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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July 6, 2022

Via WebEx from 250 Washington Street

# Boston, Massachusetts 02108

# **AGENDA**

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

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Access Code: 2533 527 1825 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. |  |  |
| 11:15 | **III** | COMPLAINT RESOLUTION: PENDING BOARD MATTERS  1. DEN-2020-0047: Marjorie Rizo, RDA 2. DEN-2020-0048: Dr. Maria Petroche 3. DEN-2020-0049: Dr. David Robbins 4. SA-INV-17402: Dr. Lynsey Doan 5. DEN-2020-0086: Tychelle Washington, RDA 6. DEN-2020-0087: Dr. Sameera Hussain 7. DEN-2021-0059: Dr. Cathrine Kaplan 8. DEN-2021-0060: Dr. Charles Levesque 9. DEN-2021-0073: Courtney Votsis, RDA 10. DEN-2019-0152: Dr. Allen Tarro | InvestigationReports,  Memos, Attachments | J Bueno  D El-Majdoubi  R Heard |
| 11:55 | **IV** | ADMINISTRATIVE MATTERS  1. Application for Rescission of Retired Status and License Reactivation: Helene Bednarsh, RDH 2. Review of Staff Action Policy for Unlicensed Practice 3. Update: Patients First 4. GMC Staff Action Report 5. Review of General Session Minutes of June 1, 2022 | Memo,  Policy, Report,  Draft Minutes | B Young |
| 12:30 pm | **V** | PROBATION MATTERS  1. Review of Compliance: DEN-2019-0107: Kall Fentahun, RDA 2. Probation Monthly Report | Memo, Attachments,  Report | K Fishman |
| 12:50 | **VI** | **FLEX SESSION** |  |  |
| 1:00 |  | **ADJOURNMENT** |  |  |

**MASSACHUSETTS BOARD OF REGISTRATION IN DENTISTRY**

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

**GENERAL SESSION MINUTES**

**July 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; Ms. Stacy Haluch, RDH; Ms. Ailish Wilkie

**Absent:** None

**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, Eileen Mulligan, Rhonda Heard and Jaris Bueno; 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:** | Ms. Jacyn Stultz |
| **Second:** | Ms. Stacy Haluch |
| **Vote:** | Unanimous |

*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 and adjourn the meeting for the day.*

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| **Motion:** | **At 8:32 a.m., to enter an Executive Session pursuant to**  **M.G.L. c. 30A, §21(a)(1)** |
| **Motion Made By:** | Ms. Stacy Haluch |
| **Second:** | Dr. Richard T. Miller |
| **Vote:** | **In Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge,  Dr. Richard T. Miller, Dr. Patricia Wu, Dr. Seema Jacob,  Ms. Jacyn Stultz, Ms. Stacy Haluch, Ms. Jennifer McKeon  **Opposed:** None  **Abstain:** None |

*Ms. Ailish Wilkie joined the meeting at 10:35 a.m.*

*The Board took its morning recess at 11:20 a.m. and resumed its meeting at 11:33 a.m.*

*Dr. Richard T. Miller left the meeting at 11:20 a.m. and rejoined the meeting at 12:20 p.m.*

**Complaint Resolution – Investigator Rhonda Heard**

**--In the Matter of DEN-2020-0086: Tychelle V. Washington, 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 the allegations state the licensee practiced on an expired license from January 2020 until Feb. 11, 2021 but noted the licensee and her dentist employer deny the allegations. However Ms. Heard noted the dentist employer admits to having paid the licensee during this time period. Ms. Young asked what the licensee was doing for the dentist; Ms. Heard replied the licensee was completing the “onboarding process” per her dentist employer. Mr. Mills noted the licensee only worked for this dentist for approx. four hours and never returned to that practice. |
| **Motion:** | **To dismiss the complaint as no evidence of violation found** |
| **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. Stacy Haluch, Ms. Jennifer McKeon, Ms. Ailish Wilkie  **Opposed:** None  **Abstain:** None |

**Complaint Resolution – Investigator Rhonda Heard**

**--In the Matter of DEN-2020-0087: Dr. Sameera Hussain**

*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 licensee is the dentist who employed Ms. Washington as a dental assistant. But Ms. Heard noted the licensee did not complete the mandatory opioid course or become recertified in Basic Life Support during the 2018-2020 licensure cycle but has since completed both required courses. |
| **Motion:** | **To dismiss the complaint as no evidence of violation found with an advisory letter on the continuing education requirements** |
| **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. Stacy Haluch, Ms. Jennifer McKeon, Ms. Ailish Wilkie  **Opposed:** None  **Abstain:** None |

