

FORMAL ACTION REPORT

Please find below a summary of actions taken or initiated by the Ohio State Dental Board in December 2004.

CITATIONS/PROPOSED DENIALS:

O'BRIEN, DANIEL G., (30020555) – Beaver creek

Based on the doctor's alleged failure to meet the standard of care. Notice of Opportunity for Hearing mailed December 2, 2004.

FINAL ADJUDICATION ORDERS:

KELLY, RHONDA D., (51006908) – Hamilton

Dental Assistant Radiographer's license is Revoked, based on the Board finding Counts 1 through 3 of the Notice of Opportunity to be true, involving conviction of a felony and misrepresentation. Adjudication Order mailed December 6, 2004 and will become effective immediately upon the date of mailing this Order. Respondent has 15 days from date of mailing to file an appeal.

CONSENT AGREEMENTS:

ADELSTEIN, DAVID R., D.D.S. (30013425) – Bedford

Dr. Adelstein's license to practice dentistry shall be suspended for a period of three (3) months. Such suspension is stayed with the exception of thirty (30) days. This thirty-day period of actual suspension shall be effective beginning January 1, 2005. Dr. Adelstein must comply with the terms of reinstatement set forth at, or before, the completion of the thirty (30) day actual suspension prior to resuming the practice of dentistry. In order to be reinstated, Dr. Adelstein shall: a) submit a written request to the

Board Secretary for reinstatement and receive written notification from the Board Secretary that his license is reinstated; b) shall complete seven (7) hours continuing education in Dental Diagnosis and Treatment Planning, with an emphasis in Endodontics, pre-approved by the Board Secretary and shall submit documentation to the Board; c) shall complete seven (7) hours of continuing education in Pharmacology, pre-approved by the Board Secretary and shall submit documentation to the Board; d) shall take and pass the jurisprudence exam within thirty (30) days of the effective date of this consent agreement. Upon reinstatement, Dr. Adelstein shall be subject to the following probationary terms for a period of three (3) years: a) shall fully cooperate in the Board's inspections and/or evaluations of his dental office; b) shall obey all federal, state and local laws governing dentistry in Ohio; c) shall submit quarterly declarations to the Board stating whether or not there has been compliance with the terms of the consent agreement. Dr. Adelstein is hereby prohibited from performing the restoration of implants. Dr. Adelstein shall immediately cease and desist from restoring implants and shall refer all current patients to other practitioners. Dr. Adelstein shall not resume restoration of implants without prior written authorization from the Board Secretary. Authorization shall not be granted unless and until Dr. Adelstein satisfactorily completes one hundred (100) hours of continuing education in Restoration of Implants at an ADA accredited dental college, pre-approved by the Board Secretary and submits documentation to the Board. Upon written authorization to resume implant restorations, Dr. Adelstein shall submit to the Board Secretary by the seventh (7) day of each month, documentation for each patient to whom Dr. Adelstein provided Implant Restorations during the preceding month. Effective date is December 1, 2004.

BALL, JOHN W., D.D.S. (30018007) – Shaker Heights

Dr. Ball admits that he failed to renew his dental license by January 1, 2004. Dr. Ball admits that he has been practicing without a license from January 1, 2004 until November 18, 2004 wherein he ceased practicing. Dr. Ball's license shall be suspended

effective November 18, 2004 through December 2, 2004, resuming practice on December 3, 2004. The Board shall not consider reinstatement of Dr. Ball's license until the following requirements are met: a) shall submit an application for reinstatement accompanied by appropriate fees; b) shall appear before the Board at its December 1, 2004 Board meeting; and c) shall take and pass the jurisprudence exam at the Board office. Upon reinstatement, Dr. Ball agrees that he will automatically be audited for the next three (3) biennial renewal periods. Effective date is December 1, 2004.

LOWRY, SALVATORE P., D.D.S. (30012504) – Tiffin

Dr. Lowry admits that he failed to renew his dental license by January 1, 2004. Dr. Lowry admits that he has been practicing without a license from January 1, 2004 until November 29, 2004 wherein he ceased practicing. Dr. Lowry's license shall be suspended effective November 29, 2004 through December 29, 2004, resuming practice on December 30, 2004. The Board shall not consider reinstatement of Dr. Lowry's license until the following requirements are met: a) shall submit an application for reinstatement accompanied by appropriate fees; b) shall appear before the Board at its December 1, 2004 Board meeting; and c) shall take and pass the jurisprudence exam at the Board office. Upon reinstatement, Dr. Lowry agrees that he will automatically be audited for the next three (3) biennial renewal periods. Effective date is December 1, 2004.

