

NH BOARD OF DENTAL EXAMINERS

7 Eagle Square - Hearings Room

CONCORD, NH 03301-4980

MONDAY, June 6, 2022

PUBLIC BOARD MEETING MINUTES

The June 6, 2022, public session of the meeting of the New Hampshire Board of Dental Examiners was called to order at 3:05 pm by Puneet Kochhar, DMD, with the following members present:

Jay Patel, DDS	(JP)
Howard Ludington, DDS	(HL)
Virginia Moore, RDH	(VM)
Puneet Kochhar, DMD, President	(PK)
John Girald, DMD	(JG)
Muhenad Samaan, DMD	(MS)
Roger Achong, DMD	(RA)
Linda Tatarczuch, Public Member	(LT)

Absent:

Lisa Scott, RDH	(LS)
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Attendees present:

Sheri Phillips, Jessica Whelehan, Jenna Wilson, Mike Auerbach, Lindsey Courtney

Zoom teleconferencing technology was in use for this electronic meeting through <https://us02web.zoom.us/j/87485332355?pwd=di9idW10MElqOXROWldrZkp4eUkxZz09>.

*All votes are unanimous unless otherwise noted.

1. **Review of Public Minutes –**

- A. **May 2, 2022** – Upon motion from LT and second from HL, the Board voted to accept the minutes as presented; MS, LT, and RA abstained.
- B. **May 6, 2022** – Upon motion from LT and second from MS, the Board voted to accept the minutes as presented; MS and RA abstained.

2. **Dental Hygienist Committee - Minutes – April 4, 2022** – Upon motion from VM, second from JP, the Board voted to accept the DHC minutes from April 4, 2022.

3. **Dental Society Report** – Mike Auerbach reported the following:

- Two weeks ago, the NHDS hosted its 2022 Annual Meeting in Meredith. About 200 participants took part in our first in=person Meeting since 2019, hearing outstanding presentations by RADM Tim Ricks, Dr. Kathleen O’Loughlin, Dr. Rick Huot and many others. Our new President, Dr.

Brenda Berkal, along with our 2022-2023 Board, were sworn in by ADA President-Elect Dr. George Shepley.

- On June 16, the NHDS and the state PDMP will partner to provide to all dental providers an informative CE on the latest the Prescription Drug Monitoring Program. Participants will be eligible for two hours of online CE. It is our hope that the Board of Dental Examiners will recognize this course as relevant for license renewal in 2024. A copy of the course objectives is attached.

4. **OPLC Comments/Updates** –

- A. **HB1059** – Jessica Whelehan, Board Administrator, discussed HB1059, which would take effect in late July, and allowed OPLC the ability to deny licenses under 541-A:29 if the applicant did not meet the minimum requirements for licensure.
- B. **OnBoard** – Jessica Whelehan informed the Board that the FTP secure site would soon be deactivated for Board members, as a new system, On Board, was being rolled out across all Boards at OPLC. Jessica let the members know that Dental would likely be one of the first groups to utilize OnBoard, and the switch may happen as soon as the next meeting.
- C. **Updated on proposed legislative changes** – Jessica Whelehan informed the Board that the proposed changes to the practice act (proposed at the April 4, 2022, meeting) had not been taken up by anyone. She advised the Board that they would need to find someone to assist them by sponsoring these changes during the next legislative session. HL asked if it needed to be a Senator or a Representative; Jessica responded that it could be either that brought the proposed changes forward. PK asked Jessica to ensure this topic was on next month's agenda.

