



MINUTES OF THE MEETING March 17, 2006

On the 17th of March 2006, Dr. E. Wayne Looney, President, called the meeting of the Arkansas State Board of Dental Examiners to order. The following members were present:

E. Wayne Looney, D.D.S.
Thomas M. Isbell, D.D.S.
John W. Ross, D.D.S.
Marc Muncy, D.D.S.
David Walker, D.D.S.
Robert L. Jolly, Sr., D.D.S.
Jan K. Blancett, R.D.H.
Ruby Faulconer
Barbara Fletcher

Executive Director Donna Cobb and Attorney William Trice were also present.

The meeting began with an explanation of the proposed changes to Article IX by Mr. Trice. After some discussion, Mr. Trice informed the Board that he would revise the Article and the Public Hearing would be rescheduled for the May 12, 2006 Board meeting.

Dr. Looney requested a motion for approval of the Minutes from January 13, 2006. With no changes, a motion was made and seconded to accept the Minutes. The motion passed.

Next on the agenda was an interview for a provisional dental license submitted by Dr. Alejandra Taveras. Dr. Taveras appeared before the Board with her sponsor, Dr. Thomas Kennedy. Dr. Kennedy announced that she would be working at Dentures & Dental Services dental clinic in Bryant, Arkansas. After

some discussion and questioning of Dr. Taveras by Mr. Trice, the Board tabled Dr. Taveras' application until she provided an accurate and complete history of her occupations and addresses over the past ten years.

Dr. John Hargett (with his attorney, Clayton Blackstock) appeared before the Board to give an update on his progress. Dr. Hargett reported that he is still under contract with the Arkansas Medical Foundation and is working in Harrison, Arkansas. Dr. Hargett has had no positive screenings and attends at least three AA/NA meetings per week. The Board wished him well. Dr. Hargett will meet with the Board again in May.

Per Board Order, Dr. William Jarrod Stewart gave the Board an update on his progress. Dr. Stewart reported that he is doing well and Vicki Walters confirmed his compliance with the Arkansas Medical Foundation.

The Board called an Executive Session and spoke with Dr. Shayne Conine.

Dr. Andy Cobb appeared before the Board in response to an Order and Notice of Hearing in which he was charged with aiding an unlicensed person to practice dentistry, a willful violation of the laws regulating, dispensing, and administering scheduled medication, permitting an unlicensed person to prescribe and divert scheduled medication, and failure to maintain adequate safeguards in the practice of dentistry. After much questioning by Mr. Trice and discussion with the Board, Dr. Cobb made the following offer to the Board:

For a period of one year -

- *Dr. Cobb's wife will stop working at his dental office.*
- *Dr. Cobb's wife will enter a more intensive recovery program. His wife will attend AA/NA meetings and have reports sent to the Board office.*
- *No one from Dr. Cobb's office will be allowed to call in scheduled medications to pharmacies.*
- *Dr. Cobb will only use numbered and duplicate prescriptions pads and copies of all prescriptions will be sent to the Board office. All prescriptions will be written.*
- *Dr. Cobb will attend as many meetings as the Board requests.*
- *Dr. Cobb will reimburse all costs of the investigation.*
- *In addition to paying all investigative costs, Dr. Cobb will also pay a fine of \$1000.*

After some discussion, a motion was made and seconded to accept Dr. Cobb's offer. The motion passed, Dr. Cobb will be issued a Consent Order, and the Hearing was concluded.

Dr. Martin Zoldessy appeared before the Board on behalf of provisional dental licensee Dr. Alberto Sandoval. Dr. Zoldessy requested that Dr. Sandoval be allowed to conduct "sick-calls" and perform removable prosthetic procedures and fillings when Dr. Brian Shelton (Dr. Sandoval's supervisor) cannot be present. A motion was made and seconded to grant permission to Dr. Sandoval.

