

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

STATE BOARD OF DENTISTRY

TIME: 9:07 A.M.

PENNSYLVANIA DEPARTMENT OF STATE
Board Room B
One Penn Center
2601 North Third Street
Harrisburg, Pennsylvania 17110

May 17, 2019

State Board of Dentistry
May 17, 2019

BOARD MEMBERS:

John F. Erhard III, D.D.S., Chairperson
Kalonji Johnson, Acting Commissioner, Bureau of
Professional and Occupational Affairs - Absent
Shawn M. Casey, D.M.D.
Barbara (Bonnie) L. Fowler, Public Member
Godfrey Joel Funari, M.S., D.M.D.
Theresa A. Groody, EFDA
Alice Hart Hughes, Esquire, Public Member
Joel S. Jaspan, D.D.S.
R. Ivan Lugo, D.M.D.
Andrew S. Matta, D.M.D. - Absent
LaJuan M. Mountain, D.M.D.
Arlene G. Seid, M.D., M.P.H., Secretary of Health
designee, present on behalf of Rachel Levine, M.D.,
Physician General/Secretary of Health
Amber Sizemore, Esquire, Office of Attorney General
Donna L. Murray, R.D.H.
Jennifer Unis Sullivan, D.M.D., J.D.

BUREAU PERSONNEL:

Ariel O'Malley, Esquire, Board Counsel
Paul J. Jarabeck, Esquire, Board Prosecution Liaison
Lisa M. Burns, Board Administrator

ALSO PRESENT:

Carolyn Wahl, BSHD, PHDHP, Government Relations Chair,
Pennsylvania Dental Hygienists' Association
Morgan Plant, Government Relations Consultant,
Pennsylvania Dental Hygienists' Association
Jay Layman, Esquire, Pennsylvania Society of Oral
& Maxillofacial Surgeons
Christine Brehm-Stroman, BSDH, PHDHP, MPH, Dental
Program Manager, AmeriHealth Caritas Pennsylvania
Adam Ridge, Dental Director

State Board of Dentistry
May 17, 2019

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

ALSO PRESENT: (Continued)

Joan Burke, CDA, EFDA, President-elect, Pennsylvania
Dental Assistants Association
Marisa Swarney, Director, Government Relations,
Pennsylvania Dental Association
Steve Neidlinger, CAE, Executive Director,
Pennsylvania Academy of General Dentistry
Thomas J. Weber, Esquire, Caldwell & Kearns, P.C.
Andrew C. Harvan, Esquire, Pennsylvania Medical
Society
Marc Farrell, Deputy Policy Director, Department of
State

1 ***

2 State Board of Dentistry

3 May 17, 2019

4 ***

5 The regularly scheduled meeting of the State
6 Board of Dentistry was held on Friday, May 17, 2019.
7 John F. Erhard III, D.D.S., Chairperson, called the
8 meeting to order at 9:07 a.m. A quorum was noted to
9 be present.

10 ***

11 Introduction of Board and Audience

12 [Chairperson Erhard requested the introduction of
13 Board and audience members.]

14 ***

15 [Chairperson Erhard welcomed new Board member,
16 Dr. LaJuan Mountain.]

17 Dr. Mountain provided a brief summary of her
18 professional background.]

19 ***

20 Approval of minutes of the March 15, 2019 meeting

21 CHAIRPERSON ERHARD:

22 The first item on the agenda is the
23 review and approval of the minutes from
24 our last meeting.

25 Are there any additions or

1 corrections?

2 [The Board discussed corrections to the minutes.]

3 CHAIRPERSON ERHARD:

4 Anything else? Is there a motion to
5 accept the minutes as amended?

6 DR. LUGO:

7 So moved.

8 DR. SEID:

9 Second.

10 CHAIRPERSON ERHARD:

11 All in favor? Opposed, same sign.

12 [The motion carried. Ms. Hughes, Ms. Fowler, and
13 Dr. Mountain abstained from voting on the motion.]

