Approved

VIRGINIA BOARD OF DENTISTRY
FORMAL HEARING
October 18, 2013

TIME AND PLACE: The meeting of the Virginia Board of Dentistry was called to order at 9:05 a.m., on October 18, 2013 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

PRESIDING: Myra Howard, Citizen Member, Chair

MEMBERS PRESENT:
A. Rizkalla, D.D.S.
Tammy K. Swecker, R.D.H.
James D. Watkins, D.D.S.
Bruce S. Wyman, D.M.D.

MEMBERS EXCUSED:
Charles E. Gaskins, III, D.D.S
Jeffrey Levin, D.D.S.
Melanie C. Swain, R.D.H.

MEMBER ABSENT:
Surya P. Dhakar, D.D.S.
Evelyn M. Rolon, D.M.D.

STAFF PRESENT:
Sandra K. Reen., Executive Director
Huong Q. Vu, Operations Manager

COUNSEL PRESENT: Erin Barrett, Assistant Attorney General

OTHERS PRESENT:
Corie E. Tillman Wolf, Assistant Attorney General
Indy Toliver, Adjudication Specialist
Wanda Blanks, Court Reporter, Farnworth & Taylor Reporting

ESTABLISHMENT OF A QUORUM: With five members present, a panel was established.

Deborah D. Adams, C.D.A.
Case No.: 148819

Ms. Adams appeared without counsel in accordance with a Notice of the Board dated August 9, 2013.

Ms. Adams asked to withdraw her appeal for this hearing because she has no legal counsel available.

Closed Meeting: Dr. Watkins moved that the Board enter into a closed meeting pursuant to §2.2-3711(A)(7) of the Code of Virginia for consultation with legal counsel pertaining to Ms. Adams' request

to withdraw her appeal. Additionally, it was moved that Board staff, Ms. Reen, Ms. Vu, and Board counsel, Ms. Barrett, attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations. The motion was seconded and passed.

Reconvene: Dr. Watkins moved to certify that only public matters lawfully exempted from open meeting requirements under Virginia law were discussed in the closed meeting and only public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board. The motion was seconded and passed.

The Board reconvened in open session pursuant to § 2.2-3712(D) of the Code.

Ms. Howard stated that Ms. Adams' request to withdraw her appeal is denied. She added that Ms. Adams received notice of the hearing in advance and had time to acquire legal counsel for the hearing. She said that the hearing will proceed.

Ms. Howard swore in the witness.

Following Ms. Adams' opening statement; Ms. Howard admitted into evidence Applicant's exhibit 1.

Following Ms. Wolf's opening statement; Ms. Howard admitted into evidence Commonwealth's exhibits 1 and 2.

Ms. Adams testified on her own behalf.

Closed Meeting: Dr. Watkins moved that the Board enter into a closed meeting pursuant to §2.2-3711(A)(27) and Section 2.2-3712(F) of the Code of Virginia for the purpose of reaching a decision in the matter of Ms. Adams. Additionally, it was moved that Board staff, Ms. Reen, Ms. Vu, and Board counsel, Ms. Barrett, attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations. The motion was seconded and passed.

Reconvene: Dr. Watkins moved to certify that only public matters lawfully exempted from open meeting requirements under Virginia law were discussed in the closed meeting and only public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board. The motion was seconded and passed.

The Board reconvened in open session pursuant to § 2.2-3712(D) of the Code.

Decision: Ms. Howard asked Ms. Barrett to report the Findings of Fact, Conclusions of Law and Sanctions adopted by the Board.

Ms. Barrett reviewed the findings and conclusions then reported that the Board decided to deny Ms. Adams' dental assistant II application.

Ms. Swecker moved to adopt the Findings of Fact, Conclusions of Law and Sanctions as read by Ms. Barrett. The motion was seconded and passed.

THOMAS HUNTER, D.D.S.
Case No.: 149886

The panel received information from Ms. Reen regarding a Consent Order signed by Dr. Hunter as resolution to his disciplinary case in lieu of proceeding with the informal conference scheduled for November 15, 2013.

DECISION: Dr. Watkins moved that the panel adopt the Consent Order pertaining to Dr. Hunter as presented. The motion was seconded and passed unanimously.

ADJOURNMENT: The Board adjourned at 11:05 a.m.

Jeffrey Lyon for
Myra Howard, Citizen Member, Chair

December 5, 2013
Date

Sandra K Reen
Sandra K. Reen, Executive Director

December 5, 2013
Date