

**VIRGINIA BOARD OF DENTISTRY
FORMAL HEARING MINUTES
December 9, 2021**

CALL TO ORDER: The meeting of the Virginia Board of Dentistry was called to order at 9:13 a.m., on December 9, 2021, at the Department of Health Professions, Perimeter Center, 2nd Floor Conference Center, Board Room 4, 9960 Mayland Drive, Henrico, VA 23233.

PRESIDING: Nathaniel C. Bryant, D.D.S., President

MEMBERS PRESENT: Patricia B. Bonwell, R.D.H., PhD
Sidra Butt, D.D.S.
Sutan E. Chaudhry, D.D.S.
Jamiah Dawson, D.D.S.
Alf Hendricksen, D.D.S.
Margaret F. Lemaster, R.D.H.
J. Michael Martinez de Andino, J.D.

MEMBERS ABSENT: Dagoberto Zapatero, D.D.S.

STAFF PRESENT: Sandra K. Reen, Executive Director
Jamie C. Sacksteder, Deputy Executive Director
Donna M. Lee, Discipline Case Manager
Sally Ragsdale, Executive Assistant

COUNSEL PRESENT: James E. Rutkowski, Assistant Attorney General

OTHERS PRESENT: James E. Schliessmann, Senior Assistant Attorney General
Rebecca Smith, Adjudication Specialist
Gabriel Martin, Court Reporter (virtual attendance)
Glenn H. Silver, Esquire, Respondent's Counsel

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

**Rodney Mayberry, D.D.S.
Case No.: 207945** Dr. Mayberry was present with legal counsel in accordance with the Notice of the Board dated August 6, 2021.

Dr. Bryant swore in the witnesses.

Following Mr. Schliessmann's opening statement and presentation of the Commonwealth's exhibits, Mr. Silver objected to the exhibits. Dr. Bryant overruled Mr. Silver's objections and admitted into evidence Commonwealth's Exhibits 1-7.

Following Mr. Silver's opening statement, Dr. Bryant admitted into evidence Respondent's Exhibit A.

Testifying on behalf of the Commonwealth were the following witnesses:

- Julia Turner, DHP Senior Investigator
- Ronald Houser, DHP Senior Inspector
- Dr. Michael Trahos
- Dr. Husam Alathari
- Christopher Bowers, HPMP
- Marie-Noelle Berkhof, Behavioral Health Intake Coordinator, INOVA Hospital
- Dr. Andrea Lubeck

Dr. Mayberry testified on his own behalf.

Mr. Schliessmann and Mr. Silver provided closing statements.

Closed Meeting:

Dr. Bonwell moved that the Board convene a closed meeting pursuant to § 2.2-3711(A)(27) and § 2.2-3712(F) of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of Rodney Mayberry, D.D.S. Additionally, she moved that Board staff, Ms. Reen, Ms. Sacksteder, Ms. Lee, Ms. Ragsdale, and Board counsel, Mr. Rutkowski, attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and passed.

Reconvene:

Dr. Bonwell 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.

DECISION:

Dr. Bonwell moved to accept the Findings of Facts and Conclusions of Law as presented by the Commonwealth, amended by the Board, and read by Mr. Rutkowski. Following a second, a roll call vote was taken. The motion passed.

Mr. Rutkowski reported that Dr. Mayberry's right to renew his dental license to practice dentistry in the Commonwealth of Virginia is indefinitely suspended for a period of not less than two years from the date of entry of the Order.

Dr. Bonwell moved to accept the Board's decision as read by Mr. Rutkowski. Following a second, a roll call vote was taken. The motion passed.

ADJOURNMENT:

With all business concluded, the Board adjourned at 4:28 p.m.



Nathaniel C. Bryant, D.D.S., President

11 Mar 2022

Date



Sandra K. Reen, Executive Director

3/11/22

Date