5. **Licensure** –

- A. **Dentist Apps Approved and Pending** – The Board reviewed the list of Dentist apps approved and pending.
- B. **Hygienist Apps Approved and Pending** – The Board reviewed the list of Hygienist apps approved and pending.
- C. **Christopher Benton, DMD, Reinstatement App and Waiver request** – The Board reviewed the reinstatement application submitted by Dr. Benton. With all CEUs submitted, and proof that the criminal background check has already been scheduled, the Board, upon motion from HL, second from JP, the Board voted to approve the reinstatement application.
- D. **Eric Gotlieb, DDS Reinstatement App and Waiver request** – The Board reviewed the reinstatement application submitted by Dr. Gotlieb. With all CEUs submitted, with the exception of proof of a completed BLS-HCP course, and proof that the criminal background check has already been scheduled, the Board, upon motion from HL, second from LT, voted to approve the reinstatement application, with the condition that Dr. Gotlieb provide proof of successful BLS-HCP completion within 60 days.

6. **Public Health Supervision Program** –

- A. **Coos County Nursing Home – Zahra Gulamhussein, DMD, and Mallory Grande, RDH, CPHDH** – Upon motion from MS, second from JP, the Board voted to approve the program.
- B. **Head Start – various locations – Zahra Gulamhussein, DMD, and Mallory Grande, RDH, CPHDH** – Upon motion from MS, second from JP, the Board voted to approve the program.

7. **Anesthesia/Sedation permits and update** -

- A. **Jaegak Kim, DMD** – The Board discussed, with Jessica Whelehan, and Attorney Sheri Phillips, the fact that this application at NH OMS in Nashua had been approved but the Board was unable to provide a facility inspection. Jessica noted that the location at which Dr. Kim would be administering anesthesia had had a Facility inspection in 2018, and a Comprehensive Evaluation, which includes a Facility Inspection, in March of 2021. Upon motion from HL, second from PK, the Board voted to waive the requirement of an additional initial Facility Inspection and issue the permit.
- B. **Lily Hu, DMD** – The Board reviewed the application to administer anesthesia at 8 Vinton Street in Manchester. Because there was not a record of a facility inspection that Jessica was able to find, the Board did not take any action on this application, understanding that after 60 days, OPLC would issue a permit pursuant to RSA 541-A:29.
- C. **Paul Levy, DMD** – The Board reviewed the application and the email from RA indicating he felt the Board needed to make this decision, and not just RA. This topic was tabled, to be discussed in non-public session.

8. **OPLC Comments/Updates (cont.)** –

- A. **Lindsey Courtney – discussion regarding licensees** – OPLC Executive Director Lindsey Courtney came before the Board to discuss the unprofessionalism displayed by several of their licensees during the lapse/reinstatement issue that came up last month, expressing concern over the tone, volume, and at times language, that staff members had been exposed to while attempting to assist holders of lapsed licenses. Lindsey said she had originally intended to file a complaint, however, after speaking with staff, she agreed that filing individual complaints may inadvertently place a target on the staff's backs, and she was now asking the Board if she could send a reminder to all regarding professionalism. The Board discussed this topic in detail. LT asked Lindsey if OPLC had been able to determine what exactly had happened. Lindsey responded that there was no one cause, that it was a variety of issues, however the ultimate responsibility lay with the licensee. The Board expressed their concern over the verbal abuse that the OPLC staff had been forced to endure, and asked Lindsey to move forward with filing complaints against the specific offenders.

9. **Other Informational/Old Business** –

- A. **James Predmore, DDS – CEUs and criminal background check scheduling** – The Board acknowledged receipt of the proof of criminal background check scheduling. Upon motion from Pk, second from HL, the Board voted to send a letter to Dr. Predmore stating that the requirements of Den 403.03 had not been satisfied, and that Dr. Predmore had until 60 days from the date of the first letter, issued either May 9 or May 10, to provide proof that the CEU requirements for renewal had been met.

