

**VIRGINIA BOARD OF DENTISTRY
FORMAL HEARING
May 9, 2014**

TIME AND PLACE: The meeting of the Virginia Board of Dentistry was called to order at 1:08 a.m., on May 9, 2014 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

PRESIDING: Melanie C. Swain, R.D.H.

MEMBERS PRESENT: Charles E. Gaskins, III, D.D.S.
Surya P. Dhakar, D.D.S
Myra Howard, Citizen Member
Evelyn M. Rolon, D.M.D.
Bruce S. Wyman, D.M.D.

MEMBER ABSENT: Jeffrey Levin, D.D.S., D.D.S.
A Rizkalla, D.D.S.
Tammy K. Swecker, R.D.H.
James D. Watkins, D.D.S.

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

COUNSEL PRESENT: James E. Rutkowski, Assistant Attorney General

OTHERS PRESENT: Corie Wolf, Assistant Attorney General
Shevaun Roukous, Adjudication Specialist
Andrea Pegram, Court Reporter, Court Reporting Services, L.L.C.

**ESTABLISHMENT OF
A QUORUM:**

With six members present, a quorum was established.

Derrick M. Broadaway, D.D.S.
Case No.: 147322,
147700, 147781, 147816,
147846, 148408, 148561,
and 152429

Dr. Broadaway appeared with Jeroyd W. Greene, III, Esquire in accordance with a Notice of the Board dated April 11, 2014. Mr. Green stated that he is not representing Dr. Broadaway but would be observing the proceedings.

Ms. Swain swore in the witnesses.

Following Ms. Wolf's opening statement, Ms. Swain admitted into evidence Commonwealth's exhibits 1 through 22.

Following Dr. Broadaway's opening statement, Ms. Swain admitted into evidence Respondent's exhibit A.

Testifying on behalf of the Commonwealth were the following:

In Person: John Turner, DHP Senior Investigator, Charlotte Hudson, DHP Senior Investigator, Dina Pearl, DDS, Patient A, Patient I, Patient K, and Henry M. Botuck, DDS.

By Phone: Daniel Jones, DDS, Richard Sweeney, DDS, Brian Szakaly, DDS, OMS, and Patient J.

Dr. Broadaway testified on his own behalf.

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 for the purpose of deliberation to reach a decision on the proposed consent order affecting the license of Derrick M. Broadaway, DDS. Additionally, he moved that Board staff, Ms. Reen, Ms. Vu, and Board counsel, Mr. Rutkowski 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. Gaskins moved to accept the Findings of Facts and Conclusion of Law as presented by the Commonwealth, amended by the Board, and read by Mr. Rutkowski. The motion was seconded and passed.

Dr. Gaskins moved to revoke Dr. Broadaway's license. The motion was seconded and passed.

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ADJOURNMENT: The Board adjourned at 1:51 a.m. on Saturday, May 10, 2014.



Melanie C. Swain, R.D.H., Vice-President

6/13/14

Date



Sandra K. Reen, Executive Director

June 13, 2014

Date