APPROVED

BOARD OF DENTISTRY

MINUTES
SPECIAL CONFERENCE COMMITTEE "C"

TIME AND PLACE:	Special Conference Committee "C" convened on May 11, 2012, at 11:10 a.m., at the Department of Health Professions, Perimeter Center, 2nd Floor Conference Center, 9960 Mayland Drive, Henrico, VA 23233.
PRESIDING:	Jeffrey Levin, D.D.S.
MEMBERS PRESENT:	Surya P. Dhakar, D.D.S. Misty Mesimer, R.D.H.
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.
Michael J. Sims, DDS **Case No.: 140728**	Dr. Sims appeared with counsel, Kenneth T. Roeber, to discuss the allegations set forth in a Notice of the Board dated April 4, 2012. The Committee received statements from Dr. Sims and Mr. Roeber and discussed the allegations with them.
Closed Meeting:	Ms. Mesimer 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 a decision in the matter of Michael J. Sims. Additionally, Ms. Mesimer 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:	Ms. Mesimer 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.: 140728

Ms. Toliver reported that the Committee found Dr. Sims, while providing treatment to Patient A, delivered a crown to tooth #19, despite the fact that a radiograph showed evidence of distal root caries below the crown margin and into the furcation, and incomplete endodontic treatment. Dr. Sims placed two posts in the root structures of tooth #19 without ensuring there was adequate tooth structure for the crown; and he failed to document that he informed the patient of the prognosis, risks, and treatment alternatives for tooth #19.

Dr. Sims failed to inform Patient A that he perforated the distal root structure of tooth #19 while performing a post and core build-up.

Dr. Sims failed to diagnose and treat decay on Patient A's tooth #5. Dr. Sims also failed to maintain in Patient A's radiographs that were taken on November 10, 2010, March 10, 2011, and March 29, 2011.

The sanctions reported by Ms. Toliver were that within 6 months from the date of entry of the Order, Dr. Sims shall successfully complete not less than 10 hours of continuing education in diagnosis and treatment planning in restorative dentistry, 10 hours of continuing education in periodontics, 10 hours of continuing education in endodontics, 10 hours of continuing education in implants, 10 hours of continuing education in crown and bridge work, and 4 hours of continuing education in risk management. Dr. Sims is restricted from performing periodontics, endodontics, and crown and bridge work until each of the corresponding continuing education courses have been completed.

Dr. Sims was also issued a reprimand and assessed a monetary penalty of $5,000.

Ms. Mesimer moved to adopt the decision of the Committee. The motion was seconded and passed.

Approval of Minutes:

Upon a motion by Ms. Mesimer, the minutes from the Informal Conference conducted on March 30, 3012 were approved.

ADJOURNMENT: With all business concluded, the Committee adjourned at 1:35 p.m.

Jeffrey Levin, D.D.S., Chair

8-13-12
Date

Sandra K. Reen, Executive Director

August 3, 2012
Date