

**COMMONWEALTH OF MASSACHUSETTS**

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

May 6, 2015  
239 Causeway Street ~ Room 417 A&B  
Boston, Massachusetts 02114

**AGENDA**

Time	#	Item	Exhibits	Contact
8:30 a.m.	I	<b>CALL TO ORDER</b>		
8:31	II	<b>DETERMINATION OF QUORUM AND APPROVAL OF AGENDA</b>		
8:32	III	<b>ADMINISTRATIVE MATTERS</b> Request from Limited Licensees to Amend Their Current Licenses Request from Dr. Joseph Sanchez to Amend His Approved Scope of Services Application for Dental Licensure by Credential—Dr. Golnaz Miamee Staff Action Policy Regarding Licensure Applications with Out-of-State Discipline Request from CODA for Dentist and Public Member Nominations Report from Executive Director on License Applications with GMC Issues Inspections of Permitted Facilities Implementation of Random CEU Audits Expert Witness Selection	Memos and Attachments	B. Young
9:00	IV	<b>FLEX SESSION</b>		
9:10	V	<b>REVIEW OF GENERAL SESSION MINUTES</b> Meeting of December 3, 2014	Draft Minutes	B. Young
9:15	VI	<b>COMPLAINT RESOLUTION: PENDING BOARD MATTERS</b> DEN-2014-0074: Dr. Yung-Lien Yang DEN-2014-0075: Dr. Gyusik Cho SA-INV-6457: Class One Orthodontics SA-INV-6200: Dr. Anthony Olaturji	Investigation Reports	L. Seeley-Murphy, D. Taylor E. Mulligan

9:45 a.m.	VII	<b>EXECUTIVE SESSION (closed to the public)</b> The Board will meet in Executive Session as authorized pursuant to M.G.L. c. 30A, § 21(a)(1) for the purpose 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, a public officer, employee, staff member or individual.  Specifically, the Board will discuss and evaluate pending disciplinary complaints that involve patient records and treatment of patients.  Specifically, the Board will discuss and evaluate the Good Moral Character of applicants for licensure.		
1:00 p.m.	VIII	<b>M.G.L.c.112, §65C SESSION (closed to the public)</b>		
2:00 p.m.	IX	<b>ADJOURNMENT</b>		

**MASSACHUSETTS BOARD OF REGISTRATION IN DENTISTRY**  
**239 Causeway Street, Boston, MA 02114**  
**Room 417**  
**GENERAL SESSION MINUTES**  
**May 6, 2015**

**Present:** Dr. David Samuels, Board Chair; Ms. Ailish Wilkie, Board Secretary; Dr. Keith Batchelder; Ms. Lois Sobel, RDH; Dr. Stephen DuLong; Dr. Milton Glicksman; Ms. Jacyn Stultz, RDH; Ms. Kathleen Held; Dr. Ward Cromer; Ms. Diane Grondin

**Absent:** Dr. Cynthia Stevens; Dr. John Hsu

*Ms. Wilkie chaired the meeting until the arrival of Dr. David Samuels at 10:35 a.m.*

**Staff Present:** Barbara A. Young, Executive Director; Jeffrey Mills, Assistant Executive Director; Samuel Leadholm, Esq., Board Counsel; Dr. Liliana DiFabio, Supervisor of Investigations; OPP Investigators Sarah Millar, Eileen Mulligan, Kathleen O'Connell, Lisa Seeley-Murphy and Barbara Yates.

**Motion:** At 8:30 a.m., to commence the meeting.

**Motion Made By:** Ms. Lois Sobel

**Second:** Ms. Jacyn Stultz

**Vote:** Unanimous

**Motion:** **To adopt the proposed agenda for today's meeting.**

**Motion Made By:** Ms. Lois Sobel

**Second:** Ms. Jacyn Stultz

**Vote:** Unanimous

**Administrative Matters:**

**A. Request from Limited Licensees to Amend Their Current Licenses**

*Ms. Jacyn Stultz recused herself from the discussion and vote of the Board on this matter.*

