

**Ohio State Dental Board  
Board Meeting  
March 29, 2006**

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**Ohio State Dental Board  
Board Meeting  
March 29, 2006**

**MINUTES**

**ATTENDANCE**

The Ohio State Dental Board (Board) met in room 1932, 19<sup>th</sup> Floor of the Vern Riffe Center for Government and the Arts, 77 South High Street, Columbus, Ohio on Wednesday, March 29, 2005, beginning at 1:00 p.m. Board members present were:

Paul Vesoulis, D.D.S., President  
Gregory A. McDonald, D.D.S., Vice-President  
Edward R. Hills, D.D.S., Secretary  
Phillip J. Beckwith, D.D.S.  
Berta I. Howard, D.D.S.  
Billie Sue Kyger, D.D.S.  
Linda Leshner, R.D.H.  
T. Michael Murphy, D.D.S.  
Ann E. Naber, R.D.H.  
Sandra L. Wise, R.D.H.

Mark T. Armstrong, D.D.S., Mark Landes, Esq., and Frank A. Wright, D.M.D. were not in attendance for the meeting.

The following guests were also in attendance: Jonathan Fulkerson, Esq. Deputy Attorney General and Todd Newkirk, Esq., Assistant Attorney General; Keith Kerns, Esq. and Dennis Burns, D.D.S. of the Ohio Dental Association (ODA); Denise Bowers, R.D.H. and Linda Hewetson, R.D.H. of the Ohio Dental Hygienists' Association (ODHA); Jane Young of the Ohio Department of Job and Family Services, Bureau of Audit; Eric Plinke, Esq. and S. Thomas Deahl, II, Ph.D., D.M.D.; Lili Reitz, Esq., Executive Director, Rebecca Hockenberry, Esq., Assistant Director, Gail Davis, Dental Board Enforcement Officer, Jayne Smith, Licensure Coordinator, and Malynda Franks, Executive Secretary of the Ohio State Dental Board; and other guests.

## **CALL TO ORDER**

Dr. Vesoulis extended greetings to everyone and noting that there was a quorum present called the meeting to order at 1:17 p.m. He requested all members and guests sign the attendance roster.

## **INTRODUCTION OF NEW ASSISTANT ATTORNEY GENERAL**

Mr. Fulkerson introduced Todd Newkirk, Esq. as the Board's new Assistant Attorney General representative. He gave a brief background for Mr. Newkirk and stated that he would be succeeding Barb Pfeiffer, Esq. in representing the Board.

## **EXECUTIVE SESSION**

*Motion by Dr. McDonald, second by Dr. Murphy, to move the Board into executive session pursuant to Ohio Revised Code Section 121.22(G)(3) to confer with counsel on matters that are the subject of pending or imminent court action.*

Roll call vote: Dr. Beckwith – Yes  
Dr. Hills - Absent  
Dr. Howard – Yes  
Dr. Kyger – Yes  
Ms. Leshner - Yes  
Dr. McDonald - Yes  
Dr. Murphy – Yes  
Ms. Naber – Yes  
Dr. Vesoulis – Yes  
Ms. Wise – Yes

Motion carried.

Dr. Vesoulis invited Ms. Reitz, Ms. Hockenberry, and Mr. Fulkerson to attend the executive session.

## **OPEN SESSION**

At 2:00 p.m. the Board resumed open session. Dr. Vesoulis approved the agenda for the afternoon as presented with the notation that the Chair may modify the agenda due to timing constraints or extenuating circumstances.

## **INTRODUCTION OF BOARD MEMBERS**

Dr. Vesoulis took a moment to introduce the Board. He introduced himself as the Board President, a general dentist from Toledo. He then introduced the other Board members: Dr. Gregory McDonald, the Board Vice-President, a general dentist from Springboro, Dr. Edward Hills, the Board Secretary, a general dentist from Cleveland, Dr. Berta Howard, a general dentist from Hamilton, Dr. Phillip Beckwith, an orthodontist from Columbus, Ms. Linda Lesher, a dental hygienist from Lima, Dr. Billie Sue Kyger, a general dentist from Gallipolis, Ms. Ann Naber, a dental hygienist from Bellbrook, Ms. Sandra Wise, a dental hygienist from Fremont and Dr. T. Michael Murphy, an oral and maxillofacial surgeon from Marion.

## **REVIEW OF THE FEBRUARY BOARD MEETING MINUTES**

The Board reviewed the minutes of the February 8, 2006 Board meeting.

*Motion by Dr. Murphy, second by Ms. Wise, to approve the February 8, 2006 Board meeting minutes as presented.*

Roll call vote.

Motion carried unanimously.

## **REVIEW OF LICENSE APPLICATIONS**

### **LICENSURE REPORT**

Jayne Smith, Licensure Coordinator, had prepared a report of the licenses issued since the January 2006 meeting, for Board member review.

*Motion by Dr. Murphy, second by Ms. Lesher, to approve the licensure report for the following dental licenses issued by North East Regional Board, Inc. (NERB) examination:*

### **DENTAL**

Aisha H. Abdul-Latif, D.D.S.  
Jason A. Barton, D.D.S.  
Thomas W. Beckman, D.D.S.  
Jennifer E. Chambers, D.D.S.  
Jong R. Choi, D.D.S.

Todd W. Hasty, D.D.S.  
Sai L. Kadiyala, D.D.S.  
Harish K. Malyala, D.D.S.  
Teresa L. Ruehl, D.D.S.  
Vladimir M. Shapiro, D.D.S.

Roll call vote.

Motion carried unanimously.

***Motion by Ms. Wise, second by Ms. Naber, to approve the licensure report for the following dental hygiene licenses issued by North East Regional Board, Inc. (NERB) examination:***

**DENTAL HYGIENE**

Margaret E. Ballantyne  
Angela M. Bays  
Teresa M. Coffey  
Natalie L. Gill  
Danielle M. Kehl

Katie L. Parsley  
Jennifer M. Reynolds  
Benjamin W. Seager  
Tara J. Thomsa  
Jalain R. Tomes

Roll call vote.

Motion carried.

***Motion by Dr. Murphy, second by Dr. Kyger, to approve the licensure report for the following dental assistant radiographer licenses issued by: acceptable certification or licensure in another state, certification by the Dental Assisting National Board (DANB) or the Ohio Commission on Dental Assistant Certification (OCDAC), or successful completion of the DANB Radiation, Health and Safety examination or other Board-approved Radiography examination:***

**DENTAL ASSISTANT RADIOGRAPHER**

Lisa Back  
Cynthia Bailey  
Janelle Bartlett  
Suzanne M. Bellanca  
Andrea Bennett  
Heidi S. Bohnsack  
Erin R. Bonnema  
Dawn Boyd  
Tina Brillhart  
Kelsey Brogdon  
Laura Brokamp

Jennifer R. Bruce  
Shawna M. Bruhn  
Jamie N. Brunt  
Toia Chaney  
Nicole Churchwell  
Shelly Clark  
Andrea Clifton  
Lisa Cline  
Diane Condon  
Christina M. Condor  
Kristi Connolly

Joni Crabtree  
Karin Davis  
Misty D. Davis  
Tiffany Davis  
Lana Deluna  
Ivanka Demko  
Kelly L. Desrochers  
Mary Donaldson  
Phyllis M. Doyle  
Dawn R. Drummond  
Amanda Eberle  
Patricia E. Edeburn  
Justina L. Edgell  
Emily Ehler  
Bethany A. Eller  
Christine Farnsworth  
Jacqueline Favorito  
Angela Ferraro  
Darlene Foster  
Wendy Fracker  
Lisa Francis  
Darcy Frey  
Angela Fry  
Andreia M. Gabriell  
Suzanne H. Gammons  
Nicholas Gatzulis  
Christina Gay  
Monica I. Grewatsch  
Teresa Brimmer  
Nancy K. Gross  
Nicole Grycza  
Veronica J. Guerra  
Heather Haggenjos  
Melissa J. Harris  
Samantha C. Hayek  
Mary Kesketh  
Leticia V. Hughes  
Joyce Hunkins  
Crystal Icke  
Melinda Jackson  
Tina John  
Joy S. Johnson  
Allison Junk

Deborah Karl  
Kristen Kielmeyer  
Susan F. Kinsella  
Jody Knafler  
Jodi Knox  
Megan K. Lascala  
Dena Lattanzio  
Urszula Lech  
Nancy Lewis  
Jessica L. Loudermilk  
Kimberly D. Mabrey  
Crystal L. Maple  
Tanya Marshall  
Elizabeth J. Masline  
Mary Mast  
Shinlee Mast  
Gariann McDaniel  
Kelly McDonald  
Crystal McKenzie  
Meghan A. McMahan  
Patricia A. Meade  
Amber M. Bercer  
Kelly Meredith  
Danielle N. Moeller  
Leticia Montes  
Samantha Morgan  
Erika Moskowitz  
Helga K. Ols  
Deborah Osborne  
Amber Owens  
Marjorie Pearson  
Amanda Perez  
Tonya Perry  
Erin Pingle  
Lanna Pollock  
Nicole J. Pollock  
Dawn L. Porter  
Sarah D. Porterfield  
Jill Preece  
Amy E. Rarick  
Joann Rasmussen  
Andrea S. Redelman  
Adrienne Regovich

