
--Use of Lasers by Dental Auxiliaries
- I. Complaint Resolution—Pending Board Cases—Kathy Perault

- In the Matter of DEN-2011-0071: Dr. Dennis Cohen
- In the Matter of DEN-2011-0072: Dr. Steven Wolman
- In the Matter of DEN-2011-0167: Dr. Naief Fayad
- In the Matter of DEN-2010-0119: Dr. Burton Stein (for B. Yates)

J. Complaint Resolution—Pending Board Cases—Eileen Mulligan

- In the Matter of DEN-2010-0045: Dr. Rosa Calcano
- In the Matter of DEN-2010-0051: Dr. Scott Hornung
- In the Matter of DEN-2010-0066: Dr. Keith Salvatori
- In the Matter of DEN-2010-0094: Dr. Mark Milano
- In the Matter of DEN-2010-0095: Dr. John Marshall
- In the Matter of DEN-2010-0101: Dr. Kathleen Crowley

K. Complaint Resolution—Pending Board Cases—Kathleen O'Connell

- In the Matter of DEN-2010-0011: Dr. Richard Miller
- In the Matter of DEN-2011-0082: Dr. Khai Lim
- In the Matter of DEN-2011-0083: Dr. Sanaz Mojahed
- In the Matter of SA-INV-2198: Gentle Dental Stoughton
- In the Matter of DEN-2011-0137: Dr. Jennifer Hwang

L. Complaint Resolution—Pending Board Cases—Sarah Millar

- In the Matter of DEN-2011-0026: Dr. Ekta Sagar
- In the Matter of DEN-2011-0027: Dr. Isam Hamati
- In the Matter of DEN-2011-0158: Dr. Peter Mortelliti
- In the Matter of DEN-2011-0115: Dr. Jeffrey Poirier
- In the Matter of DEN-2011-0116: Dr. Jeffrey Poirier

M. Requests for Reconsideration —Board Counsel Marsha Bird

- In the Matter of DEN-2009-0089: Dr. Slavic Garber
- In the Matter of DEN-2011-0197: Dr. Laurie Brown

N. Reciprocal Discipline—Board Counsel Marsha Bird

- In the Matter of DEN-2011-0130: Dr. John B. Bassett

O. Unlicensed Practice Due to Late Renewals—Board Counsel M. Bird

- In the Matter of DEN-2012-0022: Laura Lyons, RDH
- In the Matter of DEN-2012-0024: Ingrid M. Rasmussen, RDH

P. Employer-Dentists of Late-Renewed Dental Hygienists—Board Counsel

- In the Matter of DEN-2011-0180: Dr. William R. Conroy
- In the Matter of DEN-2011-0181: Dr. Sarah C. Eager
- In the Matter of DEN-2011-0178: Dr. Kristofer Haggarty
- In the Matter of DEN-2011-0182: Dr. Bakhoun M. Girgis

Adjournment

NEXT MEETING: May 2, 2012

Board of Registration in Dentistry
General Session Minutes
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Adopted by Board May 2, 2012

MASSACHUSETTS BOARD OF REGISTRATION IN DENTISTRY
239 Causeway Street, Boston, MA 02114
Room 417 A & B
April 4, 2012
GENERAL SESSION MINUTES

Board Members Present: Dr. Mina Paul, Chair; Dr. Roderick Lewin, Secretary; Dr. Milton Glicksman; Dr. Cynthia Stevens; Ms. Lois Sobel, RDH; Ms. Diane Grondin, CDA Advisor (arrived at 10:28 a.m.)

Board Members Absent: Ms. Ailish Wilkie, CPHQ; Dr. John Hsu; Ward Cromer, Ph.D.

Staff Members Present: Kathleen Atkinson, Executive Director; Jeffrey Mills, Assistant Executive Director; Marsha Bird, Board Counsel; Jean Pontikas, Director DHPL; Dr. Liliana DiFabio, Supervisor of Investigations; Investigators Sarah Millar, Kathleen O'Connell, Kathy Perault, and Eileen Mulligan; Karen Fishman, Probation Monitor; Rosie Rogers, Administrative Assistant; Erin Belitskus.

