

**VIRGINIA BOARD OF DENTISTRY
FORMAL HEARINGS
DECEMBER 11, 2008**

TIME AND PLACE: The meeting of the Virginia Board of Dentistry was called to order at 10:32 a.m. on December 11, 2008 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Richmond, Virginia.

PRESIDING: Paul N. Zimmet, D.D.S.

MEMBERS PRESENT: Jeffrey Levin, D.D.S., Vice President
Darryl J. Pirok, D.D.S.
James D. Watkins, D.D.S.
Misty Mesimer, R.D.H.
Robert B. Hall, Jr. D.D.S.
Augustus A. Petticolas, Jr. D.D.S.

MEMBERS ABSENT: Myra Howard, Citizen Member

MEMBERS EXCUSED: Meera A. Gokli, D.D.S.
Jacqueline G. Pace, R.D.H.

STAFF PRESENT: Sandra K. Reen., Executive Director
Huong Vu, Administrative Assistant

COUNSEL PRESENT: Howard M. Casway, Senior Assistant Attorney General

OTHERS PRESENT: James Schliessmann, Assistant Attorney General
Gail W. Ross, Adjudication Specialist
Lynn Aligood, Court Reporter, Capitol Reporting, Inc.

ESTABLISHMENT OF A QUORUM: With seven members present, a quorum was established.

**Michael J. Hechtkopf.
D.D.S.
Case No. 113849** Dr. Hechtkopf appeared with counsel, Brian O. Dolan, Esq., in accordance with a Notice of the Board dated July 30, 2008.

Dr. Zimmet admitted into evidence Commonwealth's exhibits 1 through 11.

Dr. Zimmet admitted into evidence Respondent's exhibits 1 through 34.

Dr. Zimmet swore in the witnesses then ordered that that all witnesses be sequestered with the exception of Dr. Hechtkopf.

Testifying on behalf of the Commonwealth were Robin N. Blanco and Matthew R. Cooke, D.D.S., M.D., M.P.H.

Testifying on behalf of the Respondent were William Conley Owen, M.D. (by phone), Michael J. Caplan, M.D., Fred M. Henretig, M.D., John A. Yagiela, D.D.S, Ph.D., Roger Wood, D.D.S., Bertrand Ross, M.D., and James Keeton, D.D.S.

Closed Meeting: Dr. Levin moved that the Board enter into a closed meeting pursuant to §2.2-3711.A.7 of the Code of Virginia for consultation with legal counsel in the matter of Dr. Michael J. Hechtkopf. Additionally, it was moved that Board staff, Sandra Reen, and Huong Vu, and Board counsel, Howard Casway attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in it deliberations.

Reconvene: Dr. Levin 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.

Decision: Dr. Zimmet reported that the Board decided to adjourn for the day and to reconvene at 1:30 p.m. on Friday, December 12, 2008.

ADJOURNMENT: The Board adjourned at 7:30 p.m.

RECONVENED: The Board reconvened at 1:35 p.m. on Friday, December 12, 2008.

Dr. Hechtkopf testified on his own behalf.

Closed Meeting: Dr. Levin moved that the Board enter into a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia to deliberate for the purpose of reaching a decision in the matter of Dr. Hechtkopf. Additionally, it was moved that Board staff, Sandra Reen, and Huong Vu, and Board counsel, Howard Casway attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in it deliberations. The motion was seconded and passed.

Reconvene: Dr. Levin 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. Zimmet asked Mr. Casway to report the Findings of Fact, Conclusions of Law and Sanctions adopted by the Board.

Dr. Watkins moved to adopt the Findings of Fact and Conclusions of Law as reported by Mr. Casway and to issue an order terminating the restriction on Dr. Hechtkopf's license and requiring Dr. Hechtkopf to complete continuing education in recordkeeping and risk management and to successfully complete the Board's Dental Law Examination. The motion was seconded and passed.

ADJOURNMENT: The Board adjourned at 5:45 p.m.

Paul N. Zimmet, D.D.S., Chair

Sandra K. Reen, Executive Director

Date

Date