

**OHIO STATE DENTAL BOARD**  
**BOARD MEETING**  
**SEPTEMBER 14, 2011**

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**OHIO STATE DENTAL BOARD  
BOARD MEETING  
SEPTEMBER 14, 2011**

**MINUTES**

**ATTENDANCE**

The Ohio State Dental Board (Board) met in Room 1960, 19<sup>th</sup> Floor of The Vern Riffe Center for Government and The Arts, 77 South High Street, Columbus, Ohio on September 14, 2011, beginning at 1:00 p.m. Board members present were:

Douglas W. Wallace, D.D.S., Vice President  
Ketki B. Desai, D.D.S., Vice Secretary  
Marybeth Shaffer, D.D.S., Acting Secretary  
Jacinto W. Beard, D.D.S.  
Constance F. Clark, R.D.H.  
W. Chris Hanners, D.D.S.  
Clifford Jones, R.D.H.  
James Lawrence  
Linda R. Staley, R.D.H.  
Mary Ellen Wynn, D.D.S.

The following guests were also in attendance: Katherine Bockbrader, Esq. of the Ohio Attorney General's Office; Keith Kerns, Esq. of the Ohio Dental Association (ODA); Mark S. Wenzel, D.D.S. of the ODA Dentist Concerned for Dentists; Mark Lutz, M.A., L.C.D.C. III of the Ohio Physicians Health Program (OPHP), Alan Kidder of the Ohio Department of Job and Family Services, Michele Carr, R.D.H., M.A. and Christina Smith, R.D.H. of the Ohio State University (OSU) College of Dentistry, Division of Dental Hygiene; and Lili Reitz, Esq., Executive Director, Kathy Carson and Gail Noble, Dental Board Enforcement Officers, Jayne Smith, Licensing Coordinator and Malynda Franks, Executive Secretary of the Ohio State Dental Board; and other guests.

**CALL TO ORDER**

Dr. Wallace extended greetings to everyone and noting that there was a quorum present called the meeting to order at 1:15 p.m.

**INTRODUCTION OF BOARD MEMBERS**

Dr. Wallace introduced himself as the Board Vice President, an oral and maxillofacial surgeon from Fairfield. Dr. Wallace then took a moment to introduce the rest of the Board members. He introduced: Dr. Ketki Desai, the Board Vice Secretary, a general dentist from Columbus, Dr. Marybeth Shaffer, a general dentist from Leetonia and the Board's Acting Secretary, Dr. Jacinto Beard, a general dentist from Gahanna, Dr. Chris Hanners, a general dentist from Piketon, Dr. Mary

Ellen Wynn, a general dentist from Cincinnati, Ms. Constance Clark, a dental hygienist from Dublin, Mr. Clifford Jones, a dental hygienist from Cincinnati, Ms. Linda Staley, a dental hygienist from Lima, and Mr. James Lawrence, the Board's public member from Akron.

## **REVIEW OF THE AUGUST 2011 BOARD MEETING MINUTES**

The Board reviewed the minutes of the August 14, 2011 Board meeting.

*Motion by Ms. Staley, second by Mr. Lawrence, to approve the August 14, 2011 Board meeting minutes as presented.*

Motion carried unanimously.

## **ENFORCEMENT REPORT**

### **PERSONAL APPEARANCE(S)**

#### **RUDYARD C. WHIPPS, D.D.S.**

Ms. Noble introduced Rudyard C. Whipps, D.D.S., stating that Dr. Whipps was appearing before the Board for an initial interview. Ms. Noble informed the Board that Dr. Whipps most recently completed treatment at Hazelden Foundation on May 28, 2011 but they had not released him to return to work until November 1, 2011 at the earliest. Ms. Noble stated that the Supervisory Investigative Panel has requested Dr. Whipps to appear before the full Board for his first interview at this time due to the fact that they would not be holding a meeting in October.

