



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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GOVERNOR

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LIEUTENANT GOVERNOR

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SECRETARY

JOHN AUERBACH
COMMISSIONER

MASSACHUSETTS BOARD OF REGISTRATION IN DENTISTRY
239 Causeway Street, Boston, MA 02114
Room 417A & B
March 7, 2012
AGENDA

8:00 a.m.

Call to Order

- A. Complaint Resolution—Pending Board Case—Kathy Perault
--In the Matter of SA-INV-2321: Dr. Dale Fisher
- B. Complaint Resolution—Pending Board Cases—Eileen Mulligan
--In the Matter of SA-INV-1580: Dr. Douaa Girgis
--In the Matter of SA-INV-1847: Dr. Patrick Dermesropian
--In the Matter of SA-INV-2364: Dr. Stanislav Tokarev
- C. Petition for Reinstatement—Board Counsel Marsha Bird
--In the Matter of DN-08-115: Dr. Bryan Cousin
- D. Requests for Reconsideration—Board Counsel Marsha Bird
--In the Matter of DEN-2011-0040: Dr. Amy St. Germain
--In the Matter of DEN-2011-0039: Dr. Arkady Naiman
- E. Reciprocal Discipline—Board Counsel Marsha Bird
--In the Matter of DEN-2011-0141: Dr. Justin Aurbach
--In the Matter of DEN-2011-0121: Dr. Roderick Garcia
- F. Unlicensed Practice Due to Late Renewals—Board Counsel M. Bird
--In the Matter of DEN-2011-0142: Lindsey Caisse, RDH
--In the Matter of DEN-2011-0183: Lucia Curtis, RDH
--In the Matter of DEN-2011-0168: Dianna Sclafani, RDH
- G. Employer-Dentists of Late-Renewed Dental Hygienists—Board Counsel
--In the Matter of DEN-2011-0179: Dr. Michael Atwill
--In the Matter of DEN-2011-0197: Dr. Laurie Brown
--In the Matter of DEN-2011-0177: Dr. Gary Campagna
--In the Matter of DEN-2011-0203: Dr. Donald Dufour
--In the Matter of DEN-2011-0199: Dr. Nicholas P. Kondon
--In the Matter of DEN-2011-0173: Dr. Erich Kronenwett
--In the Matter of DEN-2011-0175: Dr. Richard Marchand
--In the Matter of DEN-2011-0200: Dr. Francis McCarthy
--In the Matter of DEN-2011-0196: Dr. Deborah A. Moses
--In the Matter of DEN-2011-0177: Dr. Daniel O'Brien

- In the Matter of DEN-2011-0174: Dr. David M. Ogrodnick
- In the Matter of DEN-2011-0175: Dr. Garrett Piskor
- In the Matter of DEN-2011-0201: Dr. Frederick Solomon
- In the Matter of DEN-2011-0198: Dr. Vincent A. Trimboli, Jr.
- In the Matter of DEN-2011-0202: Dr. Gregory Wu

- 9:15 a.m. **H. Adjudicatory Session (closed to the public)**
- I. M.G.L.c. 112, §65C Session (closed to the public)**
- 10:30 a.m. **J. Review of Minutes of December 7, 2011; January 4, 2012; and February 1, 2012 Meetings**
- K. Administrative Matters**
- L. Probation Briefing: Continuing Education Ethics Courses—Karen Fishman, Probation Monitor**
- M. Discussion of Proposed Regulations at 234 CMR Re: Dental Assisting**
- N. Complaint Resolution—Pending Board Cases—Kathleen O’Connell**
 --In the Matter of DEN-2010-0175: Dr. Xi Sun
 --In the Matter of DEN-2012-0016: Dr. Mark Wang
- O. Complaint Resolution—Pending Board Cases—Barbara Yates**
 --In the Matter of DEN-2010-0100: Dr. Don Silberman
 --In the Matter of DEN-2010-0140: Dr. Rashmi Vasudeva
 --In the Matter of DEN-2010-0114: Dr. Adma Orden
 --In the Matter of DEN-2010-0112: Dr. Bidhin Patel
 --In the Matter of DEN-2012-0014: Dr. Bidhin Patel
 --In the Matter of DEN-2010-0116: Dr. Stephanie Kiefer
 --In the Matter of DEN-2010-0099: Dr. Mark Garrity
 --In the Matter of DEN-2010-0096: Dr. Mark Garrity
- P. Complaint Resolution—Pending Board Cases—Kathy Perault**
 --In the Matter of DEN-2011-0071: Dr. Dennis Cohen
 --In the Matter of DEN-2011-0136: Dr. Shiva Mostawi
- Q. Complaint Resolution—Pending Board Case—Eileen Mulligan**
 --In the Matter of DEN-2010-0052: Dr. James Royer
- R. 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-2011-0131: Dr. Wendy Sharpe
 --In the Matter of DEN-2011-0149: Dr. Taha Ghomi
 --In the Matter of DEN-2011-0159: Dr. Isam Hamati