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

**--In the Matter of DEN-2020-0047: Marjorie Rizo, RDA**

*Sean Carroll, 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. El-Majdoubi informed the Board the licensee practiced on an expired license from 11/1/7 to 3/5/20 and failed to complete the required CEUs during the 2017-2019 licensure cycle. |
| **Motion:** | **To Offer a Consent Agreement for 6 Months’ Stayed Probation to include the completion of the following remedial coursework:**   * **3 Hours: Risk management** * **1 Hour: Ethics**   **If this agreement is not accepted by the licensee, the matter will be referred to prosecution.** |
| **Motion Made By:** | Ms. Jacyn Stultz |
| **Second:** | Dr. Michael Scialabba |
| **Vote:** | **In Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge,  Dr. Patricia Wu, Dr. Seema Jacob, Ms. Jacyn Stultz,  Ms. Stacy Haluch, Ms. Jennifer McKeon, Ms. Ailish Wilkie  **Opposed:** None  **Abstain:** None |

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

**--In the Matter of DEN-2020-0048: Dr. Maria F. Petroche**

*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 licensee is the dentist who is alleged to have employed Ms. Rizo as a dental assistant but noted the licensee is an associate dentist who does not have any authority to hire or fire staff. |
| **Motion:** | **To dismiss the complaint as no evidence of violation** |
| **Motion Made By:** | Dr. Thomas Trowbridge |
| **Second:** | Ms. Ailish Wilkie |
| **Vote:** | **In Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge,  Dr. Patricia Wu, Dr. Seema Jacob, Ms. Jacyn Stultz,  Ms. Stacy Haluch, Ms. Jennifer McKeon, Ms. Ailish Wilkie  **Opposed:** None  **Abstain:** None |

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

**--In the Matter of DEN-2020-0049: Dr. David Robbins**

*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 licensee is another dentist who is alleged to have employed Ms. Rizo as a dental assistant but noted the licensee is also an associate dentist who does not have any authority to hire or fire staff. Ms. Heard noted the practice is actually owned by Dr. Paul Trombly, DN19319. |
| **Motion:** | **To dismiss the complaint as no evidence of violation** |
| **Motion Made By:** | Ms. Stacy Haluch |
| **Second:** | Dr. Thomas Trowbridge |
| **Vote:** | **In Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge,  Dr. Patricia Wu, Dr. Seema Jacob, Ms. Jacyn Stultz,  Ms. Stacy Haluch, Ms. Jennifer McKeon, Ms. Ailish Wilkie  **Opposed:** None  **Abstain:** None |
| **Motion:** | **To open a complaint against Dr. Paul Trombly, DN19319, for the employment of an unlicensed dental assistant** |
| **Motion Made By:** | Dr. Thomas Trowbridge |
| **Second:** | Ms. Jacyn Stultz |
| **Vote:** | **In Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge,  Dr. Patricia Wu, Dr. Seema Jacob, Ms. Jacyn Stultz,  Ms. Stacy Haluch, Ms. Jennifer McKeon, Ms. Ailish Wilkie  **Opposed:** None  **Abstain:** None |

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

**--In the Matter of SA-INV-17402: Dr. Lynsey Doan**

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

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| **Issue:** | Infection control violations |
| **Materials Reviewed:** | Investigative report with attachments |
| **Discussion:** | Ms. El-Majdoubi informed the Board this complaint was received on or about 1/19/21 but noted the licensee died on 11/2/21. |
| **Motion:** | **To not open a formal complaint** |
| **Motion Made By:** | Dr. Thomas Trowbridge |
| **Second:** | Ms. Stacy Haluch |
| **Vote:** | **In Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge,  Dr. Patricia Wu, Dr. Seema Jacob, Ms. Jacyn Stultz,  Ms. Stacy Haluch, Ms. Jennifer McKeon, Ms. Ailish Wilkie  **Opposed:** None  **Abstain:** None |

**Complaint Resolution – Investigator Jaris Bueno**

**--In the Matter of DEN-2021-0059: Dr. Catherine D. Kaplan**

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

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| **Issue:** | Employment of three unlicensed dental assistants |
| **Materials Reviewed:** | Investigative report with attachments |
| **Discussion:** | Ms. Bueno informed the Board the licensee employed two dental assistants who practiced on expired licenses and a third dental assistant who practiced without obtaining a license. Ms. Bueno noted the licensee has admitted to this violation and has stated it was an unintentional lack of oversight on her part. |
| **Motion:** | **To Offer a Consent Agreement for 6 Months’ Probation to include the completion of the following remedial coursework:**   * **4 Hours: Risk management** * **4 Hours: Ethics**   **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. Stacy Haluch, Ms. Jennifer McKeon, Ms. Ailish Wilkie  **Opposed:** None  **Abstain:** None |

