CONNECTICUT STATE DENTAL COMMISSION MINUTES OF MEETING January 19, 2011

The Connecticut State Dental Commission held a meeting on January 19, 2011, at the Department of Public Health, 410 Capitol Avenue, Hartford, Connecticut, in the third floor Hearing Room.

COMMISSION MEMBERS PRESENT: Jeanne P. Strathearn, DDS, Chairperson

Lance Banwell, DDS Elliot S. Berman, DDS Peter Katz, DMD Lisa Liegeot Barbara Ulrich Martin Ungar, DMD

COMMISSION MEMBERS ABSENT: Steven Reiss, DDS

Dr. Strathearn called the meeting to order at 1:03 p.m.

It was announced that Public Member Nora Duncan resigned effective January 11, 2011.

I. Minutes

The minutes of the October 27, 2010 and November 10, 2010 meetings were reviewed and approved.

II. Chair Updates

None

III. Department of Public Health Updates

Jennifer Filippone, Section Chief, Practitioner Licensing and Investigation Section announced that a new Commissioner for the Department of Public Health will be starting on or about February 3, 2011.

IV. New Business

A. Elizabeth Goodin, DMD – Petition No. 2009-20091109

The Commission reviewed a proposed Memorandum of Decision in this matter. Attorney Craig Fontaine was present for respondent. Attorney Matthew Antonetti was present on behalf of the Department of Public Health.

Dr. Katz made a motion, seconded by Dr. Banwell, to adopt the Memorandum of Decision which dismisses the charges against Dr. Goodin. The motion passed unanimously. Dr. Strathearn signed the Order.

B. Laurence Loeb, DMD – Petition No. 2010-259

The Commission reviewed a proposed Memorandum of Decision in this matter. Attorney Matthew Antonetti was present on behalf of the Department of Public Health. Respondent was not present or represented.

Dr. Katz made a motion, seconded by Dr. Ungar, to adopt the Memorandum of Decision which revokes the license of Dr. Loeb. The motion passed unanimously. Dr. Strathearn signed the Order.

C. Mark Stuart, DMD – Petition No. 2006-0503-002-027

This matter was continued to the next meeting to allow respondent's attorney to file a brief.

D. License Reinstatement Application Arun Madhani, D.D.S.

Deborah Brown, Health Program Assistant, Department of Public Health presented a license reinstatement application for Arun Madhani, D.D.S. Dr. Ungar made a motion, seconded by Ms. Ulrich, to recommend license reinstatement. The motion passed unanimously.

E. <u>Provisional License Applications</u>

• Rodrigo Souza, D.D.S.

Deborah Brown, Health Program Assistant, Department of Public Health presented a provisional license application for Rodrigo Souza, D.D.S., to allow for practice at the University of Connecticut School of Dental Medicine. Following review of the application Dr. Ungar made a motion, seconded by Dr. Banwell, to recommend provisional licensure for Dr. Souza. The motion passed unanimously.

• Felipe Porto, D.D.S.

Deborah Brown, Health Program Assistant, Department of Public Health presented a provisional license application for Felipe Porto, D.D.S., to allow for practice at the University of Connecticut School of Dental Medicine. Following review of the application Dr. Banwell made a motion, seconded by Dr. Katz, to recommend provisional licensure for Dr. Porto. The motion passed unanimously.

V. <u>Legal Office Business</u>

A. Mark Fallon, DMD – Petition No. 2010-5295
 Joseph Kuzmic, DDS – Petition No. 2010-5191
 <u>Christopher West, DDS – Petition No. 2010-5296</u>

Linda Fazzina, Staff Attorney, Department of Public Health presented Consent Orders in these matters. Attorney John Sheehan was present on behalf of respondents. Dr. Banwell made a motion, seconded by Dr. Katz, to approve the Consent Orders which impose a \$1000.00 civil penalty for each respondent. The motion passed unanimously. Dr. Strathearn signed the Orders.

B. Joohyn Kim, DDS – Petition No. 2008-0522-002-038

Joelle Newton, Staff Attorney, Department of Public Health presented a Consent Order in this matter. Respondent was not present or represented Dr. Berman made a motion, seconded by Dr. Katz, to approve the Consent Order which places respondent's license on probation for one year. The motion passed unanimously. Dr. Strathearn signed the Order.