14 ***

15 Report of Prosecutorial Division

16 [Paul J. Jarabeck, Esquire, Board Prosecution Liaison,
17 on behalf of Kimberly A. Adams, presented the Consent
18 Agreements for File No. 18-46-02174 and File No. 19-
19 46-001867.]

20 ***

21 [Paul J. Jarabeck, Esquire, Board Prosecution Liaison,
22 on behalf of Julia A. Feld-Caralle, presented the
23 Consent Agreement for File No. 16-46-02575.

24 Thomas J. Weber, Esquire, was present and
25 participated in the discussion.]

1 ***
2 [Paul J. Jarabeck, Esquire, Board Prosecution Liaison,
3 on behalf of Julia A. Feld-Caralle, also presented the
4 Consent Agreement for File No. 17-46-13017.]

5 ***
6 [Paul J. Jarabeck, Esquire, Board Prosecution Liaison,
7 presented the Consent Agreement for File No. 18-46-
8 012562.]

9 ***
10 [Paul J. Jarabeck, Esquire, Board Prosecution Liaison,
11 on behalf of Christopher K. McNally, presented the
12 Consent Agreement for File No. 18-46-011210.]

13 ***
14 [Alice Hart Hughes, Esquire, Public Member, and Amber
15 Sizemore, Esquire, Office of Attorney General, exited
16 the meeting at 9:46 a.m. for recusal purposes.]

17 ***
18 [Paul J. Jarabeck, Esquire, Board Prosecution Liaison,
19 on behalf of Codi M. Tucker, Esquire, presented the
20 Consent Agreement for File Nos. 18-46-012124 & 18-46-
21 010811.]

22 ***
23 [Alice Hart Hughes, Esquire, Public Member, and Amber
24 Sizemore, Esquire, Office of Attorney General,
25 reentered the meeting at 9:54 a.m.]

1 Report of Board Counsel

2 [Ariel O'Malley, Esquire, Board Counsel, noted items
3 for discussion that included the public health dental
4 hygiene practitioner (PHDHP) proposed regulation, two
5 proposed adjudications and orders, the May 2019
6 Legislative Report, and correspondence.
7

8 Ms. O'Malley addressed public health dental
9 hygiene practitioners, mentioning additional comments
10 to be placed on the July agenda. She stated the Board
11 cannot move forward with the regulation until comments
12 are received from the Independent Regulatory Review
13 Commission (IRRC). She requested the Board review the
14 comments received thus far and provide commentaries to
15 for the next phase.

16 Ms. O'Malley noted support of the regulation to
17 address the needs of underserved patients. She noted
18 a concern regarding the scope of practice from those
19 not supporting the regulation and those who do not
20 think it should be expanded into physicians' offices.

21 Ms. O'Malley stated the Pennsylvania Academy of
22 General Dentistry suggested creating a uniform
23 referral form. She also noted concerns regarding
24 liability, suggestions to restrict physician sites to
25 the areas of shortages, and suggestions to create

1 collaborative agreements filed with the Board related
2 to oversight of the individual.

3 Ms. O'Malley emphasized that the regulation would
4 allow for practice in any physicians' office and would
5 include all practice groups.

6 Dr. Casey suggested a more detailed definition as
7 to where the need is necessary.

8 Dr. Seid mentioned certificate-of-need programs
9 in other states, where procedures and matters in the
10 context of shortages are considered. She noted
11 Pennsylvania has identified dental shortage areas and
12 needs to utilize that in the regulation.

13 Ms. O'Malley noted complaints where the design
14 designates areas of shortages and many complain that
15 that there is not really a shortage in those areas.

16 Dr. Seid discussed dental shortages in areas
17 where no health/dental providers exist within a
18 reasonable distance and insurance access issues. She
19 also mentioned the Health Care Facilities Act and
20 Workforce Report.

21 Dr. Lugo discussed areas where it would be
22 difficult to recruit people to serve in the public
23 sector and in certain geographic areas, which should
24 be the focus through either a certificate-of-needs
25 program or collaborative agreements that would define

1 the practice of someone who is not a dentist.