Motion: To commence meeting at 9:36 a.m.

Motion Made By: Ms. Lois Sobel

Second: Dr. Roderick Lewin

Vote: Unanimous

Complaint Resolution—Pending Board Cases

Investigators presented their previously distributed Investigative Reports, together with relevant clarifications and supplemental information as necessary.

-In the Matter of SA-INV-1854: Dr. Renato Carpinito

Allegation: Business practice issues

Motion: To not open as a complaint, and send an advisory letter regarding the requirement to comply with Board Regulation at 234 CMR 5.15, Content of Patient Records.

Motion Made By: Dr. Milton Glicksman

Second: Dr. Cynthia Stevens

Vote: Unanimous

--In the Matter of SA-INV-2378: Dr. Peggy Timothe

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Allegations: General practice standards
Motion: To not open as a complaint.
Motion Made By: Ms. Lois Sobel
Second: Dr. Milton Glicksman
Vote: Unanimous

--In the Matter of SA-INV-2480: Dr. Charles Malkemus

Allegations: Failure to release a dental record and billing practice issues
Motion: To not open as a complaint.
Motion Made By: Ms. Lois Sobel
Second: Dr. Milton Glicksman
Vote: Unanimous

--In the Matter of SA-INV-2481: Dr. Terrence Criswell

Allegation: Billing practice issue regarding the failure to return the fee paid for a denture which was never delivered
Motion: To open as a complaint.
Motion Made By: Ms. Lois Sobel
Second: Dr. Cynthia Stevens
Vote: Unanimous

--In the Matter of SA-INV-2503: Dr. Fernando Perez

Allegations: Misdiagnosis of condition, abandonment and inferior treatment
Motion: To not open a formal complaint and send a letter to the Executive Director of the Community Health Center advising that, pursuant to 234 CMR 5.02(3), only a dentist licensed under M.G.L.c.112, §45 may serve as a Dental Director; limited licensed dentists may not so serve.
Motion Made By: Dr. Roderick Lewin
Second: Dr. Milton Glicksman

Vote: Unanimous

--In the Matter of SA-INV-2088: Dr. Jeffrey Fayerman

Allegations: Misdiagnosis of condition, inferior treatment, patient abandonment, impairment

Motion: **To not open a formal complaint.**

Motion Made By: Ms. Lois Sobel

Second: Dr. Milton Glicksman

Vote: Unanimous

--In the Matter of SA-INV-2243: Dr. Ryan Blissett

Allegations: Inappropriate prescribing, fraud, business practice issues, and unable to obtain records

Motion: **To not open as a complaint and send an advisory letter regarding the requirement to comply with Board Regulation at 234 CMR 5.15, Content of Patient Records.**

Motion Made By: Dr. Milton Glicksman

Second: Ms. Lois Sobel

Vote: Unanimous

--In the Matter of SA-INV-2291: Aspen Dental Methuen

Allegation: Inferior treatment

Motion: **To not open a formal complaint.**

Motion Made By: Dr. Cynthia Stevens

Second: Ms. Lois Sobel

Vote: Unanimous

--In the Matter of SA-INV-2363: Dr. Jagjeet Singh

Allegation: Inferior treatment

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Motion: To not open as a complaint and send an advisory letter regarding the requirement to comply with Board Regulation at 234 CMR 5.15, Content of Patient Records.

Motion Made By: Dr. Milton Glicksman

Second: Ms. Lois Sobel

Vote: Unanimous

Approval of Minutes of the Meeting of March 7, 2012

Motion: To approve minutes of March 7, 2012, General Session, as amended.

Motion Made By: Ms. Lois Sobel

Second: Dr. Cynthia Stevens

Vote: Unanimous

Motion: To approve minutes of March 7, 2012, Adjudicatory Session.

Motion Made By: Ms. Lois Sobel

Second: Dr. Cynthia Stevens

Vote: Unanimous

Motion: To approve minutes of March 7, 2012, M. G. L. c. 112, §65C Session.

Motion Made By: Dr. Cynthia Stevens

Second: Ms. Lois Sobel

Vote: Unanimous

Motion: To re-order the agenda at 10:12 a.m.

