**COMMONWEALTH OF MASSACHUSETTS**

**NOTICE OF THE REGULARLY SCHEDULED MEETING OF THE BOARD OF REGISTRATION IN DENTISTRY**

December 4, 2024

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 Ms. Stacy Hart by email at* *Stacy.Hart@mass.gov* *or by phone at 857-274-1120, 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. Only the General Session is open to the public and may be viewed and/or heard*

*via WebEx.*

**WebEx Information**: Please send an email to Executive Director Barbara A. Young, RDH at barbara.a.young@mass.gov 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 public through the following link:

**https://eohhs.webex.com/eohhs/j.php?MTID-ni87d0f33ad237b8353f767809416e0af2**

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: **2539 376 3083** Attendee ID: # Password:

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| --- | --- | --- | --- | --- |
| 8:30 a.m. |  | **CALL TO ORDER, DETERMINATION OF QUORUM, AND APPROVAL OF AGENDA** |  |  |

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| --- | --- | --- | --- | --- |
| 8:32 a.m. |  | **GENERAL SESSION** |  |  |
|  | I | **ADMINISTRATIVE MATTERS**1. Elections for 2025 Board Chair and Board Secretary
2. Reconsideration of Request for Approval of Proposed Course on Safe and Effective Opioid Prescribing/Pain Mgmt. by CE Zoom Partner, LLC
3. Update Re: "Patients First" legislation
4. Update Re: Proposed changes to 234 CMR
5. Request for Waiver of Passing Score on TOEFL iBT Exam Re: Dr. Marina Cristina Ortiz
6. Request for Application to Reactivate an Expired Individual Permit B

Re: Dr. Neetu Bansal1. Minutes from November 6, 2024 BORID meeting
 |  | **Executive Director Barbara A. Young, RDH****Board Counsel Michael Egan, Esq.****Probation Dept. Coordinator Karen Fishman** |
|  | II | **COMPLAINT RESOLUTION: PENDING BOARD MATTERS**1. DEN-2023-0009: Dr. Jebediah Christy
 |  | **Investigator:****J. Bueno** |
|  | Ill | **COMPLAINT RESOLUTION: PROBATION MATTERS - REVIEW OF****COMPLIANCE**1. DEN-2020-0058: Donna Le, RDA |  | **Probation Dept. Coordinator Karen Fishman** |
|  |  | **FLEX SESSION** |  |  |
| 11:30 a.m. | **IV** | **MGL c. 112, s. 65C SESSION (closed to the public)** |  |  |
| 3:00 p.m. |  |  **ADJOURNMENT** |  |  |

**MASSACHUSETTS BOARD OF REGISTRATION IN DENTISTRY**

250 **Washington Street, Boston, MA 02108 GENERAL SESSION MINUTES**

**December 4, 2024**

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

· Dr. Kasra Rafia; Dr. Sabina Malla; Dr. Seema Jacob; Ms. Stacy Haluch, RDH;

Ms. Jacyn Stultz, MS, RDH; Ms. Jennifer McKean, M.Ed., RDH, CDA; Ms. Ailish Wilkie, MS, CPHRM, CPPS, CPHQ

**Absent:** Dr. Richard T. Miller

**Board Staff Present:** Barbara A. Young, RDH, Executive Director; Kyle Rippstein, Associate Executive Director; Chief Board Counsel Heather Engman, Esq.; Board Counsel Michael Egan, Esq.; Dr. Liliana Difabio, Supervisor of Investigations; OPP Investigators Kathleen O'Connell, Jaris Bueno, Eileen Mulligan, Rhonda Heard, Deborah EI-Majdoubi and Michele Cleasby; Probation Dept. Coordinator Karen Fishman.

