Commonwealth of Massachusetts

Executive Office of Health and Human Services

Department of Public Health

Bureau of Health Professions Licensure

Board of Registration in Dentistry

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April 6, 2022

Via WebEx from 250 Washington Street

# Boston, Massachusetts 02108

# **AGENDA**

If you need reasonable accommodations in order to participate in the meeting, contact the DPH ADA Coordinator, Sofie Daley, Sofie.Daley@mass.gov, in advance of the meeting. While the Board will do its best to accommodate you, certain accommodations may require distinctive requests or the hiring of outside contractors and may not be available if requested immediately before the meeting.

General Session is open to the public and may be viewed and/or heard via WebEx.

**WebEx Information:** If at all possible, please call the Board at (617) 973-0970 at least 24 hours before the meeting to request an email invitation to attend this meeting by video conference. The invitation will contain a direct link to the meeting.

You may also obtain video and audio access to all sessions of the meeting open to the

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Call-in number for audio-only attendance: 1- (617) 315-0704 (toll) or 1-(650) 479-3208 (toll) only if you have no access to video conference.

Access Code: 2535 969 1580 Attendee ID: #

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| Time | # | Item | Exhibits | Contact |
| 8:30 a.m. | **I** | **CALL TO ORDER, DETERMINATION OF QUORUM, AND** APPROVAL OF AGENDA |  |  |
| 8:32 | **II** | **EXECUTIVE SESSION (closed to the public)**The Board will meet in Executive Session as authorized pursuant to M.G.L. c. 30A, § 21(a)(1) for the purposes of discussing the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against an individual.Specifically, the Board will discuss and evaluate pending disciplinary complaints that involve medical records and information of patients. |  |   |
| 10:00 |  | BREAK |  |  |
| 10:15 | **III** | COMPLAINT RESOLUTION: PENDING BOARD MATTERS1. DEN-2020-0095: Hattie Harvey, RDA
2. DEN-2020-0096: Dr. Theodore Zervas
3. DEN-2020-0097: Bettsy Recillas, RDA
4. DEN-2020-0098: Dr. Fardad Mobed
5. DEN-2020-0099: Dr. Maged El-Malecki
6. DEN-2020-0058: Donna Le, RDA
7. DEN-2021-0002: Dr. Michael S. Abedon
 | InvestigationReports, Memos, Attachments | D El-MajdoubiK O’ConnellR Heard |
| 11:15 | **IV** | ADMINISTRATIVE MATTERS1. Application for Reactivation of Licensure: Janet Ernst, RDH
2. Retired License Status Report
3. Staff Action Authority Unlicensed Practice Cases Report
4. Staff Action Authority GMC Licensure Report
5. Review of General Session Minutes of March 2, 2022
 | Memo, Application, Reports, Draft Minutes | B Young |
| 11:45  | **V** | PROBATION MATTERS 1. Review of Compliance/Recommendation for Suspension
2. DEN-2018-0026: Akevi Coleman, RDA
3. DEN-2018-0091: Alexis Volcy, RDA
4. DEN-2018-0214: Angie Viloria, RDA
5. Review of Compliance
6. DEN-2018-0180: Stella Rodriques, RDA
7. DEN-2018-0181: Dr. Cressida Joseph
8. Probation Monthly Report
 | Memos, Attachments,Report | K Fishman |
| 12:50 pm | **VI** | **FLEX SESSION**  |  |  |
| 1:00 pm |  | **ADJOURNMENT** |  |  |

**MASSACHUSETTS BOARD OF REGISTRATION IN DENTISTRY**

**250 Washington Street, Boston, MA 02108**

**GENERAL SESSION MINUTES**

**April 6, 2022**

**Present:**  Dr. Michael Scialabba, Board Chair; Dr. Thomas Trowbridge, Board Secretary;

Dr. Patricia Wu; Dr. Richard T. Miller, Dr. Seema Jacob; Ms. Jacyn Stultz, RDH; Ms. Jennifer McKeon, RDH, CDA

**Absent:** Ms. Stacy Haluch, RDH; Ms. Ailish Wilkie

**Board Staff Present:** Barbara A. Young, RDH, Executive Director; Jeffrey Mills, Asst. Executive Director; Heather Engman, Esq., Chief Board Counsel; Michael Egan, Esq., Board Counsel; Dr. Liliana DiFabio, Supervisor of Investigations; OPP Investigators Kathleen O’Connell, Deborah El-Majdoubi, Rhonda Heard and Sarah Millar; Probation Department Coordinator Karen Fishman

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| **Motion:** | **At 8:30 a.m., to adopt the proposed agenda for today’s meeting** |
| **Motion Made By:** | Dr. Thomas Trowbridge |
| **Second:** | Dr. Seema Jacob |
| **Vote:** | Unanimous |

 Chief Board Counsel Heather Engman introduced the new Board Counsel Michael Egan to the Board members.