Motion Made By: Ms. Lois Sobel

Second: Dr. Milton Glicksman

Vote: Unanimous

Administrative Matters

--Correspondence from Porter and Chester Institute

Executive Director Kathleen Atkinson distributed this correspondence outlining the rationale for this career training institute's decision to relinquish CODA accreditation of its dental assisting program.

--Update on AADB and ADEX Matters

Chair Dr. Mina Paul reported that the AADB meeting in mid-April will be continuing to work on D-PREP. She will be attending the meeting and will keep the Board apprised of the developments. Additionally, she reported that the Fellowship of State Medical Boards, AADB, and ADA are working together to encourage legislators to respond to the recent FTC ruling against the North Carolina Dental Board. Dr. Paul also noted that ADEX is now accepted by all 50 states, and that this may have significant ramifications with respect to licensing policies and PGY-1.

--Update on Licensing Renewal Figures

Executive Director Kathleen Atkinson conveyed to the Board that over 90 percent of dentists who have renewed their licenses have used the online renewal system. This has provided cost-saving and a more secure renewal approach than the mail-in system.

--Other Updates

Director of Health Professions Licensure Jean Pontikas reported that progress reports of the number of licensee email addresses on file will be forthcoming after the current dental license renewal cycle concludes. She will also make available the draft data from the 2010 and 2011 online surveys completed by dentists and dental hygienists.

Policy Discussions

--Administration of Botulinum Toxin and Dermal Fillers by Dentists

This discussion has been deferred to a future meeting at which both Board members and working group members will be invited to dialogue on this issue.

--Use of Lasers by Dental Auxiliaries

This discussion has been deferred to a future meeting at which both Board members and working group members will be invited to dialogue on this issue.

Motion:	To enter M.G.L.c.112, §65C Session at 10:27 and 10:54 a.m.
Motion Made By:	Dr. Milton Glicksman
Second:	Ms. Lois Sobel

Vote: **Aye:** Dr. Milton Glicksman; Dr. Roderick Lewin; Dr. Cynthia Stevens; Ms. Lois Sobel, RDH
Nonvoting Member: Ms. Diane Grondin, CDA Advisor
Abstain: Dr. Mina Paul, Chair
Absent: Ms. Ailish Wilkie, CPHQ; Dr. John Hsu; Ward Cromer, Ph.D.

Motion: **To leave M.G.L.c.112, §65C Session at 10:44 and 11:00 a.m.**

Motion Made By: Dr. Milton Glicksman

Second: Ms. Lois Sobel

Vote: **Aye:** Dr. Milton Glicksman; Dr. Roderick Lewin; Dr. Cynthia Stevens; Ms. Lois Sobel, RDH
Nonvoting Member: Ms. Diane Grondin, CDA Advisor
Abstain: Dr. Mina Paul, Chair
Absent: Ms. Ailish Wilkie, CPHQ; Dr. John Hsu; Ward Cromer, Ph.D.

Motion: **To enter Executive Session at 10:44 a. m.**

Motion Made By: Ms. Lois Sobel

Second: Dr. Milton Glicksman

Vote: **Aye:** Dr. Milton Glicksman; Dr. Roderick Lewin; Dr. Cynthia Stevens; Ms. Lois Sobel, RDH
Nonvoting Member: Ms. Diane Grondin, CDA Advisor
Abstain: Dr. Mina Paul, Chair
Absent: Ms. Ailish Wilkie, CPHQ; Dr. John Hsu; Ward Cromer, Ph.D.

Motion: **To leave Executive Session at 10:54 a.m.**

Motion Made By: Dr. Roderick Lewin

Second: Ms. Lois Sobel

Vote: **Aye:** Dr. Milton Glicksman; Dr. Roderick Lewin; Dr. Cynthia Stevens; Ms. Lois Sobel, RDH
Nonvoting Member: Ms. Diane Grondin, CDA Advisor
Abstain: Dr. Mina Paul, Chair
Absent: Ms. Ailish Wilkie, CPHQ; Dr. John Hsu; Ward Cromer, Ph.D.

