

AGENDA
CONNECTICUT STATE DENTAL COMMISSION

Wednesday, December 7, 2022 at 1:00 PM
Department of Public Health
410 Capitol Avenue, Hartford Connecticut

CALL TO ORDER

- I. **MINUTES**
September 21, 2022
- II. **OPEN FORUM**
- III. **NEW BUSINESS**
Schedule meeting dates for 2023
- IV. **PENDING LITIGATION**
- V. **OFFICE OF LEGAL COMPLIANCE**
 - A. Mark Hagopian, D.M.D – Petition No. 2021-105
Presentation of Consent Order – Aden Baume, Staff Attorney, DPH

ADJOURN

State Dental Commission - Quarterly Meeting via Microsoft

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 222 443 371 71

Passcode: 7s5JLW

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[+1 860-840-2075](#) - Phone Conference ID: 300 160 350#

The following minutes are draft minutes which are subject to revision and which have not yet been adopted by the Board.

CONNECTICUT STATE DENTAL COMMISSION
MINUTES OF MEETING
September 21, 2022

The Connecticut State Dental Commission held a meeting on September 21, 2022.

COMMISSION MEMBERS PRESENT: Peter Katz, DMD, Chairman
Sarita Arteaga, DMD
Monica Cipes, DMD
Deborah Dodenhoff, RN
Craig Fontaine, Esq.
Mark Longobardi, DMD
Anatoliy Ravin, DDS

COMMISSION MEMBERS ABSENT: None

ALSO PRESENT: Olinda Morales, Hearing Office, DPH (Counsel for the Commission)
Jeffrey Kardys, Administrative Hearings Specialist, DPH

Dr. Katz called the meeting to order at 1:00 p.m. All participants were present via the Microsoft TEAMS application.

I. MINUTES

The minutes from June 8, 2022, July 21, 2022 and August 18, 2022 meetings were reviewed and approved on a motion by Mr. Fontaine, seconded by Dr. Longobardi.

II. NEW BUSINESS

Provisional License Applications

Judith Bailey, License and Applications Analyst presented provisional license applications for the following individuals who will be practicing at the University of Connecticut School of Dental Medicine.

- Lan Lin Chiou, DDS
- Prazwala Chirravur, BDS
- Afroditi Pita, DDS
- Rosa Huivin Rodriguez, DDS

Steven Lepowsky, DDS was present from the University of Connecticut School of Dental Medicine To address any questions.

Mr. Fontaine made a motion, seconded by Dr. Longobardi to approve the applications. The motion passed.

III. ORAL ARGUMENT – PROPOSED MEMORANDUM OF DECISION

Michael Greene, DDS – Petition No. 2021-577

Dr. Greene was present but was not represented. Staff Attorney Aden Baume was present for the Department of Public Health.

Following comments from Dr. Greene, Dr. Ravin made a motion seconded, by Mr. Fontaine, to reduce the civil penalty from \$5000.00 to \$2500.00. The motion passed unanimously.

The decision will be edited and sent to Dr. Katz for signature.

IV. OFFICE OF LEGAL COMPLIANCE

A. James Bussiere, D.M.D. - Petition No. 2020-846

Aden Baume, Staff Attorney, Department of Public Health presented a Consent Order in this matter. Attorney Frederick Trotta was present on behalf of respondent, Mr. Fontaine made a motion, seconded by Dr. Ravin, to approve the Consent Order which imposes a reprimand, a six month period of probation, and a \$6,000.00 civil penalty. The motion passed unanimously.

B. Scott Claiborne, D.D.S. - Petition No. 2020-380

Aden Baume, Staff Attorney, Department of Public Health presented a Consent Order in this matter. Respondent was not present or represented.

Dr. Longobardi made a motion, seconded by Dr. Arteaga, to approve the Consent Order which imposes a reprimand, a six month period of probation, and a \$3,000.00 civil penalty. The motion passed unanimously.

C. Jack A. Greenspan, D.D.S. - Petition No. 2021-565

Linda Fazzina, Staff Attorney, Department of Public Health presented a Consent Order in this matter. Respondent was not present or represented.