*At 8:31 a.m., Dr. Scialabba announced that the Board will meet in a closed session as authorized for the purpose of discussing the reputation, character, physical condition or mental health, rather than the professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual. Specifically, the Board will meet in Executive Session and will discuss and evaluate the Good Moral Character as required for registration of pending applicant(s) for licensure. Additionally, the Board will discuss and evaluate pending disciplinary complaints that involve patient records and the treatment of patients. The Executive Session is closed to members of the public, except as provided for in M.G.L. c. 30A, §21(a)(1). At the conclusion of the Executive Session, the Board will return to its General Session before adjourning the meeting for the day.*

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| **Motion:** | **At 8:33 a.m., to enter an Executive Session pursuant to** **M.G.L. c. 30A, §21(a)(1)** |
| **Motion Made By:** | Dr. Thomas Trowbridge |
| **Second:** | Ms. Jacyn Stultz |
| **Vote:** | **In Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge, Dr. Richard T. Miller, Dr. Patricia Wu, Dr. Seema Jacob, Ms. Jacyn Stultz, Ms. Jennifer McKeon**Opposed:** None**Abstain:** None |

 *The Board took its morning recess at 10:20 a.m. and resumed its meeting at 10:46 a.m.*

**Complaint Resolution – Investigator Rhonda Heard**

**--In the Matter of DEN-2020-0095: Hattie G. Harvey, RDA**

*Vincent Dunn, Esq. was present on behalf of the licensee, via WebEx, for the discussion and vote of the Board on this matter.*

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| **Issue:** | Unlicensed practice by a dental assistant |
| **Materials Reviewed:** | Investigative report with attachments |
| **Discussion:**  | Ms. Heard informed the Board this individual practiced as a dental assistant from June 2019 until May 2020 without filing a “letter of intent” with the Board or obtaining a dental assistant license. Ms. Heard noted the licensee’s license was issued on 5/7/20. Atty. Dunn noted the licensee misunderstood what was required by the Board’s regulations.  |
| **Motion:** | **To offer a Consent Agreement for Stayed Probation for 6 Months to include the completion of the following remedial coursework and conditions:*** **3 Hours: Risk management**
* **1 Hour: Ethics**
* **Stayed probation period may be terminated early by the licensee upon evidence of the successful completion of the coursework and ethics/jurisprudence exam as stated.**

**If this agreement is not accepted by the licensee, then the matter will be referred to prosecution.** |
| **Motion Made By:** | Dr. Thomas Trowbridge |
| **Second:** | Dr. Michael Scialabba  |
| **Vote:** | **In Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge, Dr. Richard T. Miller, Dr. Patricia Wu, Dr. Seema Jacob, Ms. Jacyn Stultz, Ms. Jennifer McKeon**Opposed:** None**Abstain:** None  |

**Complaint Resolution – Investigator Rhonda Heard**

**--In the Matter of DEN-2020-0096: Dr. Theodore J. Zervas**

*Vincent Dunn, Esq. was present on behalf of the licensee, via WebEx, for the discussion and vote of the Board on this matter.*

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| **Issue:** | Employment of an unlicensed dental assistant |
| **Materials Reviewed:** | Investigative report with attachments |
| **Discussion:**  | Ms. Heard informed the Board this licensee is dentist who employed Ms. Harvey as a dental assistant. |
| **Motion:** | **To offer a Consent Agreement for Stayed Probation for 6 Months to include the completion of the following remedial coursework:*** **3 Hours: Risk management**
* **1 Hour: Ethics**
* **Stayed probation period may be terminated early by the licensee upon evidence of the successful completion of the coursework and ethics/jurisprudence exam as stated.**

