Unapproved

VIRGINIA BOARD OF DENTISTRY
FORMAL HEARING
December 6, 2013

TIME AND PLACE: The meeting of the Virginia Board of Dentistry was called to order at 9:04 a.m., on December 6, 2013 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

PRESIDING: Jeffrey Levin, D.D.S., President

MEMBERS PRESENT: Charles E. Gaskins, III, D.D.S.
A Rizkalla, D.D.S.
Evelyn M. Rolon, D.M.D.
James D. Watkins, D.D.S.

MEMBERS EXCUSED: Surya P. Dhakar, D.D.S
Tammy K. Swecker, R.D.H.
Bruce S. Wyman, D.M.D.

MEMBER ABSENT: Myra Howard, Citizen Member
Melanie C. Swain, R.D.H..

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

COUNSEL PRESENT: Erin L. Barrett, Assistant Attorney General

OTHERS PRESENT: James Schliessmann, Senior 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.

Glennetta White, D.D.S.
Case No.: 143369, 143946, 145239, 146582, 146604, 146886, and 147621

Dr. White was not present. Dr. White's legal counsel, Kenneth C. Hirtz did appear in accordance with a Notice of the Board dated September 26, 2013. Mr. Hirtz stated that he was unable to contact Dr. White and he is here as Dr. White's legal counsel in regard to Patient A and Patient B only.

Mr. Schliessmann addressed that proper notice was sent to the Respondent, and introduced into evidence an Affidavit

signed by Ms. Reen that verified that the Formal Hearing and Statement of Particulars were sent by certified mail to Dr. White's address of record on file with the Board. He also stated that certified mail documents were returned from the Post Office as "Unclaimed."

Dr. Levin ruled that adequate notice was given in this case based upon the representations of the Commonwealth and the hearing proceeded in the Respondent's absence.

Dr. Levin swore in the witnesses.

Following Mr. Schliessmann's opening statement, Dr. Levin admitted into evidence Commonwealth's Exhibits 1 through 18.

Testifying on behalf of the Commonwealth were Lane S. Raker, RN, MS, LPN, DHP Senior Investigator, Patient A, and April Howze, RDH, Dr. White's former Office Manager.

Mr. Hirtz made no opening statement and said he had no evidence to submit.

Closed Meeting: Dr. Gaskins 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 to consider the matter of Dr. White. Additionally, he moved that Board staff, Ms. Reen, Ms. Vu, and Board counsel, Ms. Barrett to 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. Gaskins 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: Dr. Levin 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 and then reported that the Board decided to revoke Dr. White's license.

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

ADJOURNMENT: The Board adjourned at 10:50 a.m.

Jeffrey Levin, D.D.S., President	Sandra K. Reen, Executive Director
Date	Date