Adjournment

NEXT MEETING: April 4, 2012

Board of Registration in Dentistry
General Session Minutes
March 7, 2012
Adopted by Board April 4, 2012

MASSACHUSETTS BOARD OF REGISTRATION IN DENTISTRY
239 Causeway Street, Boston, MA 02114
Room 417 A & B
March 7, 2012
GENERAL SESSION MINUTES

Board Members Present: Dr. Mina Paul, Chair; Dr. Roderick Lewin, Secretary; Dr. Milton Glicksman; Dr. John Hsu (arrived at 8:50 a.m.); Dr. Cynthia Stevens (arrived at 9:10 a. m.) Ms. Lois Sobel, RDH; Ms. Ailish Wilkie, CPHQ; Ms. Diane Grondin, CDA Advisor

Board Member Absent: Ward Cromer, Ph.D.

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

Motion: To commence meeting at 8:20 a.m.

Motion Made By: Ms. Ailish Wilkie

Second: Ms. Lois Sobel

Vote: Unanimous

Motion To re-order Agenda at 8:20 a. m.

Motion Made By Ms. Ailish Wilkie

Second Ms. Lois Sobel

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-2321: Dr. Dale Fisher

Allegations: Inferior treatment, unable to obtain records, Misdiagnosis and abandonment

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. Ailish Wilkie

Vote: Unanimous

--In the Matter of SA-INV-1580: Dr. Douaa Girgis

Allegation: Fraud

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

Motion Made By: Ms. Lois Sobel

Second: Dr. Roderick Lewin

Vote: Unanimous

--In the Matter of SA-INV-1847: Dr. Patrick Dermesropian

Allegations: Fraud and misdiagnosis of condition

Motion: **To not open as a formal complaint, however send an advisory letter regarding use of radiographs when patient may be pregnant is not appropriate, and to express the Board's concern regarding the possible standard business practice(s) of Aspen Dental for treatment planning prior to the patient being seen by a dentist. Include treating dentist, Dr. Carol Dermesropian in this letter.**

Motion Made By: Dr. Milton Glicksman

Second: Ms. Lois Sobel

Vote: Unanimous

Motion: To send an advisory letter to Dr. Carol Dermesropian to express the Board's concern regarding the possible standard business practice(s) of Aspen Dental for treatment planning prior to the patient being seen by a dentist.

Motion Made By: Dr. Milton Glicksman

Second: Ms. Lois Sobel

Vote: Unanimous

--In the Matter of SA-INV-2364: Dr. Stanislav Tokarev

Allegations: Patient abandonment, patient neglect and business practices 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: Ms. Lois Sobel

Vote: Unanimous

--In the Matter of DEN-2010-0175: Dr. Xi Sun

Allegations: Patient abandonment, patient neglect and inferior treatment regarding a change in the treatment plan without the complainant's knowledge or consent

Motion: To offer Consent Agreement for six months, Stayed Probation and to include the following Continuing Education:
Two Hours: Risk Management
Half Day: Diagnosis and Treatment Planning

Motion Made By: Dr. Milton Glicksman

Second: Ms. Lois Sobel

Vote: Unanimous

Justification: Licensee violated 234 CMR 9.05 (14), where she commenced treatment prior to reviewing radiographs or exposing new bitewing radiographs.

--In the Matter of DEN-2012-0016: Dr. Mark Wang

Allegations: Patient abandonment, patient neglect and inferior treatment regarding a change in the treatment plan without the complainant's knowledge or consent

Motion: **To offer Consent Agreement for Stayed Probation for three months, to include the following Continuing Education:**
Two Hours: Risk Management

Motion Made By: Dr. Milton Glicksman

Second: Ms. Ailish Wilkie

Vote: Unanimous

Justification: Licensee violated 234 CMR 2.04 (17) (a) by failing to obtain informed consent prior to placing implants and by failing to prepare a treatment plan with information regarding estimated fees prior to commencing treatment.

Dr. John Hsu entered the meeting at 8:50 a.m.