Ms. Noble explained that Dr. Whipps originally entered into a Consent Agreement for impairment in April, 2010. She stated that Dr. Whipps entered into this first consent agreement as he had already attended treatment previously and voluntarily for his impairment, however, he had a relapse and the Board found out about it. She stated that Dr. Whipps was issued a Notice of Opportunity for Hearing and automatically suspended on November 10, 2010 due to violation of his Consent. Ms. Noble indicated that the Board had received information that Dr. Whipps was abusing Ativan (Lorezapam, which is a benzodiazepine-this drug is used for anxiety). She stated that Dr. Whipps had admitted to her that he had relapsed and was trying to get into inpatient treatment. Ms. Noble informed the Board that Dr. Whipps was arrested by the Reynoldsburg Police Dept. after he fell asleep in a tanning bed and they were called. She stated that the police found the Ativan on him and that Dr. Whipps admitted to getting them over the internet without a prescription.

Continuing on, Ms. Noble stated that Dr. Whipps went into inpatient treatment at Cornerstone of Recovery from October 20, 2010 until his release on January 13, 2011. She stated that Dr. Whipps was arrested again on February 18, 2011 for OVI after wrecking his car. Ms. Noble informed the members that Dr. Whipps then entered into Hazelden Foundation on March 19, 2011 and was discharged on May 28, 2011. She stated that Dr. Whipps has been suspended since November, 2010 and that this was his first appearance for a reinstatement interview.

Concluding, Ms. Noble informed the Board that Dr. Whipps has regularly attended all of his meetings and all urine screens have been negative to date. She stated that Mark Lutz of the Ohio Physicians Health Program (OPHP) informed her that they are regularly giving him the "advanced" testing that includes ETG (which tests for alcohol) in his screening.

Upon questioning by the Board, Dr. Whipps stated that he had been in and out of recovery for approximately ten (10) years and experienced nothing profound until recently. He stated that he has lost his drivers and his dental licenses, his house, and his marriage. Dr. Whipps stated that he has reached a new level of acceptance and is grateful for what has happened. He stated that he took many things for granted, especially dentistry.

Dr. Whipps informed the members that he feels he is doing well in his recovery and that this is the best he has felt in years. He stated that initially he was unhappy with the recommendation that he not be permitted back into the practice of dentistry until November, however, in retrospect he feels that the recommendations were justified in that he was "not in the right place" to come back to active practice. Dr. Whipps indicated that he understands that the current protocol is to limit the number of hours of active practice once the Board reinstates a dental license and he feels that is in the best interest of the licensee and the patients.

When questioned as to what incidents triggered Dr. Whipps relapses and what he is doing now to avoid another relapse, Dr. Whipps stated that his whole outlook regarding his recovery has changed. He stated that he is engrossed in the meetings, working his steps to recovery, and speaks with his sponsor on a daily basis. He informed the Board that he only did the minimal amount to keep people off his back in the past. Dr. Whipps stated that he now feels he is at a point where his addiction is fatal to him and that he must do what is required for him and not for others.

Further questioning by the Board members revealed that Dr. Whipps does not have firm plans regarding practicing dentistry as he resigned from his practice in October 2010. He informed the members that should they choose to reinstate his license to practice dentistry he would send his resume out and hope for the best. Dr. Whipps stated that he is currently working at Cup-O-Joe, that it is good work and keeps him busy. He stated that he has kept current with his continuing education and completed the forty (40) hours required for reinstatement of his license.

### ***EXECUTIVE SESSION***

***Motion by Dr. Hanners, second by Ms. Staley, to move the Board into executive session pursuant to Ohio Revised Code Section 121.22(G)(1) to discuss issues in the matter of Dr. Rudyard C. Whipps, D.D.S.***

Roll call vote:     Dr. Beard – Yes  
                          Ms. Clark – Yes

Dr. Desai – Yes  
Dr. Hanners – Yes  
Mr. Jones – Yes  
Mr. Lawrence – Yes  
Dr. Shaffer – Yes  
Ms. Staley – Yes  
Dr. Wallace - Yes  
Dr. Wynn – Yes

Motion carried unanimously.

Dr. Wallace invited Ms. Reitz, Ms. Noble, Dr. Wenzel, and Mr. Lutz to attend the executive session.

The Board returned to open session at 1:54 p.m.

**RUDYARD C. WHIPPS, D.D.S. (CONTINUED)**

Dr. Wallace informed Dr. Whipps that the Board is happy that he appears to be doing well in his recovery. He stated that as Dr. Whipps noted earlier, it is the Board's protocol not to reinstate a license to practice after the first interview and invited Dr. Whipps to return to meet with the Board at its next meeting in November.