Jasmine K. Reid  
Nancy J. Reid  
Kyle R. Remusat  
Karie A. Ritter  
Sharnita S. Robinson  
Tracy A. Tobinon  
Carolyn M. Roche  
Amanda Rock  
April D. Rohrback  
Chanthanom Romine  
Jodi Ross  
Viorica Rumley  
Katrina Ryan  
Asta Saporkute  
Jessica L. Seckler  
Mary G. Sferra  
Sronda Sherwood  
Emily Shillito  
Nichole Shofter  
Dora Slepsky  
Judith M. Smith  
Kerry A. Smith  
Kathy Stalter  
Barbara H. Steiner  
Carol L. Sweeney

Kara A. Swicegood  
Yvette Swonger  
Molli J. Taylor  
Sandra Uhlhorn  
Ivette Valentin  
Kevin D. Vandock  
Elizabeth Vedda  
Galyna M. Vlasov  
Sandra Vogt  
Jenny A. Wagner  
Tiffany Wagner  
Karla L. Webster  
Tamara A. Welch  
Stephanie Wells  
Nicole B. Willett  
Shana K. Wilson  
Shelly Wilson  
Mandy R. Wingate  
Melissa A. Wisch  
Kimberly Wolfe  
Diane Wolfgang  
Emily M. Wood  
Andrea Wooten  
Beverly Zeller  
Rochelle Zoltanski

Roll call vote

Motion carried.

**LIMITED TEACHING**

*Motion by Dr. Murphy, second by Dr. Kyger, to approve the licensure report for the following limited teaching licenses issued for faculty appointments:*

Dr. Punima Kumar

Roll call vote

Motion carried.

**LIMITED CONTINUING EDUCATION**

*Motion by Dr. Murphy, second by Dr. Kyger, to approve the licensure report for the following limited continuing education licenses issued for participation in clinical continuing education coursework:*

Sean P. Drower, D.D.S.

Andrew R. Lunn, D.D.S.

Roll call vote

Motion carried.

*Motion by Dr. Murphy, second by Dr. Howard, to approve the licensure report for the following coronal polishing certificates issued by; certification by the Dental Assisting National Board (DANB) or the Ohio Commission on Dental Assistant Certification (OCDAC) and completion of requirements necessary to obtain certificate:*

**CORONAL POLISHING**

Breon N. Bungardner  
Casey A. Fagnano  
Kati M. Fannon  
Jacquelyn L. Keller  
Brandon C. Kollar  
Kelly A. Lacy  
Kathleen F. Marotta  
Christine A. Martin  
Lissa M. McNeely

Amanda N. Mitch  
Jennifer L. Morgan  
Lisa A. Myers  
Lynda R. Sherman  
Janell L. Sloan  
Elizabeth N. Sternberg  
Mary E. Wilt  
Lacy J. Wright

Roll call vote.

Motion carried unanimously.

**REGIONAL BOARD/OTHER STATE FOR 5 YEARS DENTAL APPLICATION(S)**

The following persons applied for dental licenses, based on successful completion of a regional board examination, National Board examination, and the Ohio examination on the statute and regulations:

Roman Achberger, D.D.S.  
Jolly M. Caplach, D.D.S.  
Erick C. Chamblee, D.D.S.

Sunwoong S. Choi, D.D.S.  
Jason R. Glazer, D.D.S.  
Anneliese Haws, D.D.S.

*Motion by Dr. Murphy, second by Ms. Leshner, to approve these six (6) regional board/other state for 5 years dental license applications.*

Roll call vote.

Motion carried unanimously.

## REGIONAL BOARD/OTHER STATE FOR 5 YEARS DENTAL HYGIENE APPLICATION(S)

The following persons applied for dental hygiene licenses, based on successful completion of a regional board examination, National Board examination, and the Ohio examination on the statute and regulations:

Stacey R. Giebler, R.D.H.

Angela M. Nadeau, R.D.H.

*Motion by Dr. Murphy, second by Ms. Leshner, to approve these two (2) regional board dental hygiene license applications.*

Roll call vote.

Motion carried unanimously.

## REINSTATEMENT LICENSE APPLICATION(S) - NO INTERVIEW

### JULIE S. DIPIETRO, R.D.H.

The Board reviewed and considered the licensure information for Julie S. DiPietro, R.D.H. that was prepared by Ms. Smith.

*Motion by Dr. Murphy, second by Dr. Howard, to approve Ms. DiPietro's reinstatement application for dental hygiene licensure in the state of Ohio.*

Roll call vote.

Motion carried unanimously.

**KIMBERLY B. DUTTLE, R.D.H.**

The Board reviewed and considered the licensure information for Kimberly B. Duttle, R.D.H. that was prepared by Ms. Smith.

*Motion by Dr. Murphy, second by Dr. Kyger, to approve Ms. Duttle's reinstatement application for dental hygiene licensure in the state of Ohio.*

Roll call vote.

Motion carried unanimously.

**DAVID F. FLEMING, D.D.S.**

The Board reviewed and considered the licensure information for David F. Fleming, D.D.S. that was prepared by Ms. Smith.

*Motion by Dr. Murphy, second by Ms. Naber, to approve Dr. Fleming's reinstatement application for dental licensure in the state of Ohio, pending receipt of his hepatitis documentation and FBI background check.*

Roll call vote.

Motion carried unanimously.

**BETHANY L. SERAFIN, D.M.D.**

The Board reviewed and considered the licensure information for Bethany L. Serafin, D.M.D. that was prepared by Ms. Smith.

*Motion by Dr. Murphy, second by Dr. Kyger, to approve Dr. Serafin's reinstatement application for dental licensure in the state of Ohio.*

Roll call vote.

Motion carried unanimously.

**REBECCA S. WARNOCK, R.D.H.**

The Board reviewed and considered the licensure information for Rebecca S. Warnock, R.D.H. that was prepared by Ms. Smith.

*Motion by Dr. Murphy, second by Dr. Kyger, to approve Ms. Warnock's reinstatement application for dental hygiene licensure in the state of Ohio.*

Roll call vote.

Motion carried unanimously.

**ENFORCEMENT REPORT**

**REPORT AND RECOMMENDATIONS**

**REPORT AND RECOMMENDATION IN THE MATTER OF SAMUEL NATOLI, D.D.S.**

Dr. Hills announced that the Board would now consider the Hearing Officer's Report and Recommendation in the matter of Samuel Natoli, D.D.S. that was filed by Hearing Examiner, Christopher B. McNeil, Esq., on February 9, 2006. He then stated that Paul L. Wallace, Esq. had filed Objections to the Report and Recommendations on February 21, 2006.

Dr. Hills then proceeded by asking whether each member of the Board had read the Hearing Examiner's Report and Recommendation in the matter of Samuel Natoli, D.D.S.

Roll call:

- Dr. Beckwith – Yes
- Dr. Hills - Yes
- Dr. Howard – Yes
- Dr. Kyger – Yes
- Ms. Leshner - Yes
- Dr. McDonald - Yes
- Dr. Murphy – Yes
- Ms. Naber – Yes
- Dr. Vesoulis – Yes
- Ms. Wise – Yes

Dr. Hills then proceeded by asking whether each member of the Board had the record, including the transcript, available to refer to when necessary in reviewing this matter?

Roll call:           Dr. Beckwith – Yes  
                          Dr. Hills - Yes  
                          Dr. Howard – Yes  
                          Dr. Kyger – Yes  
                          Ms. Leshner - Yes  
                          Dr. McDonald - Yes  
                          Dr. Murphy – Yes  
                          Ms. Naber – Yes  
                          Dr. Vesoulis – Yes  
                          Ms. Wise – Yes

Dr. Hills then asked whether each member of the Board had read all the Objections to the Report and Recommendation in the matter of Samuel Natoli, D.D.S.?

Roll call:           Dr. Beckwith – Yes  
                          Dr. Hills - Yes  
                          Dr. Howard – Yes  
                          Dr. Kyger – Yes  
                          Ms. Leshner - Yes  
                          Dr. McDonald - Yes  
                          Dr. Murphy – Yes  
                          Ms. Naber – Yes  
                          Dr. Vesoulis – Yes  
                          Ms. Wise – Yes

The original Order, Report and Recommendation and any objections shall be maintained in the exhibits section of this journal.

Ms. Hockenberry stated that Dr. Natoli had requested and had been granted permission to address the board prior to its deliberation in this matter.

Dr. Hills then stated that the Board's minutes would serve as the official record of the proceedings. He then asked if Dr. Natoli and his attorney were present. Recognizing that Dr. Natoli and his attorney were present, he stated that their comments should be limited to the Report and Recommendation filed by the Hearing Examiner.

*PAUL L. WALLACE, ESQ.*

Paul L. Wallace, Esq., attorney for Samuel Natoli, D.D.S., began by thanking the Board for the opportunity to address them regarding the Report and Recommendation and wished to address the five (5) counts in the Notice of opportunity for hearing. He stated that with respect to the last three (3) counts regarding infection control, specifically heat sterilization of instruments and face shields, Dr. Natoli has taken steps to correct these issues which included remediation courses. Mr. Wallace pointed out that no patients have been harmed with regards to these issues.