2 Dr. Jaspan commented that a certificate-of-needs
3 program cannot be based totally on mileage, and since
4 there is a classification of public health dental
5 hygienists with those duties outlined, this is just an
6 extension of that, allowing them to practice in a
7 different setting.

8 Ms. Murray agreed with addressing shortage areas
9 but is also concern with care overall, noting that the
10 American Academy of Pediatrics (AAP) and Head Start
11 encourage a dental visit at age 1. She feels that
12 dental hygienists could be the dental navigator hired
13 by a practice to provide the oral health assessment,
14 screening, and have a conversation with that family.
15 She noted about 900 public health hygienists who pay
16 malpractice and license fees but are not practicing as
17 a public health provider.

18 Dr. Seid did not think physicians would be
19 excited about this from a physician's point of view
20 and agreed with the Pennsylvania Medical Society with
21 the need to delineate this issue more.

22 Dr. Funari agreed that it needs to be targeted to
23 areas that need to be identified and reevaluated on a
24 yearly basis based on what is being done and new
25 demands.

1 Dr. Funari addressed his involvement in
2 charitable work with Give Kids a Smile and MOM-n-PA.
3 He discussed conversations with friends in family
4 practice, PAs, and nurse practitioners regarding
5 dental professional coming to their medical offices.

6 Dr. Funari commented that physicians would have
7 to sublet space for this to work properly, because
8 physicians would not want to be responsible for
9 acquiring and maintaining equipment or liability
10 issues and would not want to take somebody into their
11 office who is not an independent practitioner.

12 Dr. Sullivan mentioned the importance of
13 referring these patients to the proper dentists who
14 accept low-income individuals and making it attractive
15 to dentists to want to accept reimbursement.

16 Dr. Lugo noted his work as the City of
17 Philadelphia Department of Public Health Director for
18 10 years and the inability to find a dental hygienist
19 to work in the city clinics. He noted the focus to be
20 in areas that are not reimbursable and the people who
21 go to MOM-n-PA, which is a reason to be very clear to
22 allow these sites access to care for the public health
23 dental hygienists to provide that service to meet a
24 need in Pennsylvania.

25 Ms. Murray referred to a 2018 mandate allowing

1 dental hygienists in the state to undergo the
2 credentialing process, giving hygienists the ability
3 to bill for services. She stated dental hygienists
4 would be able to address individual needs.]

5

6 [Jennifer Unis Sullivan, D.M.D., J.D., exited the
7 meeting at 10:41 a.m.]

8

9 [Ms. Fowler commented that her whole career has been
10 about social justice and access of underserved
11 individuals. She stated the attitude and practice
12 model of physicians is irrelevant in terms of
13 decision-making for this. She noted the danger of
14 creating a two-tier system of service delivery and
15 stated public health dental practitioners or dental
16 hygienists who choose to work in a physician's office
17 in an area that is not underserved should have the
18 opportunity to do that.

19 Ms. Hughes addressed a letter from Dr. James
20 Mancini, Clinical Director, Salvation Army Dental
21 Centers, requesting access to care for the indigent.
22 Ms. Hughes desired to see a revision of the regulation
23 to move it forward.

24 Chairperson Erhard stated the comments were
25 excellent, noting the need for further discussion

1 regarding limitations as to locations and geographic
2 and socioeconomic factors moving forward.

3 Ms. O'Malley commented that the scope of practice
4 and standards of care does not change, because they
5 are expected to meet the same standards regardless of
6 where they are practicing.

7 Ms. O'Malley noted the next phase to be the final
8 draft once all of the comments are received, which
9 should be placed on the agenda at the next meeting for
10 review. She expected solid responses to questions
11 proposed by the public and answers for IRRC to be able
12 to move forward with the final after the July
13 meeting.]

14 ***
15 [Jennifer Unis Sullivan, D.M.D., J.D., reentered the
16 meeting at 10:43 a.m.]

