

APPROVED

**VIRGINIA BOARD OF DENTISTRY
FORMAL HEARING
June 08, 2017**

TIME AND PLACE: The meeting of the Virginia Board of Dentistry was called to order at 1:00 p.m., on June 08, 2017 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

PRESIDING: A. Rizkalla, D.D.S

MEMBERS PRESENT: Nathaniel C. Bryant, D.D.S.
August A. Petticolas Jr., D.D.S.
Tammy C. Ridout, R.D.H.
Bruce S. Wyman, D.M.D.
John M. Alexander, D.D.S.
Patricia B. Bonwell, R.D.H., PhD
Tonya A. Parris-Wilkins, D.D.S.
James D. Watkins, D.D.S.

MEMBERS ABSENT: Carol R. Russek, JD

STAFF PRESENT: Sandra K. Reen, Executive Director
Sheila Beard, Executive Assistant

COUNSEL PRESENT: James E. Rutkowski, Assistant Attorney General

OTHERS PRESENT: Wayne Halbleib, Senior Assistant Attorney General
Elena Callwood, Adjudication Specialist
Lori Larsen, Court Reporter

ESTABLISHMENT OF A QUORUM: With 9 Board members present, a quorum was established.

Bethany P. Helms, R.D.H Mrs. Helms was present without legal counsel in accordance with the Notice of the Board dated May 9, 2017

Case No. 178492 Dr. Rizkalla swore in the witnesses.

Prior to opening statements, Mr. Halbleib noted that the respondent has admitted to the findings of fact and conclusions of law set forth in allegations #1-4 of the Statement of Allegations so he will not go over them.

Mrs. Helms stated that she was somewhat familiar with the order of proceedings. Dr. Rizkalla read the order of proceedings to Mrs. Helms.

Following Mr. Halbleib's opening statement; Dr. Rizkalla admitted into evidence Commonwealth's exhibits 1-5.

Following Mrs. Helm's opening statement; Dr. Rizkalla admitted into evidence Respondent's Exhibits A-B.

Testifying on behalf of the Commonwealth was Joyce Shelton-Jones, DHP Senior Investigator.

Mrs. Helms testified on her own behalf.

Closed Meeting:

Dr. Alexander 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 Mrs. Helms. Additionally, he moved that Board staff, Ms. Reen, Ms. Beard, and Board counsel, Mr. Rutkowski 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. Alexander moved to certify that the Board 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. Alexander moved to accept the Findings of Facts and Conclusion of Law as presented by the Commonwealth, amended by the Board and read by Mr. Rutowski. The motion was seconded and passed.

Mr. Rutkowski reported that Mrs. Helms did not get three-fourths of the votes as required for reinstatement of her license so her application is denied.

Dr. Alexander moved the adoption of the sanction imposed as read by Mr. Rutkowski. The motion was seconded and passed.

ADJOURNMENT: The Board adjourned at 4:07 p.m.



A. Rizkalla D.D.S., President



Date



Sandra K. Reen, Executive Director



Date