**If this agreement is not accepted by the licensee, the matter will be referred to prosecution.** |
| **Motion Made By:** | Ms. Jacyn Stultz |
| **Second:** | Dr. Thomas Trowbridge  |
| **Vote:** | **In Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge, Dr. Richard T. Miller, Dr. Patricia Wu, Dr. Seema Jacob, Ms. Jacyn Stultz, Ms. Jennifer McKeon**Opposed:** None**Abstain:** None  |

**Complaint Resolution – Investigator Rhonda Heard**

**--In the Matter of DEN-2020-0097: Bettsy R. Recillas, RDA**

*The licensee was not present for the discussion and vote of the Board on this matter.*

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| **Issue:** | Unlicensed practice by a dental assistant |
| **Materials Reviewed:** | Investigative report with attachments |
| **Discussion:**  | Ms. Heard informed the Board this licensee practiced on an expired license from 11/1/17 until her license was reactivated on 5/11/20 but noted the licensee denies the allegation indicating she only worked when needed. Ms. Young asked if this licensee was employed by two dentists; Ms. Heard replied she was but only one dentist admits the licensee practiced on an expired license while the other dentist stated he did not employ the licensee. Ms. Stultz agreed but noted the second dentist did state he had the licensee work for him but only once a month. |
| **Motion:** | **To offer a Consent Agreement for Stayed Probation for 6 Months to include the completion of the following remedial coursework:*** **3 Hours: Risk management**
* **1 Hour: Ethics**
* **Stayed probation period may be terminated early by the licensee upon evidence of the successful completion of the coursework and ethics/jurisprudence exam as stated.**

**If this agreement is not accepted by the licensee, the matter will be referred to prosecution.** |
| **Motion Made By:** | Ms. Jacyn Stultz |
| **Second:** | Dr. Patricia Wu  |
| **Vote:** | **In Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge, Dr. Richard T. Miller, Dr. Patricia Wu, Dr. Seema Jacob, Ms. Jacyn Stultz, Ms. Jennifer McKeon**Opposed:** None**Abstain:** None  |

**Complaint Resolution – Investigator Rhonda Heard**

**--In the Matter of DEN-2020-0098: Dr. Fardad Mobed**

*The licensee was not present for the discussion and vote of the Board on this matter.*

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| **Issue:** | Employment of an unlicensed dental assistant |
| **Materials Reviewed:** | Investigative report with attachments |
| **Discussion:**  | Ms. Heard informed the Board this is the first dentist who is alleged to have employed Ms. Recillas as a dental assistant but noted the licensee denies employing Ms. Recillas after August 2017 when her license was still current. Ms. Heard indicated the licensee’s payroll records supports the licensee’s claim. |
| **Motion:** | **To dismiss the complaint** |
| **Motion Made By:** | Ms. Jacyn Stultz |
| **Second:** | Dr. Patricia Wu  |
| **Vote:** | **In Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge, Dr. Richard T. Miller, Dr. Patricia Wu, Dr. Seema Jacob, Ms. Jacyn Stultz, Ms. Jennifer McKeon**Opposed:** None**Abstain:** None  |

**Complaint Resolution – Investigator Rhonda Heard**

**--In the Matter of DEN-2020-0099: Dr. Maged A. El-Malecki**

*Dr. Richard T. Miller recused himself from the discussion and vote of the Board on DEN-2020-0099: Dr. Maged A. El-Malecki.*

*The licensee was not present for the discussion and vote of the Board on this matter.*

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| **Issue:** | Employment of an unlicensed dental assistant |
| **Materials Reviewed:** | Investigative report with attachments |
| **Discussion:**  | Ms. Heard informed the Board this is the second dentist who is alleged to have employed Ms. Recillas but noted the licensee indicated Ms. Recillas only worked as a temporary dental assistant for him.  |
| **Motion:** | **To offer a Consent Agreement for Stayed Probation for 6 Months to include the completion of the following remedial coursework:*** **3 Hours: Risk management**
* **1 Hour: Ethics**
* **Stayed probation period may be terminated early by the licensee upon evidence of the successful completion of the coursework and ethics/jurisprudence exam as stated.**

**If this agreement is not accepted by the licensee, the matter will be referred to prosecution.** |
| **Motion Made By:** | Ms. Jacyn Stultz |
| **Second:** | Dr. Thomas Trowbridge  |
| **Vote:** | **In Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge, Dr. Patricia Wu, Dr. Seema Jacob, Ms. Jacyn Stultz, Ms. Jennifer McKeon**Opposed:** None**Abstain:** None  |

