UNAPPROVED

BOARD OF DENTISTRY

MINUTES
SPECIAL CONFERENCE COMMITTEE "A"

TIME AND PLACE:	Special Conference Committee "A" convened on January 23, 2015 at 9:05 a.m., at the Department of Health Professions, Perimeter Center, 2nd Floor Conference Center, 9960 Mayland Drive, Henrico, VA 23233.
FIRST CONFERENCE:	9:05 a.m.
PRESIDING:	Tammy K. Swecker, R.D.H.
MEMBERS PRESENT:	Surya P. Dhakar, D.D.S. Bruce S. Wyman, D.M.D.
STAFF PRESENT:	Kelley W. Palmatier, Deputy Executive Director Donna Lee, Discipline Case Manager Tiffany A. Laney, Adjudication Specialist
QUORUM:	All three members of the Committee were present.
Tri Minh Nguyen, D.D.S. **Case No.: 148122**	Dr. Nguyen appeared without counsel to discuss the allegations set forth in a Notice of the Board dated August 7, 2014. The Committee received statements from Dr. Nguyen and discussed the allegations with him.
Closed Meeting:	Dr. Dhakar 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 Tri Minh Nguyen. Additionally, Dr. Dhakar 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. Dhakar 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.: 148122

Ms. Laney reported that the Committee found that Dr. Nguyen treated Patient A's tooth #30 and 31 with unnecessary composite restorations, as evidence by x-rays, which failed to show any interproximal decay on teeth #30 and 31.

The Committee also found that Dr. Nguyen seated a permanent crown on Patient A's tooth #30, despite the fact that Patient A continuously complained of persistent pain to tooth #30.

Dr. Nguyen failed to document the number, size, and lengths of the canals in tooth #30 when he performed a root canal on Patient A's tooth #30.

On October 24, 2012, Dr. Nguyen recorded in Patient A's progress notes that there were "large caries and/or existing failing restoration" on tooth #30, despite the fact that he had documented in Patient A's progress notes on October 12, 2012, that he had removed the decay on tooth #30 prior to placing a composite restoration on tooth #30.

The sanctions reported by Ms. Laney were that Dr. Nguyen shall pay a $4,000.00 monetary penalty; and that within 6 months from the date of entry of the Order he shall successfully complete 4 continuing education hours in risk management, a 4 hour continuing education course in caries diagnosis, and a 7 hour continuing education course in radiographic diagnosis and interpretation.

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

SECOND CONFERENCE: 10:55 a.m.

PRESIDING: Tammy K. Swecker, R.D.H.

MEMBERS PRESENT: Surya P. Dhakar, D.D.S.
Bruce S. Wyman, D.M.D.

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

QUORUM: All three members of the Committee were present.

Snehal Patel, D.D.S.
Case No.: 155081

Dr. Patel appeared with counsel, Gerald C. Canaan, II, to discuss the allegations set forth in a Notice of the Board dated October 2, 2014. The Committee received statements and additional evidence from Dr. Patel and Mr. Canaan and discussed the allegations with them.

Closed Meeting:

Dr. Dhakar 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 Snehal Patel. Additionally, Dr. Dhakar 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. Dhakar 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.: 155081

Ms. Laney reported that the Committee found that Dr. Patel failed to document in Patient A's treatment record an operative report or an operative progress note containing pertinent information related to the surgical procedure.

The Committee also found that Dr. Patel failed to record the following information in Patient A's treatment record related to his administration of general anesthesia: (1) the names, positions, and assigned duties of the staff that participated in the administration of general anesthesia, treatment, and monitoring of Patient A; (2) the vital signs prior to, during, and after he administered general anesthesia medication to Patient A; and (3) Patient A's American Society of Anesthesiologists classification.

The sanction reported by Ms. Laney was that within 12 months from the date of entry of the Order, Dr. Patel shall be the subject of an unannounced inspection that shall include a review of his patient records, to include a random sample of 5 general anesthesia patient records.

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

Virginia Board of Dentistry
Special Conference Committee "A"
January 23, 2015

THIRD CONFERENCE: 2:33 p.m.

PRESIDING: Tammy K. Swecker, R.D.H.

MEMBERS PRESENT: Surya P. Dhakar, D.D.S.
Bruce S. Wyman, D.M.D.

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

QUORUM: All three members of the Committee were present.

Donald Robinson, Jr., D.D.S.
Case No.: 153456

Dr. Robinson appeared without counsel to discuss the allegations set forth in a Notice of the Board dated October 2, 2014. The Committee received statements from Dr. Robinson and discussed the allegations with him.

Closed Meeting:

Dr. Dhakar 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 Donald Robinson. Additionally, Dr. Dhakar 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. Dhakar 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.: 153456

Ms. Laney reported that the Committee found that Dr. Robinson extracted Patient A's teeth #22, 23, 24, 25, and 26, which left Patient A's teeth #27 and 28 to support Patient A's mandibular partial denture, despite the fact that teeth #27 and 28 both contained severe periodontal disease.

The sanctions reported by Ms. Laney were that Dr. Robinson shall pay a $1,000.00 monetary penalty; and that within 6 months from the date of entry of the Order he shall successfully complete a 3 hour continuing education course in periodontal diagnosis and treatment planning, and a 6 hour continuing education course in removable prosthodontics, to include

diagnosis and treatment planning.

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

Approval of Minutes: Upon a motion by Dr. Wyman, the minutes from the Informal Conference conducted on April 25, 2014, June 6, 2014, and November 14, 2014 were approved.

ADJOURNMENT: With all business concluded, the Committee adjourned at 4:55 p.m.

Tammy K. Swecker, R.D.H., Chair

Date

Sandra K. Reen, Executive Director

Date