Continuing on, Mr. Wallace stated that the bigger issues seemed to be the first two (2) counts in the Notice of Opportunity for hearing regarding a single patient who has Cornelia de Lange syndrome. He stated that Dr. Natoli, who normally treats mentally retarded and developmentally disabled patients, was charged with failure to adequately sedate and failure to refer this particular patient. He explained to the Board members that Dr. Natoli is the only dentist at the Columbus Developmental Center that treats adult patients with mental retardation and therefore, these types of patients are referred to him. Further, he stated that of the six (6) geriatric physicians at the Heinzerling Foundation, Dr. Natoli is the only treating practitioner attending these patients.

Mr. Wallace stated that with regards to the Board's charge of failure to diagnose was in reality more a failure to document. He agreed that Dr. Natoli has a documentation problem and has taken steps to correct this also in addition to the infection control violations. He stated that ultimately the timing of referral of the patient to Children's Hospital by Dr. Natoli was done appropriately for treatment. Mr. Wallace stated that Dr. Kirlough's testimony focused on failure to document the diagnosis rather than the diagnosis itself. He stated that Dr. Kirlough and Dr. Kramer's opinions of standard of care differ greatly and that dentists at the Heinzerling Foundation would find that Dr. Natoli's treatment of this patient well within the standard of care for the profession.

Concluding, Mr. Wallace stated that this is the first time in all his years of practice that Dr. Natoli's ethics or practices have been questioned. He asked that the Board dismiss Counts 1 and 2 of the Notice of Opportunity for hearing and that only continuing education be ordered in regards to the remaining Counts. He appealed to the Board to allow Dr. Natoli to go back to what he does best, treatment of special needs patients.

*JONATHAN R. FULKERSON, ESQ., DEPUTY ATTORNEY GENERAL*

Jonathan R. Fulkerson, Esq., Deputy Attorney General representing the Board in this case, began by agreeing that Dr. Natoli has had a long career without blemish and that the Board applauds his services to special needs and geriatric patients. He noted that

Dr. Natoli's intentions were honorable, however, the issues here are not honorable intentions but actions. He stated that Dr. Natoli's abilities and judgment fall short of the standard of care and that in addition, Dr. Natoli conceded that his infection control procedures are not up to standard. Mr. Fulkerson stated that the problem here is that Dr. Natoli does not know when he is in over his head and should refer a patient out. He commented that at some point you've got to step back and refer to someone else who can do the job.

Mr. Fulkerson stated that the patient has Cornelia de Lange syndrome and explained that all dentists have patients that are problematic or may not comply with treatment. However, he explained that for five (5) years Dr. Natoli's charts indicated that the patient was uncooperative and needed Valium for pretreatment and that despite the notation in the patient's charts that the amount was insufficient, Dr. Natoli used it for the entire five (5) years. He stated that this supervised neglect resulted in the extraction of all the patient's teeth at Children's Hospital in Columbus.

Continuing on, Mr. Fulkerson stated that Dr. Natoli did not do what was required in this case. He stated that the expert, Dr. Kirlough, said that Dr. Natoli never took x-rays in five years and that with regards to diagnosis and treatment "At some point you have got to use the option of general anesthesia." Mr. Fulkerson indicated that the Hearing Examiner put it succinctly:

"...The question ultimately for the Board to determine is whether this does or does not conform to professional standards of practice. So too with respect to the failure to conduct a proper diagnosis during this term of treatment. Where a dentist refuses to take x-rays out of consideration of the exposure to radiographic waves of the personnel who would be assigned to hold the patient steady, there is a deviation of the standards of care. Special needs patients will, according to the State's expert witness, frequently need general anesthesia for just such a reason – to permit the dentist to gain access to the mouth so that x-rays can be taken and a proper diagnosis rendered. That never happened here, and it should have, at some time during Dr. Natoli's care for this patient."

Concluding, Mr. Fulkerson stated that the recommended Order is appropriate in light of the fact that Dr. Natoli did not do what needed to be done regarding this patient. He urged the Board members to find all the Counts in the Notice of Opportunity for hearing true and to adopt the recommendations of the Hearing examiner in this case.

**EXECUTIVE SESSION**

*Motion by Dr. Murphy, second by Dr. Kyger, to move the Board into executive session pursuant to Ohio Revised Code Section 121.22 (G)(1) to deliberate and consider the charges and report and recommendation filed in the matter of Samuel Natoli, D.D.S.*

Roll call vote: Dr. Beckwith – Yes  
Dr. Hills - Abstain  
Dr. Howard – Yes  
Dr. Kyger – Yes  
Ms. Leshner - Yes  
Dr. McDonald - Yes  
Dr. Murphy – Yes  
Ms. Naber – Yes  
Dr. Vesoulis – Yes  
Ms. Wise – Yes

Motion carried.

Dr. Hills did not attend the executive session.

**OPEN SESSION**

The Board resumed open session at 2:05 p.m.

**DECISION IN THE MATTER OF SAMUEL NATOLI, D.D.S.**

Dr. Hills stated, “Let the record reflect that I was not present during executive session and I did not participate in deliberations in this matter. Therefore, I will abstain from final vote.”

Dr. Hills then questioned, “Is there a motion concerning the Hearing Examiner’s Report and Recommendation?”

*Motion by Dr. Vesoulis, second by Dr. McDonald, to find all Counts of the Notice of Opportunity to be true.*

Roll call vote: Dr. Beckwith – Yes  
Dr. Hills - Abstain

Dr. Howard – Yes  
Dr. Kyger – Yes  
Ms. Leshner - Yes  
Dr. McDonald - Yes  
Dr. Murphy – Yes  
Ms. Naber – Yes  
Dr. Vesoulis – Yes  
Ms. Wise – Yes

Motion carried.

*Motion by Dr. Vesoulis, second by Ms. Wise, to modify the Hearing Examiner's Recommended Order as follows:*

*It is hereby ORDERED:*

1. *The license of SAMUEL NATOLI, DDS to practice dentistry in the state of Ohio is SUSPENDED for a period of sixty (60) days. DR. NATOLI may not receive any income either from a legal or a beneficial interest in the dental practice during the period of suspension, however, he may be present in the office to update records, and do other duties as necessary to bring his office into compliance with the Dental Practice Act and to establish procedures to ensure continued compliance.*
2. *The Ohio State Dental Board shall not consider REINSTATEMENT of DR. NATOLI's license to practice unless and until all of the following requirements are met:*
  - a. *DR. NATOLI shall take twenty (20) hours of continuing education in Diagnosis and Treatment Planning, and twenty (20) hours of continuing education in Infection Control, approved in advance by the Board Secretary. Proof of successful completion of these hours shall be submitted to the Board Secretary. These hours shall be in addition to the forty (40) hours of continuing education necessary for renewal.*

*b. DR. NATOLI shall make a written request for reinstatement to the Board Secretary.*

*3. Once reinstated, DR. NATOLI's license to practice dentistry shall be subject to the following PROBATIONARY terms, conditions and limitations for a period of three (3) years:*

*a. DR. NATOLI shall submit quarterly declarations under penalty of Board discipline stating that he is in compliance with the terms of this Order.*

*b. DR. NATOLI shall obey all federal, state and local laws, and all rules governing the practice of dentistry in Ohio.*

*This ORDER shall become effective thirty (30) days from the date of mailing of the Order.*

Discussion followed wherein Dr. Vesoulis indicated that while the Board was concerned with the violations of law, they believed the Adjudication Order that the Board was handing down would address the issues. That being said, Dr. Vesoulis noted that the Board reduced the proposed suspension to allow Dr. Natoli the opportunity to return to practice with the additional knowledge that would be forthcoming, so that he could continue to serve the geriatric and handicapped population that he serves on a daily basis.

Roll call vote: Dr. Beckwith – Yes  
Dr. Hills - Abstain  
Dr. Howard – No  
Dr. Kyger – Yes  
Ms. Leshner - No  
Dr. McDonald - No  
Dr. Murphy – Yes  
Ms. Naber – Yes  
Dr. Vesoulis – Yes  
Ms. Wise – Yes

Motion failed.

*Motion by Dr. McDonald, second by Ms. Naber, to accept the Order as amended.*

Roll call vote: Dr. Beckwith – Yes  
Dr. Hills - Abstain  
Dr. Howard – Yes  
Dr. Kyger – Yes  
Ms. Leshner - Yes  
Dr. McDonald - Yes  
Dr. Murphy – Yes  
Ms. Naber – Yes  
Dr. Vesoulis – Yes  
Ms. Wise – Yes

Motion carried.

## REVIEW OF PROPOSED DISMISSAL

The Board reviewed two (2) Proposals for Dismissal.

### JAMES E. KIRKPATRICK, D.D.S.

*Motion by Dr. Murphy, second by Ms. Wise, to approve the Proposal for Dismissal for James E. Kirkpatrick, D.D.S., license number 30-019110, case number 04-84-0494 due to the following:*

- 1. The Board previously issued an adjudication order revoking Dr. Kirkpatrick's license to practice dentistry on November 4, 2005;*
- 2. The November 4, 2005 Adjudication is final and there are no further avenues of appeal; and*
- 3. There is no further disciplinary action that the Board can take with respect to Dr. Kirkpatrick as his license has been revoked.*

Roll call vote.