Dr. Ravin made a motion, seconded by Dr. Arteaga, to approve the Consent Order which imposes a reprimand and a \$1,000.00 civil penalty. The motion passed With all in favor except. Mr. Fontaine who abstained,

V. ADJOURN

As there was no further business the meeting was adjourned at 1:54 p.m.

Respectfully submitted,
Peter Katz, DMD - Chairman
Connecticut State Dental Commission

CONSENT ORDER COVER SHEET

In re: Mark E. Hagopian D.M.D.

Petition No. 2021-105

1. Mark Hagopian, D.M.D., of Glastonbury, Connecticut (hereinafter "respondent") was issued license number 006381 to practice dentistry on August 13, 1983. He graduated from the University of Connecticut School of Dental Medicine in 1983
2. Past discipline: none
3. The Department of Public Health (hereinafter "Department") opened Petition 2020-1070 after receiving a complaint from a former patient ("Patient 1"), for whom respondent provided dental care from March 26, 2020 through June 3, 2020. During the course of his care for Patient 1, he conducted a limited oral evaluation, took radiographic and photographic images, and took impressions in preparation for orthodontic treatment.
4. The Department alleges that his care for Patient 1 failed to meet the standard of care in that he failed to perform and/or failed to document performing a complete periodontal examination prior to commencing orthodontic treatment.
5. The Department opened Petition 2021-105 after receiving a complaint from a former patient ("Patient 2"), for whom respondent provided dental care from July 2020 through October 15, 2020. During the course of his care for Patient 2, he made examinations, performed restorations, and provided root canal therapy.
6. The Department alleges that his care for Patient 2 failed to meet the standard of care in that he failed to secure and/or failed to document securing informed consent prior to commencing treatment.
7. Petitions 2020-1070 and 2021-105 were combined on June 1, 2022.
8. The proposed Consent Order provides for probation for a period of 6 months in which respondent shall attend and successfully complete coursework in documentation standards and in informed consent, pre-approved by the Department. Both courses must be worth 2.0 CEUs each.
9. The Department and respondent respectfully request that the Commission accept the proposed Consent Order to resolve this petition.

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH**

In re: Mark Hagopian, D.M.D.

Petition No 2021-105

CONSENT ORDER

WHEREAS, Mark Hagopian, D.M.D. of Glastonbury, Connecticut (hereinafter "respondent") has been issued license number 006381 to practice as a dentist by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 384 of the General Statutes of Connecticut, as amended; and,

WHEREAS, Department alleges that:

1. Respondent provided care to Patient #1 at various time between on or about March 26, 2020 and on or about June 3, 2020. During the course of respondent's care for Patient #1, he conducted a limited oral evaluation, took radiographic and photographic images, and took impressions in preparation for orthodontic treatment.
2. Respondent's care for Patient #1 failed to meet the standard of care in that he failed to perform and/or failed to document performing a complete periodontal examination prior to commencing orthodontic treatment
3. Respondent provided care to Patient #2 at various time between on or about July 2020 and on or about October 15, 2020. During the course of respondent's care for Patient #2, he made examinations, performed restorations, and provided root canal therapy.

4. Respondent's care for Patient #2 failed to meet the standard of care in that he failed to secure and/or failed to document securing informed consent prior to commencing treatment.
5. The above-described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut §20-114, including but not limited to §20-114(a)(2).

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the above allegations of wrongdoing but, while admitting no guilt or wrongdoing, agrees that for purposes of this or any future proceedings before the Connecticut State Dental Commission ("Commission"), this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to §§19a-10, 19a-14 and 20-114 of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-14, 19a-17, and 20-114 of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

1. Respondent waives respondent's right to a hearing on the merits of this matter.
2. Respondent's license shall be placed on probation for a period of 6 months under the following terms and conditions: Within the first six months of the probationary period, respondent shall attend and successfully complete coursework in documentation standards and in informed consent, pre-approved by the Department. Both courses must be worth 2.0 CEUs each. Within fifteen days of the completion of such coursework, respondent shall provide the Department with proof, to the Department's satisfaction, of the successful completion of such course(s). Respondent's probation shall terminate upon the

Department's written satisfaction of the successful completion of the implementation required under this paragraph 2.