--In the Matter of DEN-2010-0100: Dr. Don Silberman

Allegations: Inferior treatment, failure to release medical records and abandonment

Motion: **To offer Probation for six months and to include the following Continuing Education:**
Full Day: Risk Management
Full Day: Record Keeping

Motion Made By: Ms. Lois Sobel

Second: Ms. Ailish Wilkie

Vote: Unanimous

Justification:

- Licensee violated 234 CMR 9.05 (14), by damaging tooth #20, during the treatment of tooth #19, resulting in pain and discomfort and the eventual extraction of tooth #20.
- Licensee violated 234 CMR 3.03 (1) (b) by failing to obtain a Facility D permit prior to the administration of Nitrous Oxide-Oxygen.
- Licensee violated 234 CMR 3.04 (1), by failing to maintain current CPR training, a requirement for a Permit C-Nitrous Oxide-Oxygen sedation.
- Licensee violated 234 CMR 2.04 (17) by failing perform and/or document in the patient record: soft and hard tissue charting, provide informed consent for the extraction and placement of an implant in the area tooth #19, maintain original radiographs and/or provide duplicates of radiographs exposed on November 20, 2008 and March 5, 2009.

--In the Matter of DEN-2010-0140: Dr. Rashmi Vasudeva

This matter was deferred.

--In the Matter of DEN-2010-0114: Dr. Adam Orden

- Allegation:** Failure to adhere to the standards of practice in the delivery of general anesthesia
- Motion:** To offer Consent Agreement for Stayed Probation for six months, to include the following Continuing Education:
Half Day: Risk Management
Full Day: Record Keeping
Also to advise Licensee to take a course in Third Party Billing and Coding of services.
- Motion Made By:** Dr. Roderick Lewin
- Second:** Ms. Lois Sobel
- Vote:** Unanimous
- Justification:** Licensee violated 234 CMR 9.05 (14), by failing to obtain informed consent from the minor patient's mother prior to the delivery of anesthesia.

--In the Matter of DEN-2010-0112: Dr. Bidhin Patel

- Allegation:** Inferior treatment and abandonment

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Motion: To dismiss without prejudice.

Motion Made By: Dr. Milton Glicksman

Second: Dr. John Hsu

Vote: Unanimous

--In the Matter of DEN-2012-0014: Dr. Bidhin Patel

Allegation: Failure to obtain necessary permits in the delivery of Nitrous Oxide/ Oxygen sedation without a facility D permit

Motion: To offer Consent Agreement for Reprimand.

Motion Made By: Dr. Milton Glicksman

Second: Dr. John Hsu

Vote: Unanimous

Justification: Violated 234 CMR 6.03 (1) (a) by failing to obtain a Facility D Permit prior to the administration of Nitrous Oxide-Oxygen sedation.

Dr. Cynthia Stevens entered the meeting at 9:10 a. m.

--In the Matter of DEN-2010-0116: Dr. Stephanie Kiefer

Allegation: 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: Dr. Milton Glicksman

Second: Dr. Roderick Lewin

Vote: Unanimous

Motion: To send an advisory letter to the Dental Director Dr. Alexander Molyar regarding the requirement to comply with Board Regulation at 234 CMR 5.15, Content of Patient Records.

Motion Made By: Dr. Milton Glicksman

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Second: Dr. John Hsu

Vote: Unanimous

--In the Matters of DEN-2010-0099 and DEN-2010-0096: Dr. Mark Garrity

Motion: To join DEN-2010-0099 and DEN-2010-0096

Motion Made By: Ms. Lois Sobel

Second: Dr. John Hsu

Vote: Unanimous

--In the Matters of DEN-2010-0096 and DEN-2010-0099: Dr. Mark Garrity

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

Motion Made By: Dr. Milton Glicksman

Second: Ms. Lois Sobel

Vote: Unanimous

Justification: **DEN-2010-0099**
• Licensee violated 234 CMR 3.01(2) and 3.03 (1) (b) (1) by failing to obtain a Facility D Permit prior to administering Nitrous Oxide-oxygen sedation.

DEN-2010-0096
• Licensee violated 234 CMR (18), CDC Infection Control Guidelines, by failing to submit weekly spore tests to outside contractor to ensure that patient safety was ensured.

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

Allegation: Abandonment

Motion: To dismiss with an advisory letter regarding compliance with continuing education requirement for license renewal at 234 CMR 5.15, provided Licensee is able to submit documentation demonstrating compliance with CEU requirement for renewal cycle ending March 31, 2012.

Alternatively: If Licensee fails to provide documentation demonstration compliance with 234 CMR 5.15, offer Stayed Probation for three months, with requirement to complete CEUs for renewal cycle ending March 31, 2010.