- B. **Radhika Goli, DMD – criminal background check scheduling** – The Board acknowledged receipt of the proof of criminal background check scheduling. Dr. Radhika has not yet submitted the required CEUs.
- C. **Salvatore Colletta, DMD criminal background check scheduling** – The Board acknowledged receipt of the proof of criminal background check scheduling.
- D. **Sophana Hem, DMD – CEUs and criminal background check scheduling** – The Board acknowledged receipt of the proof of criminal background check scheduling. Upon motion from VM, second from PK, the Board voted to send a letter to Dr. Hem stating that the requirements of Den 403.03 had not been satisfied (specifically, no opioid/pain management, addiction disorder and no medical emergencies), and that Dr. Hem had until 60 days from the date of the first letter, issued either May 9 or May 10, to provide proof that the CEU requirements for renewal had been met.
- E. **Monica Maillet, DMD – criminal background check scheduling** – The Board reviewed and accepted the medical emergencies training submitted by Dr. Maillet. Dr. Maillet has not yet submitted proof of scheduling a criminal background check.
- F. **Barton McGirl, DDS – criminal background check scheduling** – The Board acknowledged receipt of the proof of criminal background check scheduling. Dr. McGirl has not yet submitted the required CEUs.
- G. **Michael Moskowitz, DMD – CEUs and criminal background check scheduling** – The Board acknowledged receipt of the proof of criminal background check scheduling. Upon motion from VM, second from PK, the Board voted to send a letter to Dr. Moskowitz stating that the requirements of Den 403.03 had not been satisfied (specifically, no infection control and no medical emergencies), and that Dr. Moskowitz had until 60 days from the date of the first letter, issued either May 9 or May 10, to provide proof that the CEU requirements for renewal had been met.
- H. **Allan Mulandi, DMD – criminal background check scheduling** – The Board acknowledged receipt of the proof of criminal background check scheduling. Dr. Mulandi has not yet submitted the required CEUs.
- I. **Lynette Nyberg, DMD – criminal background check scheduling** – The Board acknowledged receipt of the proof of criminal background check scheduling. Dr. Nyberg has not yet submitted the required CEUs.
- J. **Rachel Polgrean, DDS – CEUs and criminal background check scheduling** – The Board acknowledged receipt of the proof of criminal background check scheduling. Upon motion from MS, second from HL, the Board voted to send a letter to Dr. Polgrean stating that the requirements of Den 403.03 had not been satisfied (specifically, no infection control and no medical emergencies, and not enough hours), and that Dr. Polgrean had until 60 days from the date of the first letter, issued either May 9 or May 10, to provide proof that the CEU requirements for renewal had been met.
- K. **Andrea Shah, DMD – criminal background check scheduling** – The Board acknowledged receipt of the proof of criminal background check scheduling.

- L. **Elizabeth Starr, DMD, - CEUs and criminal background check** – The Board acknowledged receipt of the proof of criminal background check scheduling. Upon motion from MS, second from HL, the Board voted to send a letter to Dr. Starr stating that the requirements of Den 403.03, Den 403.06, and Den 403.07 had not been satisfied (specifically, the CPR/BLS submitted does not meet the requirements set forth in rule) and that Dr. Starr had until 60 days from the date of the first letter, issued either May 9 or May 10, to provide proof that the CEU requirements for renewal had been met.
 - M. **Tracey Vest, DMD – CEUs and criminal background check scheduling** – The Board acknowledged receipt of the proof of criminal background check scheduling. Upon motion from HL, second from PK, the Board voted to send a letter to Dr. Vest stating that the requirements of Den 403.03 had not been satisfied (specifically, no infection control, no medical emergencies, no BLS, and no opioid/pain management/addiction disorder training) and that Dr. Vest had until 60 days from the date of the first letter, issued either May 9 or May 10, to provide proof that the CEU requirements for renewal had been met.
 - N. **Henry Lemieux, DMD – CEUs and criminal background check** – the Board acknowledged receipt of the proof of criminal background check scheduling. Upon motion from VM, second from HL, the Board voted to send a letter to Dr. Lemieux stating that the requirements of Den 403.03 and Den 403.07 had not been satisfied (specifically, no opioid/pain management/addiction disorder training), and that Dr. Lemieux had until 60 days from the date of the first letter, issued either May 9 or May 10, to provide proof that the CEU requirements for renewal had been met.
10. **Rules** –
- A. **Den 302.06 Conditional Approval Response** – Upon motion from MS, second from HL, the Board voted to accept the conditional approval as submitted, and have PK sign the cover letter.
11. **Discussion/Inquiries/New Business** –
- A. **Donald Neely DMD CEU audit** – Upon motion from HL, second from PK, the Board voted to send a letter informing the licensee that they have not met the requirements set forth in rules Den 403.03, Den 403.06, and Den 403.07, and that they lack the required BLS-HCP course completion and medical emergencies training. The Board will allow 30 days from the date the letter is used for the licensee to send in the required CEUs and will not allow those CEUs used towards the audit to count towards the 2024 renewal.
 - B. **AJ Homicz DDS CEU audit** – Upon motion from HL, second from MS, the Board voted to send a letter informing the licensee that they have not met the requirements set forth in rules Den 403.03, Den 403.06, and Den 403.07, and that they lack the required infection control training and opioid/pain management/addiction disorder training. The Board will allow 30 days from the date the letter is used for the licensee to send in the required CEUs and will not allow those CEUs used towards the audit to count towards the 2024 renewal.
 - C. **Eliot Paisner DMD CEU audit** – Upon motion from HL, second from MS, the Board voted to send a letter informing the licensee that they have not met the requirements set forth in rules Den 403.03, Den 403.06, and Den 403.07, and that they lack the required medical emergencies training. The Board will allow 30 days from the date the letter is used for the licensee to send in the required CEUs and will not allow those CEUs used towards the audit to count towards the 2024 renewal.