MILLER, BRENT L., D.D.S. (30014309) – Cleveland

Dr. Miller's license to practice dentistry is placed on probationary status for a period of six (6) months beginning on the effective date of this consent agreement. During the period of probation, Dr. Miller shall be subject to the following terms: a) shall complete sixty (60) hours of continuing education in Pharmacology and proper prescribing, and seven (7) hours in recordkeeping at an ADA accredited college of dentistry within one hundred eighty (180) days of the effective date of this agreement and must be pre-approved by the Board Secretary; b) shall successfully complete a minimum of seven (7) hours of continuing education in dental

ethics, which shall be completed within one hundred eighty (180) days of the effective date of this agreement and must be pre-approved by the Board Secretary; c) within sixty (60) days of the effective date, Dr. Miller shall submit a one thousand (1000) word essay regarding his deviation from the standard of care with regard to the patients referenced in the Notice of Opportunity for Hearing dated April 21, 2004 and what care/actions should have been taken; and d) within thirty (30) days of the effective date, Dr. Miller shall take and pass the jurisprudence examination at the Board office. Dr. Miller shall cooperate with future Board inspections and evaluations of his dental office. Effective date is December 1, 2004.

MILLER, MARLENE H., D.D.S. (30015271) – Parma

Dr. Miller's license shall be suspended for a period of forty-five (45) days, effective January 1, 2005. The Board shall not consider reinstatement of Dr. Miller's license to practice dentistry unless the following requirements are met: a) Dr. Miller shall submit a written request for reinstatement to the Board Secretary; b) Dr. Miller shall complete forty (40) hours of continuing education in Pharmacology and proper prescribing, these hours must be pre-approved by the Board Secretary and must be completed at an ADA accredited college/university; c) Dr. Miller shall successfully complete seven (7) hours of continuing education in Dental Ethics. These hours must be pre-approved by the Board Secretary; and and d) Dr. Miller shall take and pass the jurisprudence exam at the Board office. Upon reinstatement, Dr. Miller's license shall be subject to probationary terms for a period of three (3) years to commence after Dr. Miller has served the suspension set forth in this consent agreement. Dr. Miller shall fully cooperate with the Board in future inspections and evaluations of her dental office. Effective date is December 1, 2004

STIGGERS, DONALD, D.D.S. (30019283) – Shaker Heights

Dr. Stiggers license shall be suspended for a period of fourteen (14) days, effective January 1 and ending January 15, 2005. In order to be reinstated, Dr. Stiggers shall meet the following requirements: a) Dr. Stiggers shall submit a letter to the Board Secretary

explaining in detail how he has addressed all of the infection control issues raised by the Notice of Opportunity dated July 21, 2004 before the expiration of his fourteen (14) day suspension; b) the letters written to the Board Secretary shall contain documentation indicating that Dr. Stiggers is in compliance with the infection control provisions. This documentation shall be in the form of correspondence addressing each count in the Notice of Opportunity for Hearing and how Dr. Stiggers has changed his procedures, or intends to change his procedures, to correct the deficiencies identified therein; c) Dr. Stiggers shall complete seven (7) hours of continuing education in dental infection control and submit documentation within twenty-one (21) days of the effective date of this agreement. Dr. Stiggers shall be subject to probationary conditions for a period of two (2) years: a) Dr. Stiggers shall fully cooperate in the Board's inspections and/or evaluations of his dental office; b) Dr. Stiggers shall submit on a quarterly basis documentation from an independent testing agency that the heat sterilization devices in his office are test for proper function on a weekly basis; c) Dr. Stiggers shall submit quarterly declarations stating that he is in compliance with the terms of his consent agreement; and d) Dr. Stiggers shall obey all rules governing the practice of dentistry in Ohio. Effective date is December 1, 2004.

THOMAS, W. DALTON, (30020497) – Hillsboro

Dr. Thomas admits that he failed to renew his dental license by January 1, 2004. Dr. Thomas admits that he has been practicing without a license from January 1, 2004 until November 17, 2004 wherein he ceased practicing. Dr. Thomas' license shall be suspended effective November 17, 2004 through January 1, 2005, resuming practice on January 2, 2005. The Board shall not consider reinstatement of Dr. Thomas' license until the following requirements are met: a) shall submit an application for reinstatement accompanied by appropriate fees; b) shall appear before the Board at its December 1, 2004 Board meeting; and c) shall take and pass the jurisprudence exam at the Board office. Upon reinstatement, Dr. Thomas agrees that he will automatically be audited for the next three (3) biennial renewal periods.

Effective date is December 1, 2004.

REINSTATEMENTS:

NONE