*Dr. Thomas Trowbridge chaired the meeting from 8:40 a.m. until 9:11 a.m. Dr. Michael Scialabba joined the meeting at 9:11 a.m.*

**Motion:**

**Motion Made By: Second:**

**Vote:**

At 8:40 a.m., to adopt the proposed agenda for today's meeting Dr. Kasra Rafia

Ms. Stacy Haluch

In **Favor:** Dr. Thomas Trowbridge, Dr. Kasra Rafia, Dr. Sabina Malla, Dr. Seema Jacob, Ms. Jacyn Stultz, Ms. Stacy Haluch, Ms. Jennifer McKeon, Ms. Ailish Wilkie

**Opposed:** None

**Abstain:** None

**Administrative Matters:**

1. **Reconsideration of Request for Approval of Proposed Course on Safe and Effective Opioid Prescribing/Pain Mgmt. by CE Zoom Partner, LLC** - **Executive Director Barbara**

**A. Young, RDH**

*Ms. Melissa Barbara was present on behalf of CE Zoom Partner, LLC for the discussion and vote of the Board on this matter.*

Ms. Stultz stated the updated quiz was much better but noted the quiz was misnumbered in that question #5 was missing; Mr. Barbara agreed and indicated the quiz would be renumbered. Dr. Trowbridge agreed noting the fourteen proposed questions were good.

**Motion:**

**Motion Made By: Second:**

**To approve the proposed course on Safe and Effective Opioid Prescribing/Pain Mgmt. as offered by CE Zoom Partner, LLC**

Ms. Jacyn Stultz Ms. Ailish Wilkie

**Vote: In Favor:** Dr. Thomas Trowbridge, Dr. Kasra Rafia, Dr. Sabina Malla, Dr. Seema Jacob, Ms. Jacyn Stultz,

Ms. Stacy Haluch, Ms. Jennifer McKeon, Ms. Ailish Wilkie

**Opposed:** None

**Abstain:** None

1. **Request for Consideration of an Application to Reactivate an Expired Individual Permit B- Executive Director Barbara A. Young, RDH**

**In re: Dr. Neetu Bansal**

*The licensee was present for the discussion of the Board on this matter and answered all questions as appropriate.*

Dr. Trowbridge asked the licensee her intent in seeking reactivation of an individual permit that expired in 2012; the licensee replied she completed an orthodontics residency after graduating dental school in 2012 and administered minimal sedation to her patients. The

 licensee indicated the pediatric dentist in her practice has decided not to continue treating orthodontic patients so the licensee would like to offer minimal sedation or nitrous oxide oxygen to those patients. The licensee stated she completed another course on administering nitrous – oxide oxygen at the Tufts Univ. School of Dental Medicine in October 2024. Ms. Young stated she was not aware the licensee had recently completed this course and suggested to the licensee that she simply reapply for an Individual Permit C. The licensee agreed to do so; the Board took no action on the licensee's reactivation application.

1. **Request for Waiver of the Required Passing Score of "90" or Higher on the TOEFL**

**iBT Exam** - **Executive Director Barbara A. Young, RDH**

In **re: Dr. Marina Cristina Ortiz**

*Dr. Ortiz was present for the discussion and vote of the Board on this matter and answered all questions as appropriate.*

Ms. Wilkie asked Dr. Ortiz about the score she received on the TOEFL iBT exam as the Board was not provided a copy of her most recent score report; Dr. Ortiz replied her score had expired. Ms. Wilkie asked Dr. Ortiz if she has a copy of her scores; Dr. Ortiz replied she does not want to share her score report with the Board as her score was not good. Ms. Stultz asked Dr. Ortiz if she took the exam once; Dr. Ortiz replied she had taken the exam more than once. Ms. Stultz asked Dr. O1iiz if she completed the English language course at UMass Boston before or after she took the TOEFL iBT exam; Dr. Ortiz replied before but indicated she took the exam again after she completed the course at UMass Boston and did not receive an acceptable score. Ms. Stultz asked Dr. Ortiz if she plans on taking the exam again; Dr. Ortiz replied she will after she completes her master's degree. Dr. Rafia noted proficiency in English is critical; Ms. Stultz agreed.

