

**VIRGINIA BOARD OF DENTISTRY
FORMAL HEARING MINUTES
December 11, 2020**

TIME AND PLACE: The virtual formal hearing of the Virginia Board of Dentistry was called to order at 1:47 p.m., on December 11, 2020, at the Perimeter Center, 9960 Mayland Drive, Henrico, Virginia 23233.

CALL TO ORDER: Dr. Catchings called the meeting to order.

Consistent with Amendment 28 to HB29 (the Budget Bill for 2018-2020) and the applicable provisions of § 2.2-3708.2 in the Freedom of Information Act, the Board is convening today's meeting virtually to consider such regulatory and business matters as are presented on the agenda necessary for the board to discharge its lawful purposes, duties, and responsibilities.

Dr. Catchings provided the Board members, staff, and the public with contact information should the electronic meeting be interrupted.

BOARD MEMBERS PRESENT AT THE PERIMETER CENTER: Sandra J. Catchings, D.D.S., Vice-President

BOARD MEMBERS PRESENT VIRTUALLY: Sultan E. Chaudhry, D.D.S.
Perry E. Jones, D.D.S.
Margaret F. Lemaster, R.D.H.
J. Michael Martinez de Andino, J.D.

STAFF AND OTHERS PRESENT AT THE PERIMETER CENTER: Jamie C. Sacksteder, Deputy Executive Director
Tracey Arrington-Edmonds, Licensing Manager
Essence Brown, Court Reporter

COUNSEL PRESENT AT THE PERIMETER CENTER: James E. Rutkowski, Assistant Attorney General, Board Counsel

OTHERS PRESENT VIRTUALLY: James E. Schliessmann, Senior Assistant Attorney General
Shevaun Roukous, Adjudication Analyst
Moustapha Sy, D.D.S., Applicant
Robert H. Gibbs, Jr., Esquire, Counsel for Applicant

ESTABLISHMENT OF A PANEL: A roll call of the Board members and staff was completed. With five members of the Board present, a panel was established.

**Moustapha Sy, D.D.S., Applicant
Case No.: 199533** Dr. Sy was present with legal counsel in accordance with the Notice of the Board dated October 30, 2020.

Dr. Catchings swore in the witnesses.

Following Mr. Gibb's opening statement, Dr. Catchings admitted into evidence Applicant's Exhibits A-D.

Following Mr. Schliessmann's opening statement, Dr. Catchings admitted into evidence Commonwealth's Exhibits 1-5.

Dr. Sy testified on his own behalf. Sandra K. Reen, Executive Director for the Board of Dentistry, was called as a witness for the Applicant and testified virtually.

Testifying virtually on behalf of the Commonwealth was Sarah Rogers, DHP Senior Investigator.

Mr. Gibbs and Mr. Schliessmann provided closing statements.

CLOSED MEETING:

Dr. Jones 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 Moustapha Sy, D.D.S. Additionally, he moved that Board staff, Tracey Arrington-Edmonds, 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. Following a second, a roll call vote was taken. The motion passed.

RECONVENE:

A roll call was taken when the Board returned from open session, and all parties were present.

Dr. Jones 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. 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. Jones 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. Sy's application for a license to practice dentistry in the Commonwealth of Virginia was denied.

Dr. Jones moved the adoption of the 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 6:18 p.m.

Augustus A. Petticoat, Jr., D.D.S.

Sandra J. Catchings, D.D.S., Vice-President

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

March 31, 2021

Date

Sandra K. Reen

Sandra K. Reen, Executive Director

April 1, 2021

Date

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Virginia Board of Dentistry