**PRESENTATION BY MARK LUTZ, M.A., L.C.D.C. III OF THE OHIO PHYSICIANS HEALTH PROGRAM (OPHP)**

Ms. Noble introduced Mark Lutz, M.A., L.C.D.C. III, Clinical Director of the Ohio Physicians Health Program (OPHP) and informed the members that Mr. Lutz had requested a moment to speak with them. Mr. Lutz thanked the members for allowing him to speak to them on such short notice and informed them that he was there to comment on drug and alcohol urine testing in terms of the Board's consent agreements. He stated that common thinking on drug and alcohol screenings is that the more frequent the testing, the better and that he feels that this is not necessarily true. Mr. Lutz explained that weekly or monthly testing for the addicted brain has a flaw in that the affected brain tells addict that once they've been tested they will not be tested again for another set period of time, thereby allowing the addict to abuse between testings.

Mr. Lutz suggested that the Board consider a change in future consent agreements that allows for a minimum of twenty-four (24) screenings or tests per year. He stated that this gives the Board or the testing entity the ability to perform screenings more randomly in that maybe there will be only twenty-four (24) screenings or maybe there will be thirty-four (34). Mr. Lutz stated that the end result is that the licensee never truly knows when they are going to be tested or when they will be done with testing. He concluded by commenting that this method works well with the addicts but not the abusers.

Dr. Wallace thanked Mr. Lutz for his information and indicated that the Board would take his comments into consideration for future impairment consent agreements.

## **PROPOSED CONSENT AGREEMENT(S)**

The Board reviewed eight (8) 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.

### **DISCIPLINARY**

#### ***NICOLE S. CAMPBELL, DENTAL ASSISTANT RADIOGRAPHER***

*Motion by Dr. Desai, second by Dr. Shaffer, to approve the proposed consent agreement for Nicole S. Campbell, dental assistant radiographer, certificate number 51-022339, case number 11-18-0360.*

Motion carried unanimously.

#### ***HELENE V. CASPER, DENTAL ASSISTANT RADIOGRAPHER***

*Motion by Ms. Staley, second by Ms. Clark, to approve the proposed consent agreement for Helene V. Casper, Dental Assistant Radiographer, case number 11-42-0334*

Motion carried unanimously.

#### ***CARRIE A. HUFF, EXPANDED FUNCTION DENTAL AUXILIARY***

*Motion by Dr. Shaffer, second by Dr. Beard, to approve the proposed consent agreement for Carrie A. Huff, Expanded Function Dental Auxiliary, case number 11-89-0347.*

Motion carried. Dr. Hanners opposed.

#### ***ANGELA R. JOHNSON, DENTAL ASSISTANT RADIOGRAPHER***

*Motion by Mr. Jones, second by Dr. Beard, to approve the proposed consent agreement for Angela R. Johnson, Dental Assistant Radiographer, certificate number 51-007812, case number 11-25-0312.*

Motion carried unanimously.

#### ***MARY C. MOFFAT, DENTAL ASSISTANT RADIOGRAPHER***

*Motion by Dr. Hanners, second by Mr. Jones, to approve the proposed consent agreement for Mary C. Moffat, Dental Assistant Radiographer, certificate number 51-007839, case number 11-31-0313.*

Motion carried unanimously.

***SHAHRAM SHIDMAND, D.D.S.***

*Motion by Dr. Desai, second by Dr. Wynn, to approve the proposed consent agreement for Shahram Shidmand, D.D.S., license number 30-023584, case number 11-89-0346.*

Motion carried. Ms. Staley opposed.

***JAMES J. SKIFFEY, D.D.S.***

*Motion by Dr. Wynn, second by Ms. Staley, to approve the proposed consent agreement for James J. Skiffey, D.D.S., license number 30-013154, case number 09-78-0012.*

Motion carried. Dr. Wynn opposed. Dr. Desai and Ms. Clark were absent.

**NON-DISCIPLINARY**

***DERGHAM DERGHAM, D.D.S.***

*Motion by Mr. Jones, second by Dr. Beard, to approve the proposed consent agreement for Dergham Dergham, D.D.S., license number 30-023579.*

Motion carried unanimously.

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

The Board reviewed one (1) proposed notice of opportunity for hearing. The names of the individuals/licenses were not included in the document reviewed by the Board. The names of the individuals/licenses have been added to the minutes for public notice purposes.

