UNAPPROVED

BOARD OF DENTISTRY

MINUTES
SPECIAL CONFERENCE COMMITTEE "C"

TIME AND PLACE:	Special Conference Committee "C" convened on May 15, 2015 at 9:03 a.m., at the Department of Health Professions, Perimeter Center, 2nd Floor Conference Center, 9960 Mayland Drive, Henrico, Virginia 23233.
PRESIDING:	James D. Watkins, D.D.S.
MEMBERS PRESENT:	Sharon W. Barnes
MEMBERS ABSENT:	Evelyn M. Rolon, D.M.D.
STAFF PRESENT:	Sandra K. Reen, Executive Director Donna Lee, Discipline Case Manager Tiffany A. Laney, Adjudication Specialist
QUORUM:	With two members present a quorum was established.
Brenton Burger, D.D.S. **Case Nos.: 148478, 149760, and 155966**	Dr. Burger appeared with counsel, Jennifer Stevens, to discuss the allegations set forth in a Notice of the Board dated November 20, 2014. The Committee received statements and additional evidence from Dr. Burger and Ms. Stevens and discussed the allegations with them.
Closed Meeting:	Ms. Barnes 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 Brenton Burger. Additionally, Ms. Barnes moved that Ms. Reen, 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:	Ms. Barnes 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 Nos.: 148478, 149760, and 155966**	Ms. Laney reported that the Committee found that Dr. Burger maintained expired Ketamine in his working stock in his Sterling, Virginia practice; and he maintained expired diazepam in his working stock in his Gainesville, Virginia practice.

The Committee also found that as an oral and maxillofacial surgeon, Dr. Burger failed to timely update the following information on his Practitioner Profile: (1) the number of years in active, clinical practice as specified by regulations of the Board; and (2) the location of any primary and secondary practice settings and the approximate percentage of the oral and maxillofacial surgeon's time spent practicing in each setting.

Dr. Burger failed to provide Patient A a complete copy of his dental records within 15 days from receipt of the written request, in that by letter dated May 21, 2012, Patient A, through his attorney, requested a complete copy of his dental records; however, Dr. Burger's office did not send Patient A his intraoral photographs until April 8, 2013.

Dr. Burger failed to document an adequate pre-procedure evaluation, to include the patient complaint and physical exam findings for Patient B on May 5, 2014; Patient C on March 6, 2012; Patient D on May 19, 2011; and Patient E on August 13, 2013.

The sanction reported by Ms. Laney was that Dr. Burger within 6 months from the date of entry of the Order shall successfully complete a 6 credit hour continuing education course in the subject of review principles of recordkeeping for the oral and maxillofacial surgeon.

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

Approval of Minutes: Upon a motion by Ms. Barnes, the minutes from the Informal Conference conducted on April 3, 2015 were approved.

ADJOURNMENT: With all business concluded, the Committee adjourned at 11:05 a.m.

James D. Watkins, D.D.S., Chair

Sandra K. Reen, Executive Director

Date

Date