**Complaint Resolution – Investigator Deborah El-Majdoubi**

**--In the Matter of DEN-2020-0058: Donna Le, RDA**

*The licensee was not present for the discussion and vote of the Board on this matter.*

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| **Issue:** | Unlicensed practice by a dental assistant |
| **Materials Reviewed:** | Investigative report with attachments |
| **Discussion:**  | Ms. El-Majdoubi informed the Board the licensee practiced on an expired license from 11/1/19 to 2/26/20 but the licensee has not responded to the complaint. Ms. El-Majdoubi noted she contacted the licensee twice by mail but each time the letter was returned by the post office. Ms. El-Majdoubi noted she also contacted the licensee by email but the licensee failed to respond. The licensee finally spoke with Ms. El-Majdoubi in April 2021 and indicated she now lives in California and provided her new address but once again failed to respond to the complaint when notified by mail at her new address.  |
| **Motion:** | **To offer a Consent Agreement for Probation for 6 Months to include the completion of the following remedial coursework:*** **3 Hours: Risk management**
* **3 Hours: Ethics**
* **Stayed probation period may be terminated early by the licensee upon evidence of the successful completion of the coursework and ethics/jurisprudence exam as stated.**

**If this agreement is not accepted by the licensee, the matter will be referred to prosecution.** |
| **Motion Made By:** | Ms. Jacyn Stultz |
| **Second:** | Dr. Thomas Trowbridge  |
| **Vote:** | **In Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge, Dr. Richard T. Miller, Dr. Patricia Wu, Dr. Seema Jacob, Ms. Jacyn Stultz, Ms. Jennifer McKeon**Opposed:** None**Abstain:** None  |

**Complaint Resolution – Investigator Kathleen O’Connell**

**--In the Matter of DEN-2021-0002: Dr. Michael S. Abedon**

*The licensee was not present for the discussion and vote of the Board on this matter.*

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| **Issue:** | Unethical conduct (HIPAA violations) |
| **Materials Reviewed:** | Investigative report with attachments |
| **Discussion:**  | Ms. O’Connell informed the Board the licensee, an orthodontist who is now retired, only provided proof he completed a BLS certification course when asked for proof of his CEUs. Ms. Young noted the licensee’s dental license expired on 3/31/20 and the licensee has not applied for retired license status. Ms. O’Connell indicated the licensee has stated he has no intention of returning to active practice. Ms. Young asked if the licensee is alleged to have taken patient records after he was no longer employed by the community health center; Ms. O’Connell replied the licensee had already taken the records and was trying to return those records to the community health center when the HIPAA violation was discovered.Ms. Stultz suggested a reprimand might be a reasonable resolution to this complaint. Dr. Trowbridge stated he understands the licensee’s claim but patient records need to be protected. |
| **Motion:** | **To offer a Consent Agreement for a Reprimand.** |
| **Motion Made By:** | Ms. Jacyn Stultz |
| **Second:** | Dr. Thomas Trowbridge  |
| **Vote:** | **In Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge, Dr. Richard T. Miller, Dr. Patricia Wu, Ms. Jacyn Stultz, Ms. Jennifer McKeon**Opposed:** Dr. Seema Jacob**Abstain:** None  |

**Administrative Matters:**

**1. Consideration of Application to Reactivate an Expired Dental Hygiene License and Local Anesthesia Permit – by Barbara A. Young, RDH, Executive Director**

**In Re: Janet M. Ernst**

 **Dental Hygiene License No. DH13455**

 **Local Anesthesia Permit No. DH1345520-L**

*The licensee was present, via WebEx, for the discussion and vote of the Board on this matter.*

Ms. Stultz asked if the options available to the licensee were explained to her; Ms. Young replied she did explain but the licensee noted she contacted Ms. Joyce Turcotte in Connecticut and told the next available class in April was full so she might not be able to complete that course until the fall of 2022. Ms. Stultz told the licensee she may also retake the CDCA dental hygiene clinical competency exam or wait until she can complete the clinical refresher course offered by Ms. Turcotte.

 The licensee asked if there were any other acceptable refresher courses; Ms. Young replied none that the Board is aware of.