**W. CHARLES BUCHSIEB, D.D.S.**

*Motion by Dr. Beard, second by Ms. Staley, to approve the proposed notice of opportunity for hearing and forward it to W. Charles Buchsieb, D.D.S., license number 30-017709, case number 11-70-0345.*

Motion carried unanimously.

**ENFORCEMENT UPDATE**

Enforcement Officer, Kathy Carson, provided the Enforcement Report in Mr. Holmes absence. She informed the Board that there were five (5) cases pending hearings, of which four (4) have been assigned for a hearing and one (1) had just been settled with a consent agreement. Ms. Carson stated that there are no cases under appeal and currently thirty-three (33) licensees under suspension. She

informed the Board members that we have no active cases in QUIP and four (4) cases pending QUIP consideration. Ms. Carson stated that the Board had issued one (1) subpoena, approved by the Board Secretaries and Assistant Attorney General to request additional patient records. Additionally, she stated that the Board currently has one hundred and eighty-three (183) active cases. Ms. Carson informed the Board that the Board Investigators along with Investigator Assistant, Barb Palmucci, had performed seventy-six (76) infection control evaluations. She informed the Board that thirty-two (32) cases have been investigated and reviewed by the Board Secretaries and are recommended to be closed.

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. Carson reviewed the cases to be closed with the Board.

The following cases are recommended to be closed:

11-48-0116	Standard Of Care- Warning	11-25-0267	Standard Of Care
11-18-0182	Standard Of Care	11-18-0282	Misrepresentation- Warning
11-77-0185	Standard Of Care	11-31-0281	Infection Control
11-77-0197	Practicing W/O Certificate-Warning .	11-57-0292	Standard Of Care
11-48-0203	Standard Of Care	11-57-0284	Standard Of Care
11-77-0207	Standard Of Care	11-31-0288	Standard Of Care
11-76-0214	Practicing W/Susp- Warning	11-51-0291	Standard/Abandonment
11-04-0223	Standard Of Care	11-12-0296	Standard Of Care
11-78-0215	Standard Of Care	11-25-0299	Advertising
11-72-0227	Standard Of Care	11-18-0310	Conduct
11-18-0232	Standard Of Care	11-74-0314	Standard Of Care
11-09-0234	Standard Of Care	11-63-0322	Practicing W/O Cert- Warning
11-86-0238	Standard Of Care	11-18-0323	Practicing W/O Cert- Warning
11-03-0242	Standard Of Care	11-57-0324	Standard Of Care
11-21-0259	Standard Of Care	11-57-0325	Radiog Pw Cert
11-57-0257	Infection Control		
11-23-0255	Prescriptions		

Prior to the vote to close the above listed cases, Dr. Wallace 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. Beard – No
- Ms. Clark – No
- Dr. Desai - No
- Dr. Hanners – Yes
- Mr. Jones – No
- Mr. Lawrence - No
- Dr. Shaffer – No
- Ms. Staley – No

Dr. Wallace - No  
Dr. Wynn - No

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

***Motion by Dr. Wynn, second by Mr. Jones, to close the above thirty-three (33) cases.***

Roll call vote:     Dr. Beard – Yes  
                          Ms. Clark – Yes  
                          Dr. Desai - Yes  
                          Dr. Hanners – Abstain  
                          Mr. Jones – Yes  
                          Mr. Lawrence - Yes  
                          Dr. Shaffer – Yes  
                          Ms. Staley – Yes  
                          Dr. Wallace - Yes  
                          Dr. Wynn – Yes

Motion carried.

## **LICENSE APPLICATIONS**

### **LICENSURE REPORT**

Jayne Smith, Licensure Coordinator, had prepared a report of the licenses, certificates, and registrations issued since the September 2011 meeting, for Board member review.

### **DENTAL**

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

Steven J. Barket  
Geroge Bogen  
Sara Bukhari  
John W. Catlin  
James R. Davies  
Samantha L. Domiczek  
Kasey Y. Farah  
Brooke D. Goodwin  
Hamdi O. Mohamed

Rachel H. Naylor  
Krishna Neelagiri  
Ann M. Penturf  
Patrick J. Perry  
Lisa M. Rudolph  
Stephanie P. Shealy  
Nasrin Sultana  
Melissa K. Walchli

Motion carried unanimously.