Probation Matters—Karen Fishman, Probation Monitor

--In the Matter of DEN-2011-0092: Dr. Kerry Grolman

Motion: To grant motion to reinstate licensee to Probation for two years, with the provision that the licensee shall inform the Board of any sale of his practice and of any change of practice location during the Probationary period.

Motion Made By: Dr. Milton Glicksman

Second: Ms. Lois Sobel

Vote: Unanimous

--In the Matter of DEN-2011-0114 and DEN-2011-0144: Dr. Paul Virgadamo

Motion: To grant licensee's request to amend consent agreement for Suspension and allow licensee to complete an ethics course on-line.

Motion Made By: Dr. Milton Glicksman

Second: Dr. Roderick Lewin

Vote: Unanimous

--In the Matter of DEN-2011-0071: Dr. Dennis Cohen

This Board's decision in this matter is a recommendation to the full Board.

Allegation: Abandonment

Motion: To dismiss with an advisory letter regarding the requirement to comply with Board Regulation at 234 CMR 5.15, Content of Patient Records.

Motion Made By: Dr. Milton Glicksman

Second: Ms. Lois Sobel

Vote: Unanimous

Recused: Dr. Roderick Lewin and Dr. Cynthia Stevens

Dr. Roderick Lewin and Dr. Cynthia Stevens returned to the meeting.

--In the Matter of DEN-2011-0072: Dr. Steven Wolman

Allegation: Patient abuse

Motion: **To offer Stayed Probation for six months, to include the following Continuing Education:**
Full Day: Risk Management
Full Day: Record Keeping
Full Day: Infection Control CDC Guidelines

Motion Made By: Ms. Lois Sobel

Second: Dr. Cynthia Stevens

Vote: Unanimous

Justification:

- Licensee violated 234 CMR 5.05 (1) and 234 CMR 9.05(3) by failing to provide services and maintain the dental in compliance with the CDC Guidelines. Said deficiencies include, but are not limited to the failure to: maintain a Spore Test Monitoring record for steam sterilizer; include indicators in wrapped instrument set-ups;
- Licensee violated 234 CMR 6.15 by failing to have the required medicaments and equipment for the administration of local anesthesia. Said deficiencies include: expired Oxygen cylinder E; no pediatric pads for the AED, lack of pre-loaded adult and pediatric Epi-Pen in the Emergency Drug Kit.
- Licensee violated 234 CMR 5.04 by failing to post licenses for all providers.

Motion: **To open a complaint against all dentists in the practice at the time of this complaint.**

Motion Made By: Ms. Lois Sobel

Second: Dr. Cynthia Stevens

Vote: Unanimous

--In the Matter of DEN-2011-0167: Dr. Naief Fayad

Allegation: Regulatory violation/code violation

Motion: **To offer Probation for one year, to include the following Continuing Education:**
Full Day: Risk Management
Full Day: Infection Control

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Motion Made By: Dr. Milton Glicksman

Second: Ms. Lois Sobel

Vote: Unanimous

Justification: • Licensee violated 234 CMR 5.05 (2) and 234 CMR 9.05 (3) by failing to provide services and maintain the dental office, in compliance with OSHA Standards for delivery of health care, by removing the covers of used local anesthesia needles prior to placing them in the sharps container.

--In the Matter of DEN-2010-0119: Dr. Burton Stein

Allegation: Abandonment

Motion: To dismiss with an advisory letter regarding the requirement to comply with Board Regulation at 234 CMR 5.15, Content of Patient Records.

Motion Made By: Dr. Milton Glicksman

Second: Dr. Cynthia Stevens

Vote: Unanimous

--In the Matter of DEN-2010-0045: Dr. Rosa Calcano

Allegation: Inferior treatment, fraud, and business practice issues

Motion: To offer Stayed Probation for one year, to include the following Continuing Education:
Full Day: Risk Management
Also, to complete continuing education credits required for license renewal for 2008-2009 (March 31, 2010) license renewal cycle.

