APPROVED

BOARD OF DENTISTRY

MINUTES
SPECIAL CONFERENCE COMMITTEE "A"

TIME AND PLACE:	Special Conference Committee "A" convened on April 13, 2012 at 9:15 a.m., at the Department of Health Professions, Perimeter Center, 2nd Floor Conference Center, 9960 Mayland Drive, Henrico, VA 23233.
FIRST CONFERENCE:	9:15 a.m.
PRESIDING:	Martha C. Cutright, D.D.S.
MEMBERS PRESENT:	Meera A. Gokli, D.D.S. Augustus A. Petticolas, Jr., D.D.S.
STAFF PRESENT:	Alan Heaberlin, Deputy Executive Director Donna Lee, Discipline Case Manager Indy Toliver, Adjudication Specialist
QUORUM:	All three members of the Committee were present.
Robert J. O'Neill, DDS **Case No.: 137943**	Dr. O'Neill appeared with counsel, Michael L. Goodman and S. Virginia Bondurant, to discuss the allegations set forth in a Notice of the Board dated February 3, 2012. Bruce Overton, D.D.S.; Penney Zeigler, Medical Director of the Health Practitioners' Monitoring Program ("HPMP"); Jay Slagle, D.D.S.; Linda Hawthorne, L.P.N.; and Sherry Wilkerson, Director of Surgical Services at Southside Regional Medical Center, appeared as witnesses on behalf of the Respondent and addressed the Committee. The Committee also received statements from Dr. Robert J. O'Neill, Dr. Robert L. O'Neill, and Mr. Goodman and discussed the allegations with them. Dr. Petticolas moved to continue the informal conference until such time as the informal conference for Robert L. O'Neill was heard. The motion was seconded and passed.

Virginia Board of Dentistry
Special Conference Committee "A"
April 13, 2012

SECOND CONFERENCE: 11:55 a.m.

PRESIDING: Martha C. Cutright, D.D.S.

MEMBERS PRESENT: Meera A. Gokli, D.D.S.
Augustus A. Petticolas, Jr., D.D.S.

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

QUORUM: All three members of the Committee were present.

Robert L. O'Neill, DDS
Case No.: 137944

Dr. O'Neill appeared with counsel, Michael L. Goodman and S. Virginia Bondurant, to discuss the allegation set forth in the Notice of the Board dated February 2, 2012. The Committee received statements from Dr. O'Neill and Mr. Goodman and discussed the allegation with them.

Closed Meeting:

Dr. Petticolas moved that the Committee convene a closed meeting pursuant to § 2.2-3711(A)(27) of the Code of Virginia for the purpose of deliberation to reach decisions in the matters of Dr. Robert J. O'Neill and Dr. Robert L. O'Neill. Additionally, Dr. Petticolas moved that Mr. Heaberlin, Ms. Lee, and Ms. Toliver attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Committee in its deliberations. The motion was seconded and passed.

Reconvene:

Dr. Petticolas moved that the Committee certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and passed.

DECISION:
Case No.: 137943

Ms. Toliver reported that the Committee found Dr. Robert J. O'Neill diverted Fentanyl and Versed from his dental practice and self-administered both for approximately six weeks. Dr. O'Neill admitted that he was in the process of detoxing from Methadone; He used up to 800 mcg of Fentanyl that he diverted during times that he was at the dental practice and treating patients.

Dr. Robert J. O'Neill used approximately nine prescription blanks, pre-signed by another dentist in his practice, to unlawfully

prescribe medications to Patients A-H when he did not possess a current Drug Enforcement Administration ("DEA") registration.

Dr. Robert J. O'Neill entered into a Consent Order with the Virginia Board of Medicine wherein he admitted that he has an impairment that requires ongoing monitoring and medication management. Dr. Robert J. O'Neill signed a Recovery Monitoring Contract on March 11, 2011, with the HPMP acknowledging his impairment.

The sanctions reported by Ms. Toliver were that Dr. Robert J. O'Neill shall receive a reprimand; remain in the HPMP; and be assessed a $12,000 monetary penalty. Dr. Robert J. O'Neill shall also complete the Virginia Dental Law Examination.

Dr. Robert J. O'Neill shall not apply for his DEA registration for at least one year from the date of entry of his Order.

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

DECISION:
Case No.: 137944

Ms. Toliver reported that the Committee found Dr. Robert L. O'Neill, between March 17, 2011 and April 5, 2011, pre-signed several prescription blanks to be used by another dentist in his practice, who did not have a current DEA registration.

The sanctions reported by Ms. Toliver were that Dr. Robert L. O'Neill shall receive a reprimand; be assessed a $5,500 monetary penalty; and complete the Virginia Dental Law Examination. Dr. Robert L. O'Neill shall also complete three continuing education hours concerning the Virginia Drug Control Act.

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

Approval of Minutes:

Upon a motion by Dr. Gokli, the minutes from the Informal Conference conducted on November 18, 2011; January 20, 2012; and the minutes from the Telephone Conference Call conducted on April 5, 2012 were approved.

ADJOURNMENT: With all business concluded, the Committee adjourned at 3:50 p.m.

Martha C. Cutright, DDS.
Martha C. Cutright, DDS, Chair

5/25/2012
Date

Sandra K. Reen
Sandra K. Reen, Executive Director

May 25, 2012
Date