**DENTAL HYGIENE**

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

Tara R. Bender	Brandy R. Miller
Molly M. Brodman	Alicia E. Owens
Margaret A. Cooper	Jessica R. Pavlik
Bethany A. Cornecelli	Oxana V. Petrosyan-Cardella
Krista S. Crock	Julie D. Reyes
Melissa A. DePaula	Jennifer K. Rodriguez
Alicia L. Hall	Samantha N. Roller
Erika L. Hamiel	Teresa E. Schiavone
Janet A. Holt	Kathryn R. Schmiesing
Ava M. Houser	Lindsay N. Smith
Ashley K. Hutton	Sara A. Staley
Laura A. Jones	Rebekah A. Summers
Penny L. Kellogg	Jamie R. Tylicki
Mary T. Kenning	Cammi L. Warner
Jennifer D. Locker	

Motion carried unanimously.

**DENTAL ASSISTANT RADIOGRAPHER**

***Motion by Dr. Wynn, second by Dr. Beard, 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 Board-approved Radiography course:***

Heather Albaugh	Amanda Bowers
Yhesly Anaya	Crystal Brown
Opal Anderson	Emily Brunzman
Ajoilyn Anthony	Valarie Burk
Robin Armstrong	Natasha Cannon
Chelsey Ball	Allison Celmar
Christine Banaszak	Samathia Chandler
Molly Bartl	Paige Childs
Kayla Beatty	Amy Clark
Sabrina Beatty	Sara Clark
Ashley Becker	Jody Combs
Tammy Bennett	Amber Courie
Cyera Black	Justin Crawford
Faithe Black	Anne Marie Crookston
Cara Bores	Frances Cruz
Julie Bowdish	Heidi Cuculich

Jasmine Cunningham  
Jeanette Danczak  
Carleen Daugherty  
Bessie Davis  
Jordan Davis  
Monique Davis-Foster  
Elizabeth Delly  
Veronica Delrio  
Karen Deskins  
Heather Detrick  
Christopher Diegel  
Jessica Diss  
Catherine Donley  
Jantell Eaton  
Courtney Eubank  
Britney Eustice  
Jamie Evans  
Stefan Farina  
Morgan Frey  
Heidi Fry  
Krisha Garcia  
Mindy Gillen  
Kara Graham  
Dawn Gross  
Amanda Harmon  
Reanna Hayden  
Jennifer Henry  
Pamela Herb  
Rebecca Hesse  
Brittany Hollan  
Crystal Holloway  
Anna Hood  
Jessica Hoover  
Jessica Hostetler  
Julie Jackson  
Kayla Jackson  
Sarah Johnson  
Elizabeth Judson  
Vyra Khay  
Ric'kel King  
Lisa Koebel  
Ashley Kokas  
Kristi Kolar  
Allison Koldan  
Lisa Kramer  
Christina Lacey  
Kayla Lafollette  
Amelia Larger

Karen Leal  
Allie Lesnoski  
Nadia Linchevsky  
Elizabeth Maple  
Michelle Marimbire  
Rene Martinez  
Curtis McClelland  
Patricia McCormick  
Tracee McCoy  
Haylee Megison  
Alexandra Miller  
Sarah Miller  
Kayla Millhone  
Andrea Misch  
Ashley Moffett  
Marsha Neal  
Kristen Nicely  
Nicole Nunez  
Jennifer O'grady  
Heidi Olinger  
Margaret Orihood  
Laura Parker  
Roena Paul  
John Peck  
Justine Pendel  
Amanda Piendzik  
Alicia Powell  
Misty Putnam  
Samantha Rakes  
Ashley Rice  
Lise Rice  
Taylor Roseberry  
Taylor Rumancik  
Shelby Schuttera  
Kathrynn Seidel  
Nancy Shaffer  
Molly Smith  
Stacy Smith  
Angela Sparagowski  
Vickie Sparmbleck  
Katrina Stewart  
Caprice Stuart  
Laura Talbot  
Mahala Thomas  
Quadria Thompson  
Anna Thornton  
Melanie Thorpe  
Anna Torres

Jodi Tyson  
Teresa Unkefer  
Michelle Vanwinkle  
Michelle Ward  
Brandy Warren  
Jennifer Webb  
Jessica White  
Angel Whitmore  
Amanda Williams

Anna Williams  
Chelsea Williams  
Ashley Wilmot  
Nancy Wilttrout  
Megan Witsman  
Erica Wroten  
Kaylan Yauch  
Shifawn Youngpeter  
Tina Zabos

Motion carried unanimously.