**Motion:**

**Motion Made By: Second:**

**Vote:**

**To deny Dr. Ortiz's request for a waiver of a passing score of "90" or higher on the TOEFL iBT exam**

Ms. Jacyn Stultz Dr. Kasra Rafia

**In Favor:** Dr. Thomas Trowbridge, Dr. Kasra Rafia,

Dr. Sabina Malla, Dr. Seema Jacob, Ms. Jacyn Stultz,

Ms. Stacy Haluch, Ms. Jennifer McKean, Ms. Ailish Wilkie

**Opposed:** None

**Abstain:** Dr. Michael Scialabba

1. **Elections for BORID Chair and Secretary** - **Executive Director Barbara A. Young,**

**RDH**

* 1. Election for BORID Chair

Dr. Scialabba thanked his fellow Board members for their trust in him and noted he looks forward to continuing the work begun by the Board.

**Vote: Dr. Michael Scialabba -yes Dr. Thomas Trowbridge -yes Dr. Kasra Rafla -yes**

**Dr. Seema Jacob-yes Dr. Sabrina Malla -yes Ms. Jacyn Stultz -yes Ms. Stacy Haluch** - **yes**

**Ms. Jennifer McKeon -yes Ms. Ailish Wilkie** - **yes**

* 1. Election for BORID Secretary

Dr. Trowbridge thanked his fellow Board members and noted he enjoyed serving on the Board.

**Vote: Dr. Michael Scialabba -yes**

* + - **Dr. Thomas Trowbridge -yes Dr. Kasra Rafla -yes**

**Dr. Seema Jacob-yes Dr. Sabrina Malla -yes Ms. Jacyn Stultz -yes Ms. Stacy Haluch -yes**

**Ms. Jennifer McKeon -yes Ms. Ailish Wilkie** - **yes**

1. **Review of the General Session Minutes of the Board Meeting on November 6,2024- Executive Director Barbara A. Young, RDH**

Ms. Young noted the minutes from the Board meeting on November 6th are not quite ready and she plans on submitting those minutes to the Board for its consideration during its meeting in January 2025.

1. **Update Re: "Patients First" Legislation** - **Executive Director Barbara A. Young, RDH**

Ms. Young and Atty. Egan noted they do not have any updates to share with the Board on this matter as they are still waiting for a decision from the governor and/or statehouse on whether to delay the implementation of this bill.

1. **Update Re: Proposed Amendments to 234 CMR** - **Board Counsel Michael Egan, Esq.**

Atty. Egan advised the Board the process to obtain approval of the Board's proposed changes to . 234 CMR is nearly complete noting legal staff will package the proposed amendments for submission to EOHHS and the governor's office. Atty. Egan noted he expects·, the process to be completed by December or January but once submitted for further review, noted he does not know how long it will take for EOHHS and the governor's office to complete their review.

Ms. Stultz asked if the Board will have the opportunity to review the proposed changes; Atty. Egan replied the Board has already approved those changes in February/March 2022. Dr. Trowbridge noted one of several public hearings was held in Sept. 2021. Dr. Trowbridge asked if the Board would have a clean copy of those changes; Atty. Egan replied the red-lined version is the best version to use.

**Complaint Resolution** - **Investigator Jaris Bueno**

--In **the Matter of DEN-2023-0009: Dr. Jebediah Christy**

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

**Allegation(s):** Employment of an unlicensed dental assistant

**Materials Reviewed:** Investigative report with attachments

**Discussion:**

**Motion:**

**Motion Made By: Second:**

**Vote:**

Ms. Bueno informed the Board the licensee employed a dental assistant who practiced on an expired license from Dec. 2021 to Dec. 2022 but noted the licensee has a prior complaint that alleged the same conduct. Ms. Bueno noted the Board did not receive a notice of intent from the licensee for the dental assistant at issue in this complaint despite the licensee's claim to the contrary. Ms. Bueno also indicated the licensee was deficient in CEUs for two licensure cycles but has since remediated that issue. Dr. Trowbridge asked if the dental assistant practiced beyond the six-month period allowed for in a letter of intent; Ms. Bueno replied she did.

