

**VIRGINIA BOARD OF DENTISTRY
FORMAL HEARING
December 13, 2018**

TIME AND PLACE: The meeting of the Virginia Board of Dentistry was called to order at 9:02 a.m., on December 13, 2018 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

PRESIDING: Tonya A. Parris-Wilkins, D.D.S

MEMBERS PRESENT: Patricia B. Bonwell, R.D.H., PhD
Sandra J. Catchings, D.D.S.
Perry E. Jones, D.D.S.
Tammy C. Riddout, R.D.H.
James D. Watkins, D.D.S.

MEMBERS ABSENT: Nathaniel C. Bryant, D.D.S.

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

COUNSEL PRESENT: James E. Rutkowski, Assistant Attorney General

OTHERS PRESENT: James E. Schliessmann, Senior Assistant Attorney General
Shevaun Roukous, Adjudication Specialist
L. Kim Taylor, Court Reporter

ESTABLISHMENT OF A QUORUM: With 6 Board members present, a quorum was established.

Rachel G. Thun, RDH APPLICANT: Ms. Thun was present without legal counsel in accordance with the Notice of the Board dated October 10, 2018.

There were no witnesses for the Applicant or the Commonwealth.

Ms. Thun stated that she was slightly familiar with the order of proceedings. Dr. Parris-Wilkins read the order of proceedings for Ms. Thun. There were no preliminary matters discussed.

Following Ms. Thun's opening statement; Dr. Parris-Wilkins admitted into evidence Applicants exhibit A.

Following Mr. Schliessmann's opening statement;
Dr. Parris-Wilkins admitted into evidence Commonwealth's Exhibits 1-7.

Ms. Thun testified on her own behalf.

Ms. Thun and Mr. Schliessmann provided closing statements.

Virginia Board of Dentistry
Formal Hearing
December 13, 2018

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 Rachel Thun. Additionally, she 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. Catchings 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. Catchings moved to accept the Findings of Facts and Conclusion of Law as presented by the Commonwealth, and read by Mr. Rutkowski. The motion was seconded and passed.

Mr. Rutkowski reported that Ms. Thun's application for a license to practice dental hygiene in the Commonwealth of Virginia is denied.

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

ADJOURNMENT: The Board adjourned at 10:25 a.m.



Tonya A. Parris-Wilkins, D.D.S., President



Sandra K. Reen, Executive Director

3/15/19
Date

March 20, 2019
Date

**VIRGINIA BOARD OF DENTISTRY
FORMAL HEARING
December 13, 2018**

TIME AND PLACE: The meeting of the Virginia Board of Dentistry was called to order at 11:05 a.m., on December 13, 2018 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

PRESIDING: Tonya A. Parris-Wilkins, D.D.S

MEMBERS PRESENT: Patricia B. Bonwell, R.D.H., PhD
Sandra J. Catchings, D.D.S.
Jamiah Dawson, D.D.S.
Perry E. Jones, D.D.S.
August A. Petticolas Jr., D.D.S.
Tammy C. Ridout, R.D.H.
Carol R. Russek, J.D.
James D. Watkins, D.D.S.

MEMBERS ABSENT: Nathaniel C. Bryant, D.D.S.

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/Chief
Shevaun Roukous, Adjudication Specialist
L. Kim Taylor, Court Reporter

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

**Tuan Vu, D.D.S
Case No. 188024** Dr. Vu was present with legal counsel, Nicholas Balland in accordance with the Notice of the Board dated October 23, 2018.

Dr. Parris-Wilkins swore in the witnesses.

Mr. Balland stated that he is familiar with the order of proceedings.

Prior to opening statements, Mr. Halbleib asked the Board to exclude the witness for the applicant until time to testify. The Board granted the request and the witness was excused from the room.

Following Mr. Balland's opening statement; Dr. Parris-Wilkins admitted into evidence Applicant's exhibits A.

Following Mr. Halbleib's opening statement; Dr. Parris-Wilkins admitted into evidence Commonwealth's exhibits 1-3.

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

Dr. Vu testified on his own behalf and Ms. Omar Win testified on behalf of the applicant.

Mr. Balland and Mr. Halbleib provided closing statements.

Closed Meeting:

Dr. Petticolas 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. Vu. 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. Watkins 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. Watkins 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 Dr. Vu's reinstatement application is denied.

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

ADJOURNMENT:

The Board adjourned at 1:25 p.m.



Tonya A. Parris-Wilkins, D.D.S., President

3/15/19

Date



Sandra K. Reen, Executive Director

March 20, 2019

Date