VI. <u>ADJOURN</u>

Dr. Katz made a motion to adjourn the meeting. The motion passed and the meeting adjourned at 1:45 p.m.

Respectfully submitted,

MINUTES OF FACT-FINDING MEETING

CONNECTICUT STATE DENTAL COMMISSION January 19, 2011

The Connecticut State Dental Commission held a fact-finding meeting on January 19, 2011, at the Department of Public Health, 410 Capitol Avenue, Hartford, Connecticut, in the third floor Hearing Room.

COMMISSION MEMBERS PRESENT: Jeanne P. Strathearn, DDS, Chairperson

Lance Banwell, DDS Elliot S. Berman, DDS Peter Katz, DMD Lisa Liegeot Barbara Ulrich Martin Ungar, DMD

COMMISSION MEMBERS ABSENT: Steven Reiss, DDS

ALSO PRESENT: Daniel Shapiro, Assistant Attorney General

Olinda Morales, Hearing Officer, DPH

The meeting commenced at 1:55 p.m.

The Commission conducted fact-finding in the declaratory ruling matter regarding Teeth Whitening.

Following review of the record and discussion Dr. Katz made a motion, seconded by Dr. Berman, to issue a Declaratory Ruling that teeth whitening services involve the practice of dentistry when they include:

- assessing and diagnosing the causes of discoloration
- making recommendations of how to perform teeth whitening
- customizing treatment
- utilizing instruments and apparatus such as enhancing lights
- selecting or advising individuals on the use of trays
- preparing or making customized trays for individuals
- applying teeth whitening products to the teeth of a customer
- instructing a customer on teeth whitening procedures or methods
- other activities that would require licensure as a dentist

The motion to issue a declaratory ruling passed with all in favor, except Ms. Liegeot who was opposed.

The meeting adjourned at 3:10 p.m.

Respectfully submitted,

CONNECTICUT STATE DENTAL COMMISSION MINUTES OF MEETING May 11, 2011

The Connecticut State Dental Commission held a meeting on May 11, 2011, at the Department of Public Health, 410 Capitol Avenue, Hartford, Connecticut, in the third floor Hearing Room.

COMMISSION MEMBERS PRESENT: Jeanne P. Strathearn, DDS, Chairperson

Lance Banwell, DDS Peter Katz, DMD Steven Reiss, DDS Barbara Ulrich Martin Ungar, DMD

COMMISSION MEMBERS ABSENT: Elliot S. Berman, DDS

Dr. Strathearn called the meeting to order at 1:03 p.m.

It was announced that Public Member Maureen Liegeot resigned effective February 7, 2011.

I. Minutes

The minutes of the January 19, 2011 meetings were reviewed and approved.

II. Chair Updates

Dr. Strathearn reported that she and Dr. Berman will be attending The North East Regional Board (NERB) meeting in June

III. Department of Public Health Updates

Jennifer Filippone, Section Chief, Practitioner Licensing and Investigation Section reported that the new continuing education course requirements are to take effect on October 1, 2011.

IV. New Business

A. License Reinstatement Application Richard Andria, D.D.S.

Deborah Brown, Health Program Assistant, Department of Public Health presented a license reinstatement application for Richard Andria, D.D.S. Dr. Katz made a motion, seconded by Dr. Ungar, to recommend license reinstatement. The motion passed unanimously.

B. Provisional License Applications

• Carlos Delgado, DDS

Deborah Brown, Health Program Assistant, Department of Public Health presented a provisional license application for Carlos Delgado, DDS, to allow for practice at the University of Connecticut School of Dental Medicine. Following review of the application Dr. Katz made a motion, seconded by Dr. Banwell, to recommend provisional licensure for Dr. Delgado. The motion passed unanimously.

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Rekha Pawar, D.D.S.

Deborah Brown, Health Program Assistant, Department of Public Health presented a provisional license application for Rekha Pawar, D.D.S., to allow for practice at the University of Connecticut School of Dental Medicine. Following review of the application Dr. Reiss made a motion, seconded by Dr. Ungar, to recommend provisional licensure for Dr. Porto. The motion passed unanimously.

• Juan Salazar, D.D.S.