Motion Made By: Dr. Milton Glicksman

Second: Dr. John Hsu

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-2011-0136: Dr. Shiva Mostawi

Allegation: Failure to adhere to the standards of practice

Motion: To dismiss the matter without prejudice, as complainant is unresponsive.

Motion Made By: Dr. John Hsu

Second: Ms. Ailish Wilkie

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.

--In the Matter of DEN-2011-0131: Dr. Wendy Sharpe

Allegation: Inferior treatment

Motion: To dismiss the matter without prejudice.

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Motion Made By: Dr. Milton Glicksman

Second: Dr. John Hsu

Vote: Unanimous

--In the Matter of DEN-2011-0149: Dr. Taha Ghomi

Allegation: Patient abandonment, inferior treatment, business practices issue

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. Milton Glicksman

Vote: Unanimous

--In the Matter of DEN-2011-0159: Dr. Isam Hamati

Allegation: Abandonment, inferior treatment, business practices issue

Motion: To dismiss the matter and request Licensee to submit a plan of action to address the frequent complaints in regards to the standard of over-treatment plan for all new patients at Aspen Dental facilities.

Motion Made By: Ms. Lois Sobel

Second: Dr. John Hsu

Vote: Unanimous

Motion To enter M.G.L.c.112, §65C Session at 10:25 a.m.

Motion Made By Dr. Cynthia Stevens

Second Dr. John Hsu

Vote **Aye:** Dr. Roderick Lewin, Secretary; Dr. Milton Glicksman; Dr. John Hsu; Dr. Cynthia Stevens; Ms. Lois Sobel, RDH; Ms. Ailish Wilkie, CPHQ.

Nonvoting Member: Ms. Diane Grondin, CDA Advisor

Abstain: Dr. Mina Paul, Chair

Absent: Ward Cromer, Ph.D.

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Motion: To leave M.G.L.c.112, §65C Session at 10:45 a. m.

Motion Made By: Ms. Lois Sobel

Second Dr. Roderick Lewin

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

Motion: To enter General Session at 10:45 a.m.

Motion Made By: Ms. Lois Sobel

Second Dr. Roderick Lewin

Vote Unanimous

--In the Matter of DEN-2010-0052: Dr. James Royer

Allegation: Failure to adhere to the standards of care

Motion: To offer Suspension for forty-five days, and to include the following Continuing Education:
Full Day: Risk Management
Full Day: Infection Control
1-2 Day: Proper Administration of IV Sedation

Motion Made By: Ms. Lois Sobel

Second: Dr. Cynthia Stevens

Vote: Unanimous

Recused: Dr. Milton Glicksman

Justifications:

- Licensee violated M. G. L. c. 112, §61 and 234 CMR 9.05 (14), by reusing intravenous bags for multiple patients.
- Licensee violated 234 CMR 5.02 (3) (b) (7) by failing to register radiology equipment with the Massachusetts Radiation Control Program.
- Licensee violated 234 CMR 5.12, by improper delegating to a dental assistant the administration of intravenous medications.

Dr. Milton Glicksman returned to the meeting.

Motion: To enter Adjudicatory Session at 11:05 a.m.

Motion Made By: Dr. Cynthia Stevens

Second: Ms. Lois Sobel

Vote: Aye: Dr. Roderick Lewin, Secretary Dr. Milton Glicksman; Dr. John Hsu; Dr. Cynthia Stevens; Ms. Lois Sobel, RDH; Ms. Ailish Wilkie, CPHQ.

Nonvoting Member: Ms. Diane Grondin, CDA Advisor

Abstain: Dr. Mina Paul, Chair

Absent: Ward Cromer, Ph.D.

Motion: To leave Adjudicatory Session at 11:25 a.m.

Motion Made By: Ms. Lois Sobel

Second: Ms. Ailish Wilkie

Vote: Aye: Dr. Roderick Lewin, Secretary Dr. Milton Glicksman; Dr. John Hsu; Dr. Cynthia Stevens; Ms. Lois Sobel, RDH; Ms. Ailish Wilkie, CPHQ.

Nonvoting Member: Ms. Diane Grondin, CDA Advisor

Abstain: Dr. Mina Paul, Chair

Absent: Ward Cromer, Ph.D.

Motion: To enter General Session at 11:25 a. m.

Motion Made By: Ms. Lois Sobel

Second: Ms. Ailish Wilkie

Vote: Unanimous

Petition for Reinstatement—Board Counsel Marsha Bird

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--In the Matter of DN-08-115: Dr. Bryan Cousin

Motion: To grant Petition for Reinstatement to Probation for a period of five years; to include the requirement to complete the Jurisprudence Exam within thirty days of the effective date of the Consent Agreement.