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| **Motion:** | **To approve the reactivation of the licensee’s expired dental hygiene license and local anesthesia permit upon proof of a passing score on a retake of the CDCA dental hygiene clinical competency exam or proof of the licensee’s successful completion of a clinical dental hygiene refresher course as offered by Ms. Joyce Turcotte of Connecticut** |
| **Motion Made By:** | Ms. Jacyn Stultz |
| **Second:** | Dr. Michael Scialabba  |
| **Vote:** | **In Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge, Dr. Richard T. Miller, Dr. Patricia Wu, Dr. Seema Jacob, Ms. Jacyn Stultz, Ms. Jennifer McKeon**Opposed:** None**Abstain:** None  |

**2. Review of the Staff Action Policy 17-03 Quarterly Report: Petitions for Retired License Status – by Barbara A. Young, RDH, Executive Director**

The Board had no questions for Ms. Young

**3. Review of Staff Action Policy 14-03 Report: Disposition of Selected Complaints for Unlicensed Practice/Employment of an Unlicensed Individual – by Barbara A. Young, RDH, Executive Director**

The Board had no questions for Ms. Young.

 **4. Review of the Good Moral Character Staff Action Report**

Ms. Young submitted her report for those initial licensure applications approved between 3/2/22 and 4/6/22 pursuant to BORID Staff Action Policy 14-01. The Board had no questions for Ms. Young.

**5. Review of the General Session Minutes of the Board Meeting on March 2, 2022**

 Dr. Trowbridge noted there was an error on pages 5 and 6 of the draft noting the paragraphs should be separated.

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| **Motion:** | **To approve the General Session Minutes of the March 2, 2022, Board meeting, as amended** |
| **Motion Made By:** | Dr. Thomas Trowbridge |
| **Second:** | Dr. Michael Scialabba |
| **Vote:**  | **In Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge, Dr. Richard T. Miller, Dr. Patricia Wu, Dr. Seema Jacob**Opposed:** None**Abstain:** Ms. Jacyn Stultz, Ms. Jennifer McKeon  |

**Flex Session:**

1. Dr. Trowbridge asked if there were any updates on the Mass. Dental Society hosting the two courses scheduled to be offered by the Board at the Yankee Dental Congress in late January that were cancelled due to the blizzard. Ms. Young indicated she has not spoken to anyone at the MDS about rescheduling these two courses since early February but will reach out to the MDS.
2. Dr. Trowbridge asked if there were any updates on returning to in-person meetings. Ms. Young stated she was pleased to report an acceptable location has been found at the state office bldg. located at 600 Washington Street in downtown Boston. A large conference room on the second floor is available but staff still has to work out the logistics of holding meetings in a remote location, i.e. securing a system to record and amplify all Board meetings. Ms. Young noted the target date for the first in-person meeting is June 2022.
3. Dr. Trowbridge asked if there were any updates on the guidance document in response to the “Patients First” legislation. Atty. Engman noted patients can submit complaints alleging violations of this legislation now but Ms. Young noted staff has yet to draft a proposed guidance document. Dr. Wu asked if the Mass. Dental Society has any recent information; Dr. Trowbridge replied the MDS investigated but wanted clarification from the legislature or from DPH first. Mr. Mills stated that will likely come from DPH.
4. Dr. Wu asked if a consent form for the release of records is acceptable if it is received via email from the patient without the patient’s signature. Atty. Engman replied the dentist should consult with his/her own attorney as that request is not likely HIPAA compliant. Ms. Young agreed noting the dentist needs to confirm the request received via email was actually sent by the patient.
5. Dr. Wu noted dentists should be on alert for scammers calling their offices claiming to be from the Board. Mr. Mills noted Board staff would never place such a call and certainly would not be asking licensees for money.

**Probation Matters:**

1. **Review of Compliance/Recommendation for Suspension – by Karen Fishman, Probation Department Coordinator**

**--In the Matter of DEN-2018-0026: Akevi Coleman, RDA**

*The licensee was not present for the discussion and vote of the Board on this matter.*