**LIMITED RESIDENT'S APPLICATION(S)**

*Motion by Dr. Beard, second by Dr. Shaffer, to approve the licensure report for the following limited resident's license:*

Shahir N. Abdel-Malek  
Robert B. Hackman

Hidayatulla Nagori

Motion carried. Dr. Hanners opposed.

**LIMITED CONTINUING EDUCATION APPLICATION(S)**

*Motion by Dr. Beard, second by Ms. Clark, to approve the licensure report for the following limited continuing education license:*

Brian T. Evans

Motion carried unanimously.

**CORONAL POLISHING**

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

Kristin A. Cossack  
Lisa L. Devoll  
Shannon M. Duraney  
Audrey L. Grimm  
Kelly J. Mancini

Desiree M. Marcelli  
Anthony J. Sharp  
Nicole M. Sheeley  
Jennifer C. Thompson

Motion carried unanimously.

**EXPANDED FUNCTION DENTAL AUXILIARY**

*Motion by Ms. Staley, second by Ms. Clark, to approve the licensure report for the following expanded function dental auxiliary registrations issued by: certification by the Dental Assisting National Board (DANB) or the Ohio Commission on Dental Assistant Certification (OCDAC) and completion of the requirements necessary to obtain registration:*

Sabrina M Angus  
Lisa K Bradley  
Sarah A Clark  
Tara L Covey  
Katelyn A Crumrine  
Jennifer Erickson  
Christine N Fischer  
Michelle M Florencki  
Denise Ford  
Roberta S Ford  
Melissa A Gaither  
Tiffany Gray  
Erika M Hendel  
Judith M Henthorn  
Haleigh J Holdcroft  
Leslie A Kinsey  
Kelly M Laughlin  
Debra Goetz Manore  
Dasiree M Marcelli  
Dawnell L Meyer

Renee K Morsey  
Kelli J Owens  
Sara Pae  
Leah A Passet  
Angela Paule  
Kimberly Pennington  
Marivic D Perfecto  
Jamie Rumble  
Amelia M Schoonmaker  
Jennifer Sheppard  
Greta G Shock  
Jenifer Lyn Sika  
Deana Sisk  
Rebecca L Smith  
Shelly M Stout  
Sheila R Tuller  
Susan Vij  
Alexis Washick  
Stacey Workman

Motion carried unanimously.

**GRADUATE(S) OF UNACCREDITED DENTAL SCHOOL(S) LOCATED OUTSIDE THE UNITED STATES**

The Board reviewed the information provided by Ms. Smith regarding Dr. Dergham Dergham, a graduate of an unaccredited dental college located outside the United States. Dr. Dergham began a pediatric residency at Case Western Reserve University prior to the law changing the requirement for completion of a two-year advanced general practice residency from an American Dental Association Commission on Dental Accreditation accredited program. Dr. Dergham has successfully completed the pediatric residency program and has signed a consent agreement with the Board limiting his practice to pediatric dentistry. The consent agreement was ratified earlier in the meeting.

*Motion by Mr. Lawrence, second by Dr. Wynn, to approve the licensure application for Dr. Dergham Dergham, pursuant to the terms of his consent agreement limiting his practice to pediatric dentistry.*

Motion carried. Dr. Hanners opposed.

## **REINSTATEMENT APPLICATION(S) – NO INTERVIEW**

The Board reviewed and considered the licensure reinstatement information for the following individuals:

Marc A. Abramson, D.D.S.  
Robert L. Brandt, D.D.S.  
James M. Lalonde, D.D.S.

Stacy M. McKinney, R.D.H.  
Matthew L. Pingel, D.D.S.

*Motion by Mr. Jones, second by Dr. Desai, to approve the licensure reinstatement applications as presented.*

Motion carried unanimously.

