

CALL TO ORDER: This meeting of the Virginia Board of Dentistry was called to order at 1:07 PM, on December 12, 2019 at the Perimeter Center Conferencing Center, 9960 Mayland Drive, in Board Room 3, Henrico, Virginia 23233.

PRESIDING: August A. Petticolas Jr., D.D.S., President

MEMBERS PRESENT: Sandra J. Catchings, D.D.S.
Nathaniel C. Bryant, D.D.S.
Patricia B. Bonwell, R.D.H., PhD
Jamiah Dawson, D.D.S.
Perry E. Jones, D.D.S.
Mike Nguyen, D.D.S.
Tammy C. Ridout, R.D.H.

MEMBERS ABSENT: James D. Watkins, D.D.S.

STAFF PRESENT: Sandra K. Reen, Executive Director
Jamie C. Sacksteder, Deputy Executive Director
Kathryn E. Brooks, Executive Assistant

COUNSEL PRESENT: James E. Rutkowski, Assistant Attorney General

OTHERS PRESENT: Erin Weaver, Adjudication Specialist
Colleen Good, Court Reporter

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

DERRICK M. BROADAWAY, D.D.S. Dr. Broadaway was present without legal counsel in accordance with the Notice of the Board dated October 16, 2019.

CASE NO.: 195342

Dr. Petticolas swore in the witness.

Dr. Broadaway stated that he was “sort of” familiar with the order of proceedings. Dr. Petticolas read the Order of Proceedings.

In his opening, Dr. Broadaway presented additional documentation on continuing education that was not in the package. With no

objection from the Commonwealth, Dr. Petticolas admitted these documents into evidence as Respondent's exhibit.

Following Ms. Weaver's opening statement; Dr. Petticolas admitted into evidence Commonwealth's exhibits 1-3.

Testifying on behalf of the Commonwealth was Gail Miller, DHP Senior Investigator.

Dr. Broadaway testified on his own behalf; Ms. Weaver cross-examined to verify the number of hours that were hands-on in the additional continuing education he completed.

Ms. Weaver and Dr. Broadaway provided closing statements.

CLOSED MEETING:

Dr. Catchings 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 Dr. Broadaway. Additionally, she moved that Board staff, Ms. Reen, Ms. Sacksteder, Ms. Brooks, 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. Catchings moved to certify that the Board heard, discussed and 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. Following a second, a roll call vote was taken. The motion passed.

The Board reconvened in open session pursuant to § 2.2-3712(D) of the Code.

DECISION:

Dr. Catchings 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. The motion was seconded and passed.

Mr. Rutkowski reported that Dr. Broadaway's reinstatement application was granted and that the Board further ordered that Dr. Broadaway's license be placed on indefinite suspension, with said

suspension stayed under the terms and conditions specified in the Board's Order.

Dr. Catchings moved the adoption of the decision as read by Mr. Rutkowski. The motion was seconded and passed.

ADJOURNMENT: With all business concluded, the Board adjourned at 2:31 PM

Augustus A. Petticolas Jr., D.D.S., President

Sandra K. Reen, Executive Director

Date

Date