**Complaint Resolution – Investigator Jaris Bueno**

**--In the Matter of DEN-2021-0060: Dr. Charles P. Levesque**

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

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| **Issue:** | Employment of three unlicensed dental assistants |
| **Materials Reviewed:** | Investigative report with attachments |
| **Discussion:** | Ms. Bueno informed the Board the licensee is the co-owner of the dental practice with Dr. Kaplan and also employed two dental assistants who practiced on expired licenses and a third dental assistant who practiced without obtaining a license. |
| **Motion:** | **To Offer a Consent Agreement for 6 Months’ Probation to include the completion of the following remedial coursework:**   * **4 Hours: Risk management** * **4 Hours: Ethics**   **If this agreement is not accepted by the licensee, the matter will be referred to prosecution.** |
| **Motion Made By:** | Ms. Jacyn Stultz |
| **Second:** | Ms. Jennifer McKeon |
| **Vote:** | **In Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge,  Dr. Patricia Wu, Dr. Seema Jacob, Ms. Jacyn Stultz,  Ms. Stacy Haluch, Ms. Jennifer McKeon, Ms. Ailish Wilkie  **Opposed:** None  **Abstain:** None |

**Complaint Resolution – Investigator Jaris Bueno**

**--In the Matter of DEN-2020-0073: Courtney M. Votsis, 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. Bueno informed the Board this licensee is one of the dental assistants employed by Drs. Kaplan and Levesque who practiced on an expired license from 11/1/17 to 10/31/19. Further, Ms. Bueno noted the licensee failed to complete the requisite CEUs for the 2017-2019 and 2019-2021 licensure cycles but has failed to respond to the complaint or provide copies of her CEU certificates to date. |
| **Motion:** | **To Offer a Consent Agreement for 6 Months’ Stayed Probation to include the following conditions and completion of the following remedial coursework:**   * **3 Hours: Risk management** * **1 Hour: Ethics** * **Proof of her successful completion of 12 CEUs for the 2019-2021 licensure cycle**   **If this agreement is not accepted by the licensee, the matter will be referred to prosecution.** |
| **Motion Made By:** | Ms. Jacyn Stultz |
| **Second:** | Ms. Jennifer McKeon |
| **Vote:** | **In Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge,  Dr. Patricia Wu, Dr. Seema Jacob, Ms. Jacyn Stultz,  Ms. Stacy Haluch, Ms. Jennifer McKeon, Ms. Ailish Wilkie  **Opposed:** None  **Abstain:** None |

**Complaint Resolution – Investigator Jaris Bueno**

**--In the Matter of DEN-2019-0152: Dr. Allen W. Tarro**

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

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| **Issue:** | Employment of two unlicensed dental assistants |
| **Materials Reviewed:** | Investigative report with attachments |
| **Discussion:** | Ms. Bueno informed the Board the licensee employed a dental assistant who practiced on an expired license from 11/1/17 to 3/14/19 and a dental assistant who practiced from 1/5/17 to 2/24/17 without first obtaining a license. Ms. Bueno noted the licensee has since retired and has cured his CEU deficiency. |
| **Motion:** | **To Offer a Consent Agreement for 6 Months’ Stayed Probation to include the completion of the following remedial coursework:**   * **3 Hours: Risk management** * **1 Hour: Ethics**   **If this agreement is not accepted by the licensee, the matter will be referred to prosecution.** |
| **Motion Made By:** | Dr. Michael Scialabba |
| **Second:** | Ms. Jacyn Stultz |
| **Vote:** | **In Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge,  Dr. Patricia Wu, Dr. Seema Jacob, Ms. Jacyn Stultz,  Ms. Stacy Haluch, Ms. Jennifer McKeon, Ms. Ailish Wilkie  **Opposed:** None  **Abstain:** None |

**Administrative Matters:**

1. **Consideration of a Request to Rescind Retired License Status and an Application to Reactivate an Expired Dental Hygiene License – by Executive Director Barbara A. Young, RDH**

**In Re: Helene S. Bednarsh, DH7315**

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

Ms. Bednarsh informed the Board she was originally licensed approx. 40 yrs. ago and has a history of non-clinical practice noting she has spent the majority of her career in public health or academia. Ms. Bednarsh noted she has been able to help the community even though she has not practiced clinical dental hygiene for years. Ms. Haluch asked the licensee about her plans; Ms. Bednarsh replied she will be working to update the sections of the public health texts, etc. and webinars on infection control, AIDS, etc. Ms. Haluch asked the licensee if her plans included clinical practice; Ms. Bednarsh replied she does not intend on returning to clinical practice.