17 ***
18 [Chairperson Erhard commented that IRRC is very
19 thorough in their review, and it is important to get
20 the report for the Board's review before the committee
21 meeting.]

22 ***
23 Report of Board Chairperson
24 [John F. Erhard III, D.D.S., Chairperson, thanked
25 Dr. Casey and the Licensure Committee for their

1 meeting this morning.

2 Chairperson Erhard noted information to be signed
3 and returned to Ms. Burns.

4 Chairperson Erhard encouraged attendance at the
5 2019 MOM-n-PA free dental clinic for underserved
6 Pennsylvanians June 7-8 in Wilkes-Barre, PA.]

7 ***

8 Report of Commissioner - No Report

9 [John F. Erhard III, D.D.S., Chairperson, noted a
10 follow-up conversation regarding active shooters and
11 security with the acting commissioner.

12 He noted the Pennsylvania Capitol Police program
13 promoting to run, hide, and fight. The Board watched
14 a video presentation concerning an active shooter
15 situation.]

16 ***

17 [The Board recessed from 10:56 a.m. until 11:14 a.m.]

18 ***

19 Report of Board Counsel (Continued) - Miscellaneous

20 [Ariel O'Malley, Esquire, Board Counsel, noted the May
21 2019 Legislative Report for the Board's review.

22 Ms. O'Malley stated HB 1172 that requires the Board to
23 issue licensure via endorsement passed the House on
24 May 15 and is moving forward to the Senate for
25 consideration.

1 Dr. Jaspan questioned HB 995 regarding the
2 regulatory reduction pilot program, and whether there
3 was a consideration of shortening the child abuse
4 situation on renewal and similarly with the opioid
5 courses.

6 Ms. O'Malley commented that HB 995 was introduced
7 April 5, 2019, and if it were to pass, it would
8 require review of absolutely every single regulation
9 and statute.

10 Ms. O'Malley addressed SB 356 regarding
11 portability of professional and occupational licenses
12 for military spouses, stating that people would be
13 given a license as long as they meet the requirements.

14 Ms. O'Malley addressed HB 872 regarding
15 telemedicine, noting that the bill was with the
16 insurance committee for their consideration.

17 Dr. Seid questioned whether SB 507 regarding
18 amending Title 35 (Health and Safety) of the
19 Pennsylvania consolidated statutes, in public safety,
20 providing for limits on opioid prescriptions is
21 moving.

22 Ms. O'Malley commented that SB 507 had not left
23 the Professional Licensure Committee since April 3,
24 2019. Dr. Funari mentioned that this allows
25 recentering of necessary medication for patients that

1 have chronic pain.

2 Chairperson Erhard requested an update on
3 proposals and regulations that the Board has brought
4 forward over the years be placed on the next agenda.]

5 ***

6 Report of Committees - Expanded Function Dental
7 Assistant Committee

8 [Theresa A. Groody, EFDA, questioned counsel on the
9 status of the EFDA Clinical Exam.]

10 ***

11 Licensure Committee

12 [Shawn M. Casey, D.M.D., addressed the recent
13 Licensure Committee Meeting. Dr. Casey noted topics
14 for discussion were silver diamine fluoride, computer-
15 aided design and computer-aided manufacturing
16 (CAD/CAM) dentistry, and the SmileDirectClub.

17 Dr. Casey noted the recommendation to invite
18 deans of the dental schools to a meeting to voice
19 their concerns regarding staffing and foreign dentists
20 coming to their schools to help with administration
21 and teaching.

22 Dr. Casey noted discussion regarding the process
23 of getting a license once you have a license above
24 approvals and getting through the insurance process in
25 the public and private sector.]

1 ***

2 Newsletter Committee

3 [Barbara (Bonnie) L. Fowler, Public Member, noted that
4 the May-June issue of the newsletter had been
5 submitted and would be posted after it works its way
6 through the internal mechanisms of the bureau.

7 Ms. Fowler referred to an article written by
8 Alice Hart Hughes on the role of the Probable Cause
9 Screening Committee. She also noted two new Board
10 members, Amber Sizemore and Dr. Funari, submitted bios
11 that were included in the newsletter.

