

APPROVED
BOARD OF DENTISTRY
MINUTES
SPECIAL CONFERENCE COMMITTEE "C"

TIME AND PLACE: Special Conference Committee "C" convened on May 13, 2011, at 11:02 a.m., at the Department of Health Professions, Perimeter Center, 2nd Floor Conference Center, 9960 Mayland Drive, Henrico, VA 23233.

FIRST CONFERENCE: 11:02 a.m.

PRESIDING: Paul N. Zimmet, DDS

MEMBERS PRESENT: Meera A. Gokli, DDS

MEMBERS ABSENT: Misty Mesimer, R.D.H.

STAFF PRESENT: Alan Heaberlin, Deputy Executive Director
Donna Lee, Discipline Case Manager
Gail W. Ross, Adjudication Specialist

QUORUM With two members present, a quorum was established.

Linda J. White, DDS
Case No.: 130272 Dr. White appeared with counsel, Marc A. Brown, and Stephen Crow, Director, Harrison House of Virginia, to discuss the allegations set forth in a Notice of the Board dated April 12, 2011. The Committee received statements from Dr. White, Mr. Brown, and Mr. Crow and discussed the allegations with them.

Closed Meeting: Dr. Gokli moved that the Committee convene in a closed session for the purpose of consideration and discussion of medical and mental health records. The motion was seconded and passed.

Reconvene: Dr. Gokli moved to certify that only matters lawfully exempted from Open meeting requirements under Virginia law were heard, discussed or considered by the Committee. The motion was seconded and passed.

Closed Meeting: Dr. Gokli moved that the Committee convene in a closed session. The motion was seconded and passed.

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Reconvene:

Dr. Gokli moved to certify that only matters lawfully exempted from open meeting requirements under Virginia law were heard, discussed or considered by the Committee. The motion was seconded and passed.

DECISION:
Case No. 130272

Ms. Ross reported that the Committee found Dr. White was mentally or physically incompetent to safely practice dentistry due to impairment resulting from chemical dependency requiring treatment and monitoring, and that she diverted Ambien from her office stock from in or about 2008 to 2010, to treat insomnia. Dr. White also prescribed Ambien for her personal and unauthorized use.

Dr. White prescribed controlled substances to Patient A, without providing treatment or noting a dental therapeutic purpose; and wrote other prescriptions for Patient A that were outside the scope of her dental education, training and experience.

Dr. White dispensed Schedule IV controlled substances from her office stock for use by her dogs and her family.

Dr. White prescribed controlled substances to an individual for whom she did not have a bona fide practitioner-patient relationship.

Dr. White failed to list in patients' charts all drugs prescribed, administered, dispensed and the quantity.

An unannounced inspection of Dr. White's practice noted deficiencies in that the dental assistant's radiation certificate was not posted in plain view of the patients; and that Dr. White failed to take and maintain a biennial inventory of all stocks on hand of Schedule II through V drugs.

The sanctions reported by Ms. Ross were that Dr. White shall receive a reprimand; be placed on probation for a period of three years subject to certain terms and conditions; assessed a \$5,000 monetary penalty; and provide written evidence to the Board that she has surrendered her DEA license. Dr. White will submit to an evaluation by the Health Practitioners' Monitoring Program ("HPMP") within 30 days from the date of entry of the Board's Order and abide by HPMP's recommendations.

Dr. Gokli moved to adopt the decision of the Committee. The motion was seconded and passed.

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**SECOND
CONFERENCE:**

2:05 p.m.

PRESIDING: Paul N. Zimmet, DDS

MEMBERS PRESENT: Meera A. Gokli, DDS

MEMBERS ABSENT: Misty Mesimer, R.D.H.

STAFF PRESENT: Alan Heaberlin, Deputy Executive Director
Donna Lee, Discipline Case Manager
Shevaun Roukous, Adjudication Specialist

QUORUM: With two members present, a quorum was established.

**Mary Ann Choby, DDS
Case No.: 133603** Dr. Choby appeared with counsel, Kenneth C. Hirtz, to discuss the allegations set forth in a Notice of the Board dated January 13, 2011. The Committee received statements from Dr. Choby and Mr. Hirtz and discussed the allegations with them.

Closed Meeting: Dr. Gokli moved that the Committee convene in a closed session. The motion was seconded and passed.

Reconvene: Dr. Gokli moved to certify that only matters lawfully exempted from open meeting requirements under Virginia law were heard, discussed or considered by the Committee. The motion was seconded and passed.

**DECISION:
Case No.: 133603** Dr. Zimmet reported that the Committee dismissed the allegations against Dr. Choby.

Dr. Gokli moved to adopt the decision of the Committee. The motion was seconded and passed.

THIRD CONFERENCE: 2:40 p.m.

PRESIDING: Paul N. Zimmet, DDS

MEMBERS PRESENT: Meera A. Gokli, DDS

MEMBERS ABSENT: Misty Mesimer, R.D.H.

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- STAFF PRESENT:** Alan Heaberlin, Deputy Executive Director
Donna Lee, Discipline Case Manager
Gail Ross, Adjudication Specialist
- QUORUM:** With two members present, a quorum was established.
- Alan A. Gropper, DDS
Case No.: 132334** Dr. Gropper appeared with counsel, Alden J. Eldredge, to discuss the allegations set forth in a Notice of the Board dated February 22, 2011. The Committee received statements from Dr. Gropper and discussed the allegations with him.
- Closed Meeting:** Dr. Gokli moved that the Committee convene in a closed session. The motion was seconded and passed.
- Reconvene:** Dr. Gokli moved to certify that only matters lawfully exempted from open meeting requirements under Virginia law were heard, discussed or considered by the Committee. The motion was seconded and passed.
- DECISION:
Case No. 132334** Ms. Ross reported that the Committee found that Dr. Gropper failed to properly treat Patient A's decay and subgingival calculus on tooth #3. He failed to perform periodontal evaluations and full-mouth periodontal charting.
- In April 2008, Dr. Gropper failed to properly restore Patient A's tooth #28 in that he placed a crown on the tooth after an unsuccessful apicoectomy.
- The Committee found that Dr. Gropper did not take appropriate diagnostic x-rays during his treatment of Patient A.
- The sanctions reported by Ms. Ross were that Dr. Gropper shall receive a reprimand; be assessed a \$1,500 monetary penalty; and complete not less than 3 continuing education hours in periodontal diagnosis and treatment and 3 continuing education hours in radiographic interpretation.
- Dr. Gokli moved to adopt the decision of the Committee. The motion was seconded and passed.
- Approval of Minutes:** Upon a motion by Dr. Gokli, and a second by Dr. Zimmet, the minutes from the Informal Conference conducted on February 18, 2011 were approved.

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ADJOURNMENT: With all business concluded, the Committee adjourned at 4:55 p.m.

Meera A Gokli, DDS
Paul N. Zimmet, DDS, Chair
Meera A Gokli, DDS
6/24/11
Date

Sandra K Reed
Sandra K. Reen, Executive Director
June 24, 2011
Date