

BOARD OF DENTISTRY

MINUTES SPECIAL CONFERENCE COMMITTEE "B"

TIME AND PLACE: Special Conference Committee "B" convened on December 19, 2008, at 9:35 a.m., at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Henrico, VA 23233.

APPROVAL OF MINUTES Dr. Pirok moved to approve the minutes of the Special Conference Committee "B" meetings held on April 25, 2008 and July 25, 2008. The motion was seconded and passed.

**FIRST CONFERENCE
PRESIDING:** 9:35 a.m.
James Watkins, D.D.S.

MEMBERS PRESENT: Darryl Pirok, D.D.S.
Misty Mesimer, R.D.H.

STAFF PRESENT: Alan Heaberlin, Deputy Executive Director
Mary Beth Shelton, Adjudication Specialist
Teresa Parrish, Administrative Assistant

QUORUM: All three members of the Committee were present.

**James Holley, D.D.S.
Case No.: 102004** Dr. Holley appeared in accordance with a Notice of the Board dated October 29, 2008. The Committee received statements from Dr. Holley and fully discussed the allegations in the Notice with him.

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

Reconvene: Dr. Pirok 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. 102004** Ms. Shelton reported that the Committee found Dr. Holley had violated certain laws and regulations governing the practice of dentistry in the Commonwealth of Virginia and agreed to impose a monetary penalty of \$6,000.00. Further, Dr. Holley is required to complete 7 hours of continuing education in Pediatric restorative dentistry within 6 months from the date of entry of the Order and pass the Virginia Dental Law exam within sixty days from the date of entry of the Order. Dr. Holley's practice shall be the subject of one (1) unannounced inspection by an

**Virginia Board of Dentistry
Special Conference Committee “B”
December 19, 2008**

inspector/investigator of the Department of Health Professions. The inspector/investigator shall obtain and copy a random sample of at least ten (10) of Dr. Holley’s patient records for review by the special conference committee.

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

SECOND CONFERENCE

PRESIDING:

1:30 p.m.

James Watkins, D.D.S.

MEMBERS PRESENT:

Darryl Pirok, D.D.S.

Misty Mesimer, R.D.H.

STAFF PRESENT:

Alan Heaberlin, Deputy Executive Director

Gail Ross, Adjudication Specialist

QUORUM:

All three members of the Committee were present.

Steven Castro, D.D.S.

Case No.: 120628

Dr. Castro appeared in accordance with a Notice of the Board dated October 10, 2008. Dr. Castro was accompanied by his office manager Stephanie Weaver. The Committee determined that Dr. Castro may not have been provided with adequate information regarding the allegations against him and continued the informal conference to February 6, 2009 at 2:00 p.m.

THIRD CONFERENCE

PRESIDING:

2:00 p.m.

James Watkins, D.D.S.

MEMBERS PRESENT:

Darryl Pirok, D.D.S.

Misty Mesimer, R.D.H.

STAFF PRESENT:

Alan Heaberlin, Deputy Executive Director

Gail Ross, Adjudication Specialist

QUORUM:

All three members of the Committee were present.

Robert O’Neill, D.D.S.

Case No.: 111051

Dr. O’Neill appeared with counsel, Jerry Canaan, to discuss the allegations set forth in a Notice of the Board dated October 21, 2008. The Committee received statements from Dr. O’Neill and Mr. Canaan and discussed the allegations in the Notice with them.

Closed Meeting:

Dr. Pirok moved that the Committee convene in a closed session. The motion was seconded and passed.

Reconvene:

Dr. Pirok moved to certify that only matters lawfully exempted from open meeting requirements under Virginia law were heard,

**Virginia Board of Dentistry
Special Conference Committee “B”
December 19, 2008**

discussed or considered by the Committee. The motion was seconded and passed.

**DECISION:
Case No. 111051**

Dr. Watkins reported that the Committee determined a violation of the Board’s statutes and regulations was not established by clear and convincing evidence and dismissed the allegations against Dr. O’Neill. Dr. Pirok moved to adopt the decision of the Committee. The motion was seconded and passed.

ADJOURNMENT:

With all business concluded, the Committee adjourned at 3:30 p.m.

James Watkins, D.D.S., Chair

Sandra K. Reen, Executive Director

Date

Date