APPROVED

BOARD OF DENTISTRY

MINUTES
SPECIAL CONFERENCE COMMITTEE "C"

TIME AND PLACE:	Special Conference Committee "C" convened on June 27, 2014 at 9:10 a.m., at the Department of Health Professions, Perimeter Center, 2nd Floor Conference Center, 9960 Mayland Drive, Henrico, VA 23233.
FIRST CONFERENCE:	9:10 a.m.
PRESIDING:	Myra Howard
MEMBERS PRESENT:	James D. Watkins, D.D.S. Bruce S. Wyman, D.M.D.
MEMBERS ABSENT:	Evelyn M. Rolon, D.M.D.
STAFF PRESENT:	Kelley W. Palmatier, Deputy Executive Director Donna Lee, Discipline Case Manager Tiffany Laney, Adjudication Specialist
QUORUM:	With three members present, a quorum was established.
Arousha Jahangiri, D.D.S. **Case No.: 144619**	Dr. Jahangiri appeared with counsel, Douglas M. Coleman, to discuss the allegations set forth in a Notice of the Board dated May 21, 2014. The Committee received statements from Dr. Jahangiri and Mr. Coleman and discussed the allegations with them.
Closed Meeting:	Dr. Watkins 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 Arousha Jahangiri. Additionally, Dr. Watkins moved that Ms. Palmatier, Ms. Lee, and Ms. Laney 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. Watkins 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.: 144619

Ms. Laney reported that the Committee found that on February 14, 2011, Dr. Jahangiri charged Patient D's account for clinical crown lengthening-hard tissue procedure on teeth #5 and 7, despite the fact that there were no clinical indications for this treatment, as evidenced in x-rays dated February 7, 2011.

The Committee also found that while performing root canal therapy on Patient D's tooth #7 on February 14, 2011, Dr. Jahangiri overfilled the canal, as evidenced by x-rays dated February 14, 2011; and also delivered crowns on May 12, 2011 to teeth #5 and 6 with open margins as evidenced in x-rays dated May 12, 2011 and October 31, 2011.

The Committee further found that while performing root canal therapy on Patient E's tooth #19 on June 29, 2011, Dr. Jahangiri failed to completely obdurate the canals and provided a short fill, as evidence in x-rays dated June 29, 2011.

The sanctions reported by Ms. Laney were that Dr. Jahangiri shall pay a $2,000.00 monetary penalty; and that within 6 months from the date of entry of the Order she shall successfully complete 7 hours of continuing education in recordkeeping and risk management.

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

SECOND CONFERENCE: 11:46 a.m.

PRESIDING: Myra Howard

MEMBERS PRESENT: James D. Watkins, D.D.S.
Bruce S. Wyman, D.M.D.

MEMBERS ABSENT: Evelyn M. Rolon, D.M.D.

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

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

Timothy K. Johnston, D.D.S.
Case No.: 142931

Dr. Johnston appeared without counsel to discuss the allegations set forth in a Notice of the Board dated May 22, 2014. The Committee received statements and additional evidence from Dr. Johnston and discussed the allegations with him.

Closed Meeting: Dr. Watkins 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 Timothy K. Johnston. Additionally, Dr. Watkins moved that Ms. Palmatier, Ms. Lee, and Ms. Laney 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. Watkins 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.: 142931

Ms. Laney reported that the Committee found that in or about 2012, Dr. Johnston caused to be published on his website a statement that contained a material misrepresentation, in that his advertisement stated that snoring devices reduce the health risks associated with sleep apnea without surgery or medication and that there is a "96% success rate for people treated with these appliances."

The Committee also found that Dr. Johnston's advertisement stated that his dental center is "one of the best dental offices on the planet," which is a claim of professional superiority.

The sanctions reported by Ms. Laney were that Dr. Johnston shall be issued a reprimand; pay a $2,000.00 monetary penalty; and within 90 days from the date of entry of the Order he shall provide evidence of successful completion of the Virginia Dental Law Exam.

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

THIRD CONFERENCE: 1:08 p.m.

PRESIDING: Myra Howard

MEMBERS PRESENT: James D. Watkins, D.D.S.
Bruce S. Wyman, D.M.D.

MEMBERS ABSENT: Evelyn M. Rolon, D.M.D.

Virginia Board of Dentistry
Special Conference Committee "C"
June 27, 2014

STAFF PRESENT:	Kelley W. Palmatier, Deputy Executive Director Donna Lee, Discipline Case Manager Shevaun Roukous, Adjudication Specialist
QUORUM:	With three members present a quorum was established.
Steven E. Amburgey, D.D.S. **Case No.: 151063**	Dr. Amburgey appeared without counsel to discuss the allegations set forth in a Notice of the Board dated May 22, 2014. The Committee received statements from Dr. Amburgey and discussed the allegations with him.
Closed Meeting:	Dr. Watkins 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 Steven E. Amburgey. Additionally, Dr. Watkins moved that Ms. Palmatier, Ms. Lee, and Ms. Laney 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. Watkins 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.: 151063**	Ms. Roukous reported that the Committee dismissed the allegation against Dr. Amburgey. The decision was agreed to by consensus of the Committee.
Approval of Minutes:	Upon a motion by Dr. Watkins, the minutes from the Informal Conference conducted on May 9, 2014 were approved.
ADJOURNMENT:	With all business concluded, the Committee adjourned at 1:56 p.m.

Myra Howard, Chair

1-9-15
Date

Sandra K. Reen, Executive Director

January 12, 2015
Date