Motion carried unanimously.

### GARRETT R. BURKHART, D.D.S.

*Motion by Dr. Kyger, second by Dr. Howard, to approve the Proposal for Dismissal for Garrett R. Burkhart, D.D.S., license number 30-019589, case number 05-89-0157 due to the fact that he did not renew his license to practice dentistry for the current biennium and the Board no longer has jurisdiction over him.*

Roll call vote.

Motion carried unanimously.

## PERSONAL APPEARANCE(S)

### JOHN C. BLAND, D.D.S.

Ms. Hockenberry informed the Board members that this is Dr. Bland's second appearance before the Board subsequent to treatment and discharge. Dr. Bland thanked the Board members for the opportunity to speak with them and when questioned by the Board stated that he felt he was doing very well, has made a lot of progress, and has made a big effort to be more involved in the 12-step program through Alcoholics Anonymous (AA) and Narcotics Anonymous (NA). He explained that he is attending more meetings than those required as he feels that the fellowship is important. He said that he needed to change his way of thinking and now seeks advice from others, listens, and follows through, whereas before it was not his nature to do so. He stated there was great benefit in giving up his willpower over to God.

Upon questioning by Dr. Hills, Dr. Bland explained that he had not practiced for approximately eight to eight and a half (8-8 1/2) months but plans to contact patients immediately upon reinstatement in order to complete their treatment. He stated that he had made arrangements with other local dentists for emergency care for his patients and had informed his patients via phone calls and voicemail message on a recording in his office.

When questioned regarding criminal charges, Dr. Bland stated that he had issues in the past, however he was on probation now. He informed the Board that the current charges were filed in September after he had initially applied for in-patient treatment.

Further questioning by the Board revealed that Dr. Bland fills his days with taking care of his aged mother, running errands, visiting with her and performing odd jobs for friends. Additionally, he stated that he attends a lot of meetings and spends time with friends, gets lots of rest and exercise, in an effort to regain what was not there previously. He said that he spends a lot of time in prayer and meditation and informed the members that he is ready to go back to work full-time.

Dr. Hills commented that several experts have spoken to the Board with regards to cocaine addiction and have recommended that it takes from nine to twelve (9-12) months before the patient is ready to return to work. Therefore, Dr. Hills questioned whether Dr. Bland should be invited back for another interview next month. Dr. Bland stated that he didn't feel that was necessary in that he had made a major effort to change himself philosophically and that emotionally he was now more prepared work than he has been in the past twenty (20) years.

*Motion by Dr. Murphy, second by Dr. Kyger to reinstate Dr. Bland's license to practice dentistry in the State of Ohio pursuant to the terms of the consent agreement with the Board.*

Roll call vote: Dr. Beckwith – Yes  
Dr. Hills - Abstain  
Dr. Howard – Yes  
Dr. Kyger – Yes  
Ms. Leshner - No  
Dr. McDonald - Yes  
Dr. Murphy – Yes  
Ms. Naber – No  
Dr. Vesoulis – No  
Ms. Wise – No

Motion failed.

Dr. Vesoulis thanked Dr. Bland for appearing before the Board and explained that the Board does not reinstate a license to practice on the first appearance. He suggested that Dr. Bland continue with his treatment and said that the Board would apprise his as to when he would be invited back to appear before them in the future.

#### *EXECUTIVE SESSION*

*Motion by Dr. McDonald, second by Dr. Kyger, to move the Board into executive session pursuant to Ohio Revised Code Section 121.22 (G)(1) to deliberate and consider the matter of John C. Bland, D.D.S.*

Roll call vote.

Motion carried.

Dr. Hills did not attend the executive session.

## ***OPEN SESSION***

The Board resumed open session at 3:32 p.m.

Dr. Vesoulis informed Dr. Bland that he would be invited to attend the next Board meeting in April, 2006.

### **MICHAEL TILSON, D.D.S.**

Upon questioning by the Board, Dr. Tilson explained that he was feeling pretty good and ready to go back to work. He informed the Board that he does not have any dental employment set up since he did not want to rush but rather be sure that he would be allowed back to practice. Dr. Tilson explained that he has not practiced dentistry since June, 2005, but feels that he is ready to go back.

***Motion by Dr. Murphy, second by Dr. Kyger, to reinstate the license of Michael Tilson, D.D.S. to practice dentistry in the State of Ohio, pursuant to the terms of the consent agreement.***

Roll call vote: Dr. Beckwith – Yes  
Dr. Hills - Abstain  
Dr. Howard – Yes  
Dr. Kyger – Yes  
Ms. Leshner - Yes  
Dr. McDonald - Yes  
Dr. Murphy – Yes  
Ms. Naber – Yes  
Dr. Vesoulis – Yes  
Ms. Wise – Yes

Motion carried.

### **DIANA L. HALL, DENTAL ASSISTANT RADIOGRAPHER**

Ms. Hockenberry explained that Ms. Hall's license was suspended for non-renewal in January 2005. She stated that Ms. Hall continued to practice without a license until February, 2006 when it was discovered that she did not hold current licensure. Ms. Hockenberry stated that Ms. Hall was informed that she must cease practicing immediately and has signed a consent agreement with the Board which will be reviewed later in the meeting. Ms. Hockenberry stated that one (1) of the terms of the consent

agreement is her appearance before the Board for reinstatement of her radiographers' license.

Upon questioning by the Board, Ms. Hall indicated that she had no idea how she had missed her renewal. Dr. Murphy asked her if she knew how often she was required to renew her license, to which she informed him every two (2) years. When he asked her if she held a current drivers license, she indicated that she did. Dr. Murphy commented that she was not sent a reminder to renew her drivers' license and yet it was kept current. He stated that her dental assistant radiographer's license was just as important to keep current.

When questioned as to what she has learned from this experience, Ms. Hall commented that she will keep copies of everything from now on, since she was unable to locate copies of the renewal she thought she had sent to the Board office.

**DELANE DECKARD, DENTAL ASSISTANT RADIOGRAPHER**

Ms. Hockenberry informed the Board that Ms. Deckard's situation was similar in that her license had been suspended in January, 2005, was found to be practicing in February, 2006, and was ordered to cease practice. Ms. Hockenberry indicated that Ms. Deckard had attempted to renew her license in March, 2005 but had not submitted her continuing education (CE) requirements and therefore her application had been returned to her. She indicated that Ms. Deckard took the required CE in October 2005, approximately ten (10) months after the expiration of her license.

Upon questioning by the Board, Ms. Deckard explained that she was originally unaware that she was not permitted to take x-rays while waiting for her license to be renewed. She indicated that she has learned to stay on track with regards to her license as it is her responsibility and not that of her dentist.

**REBECCA DRAUGHON, DENTAL ASSISTANT RADIOGRAPHER**

Ms. Hockenberry again explained that Ms. Draughon's situation was the same as the last two (2) dental assistant radiographers except that when it was discovered yesterday that she was practicing without a license, she immediately stopped practicing and came into the Board executive office to file a reinstatement application. Ms. Hockenberry informed the members that Ms. Draughon had her fingerprints taken and submitted them to the Federal Bureau of Investigations (FBI) today.

Ms. Draughon explained to the Board members that she currently works in three (3) different dental offices and that one (1) of those offices had always taken care of the licensure renewals for the employees. She indicated that the office had the same

receptionist for the past thirteen (13) years who had always stayed on top of things and that the dental assistants in this particular office had never had to pay for anything, not even the continuing education courses.

Continuing on, Ms. Draughon stated that she took full responsibility in this matter and recognizes that she needs to do whatever it takes to remain on top of this matter in the future. She informed the Board that this day was her birthday and that it has been a very humiliating experience.

## REVIEW OF PROPOSED CONSENT AGREEMENT(S)

The Board reviewed nine (9) proposed consent agreements. The names of the individuals/licensees were not included in the documents reviewed by the Board. The names of the individuals/licensees have been added to the minutes for public notice purposes.

### DELANE M. DECKARD, DENTAL ASSISTANT RADIOGRAPHER

*Motion by Dr. Murphy, second by Ms. Naber, to approve the proposed consent agreement for Delane M. Deckard, license number 51-010634, case number 05-45-1185.*

Roll call vote: Dr. Beckwith – Yes  
Dr. Hills - Abstain  
Dr. Howard – Yes  
Dr. Kyger – Yes  
Ms. Leshner - Yes  
Dr. McDonald - Yes  
Dr. Murphy - Yes  
Ms. Naber – Yes  
Dr. Vesoulis - Yes  
Ms. Wise – Yes

Motion carried.

### REBECCA A. DRAUGHON, DENTAL ASSISTANT RADIOGRAPHER

*Motion by Ms. Wise, second by Ms. Leshner, to approve the proposed consent agreement for Rebecca A. Draughon, license number 51-003493, case number 05-25-0984.*

Roll call vote: Dr. Beckwith – Yes  
Dr. Hills - Abstain  
Dr. Howard – Yes  
Dr. Kyger – Yes  
Ms. Leshner - Yes  
Dr. McDonald - Yes  
Dr. Murphy - Yes  
Ms. Naber – Yes  
Dr. Vesoulis - Yes  
Ms. Wise – Yes

Motion carried.