Motion Made By: Ms. Lois Sobel

Second: Dr. Milton Glicksman

Vote: Unanimous

Justification:

- Licensee violated M. G. L. c. 112, §51A and 234 CMR 8.02 (1), by failing to complete continuing education credits required for biennial license renewal.
- Licensee violated 234 CMR 8.02 (7) by signing under pains and penalties of perjury that he has completed requisite number of CEUs required for license renewal.
- Licensee violated 234 CMR 9.05 (14) by failing to inform patient of the open distal margin on tooth #31 in a timely manner as evidenced by bitewing radiograph exposed on Feb. 15, 2010.
- Licensee violated 234 CMR 5.15 (3) (f) by failing to obtain informed consent for and or document discussion regarding laser Gingivectomy procedure on tooth #30 prior to performing the procedure on January 18, 2010.

--In the Matter of DEN-2010-0051: Dr. Scott Hornung

Allegations: Infection control violations

Motion: To offer Stayed Probation for one year, to include the following Continuing Education:
Full Day: Risk Management
Full Day: Infection Control
Also, to complete twenty-nine continuing education credits required for license renewal for 2008-2009 (March 31, 2010) license renewal cycle.

Motion Made By: Dr. Cynthia Stevens

Second: Ms. Lois Sobel

Vote: Unanimous

Justification:

- Licensee violated M. G. L. c. 112, §51A and 234 CMR 8.02 (1) by failing to complete continuing education credits required for biennial license renewal.
- Licensee violated 234 CMR 8.02 (7) by signing under pains and penalties of perjury that he/she has completed requisite number of CEUs required for license renewal.
- Licensee violated 234 CMR 5.05 (1) and 234 CMR 9.05(3) by failing to provide services and maintain the dental office, in compliance with the CDC Guidelines. Said deficiencies include the failure to properly store hand-pieces and burs in sterilization packages, to have splash shield on the lathe and properly labeled disinfectant solution.
- Licensee violated 234 CMR 5.02 (3) (b) (7) by failing to register radiology equipment with the Department of Public Health Radiation Control Program since 1996.
- Licensee violated M. G. L. c. 112, §45 and 234 CMR 5.02 (3) (b) (8), by failing to post professional licenses on site.

--In the Matter of DEN-2010-0066: Dr. Keith Salvatori

Allegation: Inferior treatment, abandonment, and misdiagnosis of condition

Motion: To offer Probation for one year, to include the following Continuing Education:
Full Day: Risk Management
Full Day: Record Keeping
Also, to complete eighteen continuing education credits required for license renewal for 2008-2009 (March 31, 2010) license renewal cycle, and note the licensee's inactive Massachusetts Controlled Substance Registration.

Motion Made By: Dr. Cynthia Stevens

Second: Ms. Lois Sobel

Vote: Unanimous

Justification:

- Licensee violated 234 CMR 5.06 (1) by failing to maintain a current Massachusetts Controlled Substance Registration.
- Licensee violated M. G. L. c. 112, §51A and 234 CMR 8.02 (1) by failing to complete continuing education credits required for biennial license renewal.
- Licensee violated 234 CMR 8.02 (7) by signing under pains and penalties of perjury that he/she has completed requisite number of CEUs required for license renewal.
- Licensee violated 234 CMR 5.15, by failing to maintain the patient record. Licensee failed to document recurrent decay on teeth # 3 on December 16, 2009, which was evident on radiographs and to document clinical data for treatment done on December 16, 2009. Patient A was charged for a comprehensive exam and full mouth series of radiographs; no hard tissue charting was performed.

--In the Matter of DEN-2010-0094: Dr. Mark Milano

Allegation:

Infection control violations

Motion:

To offer Probation for one year, to include the following Continuing Education:

Full Day: Risk Management

Full Day: Infection Control

Half Day: Practice Management

- **All clinical staff shall complete a course in the Centers For Disease Control Infection Control Guidelines for Dental Health-Care Settings within 60 days of the Effective Date of the Consent Agreement**
- **All clinical staff shall complete a course in Risk Management within 60 days of the Effective Date of the Consent Agreement**
- **Licensee shall submit quarterly spore test results.**

Motion Made By:

Dr. Cynthia Stevens

Second:

Ms. Lois Sobel

Vote:

Unanimous

Recused:

