APPROVED

BOARD OF DENTISTRY

MINUTES
SPECIAL CONFERENCE COMMITTEE "C"

TIME AND PLACE:	Special Conference Committee "C" convened on February 18, 2011, 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:	Paul N. Zimmet, DDS
MEMBERS PRESENT:	Meera A. Gokli, DDS
MEMBERS ABSENT:	Misty Mesimer, R.D.H.
STAFF PRESENT:	Alan Heaberlin, Deputy Executive Director Donna Lee, Discipline Case Manager Gail W. Ross, Adjudication Specialist
QUORUM	With two members present, a quorum was established.
Norman J. Marks, DDS **Case No.: 131110**	Dr. Marks appeared with counsel, Gerald C. Canaan, II, to discuss the allegation set forth in a Notice of the Board dated December 22, 2010. The Committee received statements from Dr. Marks and discussed the allegation with him. The Committee received statements from Patient A and discussed the allegation with her.
Closed Meeting:	Dr. Gokli moved that the Committee convene in a closed session. The motion was seconded and passed.
Reconvene:	Dr. Gokli moved to certify that only matters lawfully exempted from open meeting requirements under Virginia law were heard, discussed or considered by the Committee. The motion was seconded and passed.
DECISION: **Case No. 131110**	Ms. Ross reported that the Committee found Dr. Marks failed to seat a properly fitting lower denture on Patient A and that the mandibular prosthesis failed to seat on the lower right implant. The sanction reported by Ms. Ross was that Dr. Marks shall receive a reprimand.

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

SECOND CONFERENCE: 10:25 a.m.

PRESIDING: Paul N. Zimmet, DDS

MEMBERS PRESENT: Meera A. Gokli, DDS

MEMBERS ABSENT: Misty Mesimer, R.D.H.

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

QUORUM: With two members present, a quorum was established.

Derrick M. Broadaway, DDS
Case Nos.: 12331, 128947, 130451, 131931

Dr. Broadaway appeared with counsel, Gerald C. Canaan, II, and Karah L. Gunther, to discuss the allegations set forth in a Notice of the Board dated February 8, 2011. The Committee received statements from Dr. Broadaway, Mr. Canaan and Ms. Gunther and discussed the allegations with them.

Closed Meeting: Dr. Gokli moved that the Committee convene in a closed session. The motion was seconded and passed.

Reconvene: Dr. Gokli moved to certify that only matters lawfully exempted from open meeting requirements under Virginia law were heard, discussed or considered by the Committee. The motion was seconded and passed.

DECISION:
Case Nos.: 12331, 128947, 130451, 131931

Ms. Ross reported that the Committee found that after Dr. Broadaway completed 40 continuing education hours of hands-on endodontics and a Board-approved regional examination in endodontics and prosthodontics to comply with a Board Order entered May 29, 2009, he failed to properly diagnose and treat Patient A's tooth. On several occasions he delivered ill-fitting crowns with open margins and failed to completely fill the canals while performing root canals.

Dr. Broadaway used pre-fabricated posts, but billed patients for cast post and core crowns. He billed patients for services using his provider number when, in fact, another dentist in his practice provided the treatment. Dr. Broadaway failed to document the

diagnosis and treatment rendered in the record for a patient in 2008.

After Dr. Broadaway completed seven continuing education hours in recordkeeping and risk management pursuant to a Board Order entered May 29, 2009, he failed to include a diagnosis in the record for the prescription of amoxicillin to a patient and to include the type of cement used to reseat a crown.

The sanctions reported by Ms. Ross were that Dr. Broadaway would be continued on indefinite probation subject to certain terms and conditions. Within 6 months from the date of entry of the Order, Dr. Broadaway shall complete not less than 7 hours of continuing education in diagnosis and treatment planning and 7 hours of continuing education in radiographic diagnosis and interpretation; an unannounced records inspection shall be conducted with 20 patient treatment records whose treatment occurred after the date of entry of the Order, which will be reviewed by Board members. Dr. Broadaway is assessed a $5,000 monetary penalty.

The Committee imposed no sanctions against Dr. Broadaway for the violations that occurred prior to the orders entered May 29, 2009 and April 27, 2010 that were similar to the allegations adjudicated in those previous orders.

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

Approval of Minutes: Upon a motion by Dr. Gokli and a second by Dr. Zimmet, the minutes from the Informal Conference conducted on January 7, 2011 were approved.

ADJOURNMENT: With all business concluded, the Committee adjourned at 1:18 p.m.

Paul N. Zimmet, DDS, Chair

5/12/2011
Date

Sandra K. Reen, Executive Director

5-13-11
Date