

**APPROVED**

**VIRGINIA BOARD OF DENTISTRY**

**MINUTES**

**SPECIAL SESSION – TELEPHONE CONFERENCE CALL**

- CALL TO ORDER:** The meeting of the Board of Dentistry was called to order at 5:20 p.m., on January 30, 2019, at the Department of Health Professions, Perimeter Center, 2<sup>nd</sup> Floor Conference Center, Board Room 4, 9960 Mayland Drive, Henrico, VA 23233.
- PRESIDING:** Tonya A. Parris-Wilkins, D.D.S., President
- MEMBERS PRESENT:** Patricia B. Bonwell, R.D.H., PhD  
Nathaniel C. Bryant, D.D.S.  
Jamiah Dawson, D.D.S.  
Augustus A. Petticolas, Jr., D.D.S.  
Tammy C. Rldout, R.D.H.  
Carol R. Russek, J.D.  
James D. Watkins, D.D.S.
- MEMBERS ABSENT:** Sandra J. Catchings, D.D.S.  
Perry E. Jones, D.D.S.
- QUORUM:** With eight members present, a quorum was established.
- STAFF PRESENT:** Sandra K. Reen, Executive Director  
Donna M. Lee, Discipline Case Manager
- OTHERS PRESENT:** James E. Rutkowski, Assistant Attorney General, Board Counsel  
Julia Bennett, Assistant Attorney General  
Steven Bulger, Adjudication Specialist
- Arnold J. Berger, D.M.D.  
Case No.: 188506** The Board received information from Ms. Bennett in order to determine if Dr. Berger's excessive prescribing of controlled substances to patients, impairment from substance abuse and/or mental or physical incompetence constitute a substantial danger to public health and safety. Ms. Bennett reviewed the case and responded to questions.
- Closed Meeting:** Dr. Petticolas moved that the Board convene a closed meeting pursuant to § 2.2-3711(A)(27) of the Code of Virginia for the purpose of deliberation to reach a decision in the matter of Case No. 188506. Additionally, Dr. Petticolas moved that Ms. Reen, Ms. Lee, and 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. Petticolas moved that the Board certify that it 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:**

Ms. Russek moved that the Board summarily suspend Dr. Berger's license to practice dentistry in the Commonwealth of Virginia in that he is excessively prescribing controlled substances to patients and he is unable to practice dentistry safely due to impairment, resulting from substance abuse, and/or mental or physical incompetence; and schedule him for a formal hearing. The motion passed unanimously.

**ADJOURNMENT:**

With all business concluded, the Board adjourned at 5:39 p.m.

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

  
Sandra K. Reen, Executive Director

3/15/19  
Date

March 20, 2019  
Date