3. All correspondence and reports are to be addressed to:

Practitioner Compliance and Monitoring Unit
Department of Public Health
410 Capitol Avenue, MS #12HSR
P.O. Box 340308
Hartford, CT 06134-0308

4. All reports required by the terms of this Consent Order shall be due according to a schedule to be established by the Department of Public Health.
5. Respondent shall comply with all state and federal statutes and regulations applicable to respondent's licensure.
6. Respondent shall pay all costs necessary to comply with this Consent Order.
7. Any alleged violation of any provision of this Consent Order may result in the following procedures at the discretion of the Department:
 - a. The Department shall notify respondent in writing by first-class mail that the term(s) of this Consent Order have been violated, provided that no prior written consent for deviation from said term(s) has been granted.
 - b. Said notification shall include the acts or omission(s) which violate the term(s) of this Consent Order.
 - c. Respondent shall be allowed fifteen (15) days from the date of the mailing of notification required in paragraph 7a above to demonstrate to the satisfaction of the Department that respondent has complied with the terms of this Consent Order or, in the alternative, that respondent has cured the violation in question.
 - d. If respondent does not demonstrate compliance or cure the violation within the fifteen (15) days specified in the notification of violation to the satisfaction of the

Department, respondent shall be entitled to a hearing before the Commission which shall make a final determination of the disciplinary action to be taken.

- e. Evidence presented to the [Board/Commission/Department] by either the Department or respondent in any such hearing shall be limited to the alleged violation(s) of the term(s) of this Consent Order.
8. In the event respondent does not practice as a dentist for periods of thirty (30) consecutive days or longer, respondent shall notify the Department in writing. Such periods of times shall not be counted in reducing the probationary period covered by this Consent Order and such terms shall be held in abeyance. During such time period, respondent shall not be responsible for complying with the terms of probation of this Consent Order. In the event respondent resumes the practice of dentistry, respondent shall provide the Department with thirty (30) days prior written notice. Respondent shall not return to the practice of dentistry without written pre-approval from the Department. Respondent agrees that the Department, in its complete discretion, may require additional documentation from respondent and/or require respondent to satisfy other conditions or terms as a condition precedent to respondent's return to practice. Respondent agrees that any return to the practice of dentistry without pre-approval from the Department shall constitute a violation of this Consent Order and may subject the respondent to further disciplinary action.
9. If, during the period of probation, respondent practices as a dentist outside Connecticut, respondent shall provide written notice to the Department concerning such practice. During such time period, respondent shall not be responsible for complying with the terms of probation of this Consent Order, and such time period shall not be counted in reducing the probationary period covered by this Consent Order. Respondent may comply with the terms of probation while practicing outside Connecticut if pre-approved by the

Department. In the event respondent intends to return to the practice of dentistry in Connecticut, respondent shall provide the Department with thirty (30) days prior written notice and agrees to comply with all terms and conditions contained in paragraph 2 above.

10. In the event respondent violates any term of this Consent Order, said violation may also constitute grounds for the Department to seek a summary suspension of respondent's license before the Commission.
11. Legal notice shall be sufficient if sent to respondent's last known address of record reported to the Practitioner Licensing and Investigations Section of the Healthcare Quality and Safety Branch of the Department.
12. This Consent Order is effective on the first day of the month immediately following the date this Consent Order is accepted and ordered by the Commission.
13. Respondent understands and agrees that this Consent Order shall be deemed a public document and the above alleged violations shall be deemed true in any proceeding before the Commission in which respondent's compliance with this Consent Order or with §20-114 of the General Statutes of Connecticut, as amended, is at issue. Further, respondent understands that any discipline imposed by this Consent Order shall be reported to the National Practitioner Data Bank maintained by the United States Department of Health and Human Services.
14. In the event respondent violates a term of this Consent Order, respondent agrees immediately to refrain from practicing as a dentist, upon request by the Department, with notice to the Commission, for a period not to exceed 45 days. During that time period, respondent further agrees to cooperate with the Department in its investigation of the violation, and to submit to and complete a medical, psychiatric or psychological evaluation, if requested to do so by the Department; and, that the results of the evaluation shall be submitted directly to the Department. Respondent further agrees that failure to