**JESSICA M. FERRERA, DENTAL ASSISTANT RADIOGRAPHER**

*Motion by Dr. Murphy, second by Dr. McDonald, to approve the proposed consent agreement for Jessica M. Ferrera, license number 51-003627, case number 06-09-0064.*

Roll call vote: Dr. Beckwith – Yes  
Dr. Hills - Abstain  
Dr. Howard – Yes  
Dr. Kyger – Yes  
Ms. Leshner - Yes  
Dr. McDonald - Yes  
Dr. Murphy - Yes  
Ms. Naber – Yes  
Dr. Vesoulis - Yes  
Ms. Wise – Yes

Motion carried.

**DIANA L. HALL, DENTAL ASSISTANT RADIOGRAPHER**

*Motion by Dr. Murphy, second by Dr. Kyger, to approve the proposed consent agreement for Diana L. Hall, license number 51-008496, case number 05-48-1244.*

Roll call vote: Dr. Beckwith – Yes

Dr. Hills - Abstain  
Dr. Howard – Yes  
Dr. Kyger – Yes  
Ms. Leshner - Yes  
Dr. McDonald - Yes  
Dr. Murphy - Yes  
Ms. Naber – Yes  
Dr. Vesoulis - Yes  
Ms. Wise – Yes

Motion carried.

**LISA M. HERZNER, DENTAL ASSISTANT RADIOGRAPHER**

*Motion by Dr. Murphy, second by Dr. Kyger, to approve the proposed consent agreement for Lisa M. Herzner, license number 51-004075, case number 05-31-0519.*

Roll call vote: Dr. Beckwith – Yes  
Dr. Hills - Abstain  
Dr. Howard – Yes  
Dr. Kyger – Yes  
Ms. Leshner - Yes  
Dr. McDonald - Yes  
Dr. Murphy - Yes  
Ms. Naber – Yes  
Dr. Vesoulis - Yes  
Ms. Wise – Yes

Motion carried.

**LAWRENCE H. KAISER, III, D.D.S.**

*Motion by Dr. Murphy, second by Ms. Wise, to approve the proposed consent agreement for Lawrence H. Kaiser, III, D.D.S., license number 30-018237, case number 06-78-0021.*

Roll call vote: Dr. Beckwith – Yes  
Dr. Hills - Abstain  
Dr. Howard – Yes

Dr. Kyger – Yes  
Ms. Leshner - Yes  
Dr. McDonald - Yes  
Dr. Murphy - Yes  
Ms. Naber – Yes  
Dr. Vesoulis - Yes  
Ms. Wise – Yes

Motion carried.

CHARLES E. MILLS, JR., D.D.S.

*Motion by Dr. Murphy, second by Ms. Naber, to approve the proposed consent agreement for Charles E. Mills, Jr., D.D.S., license number 30-020303, case number 05-31-0374.*

Roll call vote: Dr. Beckwith – Yes  
Dr. Hills - Abstain  
Dr. Howard – Yes  
Dr. Kyger – Yes  
Ms. Leshner - Yes  
Dr. McDonald - Yes  
Dr. Murphy - Yes  
Ms. Naber – Yes  
Dr. Vesoulis - Yes  
Ms. Wise – Yes

Motion carried.

DAVID E. REIFENBERGER, D.D.S.

*Motion by Dr. Murphy, second by Dr. Kyger, to approve the proposed consent agreement for David E. Reifengerger, license number 30-015326, case number 05-02-0461.*

Roll call vote: Dr. Beckwith – Yes  
Dr. Hills - Abstain  
Dr. Howard – Yes  
Dr. Kyger – Yes  
Ms. Leshner - Yes  
Dr. McDonald - Yes  
Dr. Murphy - Yes  
Ms. Naber – Yes  
Dr. Vesoulis - Yes  
Ms. Wise – Yes

Motion carried.

**CRAIG A. SLACK, D.D.S.**

*Motion by Dr. Kyger, second by Ms. Wise, to approve the proposed consent agreement for Craig A. Slack, D.D.S., license number 30-018548, case number 05-25-0116.*

Roll call vote: Dr. Beckwith – Yes  
Dr. Hills - Abstain  
Dr. Howard – Yes  
Dr. Kyger – Yes  
Ms. Leshner - Yes  
Dr. McDonald - Yes  
Dr. Murphy - Yes  
Ms. Naber – Yes  
Dr. Vesoulis - Yes  
Ms. Wise – Yes

Motion carried.

**REVIEW OF PROPOSED NOTICE(S) OF OPPORTUNITY FOR HEARING**

The Board reviewed five (5) Notices of Opportunity for Hearing. The names of the individuals/licenses were not included in the documents reviewed by the Board. The names of the individuals/licenses have been added to the minutes for public notice purposes.

**BRUCE A. MASSING, D.D.S.**

*Motion by Dr. Murphy, second by Dr. Kyger, to approve the proposed notice of opportunity for hearing and forward it to Bruce A. Massing, D.D.S., license number 30-020737, and case numbers 05-31-0533, 05-31-0527, and 05-09-0597.*

Roll call vote: Dr. Beckwith – Yes  
Dr. Hills - Abstain  
Dr. Howard – Yes  
Dr. Kyger – Yes  
Ms. Leshner - Yes  
Dr. McDonald - Yes  
Dr. Murphy – Yes

Ms. Naber – Yes  
Dr. Vesoulis - Yes  
Ms. Wise – Yes

Motion carried.

**JOHN M. BROOKE, D.D.S.**

*Motion by Dr. Murphy, second by Dr. Kyger, to approve the proposed notice of opportunity for hearing and forward it to John M. Brooke, D.D.S. license number 30-015402, case number 06-18-0127.*

Roll call vote: Dr. Beckwith – Yes  
Dr. Hills - Abstain  
Dr. Howard – Yes  
Dr. Kyger – Yes  
Ms. Leshner - Yes  
Dr. McDonald - Yes  
Dr. Murphy – Yes  
Ms. Naber – Yes  
Dr. Vesoulis - Yes  
Ms. Wise – Yes

Motion carried.

**SCOTT S. KELLY, D.D.S.**

*Motion by Dr. Murphy, second by Dr. Kyger, to approve the proposed notice of opportunity for hearing and forward it to Scott S. Kelly, D.D.S. license number 30-16259, case number 04-18-05-07.*

Roll call vote: Dr. Beckwith – Yes  
Dr. Hills - Abstain  
Dr. Howard – Yes  
Dr. Kyger – Yes  
Ms. Leshner - Yes  
Dr. McDonald - Yes  
Dr. Murphy – Yes  
Ms. Naber – Yes  
Dr. Vesoulis - Yes  
Ms. Wise – Yes

Motion carried.

MARY C. LAUER, D.D.S.

*Motion by Dr. Murphy, second by Dr. Kyger, to approve the proposed notice of opportunity for hearing and forward it to Mary C. Lauer, D.D.S. license number 30-17941, case number 06-18-0126.*

Roll call vote: Dr. Beckwith – Yes  
Dr. Hills - Abstain  
Dr. Howard – Yes  
Dr. Kyger – Yes  
Ms. Leshner - Yes  
Dr. McDonald - Yes  
Dr. Murphy – Yes  
Ms. Naber – Yes  
Dr. Vesoulis - Yes  
Ms. Wise – Yes

Motion carried.

ROBERT W. OTT, D.D.S.

*Motion by Dr. Kyger, second by Ms. Wise, to approve the proposed notice of opportunity for hearing and forward it to Robert W. Ott, D.D.S. license number 30-013737, case number 05-48-0128.*

Roll call vote: Dr. Beckwith – Yes  
Dr. Hills - Abstain  
Dr. Howard – Yes  
Dr. Kyger – Yes  
Ms. Leshner - Yes  
Dr. McDonald - Yes  
Dr. Murphy – Yes  
Ms. Naber – Yes  
Dr. Vesoulis - Yes  
Ms. Wise – Yes

Motion carried.

## ENFORCEMENT UPDATE

Ms. Hockenberry informed the Board that there were eight (8) cases pending hearings, of which all have been scheduled. She noted that this number was now seven (7) due the dismissal of Dr. Kirkpatrick's case. She stated that we currently have four (4) cases under appeal and one (1) case is pending Board decision that was handled today. She stated that at the time of this report there was one (1) case wherein no hearing was requested which the Board dismissed earlier due to lack of jurisdiction. Ms. Hockenberry stated that there are now only fifteen (15) licensees are currently under suspension. Ms. Hockenberry stated that no additional cases have been referred to the Quality Intervention Program (QUIP) since the last Board meeting and we still have seven (7) cases pending QUIP. She directed the members to the Probation listing at the end of the Enforcement Report. She informed the members that she and Enforcement Officer, Gail Adams, had gone through the Suspension files and cleaned up the list by removing those that were indefinitely suspended and the Board had not received anything from the licensee for a long period of time. She indicated that the new listing was significantly shorter.

