UNAPPROVED

BOARD OF DENTISTRY

MINUTES
SPECIAL CONFERENCE COMMITTEE "A"

TIME AND PLACE:	Special Conference Committee "A" convened on August 29, 2014 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:	Tammy K. Swecker, R.D.H.
MEMBERS PRESENT:	Bruce S. Wyman, D.M.D.
MEMBERS ABSENT:	Surya P. Dhakar, D.D.S.
STAFF PRESENT:	Kelley W. Palmatier, Deputy Executive Director Donna Lee, Discipline Case Manager Tiffany Laney, Adjudication Specialist
QUORUM:	With two members present, a quorum was established.
Lynette R. Young, D.M.D. **Case No.: 149258**	Dr. Young appeared with counsel, Donna L. Foster and Lindsey A. Lewis, to discuss the allegations set forth in a Notice of the Board dated June 4, 2014. The Committee received statements from Dr. Young, Ms. Foster, and Ms. Lewis and discussed the allegations with them.
Closed Meeting:	Dr. Wyman 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 Lynette R. Young. Additionally, Dr. Wyman moved that Ms. Palmatier, 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:	Dr. Wyman 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 No.: 149258

Ms. Laney reported that the Committee found that Dr. Young failed to consult with Patient A's primary care physician and/or nephrologist prior to treatment planning for a full upper denture, cast partial lower denture, and an acrylic bridge with build-ups on teeth #20-29. Patient A is a 43-year old male with insulin dependent diabetes, end stage renal disease, gastroparesis, hypertension, diabetic retinopathy, a right lower limb amputation, and who was on dialysis and awaiting a kidney transplant. Dr. Young noted "rampant caries" in maxillary and mandibular arches, and "hopeless teeth" #1, 16, 18, 19, 31, and 32.

The Committee also found that Dr. Young failed to present Patient A with a proper treatment plan given his medically compromised health; extremely poor hygiene upon presentation; multiple carious, pulpally-and periodontally-involved teeth; and the likelihood that successful restoration could not be achieved in order for him to be infection free so he could undergo a kidney transplant.

Dr. Young failed to recommend endodontic therapy, and, instead, performed buildups and cemented the provisional bridge with Duralon; although teeth #20-29 were shown to be pulpally involved by radiographs and photographs. As a result of Dr. Young's improper treatment planning and treatment, Patient A developed an infection.

Dr. Young failed to take the necessary radiographs after the placement of posts in teeth #20, 21, 27, 28, 29 on May 19, 2011 and teeth #23, 24, 25 and 26 on May 26, 2011 to ensure proper placement; as a result of this failure, the posts were short, at the incorrect angles and perforated the root of tooth #23 as evidence in radiographs taken on January 20, 2012.

While providing treatment to Patient A, Dr. Young allowed her dental assistant to perform the following treatments and/or services that are prohibited by Virginia law or regulation: (1) take final impressions for the remake of Patient A's denture, a service which requires the professional competence of a dentist or dental assistant II; diagnose a problem with Patient A's bite, remove teeth from the maxillary denture, correct the bite, and reattach teeth to the denture; adjust Patient A's mandibular partial denture to address an area causing soreness; and deliver the relined maxillary denture to Patient A.

Dr. Young failed to administer anesthetic for pain control to Patient A while placing posts in teeth #20-29.

The sanctions reported by Ms. Laney were that Dr. Young shall be issued a reprimand and pay a $8,000.00 monetary penalty. Dr. Young's license shall be subject to the terms and conditions that within 12 months from the date of entry of the Order, she shall successfully complete 7 continuing education hours in recordkeeping and risk management; a 7 hour course of continuing education in dental management of a medically compromised patient; a 7 hour course of continuing education in endodontic diagnosis and treatment planning; a 3 hour course of continuing education in periodontal disease diagnosis and treatment planning; and a 16 hour course of continuing education in fixed prosthodontics.

The decision was agreed to by consensus of the Committee.

SECOND CONFERENCE: 2:20 p.m.

PRESIDING: Tammy K. Swecker, R.D.H.

MEMBERS PRESENT: Bruce S. Wyman, D.M.D.

MEMBERS ABSENT: Surya P. Dhakar, D.D.S.

STAFF PRESENT: Kelley W. Palmatier, Deputy Executive Director
Donna Lee, Discipline Case Manager
Tiffany Laney, Adjudication Specialist

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

Hugh Campbell, D.D.S.
Case No.: 150017

Dr. Campbell appeared with counsel, Kenneth T. Roeber, to discuss the allegations set forth in a Notice of the Board dated November 5, 2013. The Committee received statements from Dr. Campbell and Mr. Roeber and discussed the allegations with them.