Deborah Brown, Health Program Assistant, Department of Public Health presented a provisional license application for Juan Salazar, D.D.S., to allow for practice at the University of Connecticut School of Dental Medicine. Following review of the application Dr. Reiss made a motion, seconded by Dr. Ungar, to recommend provisional licensure for Dr. Porto. The motion passed unanimously.

Sergio Sanchez-Velasco, D.D.S.

Deborah Brown, Health Program Assistant, Department of Public Health presented a provisional license application for Sergio Sanchez-Velasco, D.D.S., to allow for practice at the University of Connecticut School of Dental Medicine. Following review of the application Dr. Banwell made a motion, seconded by Dr. Reiss, to recommend provisional licensure for Dr. Porto. The motion passed unanimously.

• Satashankara Tadinada, D.D.S.

Deborah Brown, Health Program Assistant, Department of Public Health presented a provisional license application for Satashankara Tadinada, D.D.S., to allow for practice at the University of Connecticut School of Dental Medicine. Following review of the application Dr. Katz made a motion, seconded by Dr. Banwell, to recommend provisional licensure for Dr. Porto. The motion passed unanimously.

V. <u>Legal Office Business</u>

A. Julia Faigel, DMD – Petition No. 2010-5404

Matthew Antonetti, Principal Attorney, Department of Public Health presented a Consent Order in this matters. Respondent was not present or represented.

Dr. Reiss made a motion, seconded by Dr. Banwell, to approve the Consent Order which Orders respondent to cease and desist the delegation of dental hygiene duties to dental assistants. The motion passed unanimously. Dr. Strathearn signed the Order.

B. Christopher Latvis, DDS – Petition No. 2009-2009117

Matthew Antonetti, Principal Attorney, Department of Public Health presented a Consent Order in this matter. Respondent was not present or represented.

Dr. Katz made a motion, seconded by Ms. Ulrich, to approve the Consent which Orders respondent to cease and desist the delegation of dental hygiene duties to dental assistants. The motion passed unanimously. Dr. Strathearn signed the Orders.

C. Leonard Kundel, DMD – Petition No. 2009-0408-002-017

David Tilles, Staff Attorney, Department of Public Health presented a Consent Order in this matter. Neither respondent nor his attorney was present.

Dr. Reiss made a motion, seconded by Dr. Banwell, to approve the Consent Order which places respondent's license on probation for one year. The motion passed unanimously. Dr. Strathearn signed the Order.

D. Joseph Sciarrino, DDS – Petition No. 2010-2010

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

Dr. Reiss made a motion, seconded by Dr. Banwell, to approve the Consent Order which imposes a reprimand and Orders respondent to cease and desist in utilizing conscious sedation until he obtains a permit. The motion passed unanimously. Dr. Strathearn signed the Order.

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D. Joohyn Kim, DDS – Petition No. 2011-492

Joelle Newton, Staff Attorney, Department of Public Health presented a Modification of Consent Order in this matter. Attorney Kenneth Mastroni was present on behalf of respondent.

Ms. Ulrich made a motion, seconded by Dr. Katz, to approve the Consent Order modification. The motion passed unanimously. Dr. Strathearn signed the Order.

VI. New Business cont.

Mark Stuart, DMD – Petition No. 2006-0503-002-027 – Proposed Memorandum of Decision Assistant Attorney General Daniel Shapiro was present to provide counsel to the Commission. Attorney Shapiro advised the Commission that just prior to the meeting a motion for continuance of oral argument was faxed by Attorney Ryan Baush on behalf of respondent. This matter was continued to the next meeting to allow respondent's attorney to file a brief. Joelle Newton, Staff Attorney, Department of Public Health objected to the request for continuance.

Dr. Katz made motion, seconded by Ms. Ulrich, to grant the request for continuance. The motion passed with all in favor except Dr. Banwell who was opposed. Oral Argument will be rescheduled to June 8, 2011 at 10:00 a.m.

VII. ADJOURN

Dr. Reiss made a motion to adjourn the meeting. The motion passed and the meeting adjourned at 2:13 p.m.

Respectfully submitted,

CONNECTICUT STATE DENTAL COMMISSION MINUTES OF MEETING June 8, 2011

The Connecticut State Dental Commission held a meeting on June 8, 2011, at the Department of Public Health, Capitol Avenue, Hartford, Connecticut, in conference room 470 A/B.

