

**VIRGINIA BOARD OF DENTISTRY  
FORMAL HEARING  
November 7, 2014**

**TIME AND PLACE:** The meeting of the Virginia Board of Dentistry was called to order at 9:07 a.m., on November 7, 2014 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

**PRESIDING:** Melanie C. Swain, R.D.H., President

**MEMBERS PRESENT:** John M. Alexander, D.D.S.  
Sharon W. Barnes, Citizen Member  
Charles E. Gaskins, III, D.D.S.  
Tammy K. Swecker, R.D.H.  
James D. Watkins, D.D.S.  
Bruce S. Wyman, D.M.D.

**MEMBERS ABSENT:** Surya P. Dhakar, D.D.S.  
Al Rizkalla, D.D.S.  
Evelyn M. Rolon, D.M.D.

**STAFF PRESENT:** Kelley W. Palmatier, Deputy Executive Director  
Huong Q. Vu, Operations Manager

**COUNSEL PRESENT:** James E. Rutkowski, Assistant Attorney General

**OTHERS PRESENT:** Corie E. Tillman Wolf, Assistant Attorney General  
Gerald A. Milsky, Adjudication Specialist  
Andrea Pegram, Court Reporter, Court Reporting Services, LLC.

**ESTABLISHMENT OF A QUORUM:** With seven members present, a quorum was established.

**Peter Sae Lee, D.D.S.  
Case No.: 145211  
and 158204**

Dr. Lee was present with legal counsel, Jerry Canaan, in accordance with an Amended Notice of the Board dated September 10, 2014.

Ms. Swain swore in the witnesses.

Following Ms. Wolf's opening statement, Ms. Swain admitted into evidence Commonwealth's Exhibits 1 through 6.

Testifying on behalf of the Commonwealth were the following:

In person: Joyce M. Shelton-Jones, DHP Senior Investigator, and Gayle E. Miller, DHP Senior Investigator.

Following Mr. Canaan's opening statement, Ms. Swain admitted into evidence Respondent's Exhibits A and B.

Testifying on behalf of Dr. Lee were the following:

By phone: Navin Hukmani, DDS, Russell Mullen, DDS, and Niloofar Mofakhmi, DDS.

In person: Owen Lee, Senior Pastor

**Closed Meeting:**

Dr. Gaskins moved that the Board enter into a closed meeting pursuant to §2.2-3711(A)(27) and Section 2.2-3712(F) of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of Dr. Lee. Additionally, he moved that Board staff, Ms. Palmatier, Ms. Vu, and Board counsel, Mr. Rutkowski to attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations. The motion was seconded and passed.

**Reconvene:**

Dr. Gaskins moved that the Board 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.

The Board reconvened in open session pursuant to § 2.2-3712(D) of the Code.

**Decision:**

Dr. Gaskins moved to accept the Findings of Facts and Conclusion of Law as presented by the Commonwealth, amended by the Board, and read by Mr. Rutkowski. The motion was seconded and passed.

Dr. Gaskins moved to accept the Board's decision to reinstate Dr. Lee's license on indefinite probation pursuant to terms and conditions. The motion was seconded and passed.

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**ADJOURNMENT:**           The Board adjourned at 12:35 p.m.

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Melanie C. Swain, R.D.H., President

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Kelley W. Palmatier, Deputy Executive  
Director

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Date

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Date