Dr. Milton Glicksman

Justification:

- Licensee violated 234 CMR 5.05 (1) and 234 CMR 9.05(3) by failing to provide services and maintain the dental office, in compliance with the CDC Guidelines. Said deficiencies include, but are not limited to, the failure to: conduct weekly spore tests; place handpieces in sterilization pouches prior to sterilization, and to use internal indicator strips when sterilizing surgical implant kits.
- Licensee violated 234 CMR 6.04, Facility Requirements for the Administration of General Anesthesia by failing to have the necessary equipment and medicaments, including but not limited to: portable Cylinder "E" oxygen; and Acetylsalicylic Acid, Dantrolene Sodium (in the emergency drug kit).
- Licensee violated M. G. L. c. 112, §45 and 234 CMR 5.02 (3) (b) (8), by failing to post professional licenses on site.
- Licensee violated 234 CMR 5.10 by allowing a dental assistant to expose radiographs absent to proper certification in radiology.
- Licensee violated 234 CMR 9.05 (8) by engaging in conduct that places the public health, safety, or welfare at risk.

--In the Matter of DEN-2010-0095: Dr. John Marshall

Allegation:

Infection control violations

Motion:

To offer Probation for one year, to include the following Continuing Education:

Full Day: Risk Management

Full Day: Infection Control

Half Day: Practice Management

- **All clinical staff shall complete a course in the Centers For Disease Control Infection Control Guidelines for Dental Health-Care Settings within 60 days of the Effective Date of the Consent Agreement**
- **All clinical staff shall complete a course in Risk Management within 60 days of the Effective Date of the Consent Agreement**
- **Licensee shall submit quarterly spore test results.**

Motion Made By:

Dr. Cynthia Stevens

Second:

Ms. Lois Sobel

Recused:

Dr. Milton Glicksman

Vote:

Unanimous

Justification:

- Licensee violated 234 CMR 5.05 (1) and 234 CMR 9.05(3) by failing to provide services and maintain the dental office, in compliance with the CDC Guidelines. Said deficiencies include, but are not limited to, the failure to: conduct weekly spore tests; place handpieces in sterilization pouches prior to sterilization, and to use internal indicator strips when sterilizing surgical implant kits.
- Licensee violated 234 CMR 6.04, Facility Requirements for the Administration of General Anesthesia by failing to have the necessary equipment and medicaments, including but not limited to: portable Cylinder "E" oxygen; and Acetylsalicylic Acid, Dantrolene Sodium (in the emergency drug kit).
- Licensee violated M. G. L. c. 112, §45 and 234 CMR 5.02 (3) (b) (8), by failing to post professional licenses on site.
- Licensee violated 234 CMR 5.10 by allowing a dental assistant to expose radiographs absent to proper certification in radiology.
- Licensee violated 234 CMR 9.05 (8) by engaging in conduct that places the public health, safety, or welfare at risk.

--In the Matter of DEN-2010-0101: Dr. Kathleen Crowley

Allegation:

Infection control violations

Motion:

To offer Consent Agreement for Reprimand and to include the following Continuing Education:

Full Day: Risk Management

Full Day: Infection Control for the Dental Office

Licensee shall complete courses within one year from the Effective Date of the Consent Agreement.

Motion Made By:

Ms. Lois Sobel

Second:

Dr. Cynthia Stevens

Vote:

Unanimous

Recused:

Dr. Milton Glicksman

Justification:

- Licensee violated 234 CMR 5.06 (1) by failing to maintain a current Massachusetts Controlled Substance Registration. Licensee's MCSR lapsed from September 2002-June 2010.
- Licensee violated 234 CMR 5.05 (1) and 234 CMR 9.05(3) by failing to provide services and maintain the dental office, in compliance with the CDC Guidelines. Said deficiencies include, but are not limited to, the failure to conduct weekly spore tests.

Dr. Milton Glicksman returned to the meeting.