## **HEPATITIS B WAIVER REQUEST(S)**

Ms. Reitz informed the Board members that the Board Secretaries had reviewed and considered the Hepatitis B Waiver applications for Ruth A. Bramlage, Expanded Function Dental Auxiliary, Marty R. Lipsey, D.D.S., and Jen Robinson, Dental Assistant Radiographer and was recommending that the requests be approved.

*Motion by Mr. Jones, second by Dr. Beard, to approve these three (3) hepatitis B waiver requests.*

Motion carried. Dr. Wynn opposed.

## **ANESTHESIA COMMITTEE REPORT**

### **CONSCIOUS SEDATION PROVISIONAL PRIVILEGE(S)**

Dr. Wallace 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. Annette M. Bauer – Urbana, Ohio  
- Intravenous

Dr. Thomas A. Fuhriman – Zanesville, Ohio  
- Intravenous

Dr. Joseph W. Papp – Westerville, Ohio  
- Intravenous

Dr. Timothy F. Pristas – North Royalton, Ohio  
- Intravenous

Dr. Samuel L. Hayes – Tipp City, Ohio  
- Intravenous

Dr. Jason M. Strem – Lyndhurst, Ohio  
- Intravenous

Dr. Everett Wu – Fairview Park, Ohio  
- Intravenous

### **ANESTHESIA PROVISIONAL PRIVILEGE(S)**

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

Dr. Carlos M. Moretta – Xenia, Ohio  
Dr. Nicholas Theodotou – Boardman, Ohio

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

Dr. Wallace stated that the following individual has applied for a Conscious Sedation permit. He explained that the Anesthesia Committee has reviewed the application, an evaluation has been performed and the applicant is recommended to receive a conscious sedation permit:

Dr. Nathan Smith – Canfield, Ohio  
- Intravenous

*Dr. Wallace made the motion by the Anesthesia Committee to accept the report and approve the above applicants to receive privileges and permits, second by Dr. Wynn.*

Motion carried unanimously.

## **EDUCATION COMMITTEE REPORT**

### **REVIEW OF APPLICATIONS**

#### **BIENNIAL CONTINUING EDUCATION SPONSOR APPLICATION(S)**

Ms. Staley stated that the following individuals/organizations have applied for approval as biennial sponsors of continuing education for the years 2010-2011 and have been recommended for approval by the Education Committee:

Drs. Bernard & Eimer, Inc.  
Western Ohio Seattle Study Club

**BIENNIAL CONTINUING EDUCATION SPONSOR RENEWAL APPLICATION(S)**

Ms. Staley stated that the following individual/organization has applied for approval as a biennial sponsor of continuing education for the years 2010-2011 and has been recommended for approval by the Education Committee:

Dental Education Adventures

**REVIEW OF COURSE(S)**

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

Ms. Staley stated that the following organization has submitted a request for approval of training curriculums for the Dental Assistant Radiographer Initial Training Course and has submitted all the appropriate documentation. She stated that the following course has been reviewed and is recommended for approval by the Education Committee:

Lincoln College of Technology  
DA108 - "Dental Radiology I" and  
DA109 - "Dental Radiology II"

**CONSCIOUS SEDATION PERMIT RENEWAL COURSE(S)**

Ms. Staley stated that the following organization has submitted a request for approval of coursework for Conscious Sedation Permit Renewal. Ms. Staley stated that the following courses have been reviewed and are recommended for approval by the Education Committee:

- California Society of Pediatric Dentistry
- "Sedation & General Anesthesia Updates for the Pediatric Dental Office Group" **and**
  - "Basic Principles of Pharmacology and Sedation Pharmacology"; **and**
  - "Difficult Pediatric Patient Sedation Group"; **and**
  - "Management of Sedation Emergencies"

***Motion by Dr. Desai, second by Dr. Wynn, to accept the Education Committees recommendations and approve all the above applications.***

Motion carried unanimously.

**LAW AND RULES REVIEW COMMITTEE REPORT**

Dr. Wallace informed the Board members that the Law and Rules Review Committee met this morning to continue their discussions on draft rules to implement Amended Sub House Bill 93 and the Ohio Automated Rx Reporting System (OARRS). He stated that the committee was submitting new rule 4715-6-01 for consideration of initial filing at this time.

