



September 12, 2022, BoDE Public Meeting

Minutes

Dental Examiners Board

Sep 12, 2022 at 8:30 AM EDT

@ OPLC - 7 Eagle Square, Concord, NH 03303 - Meeting in person required - Public Attendance available via Zoom <https://us02web.zoom.us/j/87485332355?pwd=di9idW10MElqOXROWldrZkp4eUkxZz09>

Attendance

Members Present:

Roger Achong, John Giraldo, Howard Ludington, Virginia Kapetanakis Moore, Jay Patel, Muhenad Samaan, Lisa Scott, Linda Tatarczuch

Members Absent:

Puneet Kochhar

Guests Present:

Jessica Whelehan - Board Administrator, Jenna Wilson - Board Administrator, Sheri Phillips - Board Counsel, Shane Goulet - OPLC Counsel, Nikolas Frye - Hearings Examiner, Radhika Goli, Jason Gregoire, Jonathan Lax, Allan Mulandi, Lynette Nyberg

Guests Present (Remote):

Mike Auerbach, Anthony Francis, Elena Korvyakov, Leonard Kundel, Burton Rankie

- I. Call to Order (read introductory script to attendees)

Muhenad Samaan, Vice President, called the meeting of the NH Board of Dental Examiners to order at 8:44 am.

- II. Approval of Public Minutes

Motion:

Approve the public session minutes from the August 1, 2022, meeting.

Motion moved by Howard Ludington and motion seconded by Linda Tatarczuch. Motion passed; Lisa Scott recused.

- III. Non-Public Session

Motion:

Conduct a non-public session for the purpose of discussing investigations of alleged licensee misconduct and other confidential Board business. Such a non-public session is authorized by RSA 91-A:3, II (c), RSA 91-A:3 II (e), RSA 91-A:5, IV, Lodge v. Knowlton, 119 N.H. 574 (1978), and the Board's executive and deliberative privileges.

Motion moved by Howard Ludington and motion seconded by Linda Tatarczuch. Motion passed unanimously by roll call vote at 8:45 am.

IV. Resume Public Session

Public session resumed at 1:00 pm.

V. Seal the Minutes of the Non-Public Session

Motion:

Seal the minutes of the non-public session to maintain the privacy of the items discussed in non-public session pursuant to RSA 91-A:3, II (c), on the grounds that public disclosure may adversely affect the reputation of a person other than a Board member or render the proposed action ineffective.

Motion moved by Howard Ludington and motion seconded by Jay Patel. Unanimously approved.

VI. Public Appearances

A. Hearings

1. Leonard Kundel, DMD, Show Cause Hearing scheduled for 1:00 pm

The Board, with Attorney Nikolas Frye acting as Presiding Officer, held a show-cause hearing for Leonard Kundel. The Board reviewed the evidence and listened to testimony presented by Attorney Jonathan Lax, Leonard Kundel, and Elena Korvyakov.

Motion:

Approve the initial application for licensure.

Motion moved by Jay Patel and motion seconded by Muhenad Samaan. Motion did not pass; Jay Patel and John Giraldo voted to approve the application. Linda Tatarczuch, Howard Ludington, Lisa Scott, Muhenad Samaan, Virginia Moore, and Roger Achong opposed the motion, citing concerns that open investigations indicated that the character requirements in RSA 317-A:8, V, were not met.

2. Radhika Goli, DMD, Lic #03331, Show Cause Hearing scheduled for 2:00 pm

The Board, with Attorney Nikolas Frye acting as Presiding Officer, held a show-cause hearing for Radhika Goli. The Board reviewed the evidence and listened to testimony presented by Radhika Goli.

Motion:

Accept the evidence and acknowledge that the licensee has met the requirements for renewal/reinstatement.

Motion moved by Muhenad Samaan and motion seconded by Howard Ludington. Motion passed unanimously.

VII. Rules Review and other Legislative Topics

A. Den 302.06 - Adopted Text

Motion:

Approve Den 302.06 Adopted text, and sign cover letter.

Motion moved by Howard Ludington and motion seconded by Lisa Scott. Motion passed unanimously.

B. 2023 Proposed Legislation

Motion:

Approve the drafted legislative changes as submitted by Attorney Lauren Warner, and have Howard Ludington reach out to senators or representatives to find a sponsor for the upcoming legislative session.

Motion moved by Muhenad Samaan and motion seconded by Howard Ludington. Motion passed unanimously.

VIII. Public Appearances (continued)

A. Hearings (continued)

1. Anthony Francis, DMD, Lic #04593, Show Cause Hearing scheduled for 2:30 pm

The Board, with Attorney Nikolas Frye acting as Presiding Officer, held a show-cause hearing for Anthony Francis. The Board reviewed the evidence and listened to testimony presented by Anthony Francis.

Motion:

Accept the evidence and acknowledge that the licensee has met the requirements for renewal/reinstatement.

Motion moved by Howard Ludington and motion seconded by John Giraldo. Motion passed unanimously.

IX. Non-Public Session

Motion:

Conduct a non-public session for the purpose of discussing investigations of alleged licensee misconduct and other confidential Board business. Such a non-public session is authorized by RSA 91-A:3, II (c), RSA 91-A:3 II (e), RSA 91-A:5, IV, Lodge v. Knowlton, 119 N.H. 574 (1978), and the Board's executive and deliberative privileges.

Motion moved by Howard Ludington and motion seconded by Roger Achong. Motion passed unanimously by roll call vote at 2:47 pm.

X. Resume Public Session

Public session resumed at 3:39 pm.

