

**VIRGINIA BOARD OF DENTISTRY
FORMAL HEARING MINUTES
July 28, 2023**

TIME AND PLACE: The meeting of the Virginia Board of Dentistry was called to order at 9:04 a.m., on July 28, 2023, in Board Room 4 at the Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia, 23233.

PRESIDING: Nathaniel C. Bryant, D.D.S., President

MEMBERS PRESENT: Jamiah Dawson, D.D.S., Vice-President
J. Michael Martinez de Andino, J.D., Secretary-Treasurer
Alf Hendricksen, D.D.S.
Emelia H. McLennan, R.D.H.
Dagoberto Zapatero, D.D.S.

MEMBERS ABSENT: Sidra Butt, D.D.S.

STAFF PRESENT: Jamie C. Sacksteder, Executive Director
Sarah Moore, Executive Assistant

COUNSEL PRESENT: James E. Rutkowski, Assistant Attorney General

OTHERS PRESENT: David Robinson, Assistant Attorney General
Rebecca Smith, Adjudication Specialist
Ramona Brooks, Court Reporter
Dirk McClanahan, Esquire, Respondent's Council

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

**Isabel Kelly, D.D.S.
Case No.:204364** Dr. Kelly was present with legal counsel, Dirk McClanahan, Esquire, in accordance with the Notice of the Board dated June 12, 2023.

Dr. Bryant swore in the witnesses.

Following Ms. Smith's opening statement, Dr. Bryant admitted into evidence Commonwealth's Exhibits 1-3.

Testifying on behalf of the Commonwealth:

- Ms. Cheryl Strait, DHP Senior Investigator - NOVA
- Ms. Suzanne Cox, Psychiatric Nurse Practitioner, Neuro Psych Wellness Center

Following Mr. McClanahan's opening statement, Dr. Bryant admitted into evidence Respondent's Exhibits A – B.

Testifying on behalf of the Dr. Kelly:

- Ms. Suzanne Cox, Psychiatric Nurse Practitioner, Neuro Psych Wellness Center

Dr. Kelly testified on her own behalf.

During the testimony of Suzanne Cox and Dr. Isabel Kelly, the Board went into a closed meeting to discuss Dr. Kelly's medical and mental health records.

Closed Meeting:

Dr. Dawson moved that the Board convene a closed meeting pursuant to §2.1-311(A)(16) of the Code of Virginia for the purpose of consideration and discussion of Dr. Kelly's medical and mental health records that are excluded from the Freedom of Information Act by Virginia Code Section 2.2-3705.5 in the matter of Isabel Kelly, D.D.S. Additionally, he moved that Board staff, Ms. Sacksteder and Ms. Moore, Board Counsel, Mr. Rutkowski, Mr. Robinson, Ms. Smith, Dr. Kelly, Mr. McClanahan, and the court reporter attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its discussions. The motion was seconded and passed.

Dr. Dawson moved to certify that the Board heard, discussed, or considered only 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.

Reconvene:

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

Mr. Robinson and Mr. McClanahan provided closing arguments.

Closed Meeting:

Dr. Dawson moved that the Board enter into a closed meeting pursuant to §2.1-311(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 Isabel Kelly, D.D.S. Additionally, he moved that Board staff, Ms. Sacksteder, and Ms. Moore and the 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.

Dr. Dawson 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.

Reconvene:

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

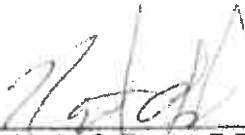
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Decision:

Mr. Rutkowski read the Board's Decision that Dr. Isabel Kelly's Case #204364 is dismissed. Dr. Dawson moved to accept the Decision as presented by the Commonwealth and read by Mr. Rutkowski. Following a second, the motion passed unanimously.

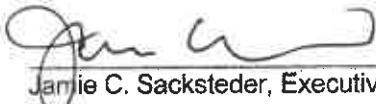
The Board adjourned at 1:27 p.m.

ADJURNMENT:



Nathaniel C. Bryant, D.D.S., President

5 Dec 2023
Date



Jamie C. Sacksteder, Executive Director

12/11/23
Date