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| **Materials Reviewed:** | Probation report with attachments |
| **Discussion:**  | Ms. Fishman informed the Board the licensee accepted a consent agreement for stayed probation for 6 months, effective 7/9/20, to resolve a complaint for unlicensed practice. Ms. Fishman noted the Board lifted the stay in April 2021 and extended the licensee’s probationary period until December 2021 as the licensee failed to comply with all terms of the consent agreement. Ms. Fishman noted the licensee has yet to comply and recommended the licensee’s license be suspended. |
| **Motion:** | **To find the licensee in violation of his probationary conditions** |
| **Motion Made By:** | Dr. Richard T. Miller |
| **Second:** | Ms. Jacyn Stultz |
| **Vote:** | **In Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge, Dr. Richard T. Miller, Dr. Patricia Wu, Dr. Seema Jacob, Ms. Jacyn Stultz, Ms. Jennifer McKeon**Opposed:** None**Abstain:** None  |
| **Motion:** | **To notify the licensee of the finding of probation violation with the intent to suspend the licensee’s license and his right to renew his license** |
| **Motion Made By:** | Ms. Jacyn Stultz |
| **Second:** | Ms. Jennifer McKeon |
| **Vote:** | **In Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge, Dr. Richard T. Miller, Dr. Patricia Wu, Dr. Seema Jacob, Ms. Jacyn Stultz, Ms. Jennifer McKeon**Opposed:** None**Abstain:** None  |

1. **Review of Compliance/Recommendation for Suspension – by Karen Fishman, Probation Department Coordinator**

**--In the Matter of DEN-2018-0091: Alexis Volcy, RDA**

*The licensee was not present for the discussion and vote of the Board on this matter.*

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| **Materials Reviewed:** | Probation report with attachments |
| **Discussion:**  | Ms. Fishman informed the Board the licensee accepted a consent agreement for stayed probation for 6 months, effective 2/5/21, to resolve a complaint for unlicensed practice. Ms. Fishman noted the licensee failed to complete the risk management course and failed to provide proof of her CEUs for the 2017-2019 cycle. Ms. Fishman noted the Board found the licensee in violation of her probation on 7/7/21 but took no further action. Ms. Fishman indicated a letter was sent to the licensee but she never responded. Ms. Fishman stated the Board lifted the stay on 9/1/21 and extended the licensee’s probationary period but the licensee still has not responded. |
| **Motion:** | **To find the licensee in violation of his probationary conditions** |
| **Motion Made By:** | Dr. Michael Scialabba |
| **Second:** | Ms. Jacyn Stultz |
| **Vote:** | **In Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge, Dr. Richard T. Miller, Dr. Patricia Wu, Dr. Seema Jacob, Ms. Jacyn Stultz, Ms. Jennifer McKeon**Opposed:** None**Abstain:** None  |
| **Motion:** | **To notify the licensee of the finding of probation violation with the intent to suspend the licensee’s license and her right to renew her license** |
| **Motion Made By:** | Dr. Richard T. Miller |
| **Second:** | Ms. Jacyn Stultz |
| **Vote:** | **In Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge, Dr. Richard T. Miller, Dr. Patricia Wu, Dr. Seema Jacob, Ms. Jacyn Stultz, Ms. Jennifer McKeon**Opposed:** None**Abstain:** None  |

1. **Review of Compliance/Recommendation for Suspension – by Karen Fishman, Probation Department Coordinator**

**--In the Matter of DEN-2018-0214: Angie Viloria, RDA**

*Dr. Seema Jacob recused herself from the discussion and vote of the Board on DEN-2018-0214: Angie Viloria, RDA.*

*The licensee was not present for the discussion and vote of the Board on this matter.*

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| **Materials Reviewed:** | Probation report with attachments |
| **Discussion:**  | Ms. Fishman informed the Board the licensee accepted a consent agreement for stayed probation for 6 months, effective 11/23/20, to resolve a complaint for unlicensed practice. Ms. Fishman noted the licensee has yet to comply with the terms of her probation and the Board lifted the stay on 6/2/21 and extended the licensee’s probationary period to 1/28/22. However Ms. Fishman noted the licensee has done nothing to comply with the terms of her consent agreement. |
| **Motion:** | **To find the licensee in violation of his probationary conditions** |
| **Motion Made By:** | Dr. Thomas Trowbridge |
| **Second:** | Dr. Richard T. Miller |
| **Vote:** | **In Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge, Dr. Richard T. Miller, Dr. Patricia Wu, Ms. Jacyn Stultz, Ms. Jennifer McKeon**Opposed:** None**Abstain:** None  |
| **Motion:** | **To notify the licensee of the finding of probation violation with the intent to suspend the licensee’s license and her right to renew her license** |
| **Motion Made By:** | Dr. Michael Scialabba |
| **Second:** | Dr. Thomas Trowbridge |
| **Vote:** | **In Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge, Dr. Richard T. Miller, Dr. Patricia Wu, Ms. Jacyn Stultz, Ms. Jennifer McKeon**Opposed:** None**Abstain:** None  |