Ms. Hockenberry informed the Board that two hundred and eighty-nine (289) cases have been investigated and reviewed by the Board Secretary and are recommended to be closed. She informed the Board members that she had included a Probation Report as part of the Enforcement Report, in order to keep them informed as to the status of disciplined licensees.

Due to the requirement in Chapter 4715.03(D) of the Ohio Revised Code, that "The board shall not dismiss any complaint or terminate any investigation except by a majority vote of its members,..." Ms. Hockenberry reviewed the cases to be closed with the Board.

The following cases are recommended to be closed:

00-31-036	Standard Of Care	05-09-0701	Rad Renewal
04-77-0122	Standard/Warning	05-09-0702	Rad Renewal
04-81-0129	Standard Of Care	05-09-0704	Rad Renewal
05-02-0657	Rad Renewal	05-09-0705	Rad Renewal
05-06-0673	Rad Renewal	05-09-0706	Rad Renewal
05-08-0679	Rad Renewal	05-09-0710	Rad Renewal
05-08-0681	Rad Renewal	05-09-0714	Rad Renewal
05-09-0682	Rad Renewal	05-09-0716	Rad Renewal
05-09-0688	Rad Renewal	05-11-0723	Rad Renewal
05-09-0694	Rad Renewal	05-11-0724	Rad Renewal
05-09-0697	Rad Renewal	05-11-0725	Rad Renewal
05-09-0700	Rad Renewal	05-12-0728	Rad Renewal

05-12-0732	Rad Renewal	05-31-0121	Standard Of Care
05-12-0735	Rad Renewal	05-31-0576	Misrep/Records/ Informed/Consent/ Standard
05-12-0738	Rad Renewal		
05-12-0739	Rad Renewal		
05-12-0741	Rad Renewal	05-31-0610	Fraud
05-12-0742	Rad Renewal	05-31-0626	Billing Issues
05-12-0743	Rad Renewal	05-31-1074	Rad Renewal
05-13-0748	Rad Renewal	05-31-1080	Rad Renewal
05-13-0754	Rad Renewal	05-31-1083	Rad Renewal
05-13-0755	Rad Renewal	05-31-1084	Rad Renewal
05-13-0756	Rad Renewal	05-31-1088	Rad Renewal
05-13-0760	Rad Renewal	05-31-1093	Rad Renewal
05-13-0764	Rad Renewal	05-31-1096	Rad Renewal
05-14-0765	Rad Renewal	05-31-1102	Rad Renewal
05-15-0777	Rad Renewal	05-31-1110	Rad Renewal
05-17-0782	Rad Renewal	05-31-1113	Rad Renewal
05-17-0783	Rad Renewal	05-31-1114	Rad Renewal
05-18-0476	Impairment	05-31-1116	Rad Renewal
05-18-0802	Rad Renewal	05-31-1118	Rad Renewal
05-18-0838	Rad Renewal	05-31-1122	Rad Renewal
05-18-0846	Rad Renewal	05-31-1125	Rad Renewal
05-18-0883	Rad Renewal	05-31-1128	Rad Renewal
05-18-0890	Rad Renewal	05-31-1771	Standard Of Care/ Excessive And Unnecessary
05-18-0891	Rad Renewal Practicing Outside The Scope	05-32-1131	Rad Renewal
05-19-0896	Rad Renewal	05-32-1132	Rad Renewal
05-19-0898	Rad Renewal	05-33-1134	Rad Renewal
05-20-0902	Rad Renewal	05-35-1136	Rad Renewal
05-25-0451	Fraud/Improper Billing	05-35-1138	Rad Renewal
05-25-0955	Rad Renewal/Warning	05-35-1783	Standard Of Care
05-25-1005	Rad Renewal/Warning	05-36-1141	Rad Renewal
05-25-1785	Standard/Failure To Diagnose	05-40-1149	Rad Renewal/Warning
05-25-1786	Standard Of Care	05-43-0487	Abandonment
05-26-1036	Rad Renewal	05-44-1182	Rad Renewal/Warning
05-26-1039	Rad Renewal	05-45-1184	Rad Renewal
05-26-1041	Rad Renewal	05-45-1186	Rad Renewal
05-29-1054	Rad Renewal	05-45-1188	Rad Renewal
05-29-1058	Rad Renewal	05-45-1191	Rad Renewal
05-29-1062	Rad Renewal	05-45-1192	Rad Renewal
05-29-1063	Rad Renewal	05-45-1194	Rad Renewal
		05-45-1195	Rad Renewal
		05-45-1198	Rad Renewal

05-45-1199	Rad Renewal	05-57-1357	Rad Renewal
05-45-1201	Rad Renewal	05-57-1358	Rad Renewal
05-45-1202	Rad Renewal	05-57-1359	Rad Renewal
05-46-1206	Rad Renewal	05-57-1360	Rad Renewal
05-47-0616	Standard Of Care	05-57-1361	Rad Renewal
05-47-1212	Rad Renewal	05-57-1363	Rad Renewal
05-47-1223	Rad Renewal	05-57-1365	Rad Renewal
05-47-1243	Rad Renewal	05-57-1366	Rad Renewal
05-48-0407	Misrep And Standard	05-57-1367	Rad Renewal
05-48-1247	Rad Renewal	05-57-1368	Rad Renewal
05-48-1248	Rad Renewal	05-57-1369	Rad Renewal
05-48-1249	Rad Renewal	05-57-1370	Rad Renewal
05-48-1250	Rad Renewal	05-57-1371	Rad Renewal
05-48-1251	Rad Renewal	05-57-1374	Rad Renewal
05-48-1252	Rad Renewal	05-57-1375	Rad Renewal
05-48-1255	Rad Renewal	05-57-1377	Rad Renewal
05-48-1257	Rad Renewal	05-57-1379	Rad Renewal
05-48-1262	Rad Renewal	05-57-1380	Rad Renewal
05-48-1263	Rad Renewal	05-57-1381	Rad Renewal
05-48-1269	Rad Renewal	05-57-1382	Rad Renewal
05-48-1270	Rad Renewal	05-57-1383	Rad Renewal
05-48-1271	Rad Renewal	05-57-1384	Rad Renewal
05-48-1274	Rad Renewal	05-57-1385	Rad Renewal
05-48-1275	Rad Renewal	05-57-1386	Rad Renewal
05-48-1278	Rad Renewal	05-57-1387	Rad Renewal
05-48-1280	Rad Renewal	05-57-1388	Rad Renewal
05-48-1757	Standard Of Care	05-57-1389	Rad Renewal
05-49-1282	Rad Renewal/Warning	05-57-1390	Rad Renewal
05-52-1325	Rad Renewal	05-57-1391	Rad Renewal
05-52-1328	Rad Renewal	05-57-1392	Rad Renewal
05-52-1336	Rad Renewal	05-57-1393	Rad Renewal
05-55-1344	Rad Renewal	05-57-1394	Rad Renewal
05-55-1345	Rad Renewal	05-57-1395	Rad Renewal
05-55-1346	Rad Renewal	05-57-1396	Rad Renewal
05-55-1347	Rad Renewal	05-57-1397	Rad Renewal
05-55-1348	Rad Renewal	05-59-1398	Rad Renewal
05-55-1349	Rad Renewal	05-59-1399	Rad Renewal
05-57-0412	Misrep/Billing And Records	05-62-1408	Rad Renewal
05-57-1351	Rad Renewal	05-62-1410	Rad Renewal
05-57-1352	Rad Renewal	05-63-1474	Rad Renewal
05-57-1353	Rad Renewal	05-68-1493	Rad Renewal
05-57-1354	Rad Renewal	05-68-1494	Rad Renewal
		05-68-1495	Rad Renewal

