

UNAPPROVED

BOARD OF DENTISTRY

MINUTES

SPECIAL CONFERENCE COMMITTEE "B"

TIME AND PLACE: Special Conference Committee "B" convened on June 14, 2013 at 1:05 p.m., at the Department of Health Professions, Perimeter Center, 2nd Floor Conference Center, 9960 Mayland Drive, Henrico, VA 23233.

FIRST CONFERENCE: 1:05 p.m.

PRESIDING: Jeffrey Levin, D.D.S.

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

MEMBERS ABSENT: Charles E. Gaskins, III, D.D.S.

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.

**Terence Webber, D.D.S.
Case No.: 140828** Dr. Webber appeared with counsel, Gerald C. Canaan, to discuss the allegations set forth in a Notice of the Board dated January 31, 2013. The Committee received additional evidence and statements from Dr. Webber and Mr. Canaan and discussed the allegations with them.

Closed Meeting: Ms. Swain 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 Terence Webber. Additionally, Ms. Swain 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: Ms. Swain 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.

Virginia Board of Dentistry
Special Conference Committee "B"
June 14, 2013

DECISION:
Case No.: 140828

Ms. Toliver reported that the Committee found that Dr. Webber failed to diagnose decay on Patient A's teeth #9, 10 and 11 as evident on radiographs taken on August 18, 2009 and August 25, 2010. Dr. Webber also failed to reassess his treatment plan of a maxillary bridge for Patient A, despite the fact he referred Patient A to a periodontist for a consult, and the periodontist advise Dr. Webber to reassess the treatment plan due to Patient A's significant recurrent decay, poor crown-to-root ratio, and poor prognosis; subsequently Patient A had her teeth extracted by another dentist.

The Committee found that Dr. Webber failed to document in Patient A's treatment record that radiographs were taken in August 2009, August 2010, December 2010, and January 2011; and Patient A's duplicate laboratory work orders dated August 2010 and February 2011 failed to contain the address of the prescribing dentist.

The sanctions reported by Ms. Toliver were that Dr. Webber shall pay a \$1,000.00 monetary penalty, and that his license shall be placed on probation subject to the terms and conditions that within 6 months from the date of entry of the Order he shall successfully complete 7 hours of continuing education in pre-prosthetic periodontal diagnosis and 7 hours of continuing education in restoration of endodontically treated teeth.

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

SECOND CONFERENCE: 2:35 p.m.

PRESIDING: Jeffrey Levin, D.D.S.

MEMBERS PRESENT: Charles E. Gaskins, III, D.D.S.
Melanie C. Swain, R.D.H.

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

QUORUM: All three members of the Committee were present.

William Goff, D.D.S.
Case No.: 144913
Dr. Goff appeared without counsel to discuss the allegations set forth in a Notice of the Board dated March 14, 2013. The Committee received additional evidence and statements from Dr. Goff and discussed the allegations with him.

Virginia Board of Dentistry
Special Conference Committee "B"
June 14, 2013

Closed Meeting:

Ms. Swain 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 William Goff. Additionally, Ms. Swain 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:

Ms. Swain 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.

Ms. Toliver reported that the Committee found that Dr. Goff failed to consult with Patient A's primary care physician or check Patient A's blood pressure prior to administering vasoconstrictors on September 24, 2009, October 13, 2009, November 19, 2009, December 15, 2009 and January 26, 2010; despite the fact that Patient A noted in her initial health history form dated September 10, 2009 that she suffered from high blood pressure. Dr. Goff also failed to note in Patient A's treatment record the type and quantity of anesthetic administered on several dates in 2009 and January 2010.

The Committee found that Dr. Goff failed to obtain a periodontal consultation or address the periodontal needs of Patient A prior to performing extensive treatment between September 24, 2009 and January 2010, despite the fact that Patient A was diagnosed with "Type II Perio" on September 10, 2009. As a result, Patient A lost the implant and bridge on teeth #29, 30, and 31.

The Committee found that Dr. Goff failed to record a diagnosis in Patient A's treatment record to justify the crown build up performed on tooth #2, the crown build up performed on tooth #5, the crown build up performed on tooth #6, and the crown prep and crown build up, including pins, performed on tooth #21.

The sanctions reported by Ms. Toliver were that Dr. Goff shall pay a \$2,000.00 monetary penalty; that his license be placed on probation subject to the terms and conditions that within 6 months from the date of entry of the Order he shall successfully complete 7 hours of continuing education in recordkeeping and risk management; and that he successfully complete the Board's Dental

Virginia Board of Dentistry
Special Conference Committee "B"
June 14, 2013

Law Examination.

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

Approval of Minutes: Upon a motion by Dr. Gaskins, the minutes from the Informal Conference conducted on April 26, 2013 were approved.

ADJOURNMENT: With all business concluded, the Committee adjourned at 4:47 p.m.

Jeffrey Levin, DDS, Chair

Sandra K. Reen, Executive Director

Date

Date