UNAPPROVED

BOARD OF DENTISTRY

MINUTES
CREDENTIALS COMMITTEE

TIME AND PLACE:	The Credentials Committee convened on January 31, 2014 at 10:08 a.m., at the Department of Health Professions, Perimeter Center, 2nd Floor Conference Center, 9960 Mayland Drive, Henrico, Virginia 23233.
FIRST CONFERENCE:	10:08 a.m.
PRESIDING:	Charles E. Gaskins, III, D.D.S.
MEMBERS PRESENT:	A. Rizkalla, D.D.S. Melanie C. Swain, R.D.H.
STAFF PRESENT:	Kelley W. Palmatier, Deputy Executive Director Donna Lee, Discipline Case Manager Shevaun Roukous, Adjudication Specialist
QUORUM:	All three members of the Committee were present.
Carlos Powers, D.D.S., Applicant Case No.: 153268	Dr. Powers 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 October 17, 2013. The Committee received statements from Dr. Powers and discussed the allegations with him.
Closed Meeting:	Ms. Swain 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 Carlos Powers. Additionally, Ms. Swain moved that Ms. Palmatier, Ms. Lee and Ms. Roukous 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. Swain 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.: 153268

Ms. Roukous reported that the Committee found Dr. Powers responded "no" in response to a question on his Application, which reads "Have you ever been licensed/registered/certified as a health care provider in Virginia or any other state/jurisdiction," although he has had an active license in the District of Columbia since October 27, 1986, and was licensed in Maryland from October 7, 1986 to June 30, 1994.

The Committee also found that Dr. Powers failed to completely list his employment activity in his Application, under the section entitled Employment and Activities Chronology. Specifically, in response to the Application statement which reads "List in chronological order all personal and professional activities you have engaged in since receiving your degree or certification, including teaching positions, internship, all periods of non-professional activity or employment, volunteer work, and all periods of unemployment. Curriculum vita and resumes are not acceptable in lieu of filling out the information below. PLEASE ACCOUNT FOR ALL TIME." Dr. Powers responded "Carlos H. Powers, D.D.S., P.C., 509 G. Street, S.W., Washington, DC 20024, 07/26/1986-present." An e-mail dated August 16, 2013 from Dr. Powers to Board staff revealed that since June 2011, he was working at another location with another dentist because of an electrical fire in his office. Further, an e-mail from Dr. Powers dated September 30, 2013 to Board staff revealed that since his licensure in Washington D.C. in 1986, he has "practiced in three locations in one capacity or another."

The Committee further found that Dr. Powers responded "no" in response to a question on his Application which reads: "Have you ever had any of the following disciplinary actions taken against your license to practice dentistry, your DEA permit, Medicare, Medicaid, or any such actions pending: suspension/revocations, or probations, or reprimand/cease and desist, or monitoring of practice, or limitation placed on scheduled drugs," although a National Practitioner DataBank Report revealed that he was debarred from Medicare, Medicaid and all other federal healthcare programs by the Health and Human Services Office of the Inspector General on March 19, 1998 because of a default on a health education loan or scholarship obligation. Further on September 30, 2004, Connection Dental Work terminated Dr. Powers' contract because they learned he had been debarred from the Medicare/Medicaid programs by the Health and Human Services Office of the Inspector General.

The Committee agreed to recommend to the Board that Dr. Powers' Application for Licensure by credentials to practice dentistry in the Commonwealth of Virginia be granted; that he pay a $1,000.00 monetary penalty; and that he successfully complete the Board's dental law examination.

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

SECOND CONFERENCE: 11:40 a.m.

PRESIDING: Charles E. Gaskins, III, D.D.S.

MEMBERS PRESENT: A. Rizkalla, D.D.S.
Melanie C. Swain, R.D.H.

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

QUORUM: All three members of the Committee were present.

Siavash Homayouni, D.D.S., Applicant
Case No.: 153117

Dr. Homayouni 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 October 22, 2013. The Committee received statements from Dr. Homayouni and discussed the allegations with him.