Motion Made By: Dr. Milton Glicksman

Second: Ms. Lois Sobel

Vote: Unanimous

Request for Reconsideration—Prosecuting Counsel Eugene Langner

--In the Matter of DEN-2010-0034: Dr. David Donohoe

Motion: To deny Petition for Reconsideration.

Motion Made By: Ms. Ailish Wilkie

Second: Dr. Cynthia Stevens

Vote: Unanimous

Requests for Reconsideration –Board Counsel Marsha Bird

--In the Matter of DEN-2011-0040: Dr. Amy St. Germain

Motion: To deny Petition for Reconsideration, and send an advisory letter to carefully consider the ethics of prescribing for family members and maintain compliance with controlled substance documentation requirements of 105 CMR 700.000.

Motion Made By: Dr. Milton Glicksman

Second: Dr. John Hsu

Vote: Unanimous

--In the Matters of DEN-2011-0029 and DEN-2011-0039: Dr. Arkady Naiman

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Motion: To Grant Petition for Reconsideration to offer Stayed Probation and not require licensee to complete CEUs for the 2009-2010 renewal cycle due to mitigating circumstances, but retain requirement to complete the following continuing education courses:
Full Day: Risk Management
Full Day: Record Keeping
Full Day: Diagnosis and Treatment Planning for the General Practitioner
Full Day: Infection Control

Motion Made By: Dr. Cynthia Stevens

Second: Dr. John Hsu

Vote: Unanimous

Reciprocal Discipline—Board Counsel Marsha Bird

--In the Matter of DEN-2011-0141: Dr. Justin Aurbach

Motion: To dismiss without prejudice.

Motion Made By: Dr. John Hsu

Second: Dr. Roderick Levin

Vote: Unanimous

Justification: Licensee violated 234 CMR 9.05 (21) and 2.01 (11) (c) (2) (a): by failing to report discipline by another jurisdiction acts which would be subject to discipline in Massachusetts.

--In the Matter of DEN-2011-0121: Dr. Roderick Garcia

Motion: To offer Consent Agreement for Probation until such time as Licensee is reinstated in good standing, by the New Mexico Board.

Motion Made By: Dr. John Hsu

Second: Dr. Cynthia Stevens

Vote: Unanimous

Justification: Licensee violated 234 CMR (21) discipline by another jurisdiction acts which would be subject to discipline in Massachusetts

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

--In the Matter of DEN-2011-0142: Lindsey Caisse, RDH

Motion: To offer Consent Agreement for Reprimand licensee for failing to renew her license to practice dental hygiene, practicing with an expired license, and failing to complete continuing education credits required for license renewal.

Motion Made By: Ms. Lois Sobel

Second: Dr. John Hsu

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
- M. G. L. c. 112, §51A, 234 CMR 8.02 (3): Failure to complete continuing education credits required for biennial license renewal
- 234 CMR 8.07 (2): Licensee shall sign under pains and penalties of perjury that she has completed requisite number of CEUs required for license renewal.

--In the Matter of DEN-2011-0183: Lucia Curtis, RDH

Motion: To offer Consent Agreement for Reprimand licensee for failing to renew her license to practice dental hygiene, practicing with an expired license, and failing to complete continuing education credits required for license renewal.

Motion Made By: Ms. Lois Sobel

Second: Dr. John Hsu

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
- M. G. L. c. 112, §51A, 234 CMR 8.02 (3): Failure to complete continuing education credits required for biennial license renewal
- 234 CMR 8.07 (2): Licensee shall sign under pains and penalties of perjury that she has completed requisite number of CEUs required for license renewal.

--In the Matter of DEN-2011-0168: Dianna Sclafani, RDH

Motion: To offer Consent Agreement for Reprimand.

Motion Made By: Ms. Lois Sobel

Second: Dr. John Hsu

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

--In the Matter of DEN-2011-0179: Dr. Michael Atwill

Motion: To offer Consent Agreement for one year Stayed Probation, and to include the requirement to complete continuing education for license renewal cycle(s) 2009-2010. If he seeks renewal of his license, he shall also submit evidence of having completed continuing education for 2010-2012.