Dr. Mary Tavares, Program Director of the Dental Public Health Residency program at the Harvard School of Dental Medicine (HSDM) was present on behalf of several limited licensees who are requesting their licenses be amended to include additional rotation sites. Dr. Tavares explained there was a lack of awareness at the HSDM that limited licensees need to include all rotation sites on their applications for limited licensure and that the HSDM malpractice policy would not cover these four licensees unless their licenses were amended. Dr. DuLong noted that if the additional rotation sites were affiliated with the HSDM, then the licensees would not need a separate license for each rotation site. Further Dr. DuLong noted the HSDM must provide a faculty supervisor at each rotation site and the work completed at each rotation site must be part of the formal curriculum at the HSDM. Dr. Glicksman suggested the Board permit each licensee to amend their licenses to include the additional rotation sites; Dr. Batchelder agreed. Atty. Leadholm advised that the HSDM should submit a copy of the affiliation agreement between the HSDM and each additional rotation site to the Board; Dr. Tavares agreed.

**Motion:** **To permit each licensee (Dr. Hend Alqaderi, Dr. Siddardha Chandrupatla, Dr. Enihomo Obadan and Dr. Muhanad Alhareky) to amend their licenses to include the Cambridge Health Alliance and the Forsyth Institute as approved practice locations.**

**Motion Made By:** Dr. Milton Glicksman

**Second:** Ms. Lois Sobel

**Vote:** Unanimous

**B. Request from Dr. Joseph Sanchez to Amend His Approved Scope of Services**

Dr. Glicksman asked if Dr. Sanchez is seeking to amend his scope of services then does he need to detail every service. Ms. Grondin asked if Dr. Sanchez was seeking to expand his scope of services to increase his billing revenues. Dr. Glicksman asked who will pay for these services if the patients' insurance policies do not. Mr. Mills noted the Board generally does not limit the scope of services offered by licensees including dental hygienists. Dr. DiFabio noted Dr. Sanchez did not include prophylaxis on his list of services offered. Ms. Sobel suggested it is appropriate for Dr. Sanchez to teach nursing home, etc. staff on proper brushing techniques as the staff may not be properly trained on how to provide this service to their patients. Mr. Mills asked how Mass Health would know Dr. Sanchez's approved services have been limited. Ms. Wilkie asked how the Board came to limit Dr. Sanchez scope of services as she was absent at the previous month's meeting; Dr. Batchelder replied Dr. Sanchez's ability to perform these services has not been limited but rather his lack of appropriate sterilization protocols/procedures resulted in the Board limiting Dr. Sanchez's scope of services.

**Motion:** **To Approve Dr. Joseph Sanchez's Request to Amend His Approved Scope of Services**

**Motion Made By:** Dr. Milton Glicksman

**Second:** Ms. Jacyn Stultz

**Vote:** **In Favor:** Dr. Keith Batchelder; Ms. Lois Sobel; Dr. Stephen DuLong; Dr. Milton Glicksman; Ms. Jacyn Stultz; Ms. Kathleen Held; Dr. Ward Cromer  
**Opposed:** Ms. Ailish Wilkie  
**Abstain:** None

**C. Application for Dental Licensure by Credential – Dr. Golnaz Miamee**

*Dr. Golnaz Miamee was not present for the discussion and vote of the Board on this matter.*

Ms. Young reported the Board had received an application for dental licensure by credential from Dr. Golnaz Miamee on April 2, 2015, and that Dr. Miamee had disclosed a history of discipline by the Virginia Board of Dentistry providing documentation detailing her disciplinary history.

Ms. Wilkie asked the Board what its practices were in the past when an applicant disclosed a disciplinary history from another state licensing board; Dr. Glicksman stated the Board would review each application and make its decision on a case-by-case basis and noted Dr. Miamee's discipline ended quite a while ago. Ms. Young stated she also brought this

application to the Board to determine the Board's policy regarding her review/approval of applications such as Dr. Miamee's.

**Motion:** **To Approve the Application for Dental Licensure by  
Credential from Dr. Golnaz Miamee**

**Motion Made By:** Dr. Milton Glicksman

**Second:** Dr. Ward Cromer

**Vote:** Unanimous

**D. Staff Action Policy Regarding Licensure Applications with Out-of-State  
Disciplinary History**

Ms. Young asked the Board for clarification on the Board's position going forward regarding licensure applications where the applicant discloses a history of discipline by other state licensing boards. The Board instructed Ms. Young to bring all such applications to the Board for its consideration on a case-by-case basis.