XI. Seal the Minutes of the Non-Public Session

Motion:

Seal the minutes of the non-public session to maintain the privacy of the items discussed in non-public session pursuant to RSA 91-A:3, II (c), on the grounds that public disclosure may adversely affect the reputation of a person other than a Board member or render the proposed action ineffective.

Motion moved by Muhenad Samaan and motion seconded by Howard Ludington. Unanimously approved.

XII. Public Appearances (continued)

A. Hearings (continued)

1. Lynette Nyberg, DMD, Lic #02530, Show Cause Hearing scheduled for 3:30 pm

The Board, with Attorney Nikolas Frye acting as Presiding Officer, held a show-cause hearing for Lynette Nyberg. The Board reviewed the evidence and listened to testimony presented by Lynette Nyberg.

Motion:

Inform the licensee that they have 30 days to complete the required medical emergencies training, and submit proof of successful completion to the Board, thereby meeting the requirements for renewal/reinstatement.

Motion moved by Muhenad Samaan and motion seconded by Howard Ludington. Motion passed; Roger Achong recused.

2. Allan Mulandi, DMD, Lic #04458, Show Cause Hearing Scheduled for 4:00 pm

The Board, with Attorney Nikolas Frye acting as Presiding Officer, held a show-cause hearing for Allan Mulandi. The Board reviewed the evidence and listened to testimony presented by Allan Mulandi and Attorney Jason Gregoire.

Motion:

Accept the evidence and acknowledge that the licensee has met the requirements for renewal/reinstatement.

Motion moved by Howard Ludington and motion seconded by Muhenad Samaan. Motion passed unanimously.

XIII. Non-Public Session

Motion:

Conduct a non-public session for the purpose of discussing investigations of alleged licensee misconduct and other confidential Board business. Such a non-public session is authorized by RSA 91-A:3, II (c), RSA 91-A:3 II (e), RSA 91-A:5, IV, *Lodge v. Knowlton*, 119 N.H. 574 (1978), and the Board's executive and deliberative privileges.

Motion moved by Howard Ludington and motion seconded by Roger Achong. Motion passed unanimously by roll call vote at 4:18 pm.

XIV. Resume Public Session

Public session resumed at 6:32 pm.

XV. Seal the Minutes of the Non-Public Session

Motion:

Seal the minutes of the non-public session to maintain the privacy of the items discussed in non-public session pursuant to RSA 91-A:3, II (c), on the grounds that public disclosure may adversely affect the reputation of a person other than a Board member or render the proposed action ineffective.

Motion moved by Muhenad Samaan and motion seconded by Roger Achong.
Unanimously approved.

XVI. Old Business

A. Reinstatement (conditional requirements)

1. Sophana Hem, DMD, Lic #04008 - CEUs

Motion:

Order a show-cause hearing as licensee failed to provide the required medical emergencies CEUs, in violation of rules Den 301.12 and Den 403.03; Attorney Nikolas Frye to act as presiding officer/hearings examiner.

Motion moved by Muhenad Samaan and motion seconded by Howard Ludington. Motion passed unanimously.

XVII. New Business

A. Public Health Supervision Programs

1. Children's Dental Network and Salem Children's Dental Network Collaborative Agreement

Tabled.

B. 2023 Board of Dental Examiners Schedule

Tabled.

XVIII. Licensure Approval

A. Dentist Applications

1. Yann Modenas, DMD, Application and Waiver request

Motion:

Approve the waiver as allowed in Den 215.01 (f), waiving the requirement of Den 301.02 (g) 1. pursuant to RSA 317-A:9.

Motion moved by Muhenad Samaan and motion seconded by Jay Patel.
Motion passed unanimously.

2. Burton Rankie, DDS, Lic #04438, Reinstatement Application

Motion:

Approve the reinstatement.

Motion moved by Muhenad Samaan and motion seconded by Howard Ludington. Motion passed unanimously.

3. Saad Usmani Application and Waiver request

Motion:

Deny the application for initial licensure as the applicant has not met the educational standard set forth in RSA 317-A:8, I, and Den 301.02 (i) 2. and 3.

Motion moved by Muhenad Samaan and motion seconded by Howard Ludington. Motion passed unanimously.

4. Approved and Pending list

 [Dentist Apps approved and pending Redacted.pdf](#)

Motion:

Approve the list as submitted.

Motion moved by Muhenad Samaan and motion seconded by Howard Ludington. Motion passed unanimously.

- B. Hygienist Applications Approved and Pending

 [Hygienist Apps approved and pending Redacted.pdf](#)

Motion:

Approve the list as submitted.

Motion moved by Muhenad Samaan and motion seconded by Howard Ludington.
Motion passed unanimously.

C. Anesthesia/Sedation applications

1. Jennifer O'Brien, CRNA, to administer at 3 locations for Dr. Sameer Dogra, Lic #03726

Tabled.

D. Other applications for licensure/permit

1. Mariana Braga, DMD, Lic #04724, Filler Certificate

Tabled.

2. Slava Abdelrehim, DDS, Lic #03314, Botox Certificate

Tabled.

3. Madalyn Hoerz, DMD, Lic #04566, Botox Certificates

Tabled.

XIX. Seal the Minutes of the Non-Public Session

"The Board votes to seal the minutes of the non-public session to maintain the privacy of the items discussed in non-public session pursuant to RSA 91-A:3, II (c), on the grounds that public disclosure may adversely affect the reputation of a person other than a Board member or render the proposed action ineffective."

XX. Adjourn meeting

Muhenad Samaan adjourned the meeting at 6:58 pm.