Motion Made By: Dr. Milton Glicksman

Second: Dr. Cynthia Stevens

Vote: Unanimous

Justification:

- M.G. L. c. 112, §52: Employment of hygienist without a current and valid license.
- 234 CMR 5.02(3) (b) (1): Dental Director and any other owner or licensee practicing shall be responsible for ensuring that dental auxiliaries comply with licensure requirements.
- M. G. L. c. 112, §51A, 234 CMR 8.02 (1) Dentist failed to complete continuing education credits required for biennial license renewal.
- 234 CMR 8.02 (7) Licensee shall sign under pains and penalties of perjury that he/she has completed requisite number of CEUs required for license renewal.

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

Motion: To offer Consent Agreement for six months Stayed Probation, and to include the requirement to complete continuing education credits for the licensee renewal ending March 31, 2010.

Motion Made By: Dr. Milton Glicksman

Second: Dr. Cynthia Stevens

Vote: Unanimous

Justification:

- M.G. L. c. 112, §52: Employment of hygienist without a current and valid license.
- 234 CMR 5.02(3) (b) (1): Dental Director and any other owner or licensee practicing shall be responsible for ensuring that dental auxiliaries comply with licensure requirements.
- M. G. L. c. 112, §51A, 234 CMR 8.02 (1) Dentist failed to complete continuing education credits required for biennial license renewal.
- 234 CMR 8.02 (7) Licensee shall sign under pains and penalties of perjury that he/she has completed requisite number of CEUs required for license renewal.

--In the Matter of DEN-2011-0177: Dr. Gary Campagna

Motion: To dismiss with an advisory letter, regarding the employer's responsibility to ensure that all licensees have current and valid licenses.

Motion Made By: Ms. Lois Sobel

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Second: Ms. Ailish Wilkie

Vote: Unanimous

Justification:

- M.G. L. c. 112, §52: Employment of hygienist without a current and valid license.
- 234 CMR 5.02(3) (b) (1): Dental Director and any other owner or licensee practicing shall be responsible for ensuring that dental auxiliaries comply with licensure requirements.

--In the Matter of DEN-2011-0203: Dr. Donald Dufour

Motion: To dismiss with an advisory letter, regarding the employer's responsibility to ensure that all licensees have current and valid licenses.

Motion Made By: Ms. Lois Sobel

Second: Ms. Ailish Wilkie

Vote: Unanimous

Justification:

- M.G. L. c. 112, §52: Employment of hygienist without a current and valid license.
- 234 CMR 5.02(3) (b) (1): Dental Director and any other owner or licensee practicing shall be responsible for ensuring that dental auxiliaries comply with licensure requirements.

--In the Matter of DEN-2011-0199: Dr. Nicholas P. Kondon

Motion: To offer Consent Agreement for six months, Stayed Probation, and to include the requirement to complete continuing education credits for license renewal ending March 31, 2010.

Motion Made By: Dr. Milton Glicksman

Second: Dr. Cynthia Stevens

Vote: Unanimous

Justification:

- M.G. L. c. 112, §52: Employment of hygienist without a current and valid license.
- 234 CMR 5.02(3) (b) (1): Dental Director and any other owner or licensee practicing shall be responsible for ensuring that dental auxiliaries comply with licensure requirements.
- M. G. L. c. 112, §51A, 234 CMR 8.02 (1) Dentist failed to complete continuing education credits required for biennial license renewal.
- 234 CMR 8.02 (7) Licensee shall sign under pains and penalties of perjury that he/she has completed requisite number of CEUs required for license renewal.

--In the Matter of DEN-2011-0173: Dr. Erich Kronenwett

Motion: To dismiss with an advisory letter, regarding the employer's responsibility to ensure that all licensees have current and valid licenses.

Motion Made By: Ms. Lois Sobel

Second: Ms. Ailish Wilkie

Vote: Unanimous

Justification:

- M.G. L. c. 112, §52: Employment of hygienist without a current and valid license.
- 234 CMR 5.02(3) (b) (1): Dental Director and any other owner or licensee practicing shall be responsible for ensuring that dental auxiliaries comply with licensure requirements.

--In the Matter of DEN-2011-0175: Dr. Richard Marchand

Motion: To dismiss with an advisory letter, regarding the employer's responsibility to ensure that all licensees have current and valid licenses.

Motion Made By: Ms. Lois Sobel

Second: Ms. Ailish Wilkie

Vote: Unanimous

Justification:

- M.G. L. c. 112, §52: Employment of hygienist without a current and valid license.
- 234 CMR 5.02(3) (b) (1): Dental Director and any other owner or licensee practicing shall be responsible for ensuring that dental auxiliaries comply with licensure requirements.

--In the Matter of DEN-2011-0200: Dr. Francis McCarthy

Motion:

To dismiss with an advisory letter, regarding the employer's responsibility to ensure that all licensees have current and valid licenses.