**E. Request from CODA for Dental/Public Member Nominations**

Ms. Young informed the Board she had received an email from CODA requesting nominations for Dental and Public Members. Ms. Stultz suggested the Board nominate Dr. Glicksman as its dental member but Dr. Glicksman declined stating he is already on the commission. Dr. Batchelder noted he just participated in his first CDCA exam and expressed concern the students were not adequately prepared for the exam. Dr. Glicksman noted that is a different issue and stated the commission typically reviews the infrastructure of each dental school to determine if the faculty is ready to teach dentistry. Dr. DuLong noted dental schools can only certify a student is ready to take the CDCA exam in the fourth year of study and noted 75% of a dental student's clinical training occurs in the fourth year. Dr. Cromer noted he is interested in applying for the public member position.

**F. Report from Executive Director Barbara A. Young regarding Licensure of  
Applicants with Good Moral Character Issues**

Ms. Young reported the following licensure applications were approved between 4/2/15 and 4/29/15 pursuant to the BORID Policy 14-01:

Dr. Thomas Suranyi	Dentist	DN1856835
Meagan Harrigan	Dental Hygienist	DH88732
Mary Ann Miarecki	Dental Assistant	DA01865

Hope Quintal	Dental Assistant	DA01866
Dayna Holmes	Dental Assistant	DA01867
Priscilla Feltre	Dental Assistant	DA01868
Jenelle Wince	Dental Assistant	DA01869
Jasmine Staples	Dental Assistant	DA01870
Heather Costley	Dental Assistant	DA01871
Glendaly Santiago	Dental Assistant	DA01872
Patricia Alvarez	Dental Assistant	DA01873
Karen J. Anderson	Dental Assistant	DA02351
Donna Currier	Dental Assistant	DA03087

#### **G. Inspection of Permitted Facilities**

Ms. Young informed the Board a decision has been made at the division level to undertake inspections of all facilities who currently hold Permit B permits as these facilities may not have been inspected at the time the permit was initially issued (not required prior to Board's regulatory amendments in Aug. 2010) or have not been re-inspected since the permit was issued after the Board's regulations were amended in Aug. 2010. Dr. Glicksman asked if these inspections were to be unannounced; Dr. DiFabio replied the investigators will work with the licensees to schedule an inspection prior to conducting the inspections.

Dr. Batchelder suggested Board staff post an announcement on the Board's website that indicates the Board will start conducting inspections effective on a date certain. Ms. Grondin asked what will happen if and when an inspection reveals a licensee is not in compliance; Dr. Glicksman replied he approves opening a complaint against a licensee if an inspection reveals a licensee is not in compliance with the Board's regulations. Dr. DuLong noted that if OSHA conducts an inspection, it has the authority to shut down a practice for non-compliance. Ms. Wilkie suggested beginning the inspections in Sept. 2015 to give licensees plenty of notice. Atty. Leadholm advised the Board it does have the authority per its regulations to conduct unannounced inspections and that providing notice to licenses is not necessary.

Dr. Glicksman noted the Board's responsibility is to protect the health and safety of the public and that will be accomplished by undertaking these inspections. However Dr. Glicksman noted licensees may not be happy with this new policy and suggested posting notice will help licensees. Dr. DuLong suggested Board staff also provide the Mass. Dental Society with notice so they may inform their members.

#### **H. Implementation of Random CEU Audits**

Ms. Young informed the Board the division has decided to institute random CEU audits of all licensees due to ongoing issues with non-compliance. Ms. Stultz suggested the audit be limited to 5% of licensed dentists and hygienists. Dr. Batchelder noted he is required to submit

his CEU certifications to the Maine dental board each time he renews his Maine dental license and suggested requiring all licensees be required to do the same in Mass. Ms. Sobel noted many hygienists assume they will be audited as the Board used to do so several years ago. Dr. Glicksman asked what documentation will be required from the licensees, i.e. is a copy of the CEU registry held by the Mass. Dental Society sufficient. Ms. Stultz asked what would happen if a licensee submits a bogus certificate. Dr. Cromer noted the psychology board did this for 1-2 yrs. but dropped the program due to a shortage in staff to handle the workload. Mr. Mills noted this audit will likely result in an increase in the no. of complaints heard by the Board. Dr. DuLong suggested the threat of sanction for CEU non-compliance by the Board will likely result in an increase in licensee compliance. Atty. Leadholm advised the Board the division policy will not have the force of regulation. Ms. Wilkie asked if this audit will be done randomly of all licensees or only during the investigation of a complaint; Atty. Leadholm advised the plan is to randomly audit licensees. The Board suggested DHPL begin with hygienists as they recently had to renew their licenses and attested to compliance during the renewal process; Ms. Stultz suggested notifying the Mass. Dental Hygienist Association once the random auditing process begins so the MDHA may notify its members.