--In the Matter of DEN-2010-0011: Dr. Richard Miller

Allegations: Misdiagnosis of condition and inferior treatment

Motion: **To dismiss with an advisory letter regarding the requirement to comply with Board Regulation at 234 CMR 5.15, Content of Patient Records.**

Motion Made By: Ms. Lois Sobel

Second: Dr. Cynthia Stevens

Vote: Unanimous

--In the Matter of DEN-2011-0082: Dr. Khai Lim

Allegation: Standard of practice failure

Motion: **To dismiss the matter without prejudice.**

Motion Made By: Dr. Milton Glicksman

Second: Dr. Roderick Lewin

Vote: Unanimous

--In the Matter of DEN-2011-0083: Dr. Sanaz Mojahed

Allegation: Misdiagnosis of condition

Motion: **To dismiss with an advisory letter regarding the requirement to comply with Board Regulation at 234 CMR 5.15. Content of Patient Records, the patient record should include copies of all prescriptions written.**

Motion Made By: Dr. Milton Glicksman

Second: Dr. Cynthia Stevens

Vote: Unanimous

--In the Matter of SA-INV-2198: Gentle Dental Stoughton

Allegation: Failure to adhere to the standard of practice

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Motion: To dismiss the matter without prejudice.
Motion Made By: Dr. Milton Glicksman
Second: Dr. Roderick Lewin
Vote: Unanimous

--In the Matter of DEN-2011-0137: Dr. Jennifer Hwang

Allegation: Misdiagnosis of condition and fraud
Motion: To dismiss with an advisory letter regarding the requirement to comply with Board Regulation at 234 CMR 5.15, Content of Patient Records.
Motion Made By: Dr. Milton Glicksman
Second: Ms. Lois Sobel
Vote: Unanimous

--In the Matter of DEN-2011-0026: Dr. Ekta Sagar

This matter was deferred.

--In the Matter of DEN-2011-0027: Dr. Isam Hamati

This matter was deferred. The Board asked the Executive Director to send a letter to Dr. Hamati requesting a proposed plan to address the frequent complaints regarding business practice and treatment planning issues for all of his Aspen Dental Facilities.

--In the Matter of DEN-2011-0158: Dr Peter Mortelliti

Allegation: Failure to document the exposure of radiographs
Motion: To offer Stayed Probation for six months if licensee cannot provide documentation if Licensee cannot produce documentation demonstrating the date(s) and attendance for 7 Habits of Hygiene-Training. If Licensee provides the required documentation, matter may be dismissed without prejudice.
Motion Made By: Dr. Milton Glicksman
Second: Dr. Roderick Lewin
Vote: Unanimous

- Justification:**
- Licensee violated M.G. L. c. 112, § 51A and 234 CMR 5.01, by failing to complete continuing education required for license renewal for renewal cycle (include renewal cycle).
 - Licensee violated 234 CMR 5.02 (2) (b) by signing under pains and penalties of perjury that continuing education requirement for license renewal was fulfilled

--In the Matter of DEN-2011-0115: Dr. Jeffrey Poirier

- Allegation:** General Practice Standards
- Motion:** To offer Stayed Probation for six months, to include the following Continuing Education:
Half Day: Record Keeping, which may be applied to continuing education credits for 2008-2009 (March 31, 2010) renewal cycle.
- Motion Made By:** Dr. Milton Glicksman
- Second:** Dr. Cynthia Stevens
- Vote:** Unanimous
- Recused:** Dr. Roderick Lewin
- Justification:**
- Licensee violated M. G. L. c. 112, §51A and 234 CMR 8.02 (1) by failing to complete continuing education credits required for biennial license renewal.
 - Licensee violated 234 CMR 8.02 (7) by signing under pains and penalties of perjury that he/she has completed requisite number of CEUs required for license renewal.

--In the Matter of DEN-2011-0116: Dr. Jeffrey Poirier

- Allegation:** General practice standards
- Motion:** To dismiss the matter without prejudice.
- Motion Made By:** Ms. Lois Sobel
- Second:** Dr. Milton Glicksman
- Vote:** Unanimous
- Recused:** Dr. Roderick Lewin

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Dr. Roderick Lewin returned to the meeting.