1. **Review of Compliance – by Karen Fishman, Probation Department Coordinator**

**--In the Matter of DEN-2018-0180: Stella Rodrigues, RDA**

*Dr. Seema Jacob recused herself from the discussion and vote of the Board on DEN-2018-0180: Stella Rodrigues, RDA.*

*The licensee was not present for the discussion and vote of the Board on this matter.*

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| **Materials Reviewed:** | Probation report with attachments |
| **Discussion:**  | Ms. Fishman informed the Board the licensee accepted a consent agreement for stayed probation for 6 months, effective 7/13/21, to resolve a complaint for unlicensed practice. Ms. Fishman noted the licensee has yet to complete the ethics exam or remedial CEUs. Ms. Fishman noted three notices of violation were sent to the licensee, on 8/31/21 by regular mail, on 12/21/21 by certified mail and on 2/11/22 by regular mail, but the licensee has failed to respond each time. |
| **Motion:** | **To find the licensee in violation of her probation, to lift the stay and to extend the licensee’s probation for 6 months with the same conditions as detailed in the original consent agreement** |
| **Motion Made By:** | Dr. Michael Scialabba |
| **Second:** | Ms. Jacyn Stultz |
| **Vote:** | **In Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge, Dr. Richard T. Miller, Dr. Patricia Wu, Ms. Jacyn Stultz, Ms. Jennifer McKeon**Opposed:** None**Abstain:** None  |

1. **Review of Compliance – by Karen Fishman, Probation Department Coordinator**

**--In the Matter of DEN-2018-0181: Dr. Cressida Joseph**

*The licensee was not present for the discussion and vote of the Board on this matter.*

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| **Materials Reviewed:** | Probation report with attachments |
| **Discussion:**  | Ms. Fishman informed the Board the licensee accepted a consent agreement for stayed probation for 6 months, effective 3/5/21. Ms. Fishman noted the licensee completed all terms of the consent agreement but completed the ethics exam late and has yet to complete one course. Ms. Fishman noted all courses were due 9/5/21 and a notice of violation was sent to the licensee in January 2022. Ms. Fishman noted she sent an email to the licensee on 11/22/21 explaining the licensee still had to complete a one hour risk management course but the licensee did not respond. A second violation notice was sent to the licensee on 1/20/22 and the licensee admitted on 1/28/22 that she overlooked the ethics course. Ms. Fishman noted the licensee provided a course certificate for an ethics course on 2/25/22 but still has yet to complete the risk management course. Ms. Fishman indicated she has not heard from the licensee since February 2022. |
| **Motion:** | **To find the licensee in violation of her probation, to lift the stay and to extend the licensee’s probation for 3 months with the same conditions as detailed in the original consent agreement** |
| **Motion Made By:** | Ms. Jacyn Stultz |
| **Second:** | Dr. Thomas Trowbridge |
| **Vote:** | **In Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge, Dr. Richard T. Miller, Dr. Patricia Wu, Dr. Seema Jacob,Ms. Jacyn Stultz, Ms. Jennifer McKeon**Opposed:** None**Abstain:** None  |

**6. Probation Department Monthly Report**

 Ms. Fishman submitted her monthly probation report for the period of 2/25/22 to 3/29/22. Dr. Trowbridge noted a lot of licensees appear to have successfully completed their probation in January; Ms. Fishman stated that is correct. Dr. Trowbridge asked if that number included those licensees who were placed on stayed probation and probation; Ms. Fishman replied this is also correct.

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| **Motion:** | **At 12:20 p.m. to adjourn the meeting** |
| **Motion Made By:** | Ms. Jacyn Stultz |
| **Second:** | Dr. Thomas Trowbridge |
| **Vote:** | **In Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge, Dr. Richard T. Miller, Dr. Patricia Wu, Dr. Seema Jacob,Ms. Jacyn Stultz, Ms. Jennifer McKeon**Opposed:** None**Abstain:** None  |

Respectfully submitted,

Barbara A. Young, RDH

Executive Director

Date: May 2, 2022