#### **I. Expert Witness Selection**

The Board decided to postpone the discussion of expert witness selection until the June 3<sup>rd</sup> meeting as Dr. Samuels has yet to arrive for today's meeting.

#### **J. Flex Session**

1. Dr. DuLong noted he recently saw a TV advertisement from Aspen Dental and the ad still referenced free services for uninsured patients. Ms. Wilkie noted this is the same issue as before that resulted in the Attorney Generals' Office filing suit against Aspen Dental. Dr. Glicksman noted he sees lots of ads from dentists in the Boston Magazine for many do not include the names of licensees as required by the Board's regulations. Dr. DiFabio stated they generally give licensees 15 days to correct the ads and if a licensee does not do so, then a complaint is opened against the licensee.

2. Dr. DuLong noted the CDCA steering committee will meet on June 11/12, 2015, and several Board members are scheduled to attend (Ms. Sobel, Dr. DuLong, and Ms. Stultz).

3. Ms. Wilkie updated the Board on the CDCA's annual meeting and stated there is an effort to have more public members of state boards participate. Ms. Wilkie stated if a public member is on a state board then the public member is also considered a public member of the CDCA. However, Ms. Wilkie also noted that if a public member is no longer on a state board, then he/she is no longer a public member of the CDCA.

4. Dr. Glicksman updated the Board on the recent AADB mid-year meeting in Chicago and noted Dr. DuLong, Dr. Samuels and he attended the meeting. Dr. Glicksman noted a hot topic for discussion was substance abuse issues among licensees. The AADB recommended state boards immediately suspend a licensee if it is determined the licensee is a substance abuser or

forcing a licensee into treatment to avoid suspension. Dr. Glicksman also another topic of much discussion was the recent FTC decision issued by the US Supreme Court and stated the AADB recommended each state board be careful in framing their decisions so not to violate FTC regulations.

**K. General Session Minutes of December 3, 2014**

**Motion:** To adopt the General Session Minutes of December 3, 2014

**Motion Made By:** Dr. Keith Batchelder

**Second:** Dr. Stephen DuLong

**Vote:** Unanimous

**Complaint Resolution—Investigator Lisa Seeley-Murphy**

**--In the Matter of DEN-2014-0074: Dr. Yung-Lien Yang**

*The licensee and Toby Bright, Esq. were present for the discussion and vote of the Board on this matter. Atty. Bright recorded the hearing on behalf of the licensee.*

**Allegation:** Infection Control Violations

**Discussion:** Investigator Seeley-Murphy informed the Board the licensee last worked at this practice on 7/1/14. Dr. DuLong noted the licensee immediately stopped working once he became aware of the infection control issues.

**Motion:** To offer a Consent Agreement for Stayed Probation for 3 Months to include the following remedial coursework:

- 6 Hours: Infection Control

Stayed probation period may be terminated early by the licensee upon evidence of the successful completion of the remedial coursework.

If this agreement is not accepted by the licensee, the matter will be referred to prosecution.

**Motion Made By:** Dr. Stephen DuLong

**Second:** Dr. Milton Glicksman

**Vote:** Unanimous

**Complaint Resolution—Investigator Lisa Seeley-Murphy**



**--In the Matter of DEN-2014-0075: Dr. Gyusik Cho**

*The licensee and Toby Bright, Esq. were present for the discussion and vote of the Board on this matter. Atty. Bright recorded the hearing on behalf of the licensee.*

**Allegation:** Infection Control Violations

**Discussion:** Investigator Seeley-Murphy informed the Board the licensee last worked at this practice on 6/29/14. The licensee stated he is currently enrolled in a post-graduate program at the BUSDM.

**Motion:** To offer a Consent Agreement for Stayed Probation for 3 Months to include the following remedial coursework:

- 6 Hours: Infection Control

Stayed probation period may be terminated early by the licensee upon evidence of the successful completion of the remedial coursework.

If this agreement is not accepted by the licensee, the matter will be referred to prosecution.

