APPROVED

BOARD OF DENTISTRY

MINUTES
SPECIAL CONFERENCE COMMITTEE "B"

TIME AND PLACE:	Special Conference Committee "B" convened on August 30, 2013 at 2:05 p.m., at the Department of Health Professions, Perimeter Center, 2nd Floor Conference Center, 9960 Mayland Drive, Henrico, VA 23233.
FIRST CONFERENCE:	2:05 p.m.
PRESIDING:	Charles E. Gaskins, III, D.D.S.
MEMBERS PRESENT:	A. Rizkalla, D.D.S.
MEMBERS ABSENT:	Melanie C. Swain, R.D.H.
STAFF PRESENT:	Kelley W. Palmatier, Deputy Executive Director Donna Lee, Discipline Case Manager Indy Toliver, Adjudication Specialist
QUORUM:	With two members present, a quorum was established.
Gary A. Schuyler, D.D.S. **Case No.: 145213**	Dr. Schuyler appeared with counsel, Kenneth C. Hirtz, to discuss the allegations set forth in a Notice of the Board dated June 27, 2013. The Committee received statements from Dr. Schuyler and Mr. Hirtz and discussed the allegations with them.
Closed Meeting:	Dr. Rizkalla 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 Gary A. Schuyler, D.D.S. Additionally, Dr. Rizkalla moved that Ms. Palmatier, 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. Rizkalla 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.: 145213

Ms. Toliver reported that the Committee found that while providing treatment to Patient A on August 4, 2009, Dr. Schuyler failed to perform a post-operative check by direct observation after extracting tooth #2. A subsequent provider determined that, during his extraction of Patient A's tooth #2, a surgical bur separated and became lodged into the root structure of tooth #3, as evidenced in a radiograph taken on August 8, 2009.

The sanction reported by Ms. Toliver was that Dr. Schuyler shall pay a $1,000 monetary penalty.

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

SECOND CONFERENCE: 3:35 p.m.

PRESIDING: Charles E. Gaskins, III, D.D.S.

MEMBERS PRESENT: A. Rizkalla, D.D.S.

MEMBERS ABSENT: Melanie C. Swain, R.D.H.

STAFF PRESENT: Kelley W. Palmatier, Deputy Executive Director
Donna Lee, Discipline Case Manager
Indy Toliver, Adjudication Specialist

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

Jay T. Rasmussen, D.D.S.
Case No.: 145306

Dr. Rasmussen appeared with counsel, Donna Foster, to discuss the allegations set forth in a Notice of the Board dated June 27, 2013. The Committee received statements from Dr. Rasmussen and Ms. Foster and discussed the allegations with them.

Closed Meeting:

Dr. Rizkalla 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 Jay T. Rasmussen, D.D.S. Additionally, Dr. Rizkalla moved that Ms. Palmatier, 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. Rizkalla 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.: 145306

Ms. Toliver reported that the Committee dismissed the allegations against Dr. Rasmussen.

The decision was unanimously accepted by the Committee.

Approval of Minutes:

Upon a motion by Dr. Rizkalla, the minutes from the Informal Conference conducted on July 19, 2013 were approved.

ADJOURNMENT:

With all business concluded, the Committee adjourned at 4:40 p.m.

Charles E. Gaskins, III, D.D.S., Chair

11/22/13
Date

Sandra K. Reen, Executive Director

November 22, 2013
Date