Motion Made By:

Ms. Lois Sobel

Second:

Ms. Ailish Wilkie

Vote:

Unanimous

Justification:

- M.G. L. c. 112, §52: Employment of hygienist without a current and valid license.
- 234 CMR 5.02(3) (b) (1): Dental Director and any other owner or licensee practicing shall be responsible for ensuring that dental auxiliaries comply with licensure requirements.

--In the Matter of DEN-2011-0196: Dr. Deborah A. Moses

Motion:

To dismiss with an advisory letter, regarding the employer's responsibility to ensure that all licensees have current and valid licenses.

Motion Made By:

Ms. Lois Sobel

Second:

Ms. Ailish Wilkie

Vote:

Unanimous

Justification:

- M.G. L. c. 112, §52: Employment of hygienist without a current and valid license.
- 234 CMR 5.02(3) (b) (1): Dental Director and any other owner or licensee practicing shall be responsible for ensuring that dental auxiliaries comply with licensure requirements.

--In the Matter of DEN-2011-0177: Dr. Daniel O'Brien

Motion: To dismiss with an advisory letter, regarding the employer's responsibility to ensure that all licensees have current and valid licenses.

Motion Made By: Ms. Lois Sobel

Second: Ms. Ailish Wilkie

Vote: Unanimous

Justification

- M.G. L. c. 112, §52: Employment of hygienist without a current and valid license.
- 234 CMR 5.02(3) (b) (1): Dental Director and any other owner or licensee practicing shall be responsible for ensuring that dental auxiliaries comply with licensure requirements.

--In the Matter of DEN-2011-0174: Dr. David M. Ogrodnick

Motion: To dismiss with an advisory letter, regarding the employer's responsibility to ensure that all licensees have current and valid licenses.

Motion Made By: Ms. Lois Sobel

Second: Ms. Ailish Wilkie

Vote: Unanimous

Justification:

- M.G. L. c. 112, §52: Employment of hygienist without a current and valid license.
- 234 CMR 5.02(3) (b) (1): Dental Director and any other owner or licensee practicing shall be responsible for ensuring that dental auxiliaries comply with licensure requirements.

--In the Matter of DEN-2011-0175: Dr. Garrett Piskor

Motion: To dismiss with an advisory letter, regarding the employer's responsibility to ensure that all licensees have current and valid licenses.

Motion Made By: Ms. Lois Sobel

Second: Ms. Ailish Wilkie

Vote: Unanimous

- Justification :**
- M.G. L. c. 112, §52: Employment of hygienist without a current and valid license.
 - 234 CMR 5.02(3) (b) (1): Dental Director and any other owner or licensee practicing shall be responsible for ensuring that dental auxiliaries comply with licensure requirements.

--In the Matter of DEN-2011-0201: Dr. Frederick Solomon

Motion: To dismiss with an advisory letter, regarding the employer's responsibility to ensure that all licensees have current and valid licenses.

Motion Made By: Ms. Lois Sobel

Second: Ms. Ailish Wilkie

Vote: Unanimous

- Justification:**
- M.G. L. c. 112, §52: Employment of hygienist without a current and valid license.
 - 234 CMR 5.02(3) (b) (1): Dental Director and any other owner or licensee practicing shall be responsible for ensuring that dental auxiliaries comply with licensure requirements.

--In the Matter of DEN-2011-0198: Dr. Vincent A. Trimboli, Jr.

Motion: To dismiss with an advisory letter, regarding the employer's responsibility to ensure that all licensees have current and valid licenses and to include completion of continuing education credits required for license renewal ending March 31, 2010.

Motion Made By: Ms. Ailish Wilkie

Second: Dr. Milton Glicksman

Vote: Unanimous

Justification:

- M.G. L. c. 112, §52: Employment of hygienist without a current and valid license.
- 234 CMR 5.02(3) (b) (1): Dental Director and any other owner or licensee practicing shall be responsible for ensuring that dental auxiliaries comply with licensure requirements.
- M. G. L. c. 112, §51A, 234 CMR 8.02 (1) Dentist failed to complete continuing education credits required for biennial license renewal.
- 234 CMR 8.02 (7) Licensee shall sign under pains and penalties of perjury that he/she has completed requisite number of CEUs required for license renewal.

--In the Matter of DEN-2011-0202: Dr. Gregory Wu

Motion: To dismiss with an advisory letter, regarding the employer's responsibility to ensure that all licensees have current and valid licenses.