12 Ms. Fowler noted links to the prescription opioid
13 guidelines promulgated by the Department of Health
14 were included in the last newsletter with an article
15 that Dr. Seid had written as well.]

16 ***

17 Regulations/Legislative Review Committee

18 [R. Ivan Lugo, D.M.D., noted that the Dean of the
19 Drexel University Dornsife School of Public Health
20 would be talking to the Board about opioids.

21 Dr. Lugo requested a meeting before the Board
22 meeting within the next two meetings.

23 Dr. Seid offered a copy of the updated dental
24 guidelines and to ask the Prescription Drug Monitoring
25 Program (PDMP) to run specific facts on dentists.

1 Dr. Funari offered to present a 5- to 10-minute
2 summary since he was the co-writer of prescribing
3 guidelines for dentists.]

4 ***

5 Scope of Practice Committee - No Report

6 ***

7 Probable Cause Screening Committee - No Report

8 ***

9 Correspondence

10 [John F. Erhard III, D.D.S., Chairperson, referred to
11 the letter from Dr. Charles J. Incalcaterra regarding
12 practice ownership.

13 Chairperson Erhard stated there are practices in
14 Pennsylvania that are owned by hygienists and
15 corporate entities that are not Pennsylvania dentists,
16 noting the question of who assumes responsibility for
17 accidents. He commented that this was an issue a
18 committee on the Board should discuss and develop a
19 proposal.

20 Dr. Funari questioned whether there should be
21 some type of legislative regulation to make sure there
22 is a practicing dentist who is licensed and competent
23 having a large input on patient care within
24 corporations.

25 Chairperson Erhard stated there was no provision

1 and shareholders cannot be held accountable. He
2 mentioned a practice ownership committee that was
3 disbanded, where Dr. DeFinnis did an extensive amount
4 of work.

5 Ms. Hughes commented that the committee was
6 disbanded, and those issues were dropped because it
7 was too difficult to rewrite the statute with the
8 recommendations from Dr. DeFinnis.

9 Mr. Jarabeck explained that those practices have
10 legislation that requires them to do business here
11 with a listed individual in charge who is responsible
12 for that office and is held accountable, but
13 individual care falls back on the individual
14 practitioner.

15 Chairperson Erhard noted discussions with
16 corporations several years ago assuring the Board that
17 the practicing dentist would not be overly influenced
18 and would never be asked to do anything that they did
19 not think was appropriate. He also noted strenuous
20 financial pressures on recent graduates to acquiesce
21 to some of those things.

22 Dr. Jaspan addressed upselling and enabling
23 financing resulting in higher bills for patients,
24 where the dentist has to abide by that corporate
25 philosophy of business.

1 Ms. Hughes noted this to be criminal fraud that
2 is being perpetrated on the health care consumer.
3 These matters should referred to the Office of the
4 Attorney General.

5 Dr. Seid noted similar issues with urgent care,
6 where you have an entity that is not controlled by the
7 physicians who are providing care and the corporate
8 entity is putting pressure on the individual
9 practitioner.

10 Dr. Seid stated it is an entity that really has
11 no place in regulation because there is no place to
12 regulate what a corporation does, only the individual
13 dentist. She feels that something needs to be done
14 with the entity that drives care and owns and hires
15 dentists.

16 Chairperson Erhard stated the Pennsylvania Dental
17 Association (PDA), the Pennsylvania Academy of General
18 Dentistry, and Pennsylvania Academy of Pediatric
19 Dentistry have the responsibility to inform their
20 members what they are taking on when they sign these
21 contracts.

22 Ms. Burns addressed correspondence from Dr. James
23 L. Robbins, D.M.D., of the Pennsylvania Society of
24 Oral & Maxillofacial Surgeons (PSOMS), referencing
25 current regulations requiring completion of two years

1 in a postgraduate program for advanced training in
2 anesthesiology and changing it to a three-year
3 program.

