UNAPPROVED

BOARD OF DENTISTRY

MINUTES
SPECIAL CONFERENCE COMMITTEE "A"

TIME AND PLACE:	Special Conference Committee "A" convened on May 25, 2012 at 9:16 a.m., at the Department of Health Professions, Perimeter Center, 2nd Floor Conference Center, 9960 Mayland Drive, Henrico, VA 23233.
FIRST CONFERENCE:	9:16 a.m.
PRESIDING:	Martha C. Cutright, D.D.S.
MEMBERS PRESENT:	Meera A. Gokli, D.D.S. Augustus A. Petticolas, Jr., D.D.S.
STAFF PRESENT:	Alan Heaberlin, Deputy Executive Director Donna Lee, Discipline Case Manager Indy Toliver, Adjudication Specialist
QUORUM:	All three members of the Committee were present.
Chetana S. Saxena, DDS **Case No.: 139378**	Dr. Saxena appeared without counsel to discuss the allegations set forth in a Notice of the Board dated March 26, 2012. The Committee received statements from Dr. Saxena and discussed the allegations with her.
Closed Meeting:	Dr. Petticolas 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 Chetana Saxena, DDS. Additionally, Dr. Petticolas moved that Mr. Heaberlin, 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:	Dr. Petticolas 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.: 139378

Ms. Toliver reported that the Committee found that Dr. Saxena billed Patient A for a periodontal maintenance exam without a previous diagnosis of periodontal disease, and her treatment notes failed to reflect that she performed site specific scaling or root planning of the teeth.

The sanctions reported by Ms. Toliver were that Dr. Saxena shall complete three hours of continuing education in risk management and three hours of continuing education in periodontal disease diagnosis and treatment planning. Dr. Saxena was assessed a $500 monetary penalty.

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

SECOND CONFERENCE: 11:23 a.m.

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

MEMBERS PRESENT: Meera A. Gokli, D.D.S.
Augustus A. Petticolas, Jr., D.D.S.

STAFF PRESENT: Alan Heaberlin, Deputy Executive Director
Donna Lee, Discipline Case Manager
Indy Toliver, Adjudication Specialist

QUORUM: All three members of the Committee were present.

William H. Weinkam, Jr., DDS
Case No.: 140203

Dr. Weinkam appeared with counsel, Kenneth C. Hirtz, to discuss the allegations set forth in the Notice of the Board dated March 22, 2012. The Committee received statements from Dr. Weinkam and Mr. Hirtz and discussed the allegations with them.

Closed Meeting:

Dr. Petticolas 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 William Weinkam. Additionally, Dr. Petticolas moved that Mr. Heaberlin, 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:

Dr. Petticolas 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.: 140203

Ms. Toliver reported that the Committee dismissed the allegations against Dr. Weinkam.

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

Robert J. O'Neill, D.D.S.
Case No.: 137943

The Committee reconvened to consider additional findings of fact which were not adopted at the informal conference held on April 13, 2012.

S. Virginia Bondurant, counsel for Dr. O'Neill, was present on behalf of Dr. O'Neill.

Closed Meeting:

Dr. Petticolas moved that the Committee convene a closed meeting pursuant to § 2.2-3711(A)(27) of the Code of Virginia for the purpose of consideration of additional findings of fact in the matter of Robert J. O'Neill. Additionally, Dr. Petticolas moved that Mr. Heaberlin, 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:

Dr. Petticolas 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.

Ms. Toliver reported that the Committee approved the following additional findings of fact: (1) Dr. O'Neill signed a Recovery Monitoring Contract with HPMP on March 11, 2011, with an expected completion date of October 7, 2015, in which he acknowledged his impairment; (2) Dr. O'Neill stated to the Committee that he diverted Fentanyl for a six week period, and never used Fentanyl prior to surgeries; (3) Dr. O'Neill stated that his sobriety date is September 15, 2010; (4) By letter dated April 2, 2012, Dr. O'Neill's psychiatrist/addictionologist informed the Committee that Dr. O'Neill is compliant with treatment and is safe

to practice; (5) Penelope Ziegeler, M.D., HPMP Medical Director, stated to the Committee that Dr. O'Neill is in full compliance with his Recovery Monitoring Contract and is fully engaged in his recovery. She opined that the likelihood of relapse was minimal; (6) By letter dated April 11, 2012, Dr. O'Neill's therapist reported that she has been seeing him on a bi-weekly basis since his discharge from in-patient treatment in December 2010. She indicated he has made significant changes in his life and is safe to practice; and (7) Dr. O'Neill informed the Committee that he voluntarily surrendered his DEA license in approximately September 2010. Dr. O'Neill stated that his father, who is a practicing dentist in the same practice, would pre-sign prescription blanks that Dr. O'Neill would provide to patients. Dr. O'Neill's father would later review the chart entry of the patient to whom the prescription was written and sign the chart.

Dr. Petticolas moved to adopt the additional findings of fact. The motion was seconded and passed.

Approval of Minutes: Upon a motion by Dr. Petticolas, the minutes from the Informal Conference conducted on April 13, 2012 were approved.

ADJOURNMENT: With all business concluded, the Committee adjourned at 1:00 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