- D. **Jon Samaha DMD CEU audit** – Upon motion from HL, second from PK, the Board accepted the submitted CEUs and acknowledged that the licensee had satisfied the requirements set forth in rule.
- E. **Stephen Smith DDS CEU audit** – Upon motion from MS, second from HL, the Board accepted the submitted CEUs and acknowledged that the licensee had satisfied the requirements set forth in rule.
- F. **Charles White DMD CEU audit** – Upon motion from MS, second from HL, the Board voted to send a letter informing the licensee that they have not met the requirements set forth in rules Den 403.03, Den 403.06, and Den 403.07, and that they lack the required BLS-HCP course completion and opioid/pain management/addiction disorder training. The Board will allow 30 days from the date the letter is used for the licensee to send in the required CEUs and will not allow those CEUs used towards the audit to count towards the 2024 renewal.
- G. **Leo Abbott DDS CEU audit** – Upon motion from HL, second from JG, the Board accepted the submitted CEUs and acknowledged that the licensee had satisfied the requirements set forth in rule.
- H. **Peter Thomas DMD CEU audit** – Upon motion from MS, second from HL, the Board voted to send a letter informing the licensee that they have not met the requirements set forth in rules Den 403.03, Den 403.06, and Den 403.07, and that they lack the required BLS-HCP course completion and opioid/pain management/addiction disorder training. The Board will allow 30 days from the date the letter is used for the licensee to send in the required CEUs and will not allow those CEUs used towards the audit to count towards the 2024 renewal.
- I. **Michael Sparks DMD CEU audit** – Upon motion from MS, second from JG, the Board accepted the submitted CEUs and acknowledged that the licensee had satisfied the requirements set forth in rule.
- J. **Richard Berryman DDS CEU audit** – Upon motion from HL, second from PK, the Board voted to send a letter informing the licensee that they have not met the requirements set forth in rules Den 403.03, Den 403.06, and Den 403.07, and that they lack the required BLS-HCP course completion and that not all of the CEUs sent in meet the requirement set forth in Den 403.06 as some are photocopies of schedules, not proof of completion. The Board will allow 30 days from the date the letter is used for the licensee to send in the required CEUs and will not allow those CEUs used towards the audit to count towards the 2024 renewal.
- K. **Michael Couret DDS CEU audit** – Upon motion from HL, second from MS, the Board accepted the submitted CEUs and acknowledged that the licensee had satisfied the requirements set forth in rule.
- L. **Richard Vachon DMD CEU audit** – Upon motion from HL, second from JG, the Board accepted the submitted CEUs and acknowledged that the licensee had satisfied the requirements set forth in rule; VM abstained.
- M. **Dana Bartlett DMD CEU audit** – Upon motion from HL, second from MS, the Board voted to send a letter informing the licensee that they have not met the requirements set forth in rules Den 403.03, Den 403.06, and Den 403.07, and that they lack the required opioid/pain management/addiction disorder training. The Board will allow 30 days from the date the

letter is used for the licensee to send in the required CEUs and will not allow those CEUs used towards the audit to count towards the 2024 renewal.