--In the Matter of DEN-2009-0089: Dr. Slavic Garber

Motion: To deny request for Reconsideration of Prior Board Action.
Motion Made By: Ms. Lois Sobel
Second: Dr. Cynthia Stevens
Vote: Unanimous

--In the Matter of DEN-2011-0197: Dr. Laurie Brown

Motion To grant reconsideration and dismiss matter with an advisory regarding licensee's duty to ensure that all licensed professionals in her practice maintain current and valid licenses.
Motion Made By Dr. Milton Glicksman
Second Dr. Roderick Lewin
Vote Unanimous

Reciprocal Discipline—Board Counsel Marsha Bird

--In the Matter of DEN-2011-0130: Dr. John B. Bassett

Motion To dismiss the matter without prejudice.
Motion Made By Dr. Milton Glicksman
Second Dr. Roderick Lewin
Vote Unanimous

Unlicensed Practice Due to Late Renewals—Board Counsel Marsha Bird

--In the Matter of DEN-2012-0022: Laura Lyons, RDH

Motion To Reprimand licensee for failing to renew her license to practice dental hygiene by March 31, 2011 and practicing with an expired license.

Motion Made By Ms. Lois Sobel

Second Dr. Milton Glicksman

Vote Unanimous

Justification:

- M.G. L. c. 112, §51 and 234 CMR 4.10 (2) & (4) Failure to Renew License to Practice Dental Hygiene
- M. G. L. c. 112, §52 and 234 CMR 9.05 (6) Practice with an Expired Dental Hygiene License
- 234 CMR 4.11 (1): Failure to notify Board of address change within 30 calendar days of such change.

--In the Matter of DEN-2012-0024: Ingrid M. Rasmussen, RDH

Motion To Reprimand licensee for failing to renew her license to practice dental hygiene by March 31, 2011 and practicing with an expired license.

Motion Made By Ms. Lois Sobel

Second Dr. Milton Glicksman

Vote Unanimous

Justification:

- M.G. L. c. 112, §51 and 234 CMR 4.10 (2) & (4) Failure to Renew License to Practice Dental Hygiene
- M. G. L. c. 112, §52 and 234 CMR 9.05 (6) Practice with an Expired Dental Hygiene License

Employer-Dentists of Late-Renewed Dental Hygienists—Board Counsel Marsha Bird

--In the Matter of DEN-2011-0180: Dr. William R. Conroy

Motion To dismiss matter with an advisory regarding licensee's duty to ensure that all licensed professionals in his practice maintain current and valid licenses.

Motion Made By Ms. Lois Sobel

Second Dr. Milton Glicksman

Vote Unanimous

--In the Matter of DEN-2011-0181: Dr. Sarah C. Eager

Motion **To dismiss matter with an advisory regarding licensee's duty to ensure that all licensed professionals in her practice maintain current and valid licenses.**

Motion Made By Ms. Lois Sobel

Second Dr. Milton Glicksman

Vote Unanimous

--In the Matter of DEN-2011-0178: Dr. Kristofer Haggarty

Motion: To dismiss matter with an advisory regarding licensee's duty to ensure that all licensed professionals in his practice maintain current and valid licenses.

Motion Made By: Ms. Lois Sobel

Second: Dr. Milton Glicksman

Vote: Unanimous

--In the Matter of DEN-2011-0182: Dr. Bakhoum M. Girgis

Motion: To dismiss matter with an advisory regarding licensee's duty to ensure that all licensed professionals in his practice maintain current and valid licenses.

Motion Made By: Ms. Lois Sobel

Second: Dr. Milton Glicksman

Vote: Unanimous

Motion To adjourn the meeting at 1:28 p.m.

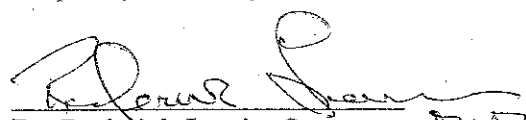
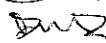
Motion Made By Ms. Lois Sobel

Second Dr. Milton Glicksman

Vote Unanimous

Respectfully submitted,

Board of Registration in Dentistry
General Session Minutes
April 4, 2012
Adopted by Board May 2, 2012


Dr. Roderick Lewin, Secretary 

Date: 6/6/12