Ms. Haluch noted the problem with reactivating the licensee’s expired license is that to do so would permit the licensee to return to clinical practice after not doing so for years. Dr. Scialabba asked the licensee why she needed a current license; Ms. Bednarsh replied she needs a current license for credentialling purposes only. Dr. Trowbridge noted the Board set a precedent for this type of request years ago and suggested a letter from the licensee that she won’t engage in clinical practice would suffice. However Atty. Engman advised the Board there is no mechanism to impose such a restriction on a license in the absence of a complaint. Dr. Scialabba suggested requiring the licensee to complete a clinical refresher course is appropriate; Ms. Bednarsh replied that would be difficult as she has not used a dental instrument in over 30 yrs. She also noted she is very active in oral health advocacy efforts and has completed more than the required CEUs. Dr. Trowbridge opined there is no evidence that restoring the licensee’s license would create a risk of harm to the public; Dr. Jacob agreed. Ms. Stultz noted she has known the licensee for more than 30 yrs. and stated she believes the licensee will not return to clinical practice.

Dr. Scialabba recommended the licensee be required to complete a clinical refresher course just like the other hygienists who have appeared before the Board to have their licenses reactivated after stepping away from clinical practice during the last five years. But Ms. Stultz noted the Board has not considered a reactivation application like this licensee’s and noted that no other hygienist has a resume like the licensee’s. Atty. Engman advised the Board there is no difference in the license status but noted the licensee’s resume could be the distinguishing factor. Atty. Engman noted the Board must be specific in stating its rationale for reactivating the licensee’s expired license but Dr. Scialabba noted a current license is not required to act as a consultant; Dr. Wu agreed. Ms. Bednarsh stated her license is an affirmation of her career and noted she is being asked for help by the HIV/AIDS bureau. Dr. Trowbridge stated the Board can make an exception as the licensee does not present a risk of harm to the community.

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| **Motion:** | **To Rescind the Retired License Status of the Licensee’s License** |
| **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, Dr. Richard T. Miller, Ms. Jacyn Stultz, Ms. Stacy Haluch, Ms. Jennifer McKeon, Ms. Ailish Wilkie  **Opposed:** None  **Abstain:** None |
| **Motion:** | **To Approve Licensee’s Application to Reactivate her Expired Dental Hygiene License** |
| **Motion Made By:** | Dr. Thomas Trowbridge |
| **Second:** | Ms. Jacyn Stultz |
| **Vote:** | **In Favor:** Dr. Seema Jacob, Dr. Thomas Trowbridge, Ms. Jacyn Stultz  **Opposed:** Dr. Michael Scialabba, Dr. Richard T. Miller, Ms. Jennifer McKeon, Ms. Stacy Haluch, Ms. Ailish Wilkie  **Abstain:** Dr. Patricia Wu  **(Motion Fails)** |
| **Motion:** | **To Approve Licensee’s Application to Reactivate her Expired Dental Hygiene License upon proof of her successful completion of a clinical dental hygiene refresher course or a passing score on a retaking of a dental hygiene clinical competency exam.** |
| **Motion Made By:** | Dr. Michael Scialabba |
| **Second:** | Dr. Richard T. Miller |
| **Vote:** | **In Favor:** Dr. Michael Scialabba, Dr. Richard T. Miller, Dr. Seema Jacob, Dr. Patricia Wu, Dr. Thomas Trowbridge, Ms. Jennifer McKeon, Ms. Stacy Haluch, Ms. Ailish Wilkie  **Opposed:** None  **Abstain:** Ms. Jacyn Stultz |