- N. **John Bednar DMD CEU audit** – Upon motion from HL, second from JP, the Board accepted the submitted CEUs and acknowledged that the licensee had satisfied the requirements set forth in rule.
- O. **Roland Bryan DDS CEU audit** – Upon motion from MS, second from PK, the Board voted to send a letter informing the licensee that they have not met the requirements set forth in rules Den 403.03, Den 403.06, and Den 403.07, and that they lack the accepted forms of documentation. The Board will allow 30 days from the date the letter is used for the licensee to send in the required CEUs and will not allow those CEUs used towards the audit to count towards the 2024 renewal.
- P. **Jean Chagnon DDS CEU audit** – Upon motion from HL, second from PK, the Board voted to send a letter informing the licensee that they have not met the requirements set forth in rules Den 403.03, Den 403.06, and Den 403.07, and that they also lack the required infection control training and opioid/pain management/addiction disorder training. The Board will allow 30 days from the date the letter is used for the licensee to send in the required CEUs and will not allow those CEUs used towards the audit to count towards the 2024 renewal.
- Q. **Ronald Randazzo DDS CEU audit** – Upon motion from RA, second from HL, the Board voted to send a letter informing the licensee that they have not met the requirements set forth in rules Den 403.03, Den 403.06, and Den 403.07, and that the opioid training they submitted occurred outside of the timeframe for this audit. The Board will allow 30 days from the date the letter is used for the licensee to send in the required CEUs and will not allow those CEUs used towards the audit to count towards the 2024 renewal; MA abstained.
- R. **Manuel Sousa DDS CEU audit** – Upon motion from HL, second from MS, the Board voted to send a letter informing the licensee that they have not met the requirements set forth in rules Den 403.03, Den 403.06, and Den 403.07, and that they also lack the required medical emergencies training and opioid/pain management/addiction disorder training. The Board will allow 30 days from the date the letter is used for the licensee to send in the required CEUs and will not allow those CEUs used towards the audit to count towards the 2024 renewal.
- S. **Thomas Warguska DMD CEU audit** – Upon motion from RA, second from MS, the Board voted to send a letter informing the licensee that they have not met the requirements set forth in rules Den 403.03, Den 403.06, and Den 403.07, because they only have 1 hour of infection control, while the second hour is on an undated (or unreadable) document. The Board will allow 30 days from the date the letter is used for the licensee to send in the required CEUs and will not allow those CEUs used towards the audit to count towards the 2024 renewal.
- T. **Ronald Brenner DDS CEU audit** – Upon motion from MS, second from PK, the Board voted to send a letter informing the licensee that they have not met the requirements set forth in rules Den 403.03, Den 403.06, and Den 403.07, that they lack the required medical emergencies training, infection control training, proof of BLS-HCP completion, and do not have the required number of hours. The Board will allow 30 days from the date the letter is used for the licensee to send in the required CEUs and will not allow those CEUs used towards the audit to count towards the 2024 renewal.

