UNAPPROVED

BOARD OF DENTISTRY

MINUTES
CREDENTIALS COMMITTEE

TIME AND PLACE:	The Credentials Committee convened on August 31, 2012, at 11:10 a.m., at the Department of Health Professions, Perimeter Center, 2nd Floor Conference Center, 9960 Mayland Drive, Henrico, VA 23233.
PRESIDING:	Myra Howard
MEMBERS PRESENT:	Herbert R. Boyd, III, D.D.S. Jacqueline G. Pace, R.D.H.
STAFF PRESENT:	Sandra K. Reen, Executive Director Kelley W. Palmatier, Deputy Executive Director Donna Lee, Discipline Case Manager Indy Toliver, Adjudication Specialist
QUORUM:	All three members of the Committee were present.
James A. Dick, D.D.S., Applicant **Case No.: 143977**	Dr. Dick appeared without counsel to discuss his Application for Licensure by credentials to practice dentistry in the Commonwealth of Virginia, and the allegations set forth in a Notice of the Board dated July 30, 2012. The Committee received statements from Dr. Dick and discussed the allegations with him.
Closed Meeting:	Ms. Pace 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 James A. Dick. Additionally, Ms. Pace moved that Ms. Reen, Ms. Palmatier, Ms. Lee and Ms. Toliver 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:	Ms. Pace 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.: 143977**	Ms. Toliver reported that the Committee found that the Tennessee Board of Dentistry ("Tennessee Board") entered an Amended Final

Order dated July 10, 1980 that suspended Dr. Dick's license to practice dentistry for six months and placed him on probation for two years thereafter. The Tennessee Board found that Dr. Dick performed or attempted to perform endodontics and orthodontic procedures, practiced general dentistry in a manner falling below the standard of care, and allowed unlicensed personnel to practice dentistry. By Order dated March 4, 1983, the Tennessee Board placed Dr. Dick's license to practice dentistry on probation for three years, with findings that he used an air syringe on a patient in an attempt to extract a third molar in such a way as to cause subcutaneous emphysema of the cervical facial regions, causing the patient to be hospitalized.

The Tennessee Board by Agreed Order, effective February 10, 1998, suspended Dr. Dick's license to practice dentistry for one year, and stayed the suspension for three years on probation. The Tennessee Board found there was evidence sufficient to establish substandard care in his treatment of patients, and while on probation he was prohibited from performing oral surgery and endodontic procedures. By Consent Order dated May 26, 2006, the Tennessee Board suspended Dr. Dick's license to practice dentistry for six months, stayed the suspension and placed him on probation for five years because of his prior Tennessee Board history and a finding that he seated crowns that had open margins.

Ms. Toliver further reported that malpractice payments were made by Dr. Dick's insurance carrier on or about August 4, 1995, December 18, 1996 and May 24, 2006 for standard of care issues.

The Committee agreed to recommend to the Board that Dr. Dick's Application for Licensure by credentials to practice dentistry in the Commonwealth of Virginia be denied.

Ms. Pace moved to adopt the decision of the Committee. The motion was seconded and passed.

Approval of Minutes: Upon a motion by Ms. Pace, the minutes from the Credentials Committee meeting conducted on July 20, 2012 were approved.

ADJOURNMENT: With all business concluded, the Committee adjourned at 12:25 p.m.

Virginia Board of Dentistry
Credentials Committee
August 31, 2012

Myra Howard, Chair	Sandra K. Reen, Executive Director
Date	Date