**Motion Made By:** Dr. Stephen DuLong

**Second:** Dr. Milton Glicksman

**Vote:** Unanimous

**Complaint Resolution—Investigator Danielle Taylor**

**--In the Matter of SA-INV-6457: Class One Orthodontic Associates**

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

**Allegation:** Advertising Violations

**Discussion:** Investigator Taylor informed the Board the licensee/practice owner corrected the advertisement as soon as he was notified it was non-compliant. Ms. Taylor stated the licensee/practice owner was notified on Oct. 2<sup>nd</sup> and the advertisement was corrected by Oct. 8<sup>th</sup>.

**Motion:** To not open a formal complaint and to send an advisory letter regarding the advertising regulations.

**Motion Made By:** Dr. Milton Glicksman

**Second:** Dr. Ward Cromer

**Vote:** Unanimous

**Complaint Resolution—Investigator Eileen Mulligan**

**--In the Matter of SA-INV-6200: Dr. Anthony O. Olatunji**

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

**Allegation:** Regulatory Violations regarding Mobile Dental Facilities

**Discussion:** Investigator Mulligan informed the Board the complaint was filed by the Chelsea Board of Health when the licensee's mobile van was observed idling loudly outside an apartment complex in Chelsea.

**Motion:** To not open a formal complaint as no evidence of violation found.

**Motion Made By:** Dr. Ward Cromer

**Second:** Ms. Lois Sobel

**Vote:** Unanimous

*At 9:55 a.m., Ms. Wilkie announced that the Board will meet in closed session as authorized pursuant to M.G.L. c. 30A, §21(a)(1) 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 to be immediately followed by a M.G.L. c.112, §65C closed session. 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 treatment of patients. The Board will also approve prior Executive Session minutes in accordance with M.G.L. c. 30A, §22(f). 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 and the §65C session, the Board will not return to the general session and will adjourn for the day.*

**Motion:** At 9:57 a.m., to enter Executive Session pursuant to M.G.L. c. 30A, §21(a)(1)

**Motion Made By:** Dr. Stephen DuLong

**Second:** Ms. Lois Sobel

**Vote:** **In Favor:** Ms. Ailish Wilkie; Dr. Keith Batchelder; Ms. Lois Sobel; Dr. Stephen DuLong; Dr. Milton Glicksman; Ms. Jacyn Stultz; Ms. Kathleen Held; Dr. Ward Cromer  
**Opposed:** None  
**Abstain:** None

*The Board took its morning recess at 9:58 a.m. and resumed its meeting at 10:10 a.m.*

*The Board took its lunch recess at 12:07 p.m. and resumed its meeting at 12:53 p.m.*

**Motion:** At 1:42 p.m., to leave Executive Session

**Motion Made By:** Ms. Lois Sobel

**Second:** Ms. Ailish Wilkie

**Vote:** **In Favor:** Dr. David Samuels; Ms. Ailish Wilkie; Dr. Keith Batchelder; Ms. Lois Sobel; Dr. Stephen DuLong; Dr. Milton Glicksman; Ms. Jacyn Stultz; Ms. Kathleen Held; Dr. Ward Cromer  
**Opposed:** None  
**Abstain:** None

**Motion:** At 1:43 p.m., to enter M.G.L. c. 112, §65C Session

**Motion Made By:** Ms. Lois Sobel

**Second:** Ms. Ailish Wilkie

**Vote:** **In Favor:** Dr. David Samuels; Ms. Ailish Wilkie; Dr. Keith Batchelder; Ms. Lois Sobel; Dr. Stephen DuLong; Dr. Milton Glicksman; Ms. Jacyn Stultz; Ms. Kathleen Held; Dr. Ward Cromer  
**Opposed:** None  
**Abstain:** None

**Motion:** At 2:15 p.m., to leave M.G.L. c. 112, §65C Session and to Adjourn the Meeting

**Motion Made By:** Ms. Ailish Wilkie

**Second:** Dr. Milton Glicksman

**Vote:** **In Favor:** Dr. David Samuels; Ms. Ailish Wilkie; Dr. Keith Batchelder; Ms. Lois Sobel; Dr. Stephen DuLong; Dr. Milton Glicksman; Ms. Jacyn Stultz; Ms. Kathleen Held; Dr. Ward Cromer  
**Opposed:** None  
**Abstain:** None

Respectfully submitted,

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Ms. Ailish Wilkie, Board Secretary

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Date