**To offer a Consent Agreement for Stayed Probation for 6 Months to include the completion of the following conditions and remedial coursework:**

* **2 Hours: Ethics**
* **3 Hours: Risk management**
* **Passing score on the ethics and jurisprudence exam**
* **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.**

Dr. Thomas Trowbridge Ms. Jacyn Stultz

In **Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge,

Dr. Kasra Rafia, Dr. Sabina Malla, Dr. Seema Jacob, Ms. Jacyn Stultz, Ms. Stacy Haluch, Ms. Jennifer McKeon, Ms. Ailish Wilkie **Opposed:** None

**Abstain:** None

**Flex Session:**

1. Dr. Trowbridge asked if there was any update whether the Open Meeting Law waiver allowing vi1tual meetings has been extended; Ms. Young replied she believes the current waiver is scheduled to expire in June 2025.
2. Ms. Haluch asked about a letter recently mailed by the American Dental Hygiene Assoc. regarding the American Dental Association's resolution allowing dental students and foreign trained dentists to practice as dental hygienists without being required to pass a dental hygiene clinical competency exam. Ms. Haluch noted the ADHA does not support the ADA's resolution. Ms. Young indicated she would add this issue to the agenda for the next Board meeting in January 2025.

**Request for Review of Compliance/Violation of Probation** - **Probation Dept. Coordinator Karen Fishman**

* 1. In **Re: Donna Le, RDA- Docket No. DEN-2020-0058**

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

Ms. Fishman informed the Board the licensee agreed to a consent agreement for stayed probation for six months in February 2023 but has not complied with the terms of that agreement. Ms. Fishman stated the Board found the licensee in violation of probation and extended the licensee's probationary period until April 2024. However, Ms. Fishman noted the licensee now lives in California and has never responded to any communications from Ms.

Fishman even though the licensee was sent numerous violation of probation notices. Ms. Fishman recommended the licensee's license be suspended but noted her dental assistant license expired in Oct. 2021.

**Motion: To find the licensee in violation of her probation Motion Made By:** Ms. Ailish Wilkie

**Second:** Dr. Thomas Trowbridge

**Vote: In Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge,

Dr. Kasra Rafia, Dr. Sabina Malla, Dr. Seema Jacob, Ms. Jacyn Stultz, Ms. Stacy Haluch, Ms. Jennifer McKean, Ms. Ailish Wilkie **Opposed:** None

**Abstain:** None

**Motion: To suspend the licensee's dental assistant license Motion Made By:** Ms. Jennifer McKean

**Second:** Dr. Thomas Trowbridge

**Vote:** In **Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge,

Dr. Kasra Rafia, Dr. Sabina Malla, Dr. Seema Jacob, Ms. Jacyn Stultz, Ms. Stacy Haluch, Ms. Je1111ifer McKean, Ms. Ailish Wilkie **Opposed:** None

**Abstain:** None

**Motion: At 10:05 a.m. to enter a closed MGL c. 112, §65C Session Motion Made By:** Dr. Kasra Rafia

**Second:** Ms. Ailish Wilkie

Board of Registration in Dentistry General Session Agenda & Minutes December 4, 2024

Vote: In **Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge,

Dr. Kasra Rafia, Dr. Sabina Malla, Dr. Seema Jacob, Ms. Jacyn Stultz, Ms. Stacy Haluch, Ms. Jennifer McKean, Ms. Ailish Wilkie **Opposed:** None

**Abstain:** None

*The Board took its morning recess at 10:06 a.m. and resumed its meeting at 1 0:30 a.m. Ms. Jennifer McKean left the meeting at 10:06 a.m.*

Motion: At 12:31 p.m. to adjourn the meeting Motion Made By: Ms. Ailish Wilkie .

Second: Ms. Stacy Haluch

Vote: In Favor: Dr. Michael Scialabba, Dr. Thomas Trowbridge, Dr. Kasra Rafia, Dr. Sabina Malla, Dr. Seema Jacob,

Ms. Jacyn Stultz, Ms. Stacy Haluch, Ms. Ailish Wilkie

**Opposed:** None

**Abstain:** None

Respectfully submitted,

Barbara A. Young, RDH, JD Executive Director

DATED: March 21, 2025