Closed Meeting: Dr. Wyman 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 Hugh Campbell. Additionally, Dr. Wyman moved that Ms. Palmatier, 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: Dr. Wyman 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 No.: 150017

Ms. Laney reported that the Committee found that Dr. Campbell failed to perform a post-operative check of the root structure by direct observation following the extraction of Patient A's tooth #14; that resulted in Patient A presenting to Dr. Campbell on April 7, 2009 complaining of pain, and Dr. Campbell's visual examination indicated that there was a remaining bone spicule in the site of tooth #14, which was removed.

Dr. Campbell failed to take a post-operative radiograph after removing the spicule to ensure there was no remaining tooth structure or pathology at the site of Patient A's tooth #14. On April 7, 2010, a subsequent dental provider determined that bone fragments remained at the site of Patient A's tooth #14.

The Committee further found that Dr. Campbell failed to obtain an updated health history for Patient A prior to attempting to extract tooth #2 on January 6, 2010; as a result, Dr. Campbell was unaware that Patient A was diagnosised with Padget's disease and could not consider the possible complications of this disorder related to Patient A's dental treatment.

Dr. Campbell failed to document a diagnosis in his records to justify the need to extract Patient A's tooth #14.

Ms. Laney reported that the Committee imposed no sanctions against the license of Dr. Campbell.

The decision was agreed to by consensus of the Committee.

THIRD CONFERENCE: 3:20 p.m.

PRESIDING: Tammy K. Swecker, R.D.H.

MEMBERS PRESENT: Bruce S. Wyman, D.M.D.

MEMBERS ABSENT: Surya P. Dhakar, D.D.S.

STAFF PRESENT: Kelley W. Palmatier, Deputy Executive Director
Donna Lee, Discipline Case Manager
Tiffany Laney, Adjudication Specialist

QUORUM: With two members present, a quorum was established

Crystal Zook, R.D.H.
Case No.: 155945

Ms. Zook appeared without counsel to discuss the allegations set forth in a Notice of the Board dated July 16, 2014. Ms. Zook's employer, Dr. Chris Hooper, appeared on her behalf. The Committee received additional evidence and statements from Ms. Zook and Dr. Hooper and discussed the allegations with them.

Closed Meeting:

Dr. Wyman 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 Crystal Zook. Additionally, Dr. Wyman moved that Ms. Palmatier, 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:

Dr. Wyman 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 No.: 155945

Ms. Laney reported that the Committee found that Ms. Zook is unsafe to practice dental hygiene due to her continued drug abuse. A Consent Order entered by the Board on April 4, 2012 required Ms. Zook to remain in the Virginia Health Practitioners' Monitoring Program ("HPMP") and to comply fully with the terms of her Recovery Monitoring Contract until she successfully completed the program.

The Committee also found that while Ms. Zook was under a Recovery Monitoring Contract with HPMP, she submitted to a urine drug screen on June 24, 2013 that tested positive for benzoylecgonine, a cocaine metabolite; and she admitted to her HPMP case manager that she had used cocaine.

Following Ms. Zook's submission of a dilute urine sample on February 14, 2014, a hair sample collected from her on February 21, 2014 tested positive for cocaine, oxycodone, and hydrocodone. Ms. Zook admitted taking oxycodone and hydrocodone on the

weekends between November 30, 2013 and February 2014 from an old prescription. Ms. Zook also admitted that she had used cocaine on or about February 2, 2014.

HPMP dismissed Ms. Zook from the program by letter dated March 14, 2014, due to her resignation from HPMP for reported financial reasons, her multiple relapses, and concerns that she would return to clinical practice.

Ms. Zook voluntarily surrendered her license to practice dental hygiene to the Board by letter dated April 8, 2014.

The Committee further found that Ms. Zook has a history of chemical dependency/addiction that requires ongoing treatment and monitoring.

Ms. Laney reported that the Committee offered Ms. Zook a consent order for the indefinite suspension of her license to practice dental hygiene in the Commonwealth of Virginia, and that she shall not apply for reinstatement of her license for a period of not less than two years from the date of entry of the Consent Order.

The decision was agreed to by consensus of the Committee.

The Consent Order shall be effective upon endorsement by both Ms. Zook and the Board.

ADJOURNMENT: With all business concluded, the Committee adjourned at 4:45 p.m.

Tammy K. Swecker, R.D.H., hair

Date

Sandra K. Reen, Executive Director

Date