05-68-1497	Rad Renewal	05-89-1435	Rad Renewal
05-68-1498	Rad Renewal	05-89-1436	Rad Renewal
05-69-1502	Rad Renewal	05-89-1437	Rad Renewal
05-71-1519	Rad Renewal/Warning	05-89-1438	Rad Renewal
05-72-1522	Rad Renewal	05-89-1439	Rad Renewal
05-72-1524	Rad Renewal	05-89-1440	Rad Renewal
05-72-1525	Rad Renewal	05-89-1441	Rad Renewal
05-72-1526	Rad Renewal	05-89-1442	Rad Renewal
05-74-1530	Rad Renewal	05-89-1443	Rad Renewal
05-74-1531	Rad Renewal	05-89-1444	Rad Renewal
05-74-1532	Rad Renewal	05-89-1445	Rad Renewal
05-75-1533	Rad Renewal	05-89-1446	Rad Renewal
05-76-0581	Misrepresentation	05-89-1447	Rad Renewal
05-81-1655	Rad Renewal	05-89-1448	Rad Renewal
05-81-1656	Rad Renewal	05-89-1449	Rad Renewal
05-83-1659	Rad Renewal	05-89-1450	Rad Renewal
05-83-1661	Rad Renewal	05-89-1451	Rad Renewal
05-83-1662	Rad Renewal	05-89-1452	Rad Renewal
05-83-1666	Rad Renewal	05-89-1453	Rad Renewal
05-83-1667	Rad Renewal	05-89-1454	Rad Renewal
05-83-1669	Rad Renewal	05-89-1455	Rad Renewal
05-83-1675	Rad Renewal	05-89-1456	Rad Renewal
05-84-1676	Rad Renewal/Warning	05-89-1457	Rad Renewal
05-85-1679	Rad Renewal	05-89-1458	Rad Renewal
05-89-1413	Rad Renewal	05-89-1459	Rad Renewal
05-89-1414	Rad Renewal	05-89-1460	Rad Renewal
05-89-1415	Rad Renewal	05-89-1461	Rad Renewal
05-89-1416	Rad Renewal	05-89-1464	Rad Renewal
05-89-1417	Rad Renewal	05-89-1465	Rad Renewal
05-89-1418	Rad Renewal	05-89-1466	Rad Renewal
05-89-1419	Rad Renewal	05-89-1467	Rad Renewal
05-89-1420	Rad Renewal	05-89-1468	Rad Renewal
05-89-1421	Rad Renewal	05-89-1469	Rad Renewal
05-89-1422	Rad Renewal	05-89-1470	Rad Renewal
05-89-1423	Rad Renewal	05-89-1471	Rad Renewal
05-89-1425	Rad Renewal	05-89-1472	Rad Renewal
05-89-1426	Rad Renewal	05-89-1473	Rad Renewal
05-89-1427	Rad Renewal	06-09-0040	Advertising/Warning
05-89-1429	Rad Renewal	06-09-0064	Impairment
05-89-1430	Rad Renewal	06-18-0059	Informed Consent
05-89-1432	Rad Renewal	06-29-0017	Standard Of Care
05-89-1433	Rad Renewal	06-31-0014	Standard/Records
05-89-1434	Rad Renewal	06-31-0016	Standard Of Care

06-31-0018	Standard Of Care And Insurance Fraud	06-48-0032	Records/Warning
06-31-0028	Standard Of Care	06-51-0034	Fraud
06-31-0029	Adverse Occurrence	06-57-0012	Informed Consent
06-31-0036	Standard Of Care	06-57-0013	Standard Of Care
06-31-0054	Standard Of Care	06-57-0025	Standard Of Care
06-31-0061	Adverse Occurrence	06-57-0033	Unlicensed Practice
06-31-0070	Misrepresentation	06-62-0001	Permitting
		06-83-0083	Advertising

Prior to the vote to close the above listed cases, Dr. Vesoulis inquired as to whether any of the Board members had any personal knowledge that the cases that were being voted on today involve either themselves or a personal friend.

Roll call: Dr. Beckwith – No  
Dr. Hills - No  
Dr. Howard – No  
Dr. Kyger – No  
Ms. Leshner - No  
Dr. McDonald - No  
Dr. Murphy – No  
Ms. Naber – No  
Dr. Vesoulis – No  
Ms. Wise – No

Dr. Vesoulis then called for a motion to close the cases.

*Motion by Dr. McDonald, second by Ms. Naber, to close the above two hundred and eighty-nine (289) cases.*

Roll call vote: Dr. Beckwith – Yes  
Dr. Hills - Abstain  
Dr. Howard – Yes  
Dr. Kyger – Yes  
Ms. Leshner - Yes  
Dr. McDonald – Yes  
Dr. Murphy - Yes  
Ms. Naber – Yes  
Dr. Vesoulis - Yes  
Ms. Wise – Yes

Motion carried.

## **ANESTHESIA COMMITTEE REPORT**

### **REVIEW OF PROVISIONAL CONSCIOUS SEDATION PRIVILEGES**

Dr. Murphy stated that the following individuals have applied for Conscious Sedation permits. He explained that the Anesthesia Committee has reviewed the applications and the applicants are recommended to receive provisional privileges:

Dr. Mark A. Blumenschein - Fairborn, Ohio  
Intravenous

Dr. Mikal V. Lindman - Zanesville, Ohio  
Intravenous

*Motion by Dr. Murphy, second by Dr. McDonald, to approve these two (2) applicants to receive provisional conscious sedation privileges pending receipt of the additional documentation noted.*

Roll call vote.

Motion carried unanimously.

### **REVIEW OF ANESTHESIA PERMIT APPLICATION(S)**

Dr. Murphy stated that the following individual has applied for an Anesthesia permit. He explained that the Anesthesia Committee has reviewed the application, an evaluation was completed and the applicant is recommended to receive a permit:

Dr. Kristen Zitterell – Columbus, Ohio

*Motion by Dr. Murphy, second by Dr. McDonald, to approve the anesthesia permit application for Kristen Zitterell, D.D.S.*

Roll call vote.

Motion carried unanimously.

## **REVIEW OF CONSCIOUS SEDATION PERMIT APPLICATION(S)**

Dr. Murphy stated that the following individual has applied for a Conscious Sedation permit. He explained that the Anesthesia Committee has reviewed the application, an evaluation was completed and the applicant is recommended to receive a permit:

Dr. Mark Miely - Columbus, Ohio  
Intravenous

*Motion by Dr. Murphy, second by Dr. McDonald, to approve the Conscious Sedation permit application for Mark Miely, D.D.S.*

Roll call vote.

Motion carried unanimously.

Dr. Vesoulis thanked Dr. Murphy for providing the Anesthesia Committee Report.

## **COMMUNICATIONS COMMITTEE REPORT**

Ms. Reitz informed the Board members that the April 2005 issue of the Board Newsletter was scheduled to be shipped to our contracted mailing services on Friday of this week. She stated that they should all be receiving their copies sometime during the week following.

Dr. Vesoulis thanked Ms. Reitz for the update.

## **EDUCATION COMMITTEE REPORT**

### **REVIEW OF PERMANENT CONTINUING EDUCATION SPONSOR REQUEST(S)**

Dr. Howard stated that the following organization has requested approval as a permanent sponsor of continuing education and has been recommended for approval by the Education Committee:

Ohio Dental Expanded Functions Association (ODEFA)

## REVIEW OF BIENNIAL CONTINUING EDUCATION SPONSOR APPLICATION(S)

Dr. Howard stated that the following individuals/organizations have applied for approval as biennial sponsors of continuing education for the years 2006-2007 and have been recommended for approval by the Education Committee:

Ceramic Design Technologies, Inc.  
The Conference Center at Dublin Dental Care  
Chad S. Webb, D.D.S., M.S., Inc.

## REVIEW OF BIENNIAL CONTINUING EDUCATION SPONSOR RENEWAL APPLICATION(S)

Dr. Howard stated that the following individuals/organizations have applied for approval as biennial sponsors of continuing education for the years 2006-2007 and have been recommended for approval by the Education Committee:

Akron Periodontics & Dental Implantology/Mark S. Obernesser, D.D.S., Inc.  
Thomas M. Bodnar, D.D.S., M.S.  
Marcus A. Castro, D.D.S.  
Cleveland Society of Orthodontics  
Contemporary Dental Care of Columbus/ James E. Metz, D.D.S.  
Felix A. Gen, D.D.S., M.S.  
Neil Kennedy Recovery Clinic  
Garrett D. Kenney, D.D.S.  
A. Reza Mirimadi, D.D.S., M.D.  
Faisal A. Quereshy, M.D., D.D.S., F.A.C.S., Inc.  
Sunbury Seminars, Inc.

## REVIEW OF REQUIRED EDUCATION COURSE(S)

### DENTAL ASSISTANT RADIOGRAPHER INITIAL TRAINING COURSE(S)

Dr. Howard stated that the following individuals/organizations have submitted requests for approval of dental assistant radiographer initial training courses. Dr. Howard stated that the following courses have been reviewed and are recommended for approval by the Education Committee:

Medical University of Ohio -  
“Dental Radiology and Infection Control Course for the Dental Assisting National Board Exam”

Northeast Ohio Dental Assistant Academy, Inc.  
“Dental Radiology”

Ms. Franks interjected that the inclusion of the course from the Northeast Ohio Dental Assistant Academy, Inc. was an error in that additional information was required in order for the Committee to consider possible approval. Therefore, she stated that this course was not being submitted for Board approval at this time.

## **REVIEW OF SPECIAL EDUCATION COURSE(S)**

### **ANESTHESIA/CONSCIOUS SEDATION PERMIT RENEWAL COURSE(S)**

Dr. Howard stated that the following organization has submitted a request for approval of an Anesthesia/Conscious Sedation Permit Renewal course for permit renewal. Dr. Howard stated that the following course has been reviewed and is recommended for approval by the Education Committee:

Sunbury Seminars, Inc.  
“Current Concepts in Office Anesthesia 2006”

### **SUBSTANCE ABUSE CONTINUING EDUCATION COURSE(S)**

Dr. Howard stated that the following individuals/organizations have submitted requests for approval of substance abuse continuing education courses for dental licensure renewal. Dr. Howard stated that the following courses have been reviewed and are recommended for approval by the Education Committee:

Kenneth D. Jones, D.D.S., J.D.  
“Crystal Meth and Beyond”

Neal Kennedy Recovery Clinic  
“Understanding Substance Abuse”

Garrett D. Kenney, D.D.S.  
“Chemical Dependency in Dentistry”

## REVIEW OF SPECIAL REQUEST(S)

### SPECIAL NEEDS PROGRAM(S)

Dr. Howard stated that the following organization has applied for approval as a special needs program and has been recommended for approval by the *Education Committee*:

Family Healthcare, Inc. – The McArthur Dental Program

### CONTINUING EDUCATION EXTENSION REQUEST(S)

Dr. Howard informed the Board that the Education Committee had reviewed seven (7) requests for extensions of the continuing education requirement based on unusual circumstance, emergency or special hardship and were recommending the following individuals to receive extensions:

Firas Al-Habaj, D.D.S.  
Norman S. Chun, D.D.S.  
Robert W. Imbody, D.D.S.  
Nancy Marie Miraldi, R.D.H.  
Roza Sheykoleslam, D.D.S.  
Brian R. Toth, D.D.S.  
Kimberly L. Voelker, R.D.H.

