

GUAM BOARD OF EXAMINERS FOR DENTISTRY
Health Professional Licensing Office Board Conference Room
Terlaje Professional Bldg., 2nd Flr. Ste.209, Hernan Cortez Ave, Hagatna, Guam 96910
REGULAR SESSION BOARD MEETING MINUTES
Wednesday, January 16, 2019

MEMBERS PRESENT: Dr. Antonio Rapadas, DDS Chairman; Dr. Robert Yang, DMD, Secretary; Dr. E. Sauget, DDS, DMD, Vice-Chair; Dr. Cora Webb, DDS, Member; Robert Weinberg, Legal Counsel
ABSENT: Dr. Janice Malilay, DDS, Member
OTHERS PRESENT: Mae Pangelinan, HPLO- Staff; Jerry Patricio, FHP Rep.; Salvador Cruz, Complainant.

I. CALL TO ORDER:

Having established a quorum, *Dr. A Rapadas* called the meeting to order at 3:25 p.m.

II. CONFIRMATION OF PUBLIC NOTICE:

Dr. A. Rapadas announced – Notices have been properly printed: 2 days prior and 5 days prior to meeting. – All in order for the notices.

III. APPROVAL OF AGENDA: It was motioned by *Dr. E. Sauget* to approve the agenda, and to amend to move Dr. Martini from new business to old business and Kenneth Miranda to old business. Seconded by *Dr. R. Yang* (*E. Sauget/R. Yang*) Motion passes.

IV. REVIEW OF MINUTES: December 19, 2018

Motioned by *Dr. E. Sauget* to approve and seconded by *Dr. R. Yang*. (*E. Sauget/R. Yang*) Motion passes.

V. OLD BUSINESS:

- A. Elsie Smith case ref: Hugh Sule, DDS; Salvador Enriquez case 10-02 – *Status Quo, waiting for a lawyer; waiting for final approval from GSA and AG office*
- B. Kennedy case 10-01 – *Status Quo, waiting for a lawyer; waiting for final approval from GSA and AG office*
- C. Hugh Sule vs GBED Case 09-01- *Status Quo, waiting for a lawyer; waiting for final approval from GSA and AG office*
- D. Roma Basa – HPLO Status update on GSA
Discussion/Recommendation/Action:
A, B, C, Status quo – as per Roma Basa – HPLO
- E. GBED Forms – Dental Assistant, Patient, Candidate disclaimer form - Dr. Earl Sauget
Discussion/Recommendation/Action:
Dr. E. Sauget – New forms for Dental Assistant, Patient and Candidate disclaimer form. *Dr. E. Sauget* adapted the disclaimer forms to Guam version. It will be used for the next Clinical Exam scheduled beginning February, 2019 - One (1) Candidate, Two (2) Dental Assistant, Three (3) Patient. *Dr. R. Yang* motions to accept the forms. Seconded by *C. Webb* (*R. Yang/C. Webb*) Motion passes.
- F. Complaint No 2018-002: Salvador Cruz Vs. Dr. Ben Malabanan, Jr., DDS- Update: Mr. Cruz called to say he got a full refund back from, and more updates on Dr. Ben Malabanan, Jr., DDS.
Discussion/Recommendation/Action:
Mr. Cruz came before the board to update his complaint against Dr. Malabanan.
Poor Dental Practice; Does procedures with no hand gloves; Yells at his dental assistants; Has instructed his dental assistant to do procedures in his absence; No other dentist present when he is absent. Mr. Cruz would want to see Dr. Malabanan put in his place and stop ruining other

people's teeth. After a lengthy discussion, the board informed Mr. Cruz that the board will meet with Dr. Malaban and go over his records with due process.

- G. Public Law 34-127 Establishment of a Military Limited Volunteer Dental License for dentists licensed with the Guam-Based Military Credentialing Office to enable them to volunteer in the civilian community. **TABLED**

Discussion/Recommendation/Action:

E. *Sauget* motions to draft a registration form for the Military Limited Volunteer Dental License. Seconded by C. *Webb* (E. *Sauget*/C. *Webb*). Motion passes

R. *Weinberg* – will wait for a draft from the Board on a registration form to review for its final release.

- H. Letter to Dr. Jongsung Kim, DDS on Issues on his specialty and advertisement – **Tabled**

Discussion/Recommendation/Action:

Lengthy discussion, Dr. R. *Yang* recommends a letter be sent to Dr. Kim on the rules and to be more specific on his prices. Dr. A. *Rapadas* will write the letter.

- I. Dr. Jurga Martini – **Tabled** (Representative from FHP- Jerry Patricio present)

Discussion/Recommendation/Action:

Dr. A. *Rapadas*- if all other pending documents make it on time, she can still take exam in February, or if not, she may take the exams in August, 2019.

Dr. E. *Sauget* informed Mr. Patricio of what was pending on her claims. Dr. E. *Sauget* motions to approve Dr. Martini to sit in the exams. Dr. E. *Sauget* amends the agenda to move Dr. Martini from New business to Old Business. Seconded by Dr. C. *Webb*. (E. *Sauget*/C. *Webb*) Motion passes.

- J. Kenneth Miranda, Dental Assistant- Need legal opinion on police clearance.

Discussion/Recommendation/Action:

R. *Weinberg*- It may be at a juvenile age to not show up in the police clearance.

VI. NEW BUSINESS:

- A. 2019 Cervical Cancer Conference – CEU 4 Contact hours. January 27, 2019.

Dr. C. *Webb* motions to grant to approve Category II - 4 CEU contact hours for the 2019 Cervical Cancer Conference on January 27, 2019. Seconded by Dr. R. *Yang*. (C. *Webb*/R. *Yang*) Motion passes.

- B. Applications for review and approval:

1. Dr. Jurga Martini - Dentist (PBIS) **Tabled** (amend to move to old business)
2. Gwendolyn Belandres - Dental Assistant
3. Armando C. Mina - Dental Assistant
4. Jamie M. Pepito - Dental Assistant
5. Myrene M. Toledo - Dental Assistant

Discussion/Recommendation/Action:

Dr. C. *Webb* moves to approve Gwendolyn Belandres; Armando Mina; Jamie Pepito; and Myrene Toledo for Dental Assistants. Seconded by Dr. E. *Sauget*. (C. *Webb*/E. *Sauget*) Motion passes.

VII. OTHER BUSINESS: Kenneth Miranda, Dental Assistant police clearance (moved to old business) for legal Counsel's opinion.

Next Board Meeting: February 19 & 20, 2019, 8: a.m. -5: p.m., Clinical Exam and February 20, 2019, regular board meeting at 3: p.m.

VIII. ADJOURNMENT: Dr. E. *Sauget* motions to adjourn at 4:55 p.m. Seconded by C. *Webb*. (E. *Sauget*/C. *Webb*). Motion passes.