**Probation Matters:**

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

**--In the Matter of DEN-2019-0107: Kall S. Fentahun, RDA**

*The licensee 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 9/28/21, to resolve a complaint for unlicensed practice. Ms. Fishman noted the licensee has yet to complete all of the conditions of her probation but has completed the ethics and jurisprudence exam. Ms. Fishman noted she contacted the licensee several times in Nov. 2021 and again in April 2022 but the licensee finally completed the ethics course in May 2022. Ms. Fishman also noted the licensee completed a risk management course but failed to have that course pre-approved. |
| **Motion:** | **To find the licensee in violation of her probation** |
| **Motion Made By:** | Dr. Thomas Trowbridge |
| **Second:** | Ms. Jacyn Stultz |
| **Vote:** | **In Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge,  Dr. Patricia Wu, Dr. Seema Jacob, Dr. Richard T. Miller, Ms. Jacyn Stultz, Ms. Stacy Haluch, Ms. Jennifer McKeon, Ms. Ailish Wilkie  **Opposed:** None  **Abstain:** None |
| **Motion:** | **To terminate the licensee’s probation** |
| **Motion Made By:** | Dr. Thomas Trowbridge |
| **Second:** | Dr. Michael Scialabba |
| **Vote:** | **In Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge,  Dr. Patricia Wu, Dr. Seema Jacob, Dr. Richard T. Miller, Ms. Jacyn Stultz, Ms. Stacy Haluch, Ms. Jennifer McKeon, Ms. Ailish Wilkie  **Opposed:** None  **Abstain:** None |

**3. Probation Department Monthly Report**

Ms. Fishman submitted her monthly probation report for the period of 5/27/22 to 6/29/22. The Board had no questions for Ms. Fishman.

**Administrative Matters (continued):**

1. **Review of Staff Action Policy 14-03: Board Staff Disposition of Selected Complaints (for unlicensed practice or employment of unlicensed personnel)**

Dr. DiFabio suggested the Board waive the requirement that investigators collect proof of CEU compliance from licensees on pending staff assignments but Ms. Young noted this matter was not properly before the Board as it was not included as a line item in the agenda for today’s meeting. Dr. DiFabio also suggested the Board consider increasing the applicable licensure cycle to more than the current one cycle but Ms. Young noted most of the pending cases do not show licensees practiced without a valid license for more than one cycle. Dr. Scialabba stated these proposals are reasonable and asked to have this issue added to the agenda for the next Board meeting in September.

1. **Update on the “Patients First” Legislation**

Ms. Young noted the guidance memo on this new legislation has yet to be drafted and that she hopes to have something ready for the next Board meeting in September.

1. **GMC Staff Action Report**

Ms. Young informed the Board this matter has been deferred to the next Board meeting in September.

1. **Review of General Session Minutes of June 1, 2022**

Ms. Young informed the Board she has not finished drafting the minutes from Board meeting and hopes to have the minutes ready for the next Board meeting in September.

**Flex Session:**

1. Ms. Young informed the Board she has been contacted by the Mass. Dental Society looking for information on the Board members that will address the attendees during the Yankee Dental Congress in January 2023. Ms. Young noted the Board will be hosting two courses: one on the dental assistant licensure requirements and the other the standard BORID update course. Ms. McKeon, Ms. Haluch and Ms. Stultz volunteered to participate in the dental assisting course. Drs. Scialabba, Miller and Trowbridge volunteered to participate in the BORID update course.
2. Dr. Trowbridge asked if there has been any update on the return to in-person Board meetings. Ms. Young informed the Board she and Mr. Mills attended a training session on the use of a recording instrument but noted that instrument was incapable of broadcasting or amplifying what is being discussed. Mr. Mills noted he will contact the building management to see if the ability to broadcast is already set up. Ms. Young also stated she needs to find out if the meetings must be entirely in-person or may the Board offer a hybrid, i.e. in-person and virtual at the same time. Atty. Engman advised the Board the legislation regarding the Open Meeting Law may extend the ability to hold virtual meetings until December 2023.
3. Ms. Stultz asked Dr. DiFabio if the 2019 cases have been completed and presented to the Board; Dr. DiFabio replied approx. 10 2019 cases will be presented to the Board during its September meeting out of the 16 or so remaining cases from 2019.
4. Dr. Jacob asked if it was permissible for a dentist to provide a recording of an altercation between two patients fighting in the dentist’s office to the police. Atty. Engman advised the Board it should not discuss this matter as the Board does not have all the facts connected to this incident.

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| **Motion:** | **At 1:13 p.m. to adjourn the meeting** |
| **Motion Made By:** | Dr. Thomas Trowbridge |
| **Second:** | Dr. Michael Scialabba |
| **Vote:** | **In Favor:** Dr. Michael Scialabba, Dr. Thomas Trowbridge,  Dr. Patricia Wu, Dr. Seema Jacob, Dr. Richard T. Miller, Ms. Jacyn Stultz, Ms. Stacy Haluch, Ms. Jennifer McKeon, Ms. Ailish Wilkie  **Opposed:** None  **Abstain:** None |

Respectfully submitted,

Barbara A. Young, RDH

Executive Director

Date: October 5, 2022