

**UNAPPROVED**

**BOARD OF DENTISTRY**

**MINUTES**

**SPECIAL CONFERENCE COMMITTEE "B"**

**TIME AND PLACE:** Special Conference Committee "B" convened on January 27, 2012 at 9:13 a.m., at the Department of Health Professions, Perimeter Center, 2<sup>nd</sup> Floor Conference Center, 9960 Mayland Drive, Henrico, VA 23233.

**PRESIDING:** Martha C. Cutright, D.D.S.

**MEMBERS PRESENT:** Jacqueline G. Pace, R.D.H.

**MEMBERS ABSENT:** Myra Howard

**STAFF PRESENT:** Sandra K. Reen, Executive Director  
Donna Lee, Discipline Case Manager  
Kelley Wynne, Adjudication Specialist

**QUORUM:** With two members present, a quorum was established.

**Julie Ball, D.M.D.  
Case No.: 136594** Dr. Ball appeared with counsel, R. Barrow Blackwell, to discuss the allegations set forth in a Notice of the Board dated September 1, 2011. Nathaniel Bryant, D.D.S. and Roger Wood, D.D.S., appeared as witnesses on behalf of Dr. Ball. The Committee received statements from Dr. Ball, Dr. Bryant, Dr. Wood, and Mr. Blackwell and discussed the allegations with them.

**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 Julie Ball. Additionally, Ms. Pace moved that Ms. Reen, Ms. Lee and Ms. Wynne 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.

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**DECISION:**  
Case No.: 136594

Ms. Wynne reported that the Committee found Dr. Ball failed to include a diagnosis in Patient A's record to justify the treatment that she planned for teeth #13, 15, 18 and 30.

Ms. Wynne further reported that the Committee imposed No Sanction against the license of Dr. Ball to practice dentistry in the Commonwealth of Virginia.

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

**Jason T. Lue Yen, D.D.S.**  
Case No.: 136275 and  
**Martin T. Jenkins, D.D.S.**  
Case No.: 136278

The Committee reconvened to further consider the decisions from the informal conferences held on December 9, 2011 in the matters pertaining to Dr. Lue Yen and Dr. Jenkins.

**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 further consideration of the decisions in the matters of Jason T. Lue Yen and Martin T. Jenkins. Additionally, Ms. Pace moved that Ms. Reen, Ms. Lee, Ms. McGehee 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.

**DECISIONS:**  
Case Nos.: 136275 and  
136278

The Committee adopted the Consent Orders pertaining to Dr. Lue Yen and Dr. Jenkins as presented.

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

**ADJOURNMENT:**

With all business concluded, the Committee adjourned at 12:40 p.m.

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Martha C. Cutright, DDS, Chair

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Sandra K. Reen, Executive Director

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Date

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Date

**UNAPPROVED**

**BOARD OF DENTISTRY**

**MINUTES**

**CREDENTIALS COMMITTEE**

**TIME AND PLACE:** The Credentials Committee convened on January 27, 2012 at 1:22 p.m., at the Department of Health Professions, Perimeter Center, 2<sup>nd</sup> Floor Conference Center, 9960 Mayland Drive, Henrico, VA 23233.

**PRESIDING:** Martha C. Cutright, D.D.S.

**MEMBERS PRESENT:** Jacqueline G. Pace, R.D.H.

**MEMBERS ABSENT:** Myra Howard

**STAFF PRESENT:** Sandra K. Reen, Executive Director  
Donna Lee, Discipline Case Manager  
Indy Toliver, Adjudication Specialist

**QUORUM:** With two members present, a quorum was established.

**FIRST CONFERENCE:** 1:22 p.m.

**David Burrichter, D.D.S.  
Case No.: 140969** Dr. Burrichter appeared without counsel to discuss his Application for Licensure by examination to practice dentistry in the Commonwealth of Virginia, and the allegations set forth in a Notice of the Board dated January 12, 2012. The Committee received statements from Dr. Burrichter and Rebecca Britt, Health Practitioners' Monitoring Program Case Manager, and discussed the application with them.

**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 David Burrichter, D.D.S. Additionally, Ms. Pace moved that Ms. Reen, 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

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identified in the motion by which the closed meeting was convened. The motion was seconded and passed.

**DECISION:  
Case No.: 140969**

Ms. Toliver reported that the Committee found Dr. Burrichter was unsafe to practice dentistry as he has a history of excessive alcohol use and an anxiety disorder which requires treatment and monitoring. Dr. Burrichter was convicted on October 20, 2010 in the State of Minnesota Washington County 10<sup>th</sup> Judicial District Court of driving while intoxicated. Dr. Burrichter was admitted into treatment programs in January 2011 and April 2011 to address his chemical dependency, but was unsuccessful in completing the programs.

Dr. Burrichter entered into a Recovery Monitoring Contract with the Virginia Health Practitioners' Monitoring Program on October 24, 2011. The Minnesota Board of Dentistry, by Stipulation and Order for Conditional License effective December 2, 2011, restricted Dr. Burrichter's license in that jurisdiction based on his inability to practice dentistry with reasonable skill and safety due to a physical, mental, emotional or other disability.

The Committee agreed to recommend to the Board that Dr. Burrichter's Application for Licensure by examination 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.

**SECOND CONFERENCE:** 3:25 p.m.

**Sonia B. Mikhail, D.D.S.  
Case No.: 141284**

Dr. Mikhail appeared without counsel to discuss her Application for Licensure by credentials to practice dentistry in the Commonwealth of Virginia, and the allegations as set forth in the Notice of the Board dated January 10, 2012. The Committee received statements from Dr. Mikhail and discussed the application with her.

**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 Sonia Mikhail. Additionally, Ms. Pace moved that Ms. Reen, 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.

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**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.: 141284**

Ms. Toliver reported that the Committee found Dr. Mikhail did not meet the requirements of § 54.1-2709(B) of the Code of Virginia and 18 VAC 60-20-71(2) of the Regulations Governing Dental Practice in that she has not graduated from an accredited dental school and was unable to provide a completed Form A and a transcript from an accredited dental program.

Dr. Mikhail, after a plea of guilty, was convicted of misdemeanor theft of property in the Municipal Court of California, County of Los Angeles on or about January 2002.

The Committee agreed to recommend to the Board that Dr. Mikhail'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.

**ADJOURNMENT:**

With all business concluded, the Committee adjourned at 4:07 p.m.

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Martha C. Cutright, DDS, Chair

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Sandra K. Reen, Executive Director

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Date

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Date