Motion Made By: Ms. Lois Sobel

Second: Ms. Ailish Wilkie

Vote: Unanimous

Justification:

- M.G. L. c. 112, §52: Employment of hygienist without a current and valid license.
- 234 CMR 5.02(3) (b) (1): Dental Director and any other owner or licensee practicing shall be responsible for ensuring that dental auxiliaries comply with licensure requirements.

Approval of Minutes of December 7, 2011 Meeting

Motion: To approve minutes of December 7, 2011 General Session.

Motion Made By: Ms. Lois Sobel

Second: Dr. Cynthia Stevens

Vote: Unanimous

Motion: To approve minutes of December 7, 2011 Adjudicatory Session

Motion Made By: Ms. Lois Sobel

Second: Dr. Cynthia Stevens

Board of Registration in Dentistry
General Session Minutes
March 7, 2012
Adopted by Board April 4, 2012

Vote: Unanimous

Motion: To approve minutes of December 7, 2011 M.G.L.c.112, §65C Session

Motion Made By: Ms. Lois Sobel

Second: Ms. Ailish Wilkie

Vote: Unanimous

Approval of Minutes of January 4, 2012 Meeting

Motion: To approve minutes of January 4, 2012 General Session

Motion Made By: Ms. Lois Sobel

Second: Dr. Cynthia Stevens

Vote: Unanimous

Motion: To approve minutes of January 4, 2012 Adjudicatory Session

Motion Made By: Ms. Lois Sobel

Second: Dr. Cynthia Stevens

Vote: Unanimous

Motion: To approve minutes of January 4, 2012 M.G.L.c.112, §65C Session

Motion Made By: Ms. Lois Sobel

Second: Dr. Cynthia Stevens

Vote: Unanimous

Approval of Minutes of February 1, 2012 Meeting

Motion: To approve minutes of February 1, 2012 General Session

Motion Made By: Ms. Lois Sobel

Second: Ms. Ailish Wilkie

Board of Registration in Dentistry
General Session Minutes
March 7, 2012
Adopted by Board April 4, 2012

Vote: Unanimous

Motion: To approve minutes of February 1, 2012 Adjudicatory Session

Motion Made By: Ms. Lois Sobel

Second: Ms. Ailish Wilkie

Vote: Unanimous

Motion: To approve minutes of February 1, 2012 M.G.L.c.112, §65C Session

Motion Made By: Ms. Lois Sobel

Second: Ms. Ailish Wilkie

Vote: Unanimous

Administrative Matters

--NERB Consultant Members—Executive Director Kathleen Atkinson

Motion: To recommend to NERB Dr. Robert E. Doherty and Dr. Jamie L. Wong as potential Consultant Members for a one year renewable term.

Motion Made By: Ms. Lois Sobel

Second: Dr. John Hsu

Vote: Unanimous

--Update on Work Groups

Executive Director Kathleen Atkinson advised that Board that proposals from the Botulinum Toxin and Dermal Fillers Work Group and from the Use of Lasers By Dental Auxiliaries Work Group will be coming to the Board for consideration at meetings in the near future.

--Appointment of Board Members to Vacant Seats

Dr. Milton Glicksman expressed concern that the seat vacated by Dr. Gregory Stoute's resignation in early March 2011 has not yet been filled. It was also noted that no appointment of a voting CDA member has yet been made.

Board of Registration in Dentistry
General Session Minutes
March 7, 2012
Adopted by Board April 4, 2012

**Probation Briefing: Continuing Education Ethics Courses—Karen Fishman,
Probation Monitor**

Probation Monitor Karen Fishman presented the Board with a memorandum outlining the types of courses in ethics, live as well as on-line, available to dental professionals required to take such courses for remedial continuing education.

Discussion of Proposed Regulations at 234 CMR Re: Dental Assisting

Motion: To approve recommended change in language at proposed regulation 234 4.12 (5), regarding an on-line attestation that the applicant has reviewed and understands all applicable statutes and regulations pertaining to dental assisting as part of the requirements for initial dental assistant registration.

Motion Made By: Dr. John Hsu

Second: Dr. Cynthia Stevens

Vote: Unanimous

Motion: To retain proposed language for 234 CMR 5.09: On-the-Job Trained Dental Assistants (OJT) General Training Requirements

Motion Made By: Dr. Milton Glicksman

Second: Dr. John Hsu

Vote: Unanimous

Motion: To adjourn the meeting at 1:15 p.m.

Motion Made By: Dr. John Hsu

Second: Dr. Roderick Lewin

Vote: Unanimous

Respectfully submitted,


Dr. Roderick Lewin, Secretary 

Date: 5/2/12