cooperate with the Department in its investigation during said 45 day period shall constitute grounds for the Department to seek a summary suspension of respondent's license. In any such summary action, respondent stipulates that failure to cooperate with the Department's investigation shall be considered by the Commission and shall, as a matter of law, constitute a clear and immediate danger as required pursuant to Connecticut General Statutes, sections 4-182(c) and 19a-17(c). The Department and respondent understand that the Commission has complete and final discretion as to whether a summary suspension is ordered.

15. Any extension of time or grace period for reporting granted by the Department shall not be a waiver or preclude the Department from taking action at a later time. The Department shall not be required to grant future extensions of time or grace periods.
16. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Respondent agrees that this Consent Order shall not be subject to modification as a result of any claim that the terms contained herein may result in action by third parties, including, but not limited to, healthcare facilities and/or credentialing or licensure boards and respondent waives any right to seek reconsideration or modification of this Consent Order pursuant to §4-181a of the General Statutes of Connecticut without the express consent and agreement of the Department. Respondent assumes all responsibility for assessing such actions prior to the execution of this document. Further, this Consent Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive respondent of any rights that respondent may have under the laws of the State of Connecticut or of the United States.

17. This Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
18. Respondent permits a representative of the Department to present this Consent Order and the factual basis for this Consent Order to the Commission. Respondent understands that the Commission has complete and final discretion as to whether this executed Consent Order is approved or accepted. Respondent hereby waives any claim of error that could be raised that is related to or arises during the course of the Commission's discussions regarding whether to approve or reject this Consent Order and/or a Commission member's participation during this process, through the Commission member's review or comments, including but not limited to bias or reliance on evidence outside the administrative record if this matter proceeds to a hearing on a statement of charges resulting in a proposed decision by the Commission and/or a panel of the Commission and a final decision by the Commission.
19. Respondent understands and agrees that respondent is responsible for satisfying all of the terms of this Consent Order during vacations and other periods in which respondent is away from respondent's residence.
20. Respondent has the right to consult with an attorney prior to signing this document.
21. The execution of this document has no bearing on any criminal liability without the written consent of the Director of the Medicaid Fraud Control Unit or the State's Attorney's Office where the allegation occurred or Bureau Chief of the applicable unit in the Chief State's Attorney's Office. The purpose of this Consent Order is to resolve the pending administrative license disciplinary petition only, and is not intended to affect any civil or criminal liability or defense.

22. This Consent Order embodies the entire agreement of the parties with respect to this case. All previous communications or agreements regarding the subject matter of this consent order, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof.

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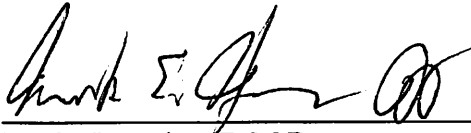
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I, Mark Hagopian, D.M.D., have read the above Consent Order, and I stipulate and agree to the terms as set forth therein. I further declare the execution of this Consent Order to be my free act and deed.



Mark Hagopian, D.M.D.

Subscribed and sworn to before me this 24th day of OCTOBER 2022.



Notary Public or person authorized Kathleen M. Navras
by law to administer an oath or affirmation
Commissioner of the Superior Court

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 22nd day of November 2022, it is hereby accepted.

Christian Andresen

Christian D. Andresen, MPH, Section Chief
Practitioner Licensing and Investigations Section
Healthcare Quality and Safety Branch

The above Consent Order having been presented to the Connecticut State Dental Commission on the _____ day of _____ 2022, it is hereby ordered and accepted.

Connecticut State Dental Commission