

UNAPPROVED DRAFT

BOARD OF DENTISTRY

MINUTES

SPECIAL CONFERENCE COMMITTEE "A"

TIME AND PLACE: Special Conference Committee "A" convened on January 23, 2009 at 11:05 a.m., at the Department of Health Professions, Perimeter Center, 2nd Floor Conference Center, 9960 Mayland Drive, Henrico, VA 23233.

FIRST CONFERENCE 11:05 a.m.

PRESIDING: Paul Zimmet, D.D.S.

MEMBERS PRESENT: Gus Petticolas, D.D.S.
Jackie Pace, R.D.H.

STAFF PRESENT: Alan Heaberlin, Deputy Executive Director
Gail Ross, Adjudication Specialist
Teresa Parrish, Administrative Assistant

QUORUM: All three members of the Committee were present.

**Richard Donzell, D.D.S.
Case No.: 115012** Dr. Donzell appeared without counsel, to discuss the allegations set forth in a Notice of the Board dated December 23, 2008. The Committee received statements from Dr. Donzell and discussed the allegations with him.

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

Reconvene: Dr. Petticolas 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. 115012** Ms. Ross reported that the Committee found Dr. Donzell in violation for prescribing a Schedule III controlled substance outside of a bona fide practitioner-patient relationship and for prescribing controlled substances to Patients A-C and E-G without providing treatment or notating the patient records.

The sanctions reported by Ms. Ross were that the Committee orders Dr. Donzell will be placed on indefinite probation and assessed a monetary penalty of six thousand dollars (\$6,000). Dr. Donzell is required to complete the Virginia Dental Law Exam, 7 hours of continuing education in risk management and record keeping to be

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taken within 6 months from date of entry of the Order and within 12 months from the entry of this order, Dr. Donzell will be subject to one unannounced inspection of 10 patient records.

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

SECOND CONFERENCE 1:23 p.m.

PRESIDING: Paul Zimmet, D.D.S.

MEMBERS PRESENT: Gus Petticolas, D.D.S.
Jackie Pace, R.D.H.

STAFF PRESENT: Alan Heaberlin, Deputy Executive Director
Gail Ross, Adjudication Specialist
Teresa Parrish, Administrative Assistant

QUORUM: All three members of the Committee were present.

**Shawn Kumra, D.D.S.
Case No.: 121017** Dr. Kumra appeared with counsel, Eddy Paul Rice, IV, to discuss the allegations set forth in a Notice of the Board dated December 23, 2008. The Committee received statements from Dr. Kumra and Mr. Rice and discussed the allegations with them.

Closed Meeting: Dr. Petticolas moved that the Committee convene in a Closed Meeting for the purpose of consideration and discussion of medical/mental health records of Dr. Kumra as permitted by §2.2-3711.A.15 of the Freedom of Information Act.

Reconvene: Dr. Petticolas moved to certify that only matters lawfully exempted from open meeting requirements were heard, discussed or considered by the Committee. The motion was seconded and passed.

Discussion The Committee continued discussing the allegations with Dr. Kumra and Mr. Rice.

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

Reconvene: Dr. Petticolas 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.

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**DECISION:
Case No. 121017**

Ms. Ross reported that the Committee found Dr. Kumra in violation of collecting payments directly from Patients A-Z and AA-PP for dental treatment, which he embezzled. He deceived and/or defrauded patients and his employer by removing patients' records from the practice to conceal the fact that the patients had received treatment.

The sanctions reported by Ms. Ross were that the Committee orders that Dr. Kumra be issued a Reprimand and assessed a monetary penalty of five thousand dollars (\$5,000). Dr. Kumra is required to complete the Virginia Dental Law Exam, and 7 hours of continuing education in Ethics which is to be taken within 6 months from date of entry of the Order.

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

ADJOURNMENT:

With all business concluded, the Committee adjourned at 3:35 p.m.

Paul Zimmet, D.D.S., Chair

Sandra K. Reen, Executive Director

Date

Date