### CONTINUING EDUCATION COURSE CONSIDERATION REQUEST(S)

Dr. Howard informed the Board that the Education Committee had received a request from a licensee for review and approval for dental and/or dental hygiene continuing education of The Institute for Natural Resources course entitled “Aging Body; Aging Mind”. She informed the Board that the Committee had the opportunity to review the course information submitted and recommended that the course be denied for dentists and dental hygienists continuing education based on the guidelines set forth in the Dental Practice Act and Board Policy.

*Motion by Dr. Murphy, second by Ms. Naber, to accept the Education Committee recommendations as amended.*

Roll call vote.

Motion carried unanimously.

Dr. Vesoulis thanked Dr. Howard for the Education Committee report.

## **LAW AND RULES REVIEW COMMITTEE REPORT**

Dr. Vesoulis stated that the Law and Rule Review Committee had met earlier in the day and had briefly discussed the filing of the rules reviewed during 2005. He stated that they had begun discussions on the process of rule revision for proposed changes to the dental hygiene and dental assistant rules with regards to local anesthesia, dental assistant radiographer certification rather than licensure, and expanded function dental auxiliary.

Dr. Vesoulis stated that the Committee had held a lengthy discussion House Bill 518 regarding dentist supervision of dental hygienists when the dentist is not present. He stated that the open discussion allowed everyone the opportunity to voice their viewpoint and that the Committee would continue these discussions.

*Motion by Dr. Murphy, second by Dr. McDonald to approve the Law and Rules Review Committee Report as presented.*

Roll call vote.

Motion carried unanimously.

## **SECRETARY'S EXPENSE REPORT**

Dr. Hills attested that he had spent in excess of twenty (20) hours per week attending to Board business.

*Motion by Dr. Murphy, second by Dr. McDonald, to approve the Secretary's expense report.*

Roll call vote.

Motion carried unanimously.

## **OFFICE EXPENSE REPORT**

The report of the Board expenditures was reviewed.

*Motion by Dr. McDonald, second by Ms. Leshar, to approve the expense report and approve payment of the February, 2006 Board bills.*

Roll call vote.

Motion carried unanimously.

## **EXECUTIVE DIRECTOR'S REPORT**

Ms. Reitz stated that she had nothing new to report at this time.

## **ELECTION OF OFFICERS**

Dr. Vesoulis stated that the Board would now consider nominations for officers for the upcoming year.

Dr. Kyger nominated Dr. Vesoulis for President, Dr. McDonald for Vice-president, and Dr. Hills for Secretary of the Board.

Dr. Vesoulis inquired as to any other nominations and noting no additional considerations, he closed the nominations.

*Motion by Dr. Kyger, second by Ms. Leshar, to nominate Dr. Vesoulis, Dr. McDonald, and Dr. Hills to the offices of President, Vice-president, and Secretary of the Ohio State Dental Board respectively.*

Roll call vote.

Motion carried unanimously.

Dr. Vesoulis thanked everyone and extended congratulations to Dr. McDonald and Dr. Hills and indicated that it had been his pleasure to serve as Board President for the past year and would continue in that endeavor. Board members joined in and congratulated their fellow members on their appointments.

## **ANYTHING FOR THE GOOD OF THE BOARD**

## **FINANCIAL DISCLOSURE STATEMENTS**

Ms. Hockenberry reminded the Board members to submit their Financial Disclosure Statements to the Board office. She stated that she would then be submitting them together prior to the deadline.

## PRESENTATION BY THE INSTITUTE FOR NATURAL RESOURCES

Eric Plinke, Esq. introduced himself as an attorney representing The Institute for Natural Resources (INR). He then introduced Stan Sklutke, Esq., Vice President, and S. Thomas Deahl, D.M.D., Ph.D., Staff Lecturer and Author for INR. Mr. Plinke explained to the Board that during the previous year it came to their attention that audited licensees were being denied credit for courses previously taken from INR. He stated that INR had performed a public records request and reviewed the continuing education (CE) audit records and determined that some courses were rejected due to the content not being dentally related. Mr. Plinke stated that while Board policy states that the course content must be at least fifty percent (50%) related to the practice of dentistry, INR courses comply with statute. He stated that INR hopes that the Board will reconsider its decisions regarding INR courses after their presentation.

Next, Stan Sklutke, Esq. briefly explained that INR is a non-profit entity, formed in 1984 in order to offer low cost, current informational CE to healthcare licensees. He stated that INR now offers accredited CE through the Academy of General Dentistry Program Approval for Continuing Education (AGD PACE) and the American Dental Association Continuing Education Recognition Program (ADA CERP). Mr. Sklutke explained that INR targets dental personnel throughout the United States by mailing over 90,000 brochures to Ohio licensees and over 5M nationwide. He said that every course is designed to comply with ADA standards for any state.

Continuing on, Mr. Sklutke stated that INR had been advised that dental licensees who had taken courses in 2002-2003 had later been denied credit based on lack of relevance to dentistry and they were now non-compliant with their CE Audit as treatment and diagnosis of disease was outside the scope of dentistry. He conjectured that this decision to deny INR courses was based on lack of sufficient information and that this presentation was an attempt to share pertinent information for course approval. He then introduced Dr. Deahl who provided a PowerPoint presentation and supplemental materials (Appendix A) in support of INR courses.

Upon completion of Dr. Deahl's presentation, a brief question and answer period ensued, wherein Mr. Fulkerson noted that it was difficult for the Board to approve CE credit for dental licensees when even INR brochures indicate that the topic relevance is acceptable for nine to ten (9-10) different professions. Mr. Sklutke responded that INR specifically targets dental professionals by mailing to thousands of Ohio licensees.

Mr. Fulkerson questioned how many of the attendees to these courses are dental professionals, to which Mr. Sklutke stated that approximately fifty percent (50%) at some lectures down to five to ten percent (5-10%) depending on location. Mr. Fulkerson explained that the Board's concerns in this regard are that Ohio Administrative Code specifically states that the CE experience must be targeted to a great extent to dental professionals. Specifically, he questioned that the brochure for "The Aging Body; The Aging Mind" lists at least ten (10) other professionals that may receive credit from the same course. He stated that the Board is not disputing whether the course has quality educational information or whether it is a good presentation, but rather is the focus to a great extent on dentistry. Mr. Fulkerson read the brochure and stated that the Board is not saying that these are not necessarily good topics, however, he indicated that one does not see the terms; oral, dental, gum, tooth, etc. in order to address the concerns of the Board that this course is directed toward dentists.

Dr. Beckwith commented that there was no doubt that these courses have content that allows for dentists and dental hygienists to better understand a particular disease or allow them to provide more knowledgeable treatment for their patient, but then the same could be said about a course on plastics. He stated the Board could certainly encourage its licensees to read more Shakespeare and it would make them better, however it does not address that it unreasonable for the Board to allow CE credits for such topics. Dr. Beckwith stated that the argument is an issue more of degree than precise compliance and how does this continuing education help to physically alter a patient in the dental chair.

Dr. Beckwith clarified that when the Board's law and rules governing CE direct that the coursework must be targeted to a great extent to dental licensees this is meant to address sciences and procedures within the practice of dentistry. He stated that it appears that INR is using the term "targeted" with relevance to marketing its courses.

Mr. Sklutke stated that the Board was ignoring the statutory inclusion of courses dealing with "basic medical and scientific subjects including, but not limited to, biology, physiology, pathology, biochemistry, and pharmacology." He stated that the Ohio legislature clearly had in mind that a dental professional should have a full, rounded education and not necessarily specific and clinical CE.

Mr. Plinke concluded by stating that INR has provided information that their courses are both dentally related and targeted toward dental professionals. He stated that they could provide additional information, but were limited in this regard by the 30-minute presentation at the end of an exhausting meeting.

Dr. Hills thanked the INR representatives for providing the information, informed them that the Board would consider these materials and allow the Education Committee the opportunity for further review should they feel it necessary.

## ADJOURN

*Motion by Dr. Murphy, second by Dr. McDonald, to adjourn the meeting.*

Roll call vote.

Motion carried unanimously.

The next meeting will be on April 26, 2006 beginning at 1:00 p.m.

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Paul Vesoulis, D.D.S.  
*President*

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Edward R. Hills, D.D.S.  
*Secretary*

## APPENDIX A

CONTINUING EDUCATION PRESENTATION BY THE INSTITUTE FOR  
NATURAL RESOURCES