4 Dr. Funari explained that the dental
5 anesthesiologist program recently went through a
6 revision and has become a three-year program,
7 questioning whether the Board would need to redo
8 regulations. He noted the need to review the
9 curriculum to see if those first two years meet a
10 minimum standard for an unrestricted license.

11 Dr. Funari expressed a concern regarding the
12 length of time for oral surgery training programs if
13 this is changed. He noted the need for more specifics
14 as to what the minimum qualification is for an
15 unrestrictive license, consisting of program content
16 and number of cases performed.

17 Dr. Funari will ask Dr. Robbins for the
18 curriculum to compare the level of training at the
19 second-year level against the ADA guidelines.

20 Chairperson Erhard referred to the letter from
21 Dr. Amid Ismail at Temple University, noting that
22 counsel is looking for guidance from the Board to
23 respond.

24 Ms. O'Malley addressed Dr. Amid Ismail's letter
25 regarding a restricted faculty license, noting the

1 current procedure of sending individuals to get their
2 education evaluated through the credentialing service.
3 She stated Dr. Ismail was proposing to accept
4 individuals going to a specialty dentistry program and
5 that is sufficient to establish that the underlying
6 education meets the Board's standards.

7 Ms. O'Malley referred to the Practice Act at
8 Section 11.11(a)(3) and (6), noting two different
9 educational requirements. She stated it is not
10 possible to take the school's word, and the current
11 case law says you cannot delegate that kind of
12 authority. She questioned whether the Board is open
13 to dealing with any kind of procedures for evaluating
14 underlying education because it is not specifically
15 spelled out. She noted that it is spelled out in the
16 regulations for dentists but not for the restricted
17 faculty license.]

18

19 For the Board's Information/Discussion
20 [John F. Erhard III, D.D.S., Chairperson, noted 2020
21 Board meeting dates and recusal guidelines.

22 Chairperson Erhard, requested attendance for the
23 American Association of Dental Boards (AADB) Annual
24 Meeting October 19-20 in Las Vegas, NV.

25 Dr. Sullivan, Dr. Lugo, and Dr. Casey volunteered

1 to attend the meeting.]

2 ***

3 CHAIRPERSON ERHARD:

4 Would someone like to make a motion that
5 we submit those three names.

6 MS. HUGHES:

7 So moved.

8 DR. SEID:

9 Second.

10 CHAIRPERSON ERHARD:

11 Any discussion? On the question, all in
12 favor? Opposed, same sign.

13 [The motion carried unanimously.]

14 ***

15 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
16 12:15 p.m. the Board entered into Executive Session
17 with Ariel O'Malley, Esquire, Board Counsel, for the
18 purpose of conducting quasi-judicial deliberations.
19 The Board returned to open session at 1:07 p.m.]

20 ***

21 MOTIONS

22 DR. SULLIVAN:

23 I move to reject the Consent Agreement
24 for File No. 18-46-02174 as too lenient.

25 MS. HUGHES:

1 Second.

2 CHAIRPERSON ERHARD:

3 On the question?

4

5 Sullivan, aye; Funari, recuse; Groody,
6 aye; Casey, aye; Seid, aye; Fowler, aye;
7 Sizemore, aye; Murray, aye; Jaspán, aye;
8 Lugo, aye; Hughes, aye; Mountain, aye;
9 and Erhard, aye.

10 [The motion carried. Dr. Funari recused himself from
11 deliberations and voting on the motion.]

12

13 DR. FUNARI:

14 I move to accept the Consent Agreement
15 for File No. 19-46-001867.

16 DR. SULLIVAN:

17 I second.

18 CHAIRPERSON ERHARD:

19 On the question?

20

21 Sullivan, aye; Funari, aye; Groody, aye;
22 Casey, aye; Seid, aye; Fowler, aye;
23 Sizemore, aye; Murray, aye; Jaspán, aye;
24 Lugo, aye; Hughes, aye; Mountain, aye;
25 and Erhard, aye.

