

UNAPPROVED

BOARD OF DENTISTRY

MINUTES

SPECIAL CONFERENCE COMMITTEE "C"

TIME AND PLACE: Special Conference Committee "C" convened on September 16, 2011, at 9:40 a.m., at the Department of Health Professions, Perimeter Center, 2nd Floor Conference Center, 9960 Mayland Drive, Henrico, VA 23233.

PRESIDING: Martha C. Cutright, D.D.S.

MEMBERS PRESENT: Surya P. Dhakar, D.D.S.
Misty Mesimer, R.D.H.

MEMBERS ABSENT: Meera A. Gokli, D.D.S.

STAFF PRESENT: Alan Heaberlin, Deputy Executive Director
Donna Lee, Discipline Case Manager
Gail Ross, Adjudication Specialist

QUORUM With three members present, a quorum was established.

Michael McQuade, DDS
Case Nos.: 128347 and
130872

Dr. McQuade appeared with counsel, Gerald C. Canaan, II, to discuss the allegations set forth in a Notice of the Board dated March 30, 2011. Gordon Prior, D.D.S. and Bruce Overton, D.D.S. appeared as expert witnesses on behalf of Dr. McQuade. Carl Atkins, D.D.S., appeared as an expert witness on behalf of the Board. The Committee received statements from Dr. McQuade, Dr. Prior, Dr. Overton, Mr. Canaan, and Dr. Atkins and discussed the allegations with them.

Closed Meeting: Ms. Mesimer 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 Michael McQuade. Additionally, Ms. Mesimer moved that Mr. Heaberlin, Ms. Lee and Ms. Ross 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. Mesimer 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

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as were identified in the motion by which the closed meeting was convened. The motion was seconded and passed.

**DECISION:
Case No.: 128347 and
130872**

Ms. Ross reported that the Committee found Dr. McQuade failed to diagnose and treat decay for Patients H and L; failed to diagnose tooth decay for Patients V and W; and failed to diagnose impacted teeth #6 and #11 for Patient Y.

After having completed four continuing education hours of recordkeeping pursuant to a Board Order entered April 23, 2009, Dr. McQuade failed to document diagnoses to justify the restorations in the treatment records of Patients F, G, I, J, K, P and U; failed to document a diagnosis to justify restorations and endodontic treatment in the treatment records of Patient S; and failed to document a diagnosis to justify the extraction of a tooth in the treatment records of Patient T.

Dr. McQuade also failed to document diagnoses for restorative treatment to teeth and all materials used in the treatment records for Patients B-D and O; failed to include all materials used and all drugs prescribed, administered, dispensed and the quantity, as well as document diagnosis for the restorative treatment to teeth in the treatment records of Patient M; and for Patients N and R, Dr. McQuade failed to document diagnoses for restorative treatment to teeth, extractions to teeth, and list all materials used in their treatment records.

The sanctions reported by Ms. Ross were that Dr. McQuade shall receive a reprimand; be placed on probation for a period of not less than two years subject to certain terms and conditions; and assessed a \$9,000 monetary penalty. Dr. McQuade shall complete 7 continuing education hours in diagnosis and treatment planning.

Dr. McQuade shall also be the subject of an unannounced inspection, to include a records inspection with 10 patient treatment records, which will be reviewed by Board members.

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

Approval of Minutes:

Upon a motion by Ms. Mesimer, the minutes from the Informal Conference conducted on June 24, 2011 were approved.

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ADJOURNMENT: With all business concluded, the Committee adjourned at 2:12 p.m.

Martha C. Cutright, DDS, Chair

Sandra K. Reen, Executive Director

Date

Date