***Motion by Dr. Wallace, second by Ms. Staley, that new rule 4715-6-01 be initial filed with the Joint Committee on Agency Rule Review (JCARR), the Legislative Service Commission (LSC), the Secretary of State (SOS) and with the Ohio Department of Development (DOD) Office of Small Business.***

Motion carried unanimously.

### **SCOPE OF PRACTICE COMMITTEE REPORT**

Dr. Beard informed the Board members that the Scope of Practice Committee had met earlier in the day to discuss two (2) issues. He stated that the first issue regarded advertising and selling of products within the dental office. Dr. Beard indicated that a letter would be drafted to the individual in question setting forth the Board's advertising laws and informing them that anything advertised/promoted must be dentally related and evidence/scientific based. He stated that this issue was to be forwarded to the Policy Committee for further discussion and a policy drafted regarding selling of retail items out of the dental office.

Dr. Beard stated that the second issue regarded the extraction of teeth for cosmetic purposes. He stated that the Board office would be drafting a letter to the individual explaining that it was up to the individual's professional judgment in this regard. He stated that the letter would be recommending the individual to reference several articles on the American Dental Association's website on ethics and practice parameters.

***Motion by Dr. Desai, second by Mr. Jones, to accept the Scope of Practice Committee report.***

Motion carried unanimously.

### **SUPERVISORY INVESTIGATIVE PANEL EXPENSE REPORT**

Dr. Desai, Secretary, attested that she had spent in excess of ten (10) hours per week attending to Board business. Dr. Shaffer, acting as Vice Secretary, attested that she had spent in excess of ten (10) hours per week attending to Board business.

***Motion by Dr. Beard, second by Mr. Lawrence, to approve the Supervisory Investigative Panel report.***

Motion carried unanimously.

### **OFFICE EXPENSE REPORT**

The report of the Board expenditures was reviewed.

***Motion by Dr. Desai, second by Ms. Staley, to approve the expense report and approve payment of the July and August 2011 Board bills.***

Motion carried unanimously.

## **EXECUTIVE DIRECTOR'S REPORT**

### **DENTAL HYGIENE PRACTICUM STUDENT – CHRISTINA SMITH, R.D.H.**

Ms. Reitz took a moment to recognize the Board's dental hygiene practicum student for the summer, Christina Smith, R.D.H. She informed the Board that Ms. Smith was already a practicing dental hygienist who was attending The Ohio State University College of Dentistry, Division of Dental Hygiene; Bachelors Completion Program in Dental Hygiene. Ms. Reitz informed the members that the investigative staff had taken Ms. Smith out on inspections and investigations several times during the summer and therefore she had limited time within the actual Board office. However, Ms. Reitz informed the Board that while in the office, Ms. Smith had done everything that was asked of her and in an exemplary manner. She stated that she would be providing her practicum presentation on September 30<sup>th</sup> at 11:30 a.m. Ms. Reitz informed the members that today was Ms. Smith's last day with the Board, congratulated her and wished her success.

### **ANNUAL REPORT – FY 2011**

Ms. Reitz distributed copies of the Board's Annual Report for fiscal year 2011 and indicated that a copy has also been posted to the Board's website for public review.

### **ORAL HEALTH ACCESS SUPERVISION PROGRAM PERMIT APPLICATION**

Ms. Reitz concluded her report by distributing a copy of the draft Oral Health Access Supervision Program (OHASP) Permit application. She stated that the application covered the requirements for both the dentist and the dental hygienist permits. She stated that this application would be posted to the Board's website upon completion of a small typographical error noted immediately prior to the meeting.

## **EXECUTIVE SESSION**

*Motion by Dr. Wynn, second by Dr. Desai, 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. Beard – Yes
- Ms. Clark – Yes
- Dr. Desai – Yes
- Dr. Hanners – Yes
- Mr. Jones – Yes
- Mr. Lawrence – Yes
- Dr. Shaffer – Yes
- Ms. Staley – Yes
- Dr. Wallace - Yes

Dr. Wynn – Yes

Motion carried unanimously.

Dr. Wallace invited Ms. Reitz and Ms. Bockbrader to attend the executive session.

The Board returned to open session at 3:08 p.m.

**ADJOURN**

Dr. Wallace adjourned the meeting at 3:10 p.m.



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Lawrence Kaye, D.D.S.  
*President*



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Ketki B. Desai, D.D.S.  
*Secretary*