Dr. Alejandra Taveras appeared before the Board again with her completed occupational history for the past ten years. The Board stressed to Dr. Taveras and Dr. Kennedy that she should always work under direct supervision. A motion was made and seconded to grant a provisional license to Dr. Taveras with the understanding that she work under the general supervision of another Arkansas-licensed dentist, attend the May 12, 2006 Board meeting, and provide case presentations complete with pre-op and post-op x-rays, health history and treatment notes for each case for the Board to review. The motion passed.

The Board reviewed a letter from Dr. Victor Llaverias, requesting permission to retake the SRTA examination. The Board denied his request.

The Board reviewed a letter from Dr. Juan Mejia, requesting the Board reconsider his request to reapply for a provisional dental license and take the SRTA examination. Since the program is no longer in existence, no motion was made.

An email from Julia Schaap was the next item of discussion. In her email, Ms. Schaap, a dental hygienist, requested permission from the Board to brush nursing home residents' teeth. A motion was made and seconded to send Ms. Schaap a letter stating that brushing teeth and educating caregivers as a volunteer is not something she needs the Board's permission to do. The motion passed with one opposed.

The Board reviewed a letter from Ted Grace of The Grace Group, Inc. requesting the Board's permission to approve Restylane injections as a dental procedure. Mr. Trice suggested the Board form an ADHOC committee composed of Board and Arkansas State Dental Association members to discuss if this procedure is considered "dentistry." The Board requested Mr. Trice send a letter to Mr. Grace.

Next, the Board reviewed a request from Dr. James Phillips to become a Board-approved nitrous oxide instructor. A motion was made and seconded to approve Dr. Phillips as a nitrous-oxide instructor. The motion passed.

The Board briefly discussed choosing a nominee for the AADE Citizen of the Year award. No nominee was chosen.

In her Board office update, Ms. Cobb informed the Board that financial reports were in their packets for review and that any questions regarding them should be directed to Kris Palmer. She also gave an update on the 2006-2007 renewal process and CE audit.

Dr. John Ross gave the Complaint Committee Report. The Committee met the previous evening and reviewed twenty-seven complaints. Eleven of the complaints were found to have no apparent violation. Five complaints will receive a letter. Three complaints were tabled for further investigation. One complaint will be reviewed by Attorney William Trice for his advisement. The Committee recommended that charges be voted against the following licensees:

- Dr. Samuel Wofford for practicing dentistry without an active dental license
- Drs. D.J. Dailey, Jeff Garner, W. David Hill, and Samuel Jirik for failing to put family or general dentistry in their advertisements
- Dr. Ann Smith for diverting controlled substances for her own personal use
- Dr. John Udouj for implying superiority in his advertising

Motions were made and seconded to vote charges against the above licensees. Each motion passed. The next Complaint Committee meeting is scheduled for May 11, 2006, at 6 pm.

In his report on SRTA business, Dr. Looney stated that exams would start next weekend in Charleston then Memphis.

The Oral Health Coalition meeting report for December 14, 2005, was in the Board members' packets for review. Dr. Lynn Mouden announced the following dates:

- April 21, 2006 - Spit Tobacco Night at Ray Winder Field
- May 1-3, 2006 - National Oral Health Conference
- July 15, 2006 - Governors Oral Health Summit

The Board reviewed and approved the following fictitious name requests:

Ocean Dental by Dr. Chad Hoecker

Ozarks Orthodontics by Dr. Joe E. Bowers

Parkway Dental, PC by Drs. Don A. Simmons, Jr. and Jeff Moore

Wedington Court Dental Associates by Dr. Gary Guthrie

Ms. Cobb was instructed to subpoena Dr. Kurt Solera to appear at the May meeting to discuss his advertising.

Dr. Isbell introduced Dr. Brad Erney representing the Northeast District.

With no further business, the meeting was adjourned.

The next meeting of the Board will be held May 12, 2006, at 8:30 am.

Respectfully submitted,

A handwritten signature in black ink that reads "John W. Ross" followed by a stylized set of initials "JWR".

John W. Ross, D.D.S.
Secretary/Treasurer