Closed Meeting:

Ms. Swain 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 Siavash Homayouni. Additionally, Ms. Swain moved that Ms. Palmatier, Ms. Lee and Ms. Roukous 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. Swain 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.: 153117

Ms. Roukous reported that the Committee found Dr. Homayouni is not a graduate of a dental program, school or college, or dental department of a university or college currently accredited by the Commission on Dental Accreditation of the American Dental Association.

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

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

THIRD CONFERENCE: 1:10 p.m.

PRESIDING: Charles E. Gaskins, III, D.D.S.

MEMBERS PRESENT:
A. Rizkalla, D.D.S.
Melanie C. Swain, R.D.H.

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

QUORUM: All three members of the Committee were present.

Ismael El Khouly Castilla, D.D.S., Applicant
Case No.: 154322

Dr. Castilla 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 January 15, 2014. The Committee received statements from Dr. Castilla and discussed the allegations with him.

Closed Meeting:

Ms. Swain 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 Ismael El Khouly Castilla. Additionally, Ms. Swain moved that Ms. Palmatier, Ms. Lee and Ms. Roukous 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. Swain 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.: 154322

Ms. Roukous reported that the Committee found that Dr. Castilla is not a graduate of a dental program, school or college, or dental department of a university or college currently accredited by the Commission on Dental Accreditation of the American Dental Association.

The Committee further found that Dr. Castilla has not been in continuous clinical practice for five out of the six years immediately preceding his application for licensure in Virginia.

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

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

FOURTH CONFERENCE: 3:00 p.m.

PRESIDING: Charles E. Gaskins, III, D.D.S.

MEMBERS PRESENT: A. Rizkalla, D.D.S.
Melanie C. Swain, R.D.H.

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

QUORUM: All three members of the Committee were present.

Anastasia P. Theodorou, D.M.D., Applicant
Case No.: 152164

Dr. Theodorou did not appear. Ms. Palmatier informed the Committee that the Notice was sent by regular and certified mail to Dr. Theodorou's address of record with the Board, and that the certified mail receipt card was returned from the post office with a date of delivery of October 21, 2013, and the name of "A. Theodoru" was printed where it indicated "received by" and then a signature. On the day of the informal conference, Board staff contacted Dr. Theodorou by telephone and she explained she didn't remember signing for the Notice, but that she wanted to attend an informal conference to discuss her application, and would immediately send an e-mail to the Board to request a continuance. An e-mail was never received from Dr. Theodorou by the time the informal conference convened. The Committee Chair

ruled that proper notice had been provided to Dr. Theodorou and the informal conference proceeded in her absence.

The Committee reviewed Dr. Theodorou's Application for Licensure by credentials to practice dentistry in the Commonwealth of Virginia, and the allegations set forth in the Notice of the Board dated October 18, 2013.

Closed Meeting:

Ms. Swain 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 Anastasia P. Theodorou. Additionally, Ms. Swain moved that Ms. Palmatier, Ms. Lee and Ms. Roukous 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. Swain 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.: 152164

Ms. Roukous reported that the Committee found that by Consent Agreement dated December 7, 2007, the Maine Board of Dental Examiners ("Maine Board") suspended Dr. Theodorou's license for 10 consecutive business days, and thereafter placed her license on probation for a period of 5 years with terms. This action was based on Dr. Theodorou's admission that she permitted dental assistants to engage in the unlicensed practice of dentistry by allowing them to perform dental procedures beyond the scope permitted by the Maine Board.

The Committee also found that by Consent Agreement for Probation effective February 23, 2009, the Massachusetts Board of Registration in Dentistry ("Massachusetts Board") placed Dr. Theodorou's license on indefinite probation based on the disciplinary action taken against her license by the Maine Board.

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

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

Virginia Board of Dentistry
Credentials Committee
January 31, 2014

Approval of Minutes: Upon a motion by Dr. Rizkalla, the minutes from the Credentials Committee meeting and the minutes from the Informal Conference conducted on November 22, 2013 were approved.

ADJOURNMENT: With all business concluded, the Committee adjourned at 3:11 p.m.

Charles E. Gaskins, III, D.D.S., Chair

Sandra K. Reen, Executive Director

Date

Date