COMMISSION MEMBERS PRESENT: Jeanne P. Strathearn, DDS, Chairperson

Elliot S. Berman, DDS Peter Katz, DMD Steven Reiss, DDS Barbara Ulrich Martin Ungar, DMD

COMMISSION MEMBERS ABSENT: Lance Banwell, DDS

Dr. Strathearn called the meeting to order at 10:05 a.m.

I. Minutes

The minutes of the May 11, 2011 meeting were reviewed and approved.

II. New Business

Mark Stuart, DMD – Petition No. 2006-0503-002-027 – Proposed Memorandum of Decision Assistant Attorney General Daniel Shapiro was present to provide counsel to the Commission. Staff Attorney, Joelle Newton was present for the Department of Public Health. Respondent was not present or represented.

Board Liaison Jeffrey Kardys advised the Commission that no communication has been received from respondent as to whether or not he would be attending this meeting. A notice of this meeting was sent to respondent through his counselor at the Osborn Correctional Facility who acknowledged in writing that the notice was hand delivered to respondent.

Dr. Reiss made motion, seconded by Dr. Ungar, to adopt the Memorandum of Decision revoking respondents' license. The motion passed unanimously. Dr. Strathearn signed the Order.

III. OLD BUSINESS

<u>Declaratory Ruling – Teeth Whitening</u>

Assistant Attorney General Daniel Shapiro was present to provide counsel to the Commission. Dr. Ungar made a motion, a seconded by Dr. Katz, to adopt the Declaratory Ruling regarding teeth whitening. All members present and voting acknowledged they have read the record in this matter. The motion passed unanimously. The Ruling was signed by Dr. Strathearn.

IV. ADJOURN

Dr. Reiss made a motion to adjourn the meeting. The motion passed and the meeting adjourned at 10:25 a.m.

Respectfully submitted,

CONNECTICUT STATE DENTAL COMMISSION MINUTES OF MEETING September 7, 2011

The Connecticut State Dental Commission held a meeting on September 7, 2011, at the Department of Public Health, Capitol Avenue, Hartford, Connecticut, in conference room 470 A/B.

COMMISSION MEMBERS PRESENT: Jeanne P. Strathearn, DDS, Chairperson

Lance Banwell, DDS Elliot S. Berman, DDS Peter Katz, DMD Steven Reiss, DDS Barbara Ulrich Martin Ungar, DMD

COMMISSION MEMBERS ABSENT: None

Dr. Strathearn called the meeting to order at 1:04 p.m.

I. Minutes

The minutes of the June 8, 2011 meeting were reviewed and approved.

II. Chair Updates/Correspondence

- The June 2011 North East Regional Board Steering Committee report was reviewed.
- An August 24, 2011 letter from Peter DeScisco, President, American Association of Dental Boards (AADB) regarding Liaisons to the AADB was reviewed.
- The last quarterly meeting for 2011 will be rescheduled from November 30, 2011 to November 2, 2011

III. Department of Public Health Updates

Jennifer Filippone, Section Chief, Practitioner Licensing and Investigation Section reported that the Department of Public Health has received and is responding to a Freedom of Information Request pertaining to the teeth whitening issue.

IV. NEW BUSINESS

- A. Provisional License Applications
 - Jianjun Hao, D.D.S.

Deborah Brown, Health Program Assistant, Department of Public Health presented a provisional license application for Jianjun Hao, D.D.S., to allow for practice at the University of Connecticut School of Dental Medicine. Following review of the application Dr. Reiss made a motion, seconded by Ms. Ulrich, to recommend provisional licensure for Dr. Hao. The motion passed unanimously.

• Jose Rafael Porras, D.D.S.

Deborah Brown, Health Program Assistant, Department of Public Health presented a provisional license application for Jose Rafael Porras, D.D.S., to allow for practice at the University of Connecticut School of Dental Medicine. Following review of the application Dr. Katz made a motion, seconded by Dr. Banwell, to recommend provisional licensure for Dr. Porras. The motion passed unanimously.

B. Proposed Memorandum of Decision David Perkins, DMD – Petition No. 2010-5598

Dr. Strathearn recused herself from discussion and voting in this matter.

Principal Attorney Mathew Antonetti was present for the Department of Public Health.