- U. **Michael Stevener DDS CEU audit** – Upon motion from MS, second from HL, the Board voted to send a letter informing the licensee that they have not met the requirements set forth in rules Den 403.03, Den 403.06, and Den 403.07, and lack the required infection control training and proof of completion of BLS-HCP. The Board will allow 30 days from the date the letter is used for the licensee to send in the required CEUs and will not allow those CEUs used towards the audit to count towards the 2024 renewal.
 - V. **James Ferraiolo DMD CEU audit** – Upon motion from MS, second from HL, the Board voted to send a letter informing the licensee that they have not met the requirements set forth in rules Den 403.03, Den 403.06, and Den 403.07, that they lack the required medical emergencies training, infection control training, opioid/pain management/addiction disorder training, and do not have the required number of hours. The Board will allow 30 days from the date the letter is used for the licensee to send in the required CEUs and will not allow those CEUs used towards the audit to count towards the 2024 renewal.
 - W. **Francis Quaratiello DMD CEU audit** – Upon motion from HL, second from MS, the Board voted to send a letter informing the licensee that they have not met the requirements set forth in rules Den 403.03, Den 403.06, and Den 403.07, and lacked the required medical emergencies training and proof of completion of BLS-HCP. The Board will allow 30 days from the date the letter is used for the licensee to send in the required CEUs and will not allow those CEUs used towards the audit to count towards the 2024 renewal.
 - X. **John Echternach DDS CEU audit** – Upon motion from MS, second from HL, the Board accepted the submitted CEUs and acknowledged that the licensee had satisfied the requirements set forth in rule.
 - Y. **Fred Salvatoriello DMD CEU audit** – Upon motion from MS, second from PK, the Board voted to send a letter informing the licensee that they have not met the requirements set forth in rules Den 403.03, Den 403.06, and Den 403.07, as no proof of completed CEUs had been submitted at all; instead, the licensee submitted photos of CEU descriptions, not certificates. The Board will allow 30 days from the date the letter is used for the licensee to send in the required CEUs and will not allow those CEUs used towards the audit to count towards the 2024 renewal.
 - Z. **Kenneth Minasian DMD CEU audit** – Upon motion from MS, second from RA, the Board voted to send a letter informing the licensee that they have not met the requirements set forth in rules Den 403.03, Den 403.06, and Den 403.07, and lack the required proof of completion of BLS-HCP. The Board will allow 30 days from the date the letter is used for the licensee to send in the required CEUs and will not allow those CEUs used towards the audit to count towards the 2024 renewal.
 - AA. **Robert Tatro DMD CEU audit** – Upon motion from HL, second from PK, the Board voted to send a letter informing the licensee that they have not met the requirements set forth in rules Den 403.03, Den 403.06, and Den 403.07, and that they also lack the required opioid/pain management/addiction disorder training. The Board will allow 30 days from the date the letter is used for the licensee to send in the required CEUs and will not allow those CEUs used towards the audit to count towards the 2024 renewal.
12. **ASEC Discussion and Strategy** –
- A. **Current Anesthesia Sedation List** – The Board reviewed the updated list.

- B. **Facility Permit Form** – PK informed the Board that merging the Facility Permit Form and the Host Facility Permit Form had proven to be a real challenge, and he felt it best to go back to two separate forms. On motion from LT, second from MA, the Board voted to accept to Facility Permit Form, originally suggested in April.
- C. **Host Facility Permit Form** – Upon motion from LT, second from MS, the Board voted to accept the Host Facility Permit Form, originally suggested in April.

At 5:27 pm, pursuant to RSA 91-A:3, and upon motion from PK, second by JP, the Board voted unanimously by roll call vote to go out of public session and into a non-public session for the purpose of discussing investigations of alleged licensee misconduct and as authorized by RSA 91-A:3, II (c), RSA 91-A:3, II (e), and Lodge v. Knowlton, 119 N.H. 574 (1978).

At 6:40 p.m., upon motion by PK, and second by RA, the Board voted unanimously by roll call to go out of non-public session and into public session.

Upon motion by HL, second by PK, the Board voted unanimously to seal the non-public minutes and 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.

13. **Anesthesia/Sedation permits and update (cont.)** –

- A. **Paul Levy, DMD** – Upon motion MS, second from PK, the Board voted to approve the application, pending successful completion of a facility inspection; HL opposed, RA abstained.

At 6:41 p.m., PK adjourned the meeting.