1 [The motion carried unanimously. The Respondent's
2 name is Michael Kun, D.M.D.]

3 ***

4 MS. GROODY:

5 I move to reject the Consent Agreement
6 for File No. 16-46-02575 as too lenient.

7 MS. HUGHES:

8 Second.

9 CHAIRPERSON ERHARD:

10 On the question?

11

12 Sullivan, aye; Funari, aye; Groody, aye;
13 Casey, aye; Seid, aye; Fowler, aye;
14 Sizemore, aye; Murray, aye; Jaspán, aye;
15 Lugo, aye; Hughes, aye; Mountain, aye;
16 and Erhard, aye.

17 [The motion carried unanimously.]

18 ***

19 DR. CASEY:

20 I move to accept the Consent Agreement
21 for File No. 17-46-13017.

22 DR. SULLIVAN:

23 Second.

24 CHAIRPERSON ERHARD:

25 On the question?

1

2

Sullivan, aye; Funari, aye; Groody, aye;

3

Casey, aye; Seid, aye; Fowler, aye;

4

Sizemore, aye; Murray, aye; Jaspán, aye;

5

Lugo, aye; Hughes, aye; Mountain, aye;

6

and Erhard, aye.

7

[The motion carried unanimously. The Respondent's

8

name is Nancy Marie Sauers, D.M.D.]

9

10 DR. SEID:

11

I move to accept the Consent Agreement

12

for File No. 18-46-012562.

13 MS. GROODY:

14

Second.

15 CHAIRPERSON ERHARD:

16

On the question?

17

18

Sullivan, aye; Funari, aye; Groody, aye;

19

Casey, aye; Seid, aye; Fowler, aye;

20

Sizemore, aye; Murray, aye; Jaspán, aye;

21

Lugo, aye; Hughes, aye; Mountain, aye;

22

and Erhard, aye.

23 [The motion carried unanimously.]

24

25 MS. FOWLER:

1 I move to accept the Consent Agreement
2 for File No. 18-46-011210.

3 DR. SULLIVAN:

4 Second.

5 CHAIRPERSON ERHARD:

6 On the question?

7

8 Sullivan, aye; Funari, aye; Groody, aye;
9 Casey, aye; Seid, aye; Fowler, aye;
10 Sizemore, aye; Murray, aye; Jaspán, aye;
11 Lugo, aye; Hughes, aye; Mountain, aye;
12 and Erhard, aye.

13 [The motion carried unanimously. The Respondent's
14 name is Burton F. Tucker, D.D.S.]

15 ***

16 MS. MURRAY:

17 I move to accept the Consent Agreement
18 for File No. 18-46-012124 & 18-46-
19 010811.

20 MS. GROODY:

21 Second.

22 CHAIRPERSON ERHARD:

23 On the question?

24

25 Sullivan, aye; Funari, aye; Groody, aye;

1 Casey, aye; Seid, aye; Fowler, aye;
2 Sizemore, recuse; Murray, aye; Jaspán,
3 aye; Lugo, aye; Hughes, recuse;
4 Mountain, aye; and Erhard, aye.

5 [The motion carried. Ms. Sizemore and Ms. Hughes
6 recused themselves from voting deliberations and
7 voting on the motion. The Respondent's name is
8 Gregory John Keiser, D.M.D.]

9 ***

10 DR. JASPAN:

11 I move to Board adopt the hearing
12 examiner's proposed Adjudication and
13 Order in the case of Jamshid K.
14 Assadinia, D.D.S., File No. 18-46-005332
15 and the Board direct counsel to prepare
16 a final order.

17 MS. GROODY:

18 Second.

19 CHAIRPERSON ERHARD:

20 On the question?

21

22 Sullivan, aye; Funari, aye; Groody, aye;
23 Casey, aye; Seid, aye; Fowler, aye;
24 Sizemore, aye; Murray, aye; Jaspán, aye;
25 Lugo, aye; Hughes, aye; Mountain, aye;

1 and Erhard, aye.

2 [The motion carried unanimously.]