Dr. Perkins was present without representation.

The Commission heard comments on the proposed Memorandum of Decision from Dr. Perkins and Attorney Antonetti.

Dr. Ungar made a motion, seconded by Ms. Ulrich to adopt the decision as written. The motion passed with all in favor. Dr. Berman signed the order which imposes a reprimand of Dr. Perkins' license.

C. New Hampshire Board of Dental Examiners Questions regarding amalgam testing.

The Commission reviewed an inquiry from the State of New Hampshire Board of Dental Examiners regarding a candidate's use of amalgams or composites for posterior restorations as part of a licensing examination.

Dr. Strathearn will respond on behalf of the Commission.

V. LEGAL OFFICE BUSINESS

A. <u>Aram Agadjanian, DDS – Petition No. 2010-5404</u>

Mathew Antonetti, Principal Attorney, Department of Public Health presented a Consent Order in the matter of Aram Agadjanian, DDS. Attorney Bradley M. Smolkin was present on behalf of respondent.

Dr. Reiss made a motion, seconded by Dr. Banwell, to approve the Consent Order, which imposes a reprimand and a one year probation of respondent's license. The motion passed unanimously. Dr. Strathearn signed the Order.

B. Alphonso Mack, DDS – Petition No. 2010-5404

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

Dr. Banwell made a motion, seconded by Dr. Reiss, to approve the Consent Order Following discussion the Commission unanimously voted in opposition to the motion to approve the proposed Consent Order.

The Commission recommends that the Consent Order be modified to include language ordering respondent to cease and desist sedation practices; imposing a period of practice monitoring for at least two years and a civil penalty of \$10,000.00.

C. Renne K. Paul, DMD – Petition No. 2011-21

Mathew Antonetti, Principal Attorney, Department of Public Health presented a Consent Order in the matter of Renne K. Paul, DMD. Respondent was present without representation.

Dr. Banwell made a motion, seconded by Dr. Ungar, to approve the Consent Order, which places respondent's license on probation until the completion of a course of study relating to proper prescribing practices. The motion passed unanimously. Dr. Strathearn signed the Order.

VI. ADJOURN

Dr. Reiss made a motion to adjourn the meeting. The motion passed and the meeting adjourned at 2:10 p.m.

Respectfully submitted, Jeanne P. Strathearn, DDS, Chairperson Connecticut State Dental Commission

CONNECTICUT STATE DENTAL COMMISSION MINUTES OF MEETING November 2, 2011

The Connecticut State Dental Commission held a meeting on November 2, 2011, at the Department of Public Health, Capitol Avenue, Hartford, Connecticut, in conference room 470 A/B.

COMMISSION MEMBERS PRESENT: Jeanne P. Strathearn, DDS, Chairperson

Lance Banwell, DDS Elliot S. Berman, DDS Peter Katz, DMD Steven Reiss, DDS Martin Ungar, DMD

COMMISSION MEMBERS ABSENT: Barbara Ulrich

Dr. Strathearn called the meeting to order at 1:00 p.m.

I. Minutes

The minutes of the September 7, 2011 meeting were reviewed and approved.

II. <u>Chair Updates/Correspondence</u>

Dr. Strathearn reported that she nominated Dr. Berman to the Steering Committee of the North East Regional Board.

III. NEW BUSINESS

A. Health Assistance interVention Education Network for Connecticut Health Professionals – (HAVEN)

Maureen Dinnan, Executive Director provided the annual update regarding the Haven Program.

There are 202 individuals currently enrolled in the program, inclusive of 8 dentists.

B. Meeting Dates 2012

The following meeting dates were scheduled for 2012: All meetings will begin at 1:00 p.m. January 18, 2012 – University of Connecticut Health Center, Farmington, Connecticut March 21, 2012 - Department of Public Health, Hartford, Connecticut June 6, 2012 - Department of Public Health, Hartford, Connecticut August 29, 2012 - Department of Public Health, Hartford, Connecticut November 11, 2012 - Department of Public Health, Hartford, Connecticut

IV. ADJOURN

Dr. Reiss made a motion to adjourn the meeting. The motion passed and the meeting adjourned at 1:20 p.m.

Respectfully submitted, Jeanne P. Strathearn, DDS, Chairperson Connecticut State Dental Commission