

Virginia Board of Dentistry
Policy on
CONFIDENTIAL CONSENT AGREEMENTS (CCAs)

Excerpts of Applicable Law, Regulation and Guidance

- CCAs may be entered into only in cases involving minor misconduct where there is little or no injury to a patient or the public and little likelihood of repetition by the practitioner, §54.1-2400 (14)
- A licensed practitioner who has entered into two CCAs involving a standard of care violation, within the ten year period immediately preceding a board's receipt of the most recent report or complaint being considered, shall receive public discipline for any subsequent violation within the 10 year period unless...§54.1-2400 (14)

Probable Cause Decisions

1. Consideration of CCAs shall be addressed in probable cause reviews.
2. Reviewers may use CCAs to address one or more minor or technical violations to include:
 - advertising
 - continuing education*
 - recordkeeping
 - inadequate communication with patient
 - standard of care findings when there was little or no injury
 - practicing with a lapsed license up to 90 days
 - failure to post required license, credential or certificate
 - failure to file and maintain OMS profile
 - OHSA standards
 - expired drug stock
 - releasing records
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3. The offered CCA shall include a finding that a violation occurred, shall direct that the licensee institute or cease a certain practice and may require continuing education.
4. A proposal from a respondent for a CCA will only be considered during probable cause review stage and shall not be considered once a notice is executed.
5. Upon receipt of a decision to offer a CCA in which standard of care violations are to be addressed, staff shall review the licensee's history to determine if two such CCAs have been entered. If a licensee already has two CCAs addressing standard of care violations, staff will confer with the Reviewer on the action to be taken.

* As addressed in Guidance Document: 60-5