3 ***

4 DR. LUGO:

5 I move to Board adopt the hearing
6 examiner's proposed Adjudication and
7 Order in the case of Julie Anne Kappers,
8 File No. 18-46-008844 and direct Board
9 counsel to prepare the Board's final
10 order.

11 DR. SEID:

12 Second.

13 CHAIRPERSON ERHARD:

14 On the question?

15
16 Sullivan, aye; Funari, aye; Groody, aye;
17 Casey, aye; Seid, aye; Fowler, aye;
18 Sizemore, aye; Murray, aye; Jaspán, aye;
19 Lugo, aye; Hughes, aye; Mountain, aye;
20 and Erhard, aye.

21 [The motion carried unanimously.]

22 ***

23 MS. HUGHES:

24 I move to provisionally deny the
25 application of Bailey Graham for a

1 dentist.

2 DR. SULLIVAN:

3 Second.

4 CHAIRPERSON ERHARD:

5 On the question?

6

7 Sullivan, aye; Funari, aye; Groody, aye;

8 Casey, aye; Seid, aye; Fowler, aye;

9 Sizemore, aye; Murray, aye; Jaspán, aye;

10 Lugo, aye; Hughes, aye; Mountain, aye;

11 and Erhard, aye.

12 [The motion carried unanimously.]

13

14 DR. MOUNTAIN:

15 I move to provisionally deny Deron T.

16 Kovac for an Anesthesia Restricted

17 Permit II.

18 MS. GROODY:

19 Second.

20 CHAIRPERSON ERHARD:

21 On the question?

22

23 Sullivan, aye; Funari, aye; Groody, aye;

24 Casey, aye; Seid, aye; Fowler, aye;

25 Sizemore, aye; Murray, aye; Jaspán, aye;

1 Lugo, aye; Hughes, recuse; Mountain,
2 aye; and Erhard, recuse.

3 [The motion carried. Ms. Hughes and Dr. Erhard
4 recused themselves from deliberations and voting on
5 the motion.]

6 ***

7 DR. SULLIVAN:

8 I make a motion to provisionally deny
9 the application of Theresa Sokoloski.

10 DR. SEID:

11 Second.

12 CHAIRPERSON ERHARD:

13 On the question?

14
15 Sullivan, aye; Funari, aye; Groody, aye;
16 Casey, aye; Seid, aye; Fowler, aye;
17 Sizemore, aye; Murray, aye; Jaspan, aye;
18 Lugo, aye; Hughes, aye; Mountain, aye;
19 and Erhard, aye.

20 [The motion carried unanimously.]

21 ***

22 Adjournment

23 CHAIRPERSON ERHARD:

24 The meeting is adjourned.

25 ***

1 [There being no further business, the State Board of
2 Dentistry Meeting adjourned at 1:16 p.m.]

3 ***

4
5
6 CERTIFICATE

7
8 I hereby certify that the foregoing summary
9 minutes of the State Board of Dentistry meeting, was
10 reduced to writing by me or under my supervision, and
11 that the minutes accurately summarize the substance of
12 the State Board of Dentistry meeting.

13
14
15 

16 Seth R. Baier,

17 Minute Clerk

18 Sargent's Court Reporting
19 Service, Inc.

20
21
22
23
24
25

STATE BOARD OF DENTISTRY
REFERENCE INDEX

May 17, 2019

| TIME | AGENDA |
|-------|------------------------------------|
| 9:07 | Official Call to Order |
| 9:07 | Introduction of Board and Audience |
| 9:09 | Approval of Minutes |
| 9:12 | Report of Prosecutorial Division |
| 9:53 | Report of Board Counsel |
| 10:46 | Report of Board Chairperson |
| 10:56 | Recess |
| 11:14 | Return to Open Session |
| 11:14 | Miscellaneous |
| 11:27 | Report of Committees |
| 11:33 | Correspondence |
| 12:15 | Executive Session |
| 1:07 | Return to Open Session |
| 1:07 | Motions |
| 1:16 | Adjournment |