APPROVED

BOARD OF DENTISTRY

MINUTES
SPECIAL CONFERENCE COMMITTEE "B"

TIME AND PLACE: Special Conference Committee "B" convened on December 9, 2011 at 10:10 a.m., at the Department of Health Professions, Perimeter Center, 2nd Floor Conference Center, 9960 Mayland Drive, Henrico, VA 23233.

FIRST CONFERENCE: 10:10 a.m.

PRESIDING: Herbert R. Boyd, III, D.D.S.

MEMBERS PRESENT: Myra Howard
Jacqueline G. Pace, R.D.H.

STAFF PRESENT: Alan Heaberlin, Deputy Executive Director
Donna Lee, Discipline Case Manager
Shevaun Roukous, Adjudication Specialist
Indy Toliver, Adjudication Specialist

QUORUM: All three members of the Committee were present.

Adam Poole, DDS
Case No.: 135750

Dr. Poole appeared with counsel, Donna L. Foster and Ashley C. Dobbin, to discuss the allegations set forth in a Notice of the Board dated October 14, 2011.

Ms. Pace informed all those present that she had previously worked with Dr. Poole in 2008.

Counsel for Dr. Poole requested that Ms. Pace recuse herself from participation in the informal conference.

The request was granted, and the Committee moved forward with Dr. Boyd and Ms. Howard.

The Committee received statements from Dr. Poole, Ms. Foster, and Ms. Dobbin and discussed the allegations with them. Paul Walker, D.D.S., appeared as an expert witness on behalf of the Respondent and discussed his opinions with the Committee.

Closed Meeting: Ms. Howard moved that the Committee 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 Adam Poole. Additionally, Ms. Howard moved that Mr. Heaberlin, Ms.

Lee, Ms. Roukous and Ms. Toliver attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Committee in its deliberations. The motion was seconded and passed.

Reconvene: Ms. Howard moved that the Committee 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:
Case No.: 135750

Dr. Boyd reported that the Committee dismissed the allegations against Dr. Poole.

Ms. Howard moved to adopt the decision of the Committee. The motion was seconded and passed.

SECOND CONFERENCE: 2:08 p.m.

PRESIDING: Herbert R. Boyd, III

MEMBERS PRESENT: Myra Howard
Jacqueline G. Pace, R.D.H.

STAFF PRESENT: Alan Heaberlin, Deputy Executive Director
Donna Lee, Discipline Case Manager
Shevaun Roukous, Adjudication Specialist
Indy Toliver, Adjudication Specialist

QUORUM: All three members of the Committee were present.

Jason T. Lue Yen, DDS
Case No.: 136275

Dr. Lue Yen did not appear. Dr. Lue Yen did sign his name on the Sign In Sheet, but left the building before his informal conference convened. The Committee proceeded in the respondent's absence and discussed the allegations set forth in the Notice of the Board dated September 30, 2011.

Closed Meeting: Ms. Howard moved that the Committee 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 Jason T. Lue Yen. Additionally, Ms. Howard moved that Mr. Heaberlin, Ms. Lee, Ms. Roukous and Ms. Toliver attend the closed meeting because their presence will aid the Committee in its deliberations. The motion was seconded and passed.

Reconvene: Ms. Howard moved that the Committee 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:
Case No.: 136275

Ms. Roukous reported that the Committee found Dr. Lue Yen submitted an Application for Licensure to practice dentistry in the Commonwealth of Virginia and provided evidence that he passed the North East Regional Board ("NERB") examination, which made him eligible for licensure in the Commonwealth. Dr. Lue Yen was issued a license on July 26, 2010. The Board was later notified by NERB that Dr. Lue Yen had taken the Florida Dental Examination instead of the NERB examination and that his scores were misidentified in the NERB database.

The Committee further found that Dr. Lue Yen had not passed a clinical examination acceptable to the Board and, therefore, was not eligible for licensure in the Commonwealth of Virginia.

The sanction reported by Ms. Roukous was that Dr. Lue Yen shall be offered a consent order for voluntary surrender of his license to practice dentistry in the Commonwealth of Virginia.

Ms. Pace moved to adopt the decision of the Committee. The motion was seconded and passed.

THIRD CONFERENCE: 2:35 p.m.

PRESIDING: Herbert R. Boyd, III, D.D.S.

MEMBERS PRESENT:
Myra Howard
Jacqueline G. Pace, R.D.H.

STAFF PRESENT:
Alan Heaberlin, Deputy Executive Director
Donna Lee, Discipline Case Manager
Shevaun Roukous, Adjudication Specialist
Indy Toliver, Adjudication Specialist

QUORUM: All three members of the Committee were present.

Yolanda Robinson, DDS
Case No.: 135755

Dr. Robinson did not appear. Based upon the representations of the documents provided, the Committee ruled that adequate notice was given in this case and the conference proceeded in the respondent's absence. The Committee discussed the allegations

set forth in the Notice of the Board dated October 18, 2011.

Closed Meeting: Ms. Howard moved that the Committee 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 Yolanda Robinson. Additionally, Ms. Howard moved that Mr. Heaberlin, Ms. Lee, Ms. Roukous and Ms. Toliver attend the closed meeting because their presence will aid the Committee in its deliberations. The motion was seconded and passed.

Reconvene: Ms. Howard moved that the Committee 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:
Case No.: 135755

Ms. Roukous reported that the Committee found Dr. Robinson placed stainless steel crowns on Patient E's tooth #J and Patient F's tooth #L absent evidence of extensive decay or endodontic compromise; and failed to diagnose and treat decay on Patient F's tooth #K.

Dr. Robinson failed to document patient records and to inform each pediatric patient's guardian of all treatment options for Patients A, C and D. Dr. Robinson also failed to maintain radiographs taken during her treatment of Patient A.

The sanctions reported by Ms. Roukous were that Dr. Robinson shall be reprimanded; assessed a $3,000 monetary penalty; complete seven hours of continuing education in risk management and recordkeeping, and six hours of continuing education in pediatric diagnosis, treatment planning and restorative dentistry.

Ms. Pace moved to adopt the decision of the Committee. The motion was seconded and passed.

FOURTH CONFERENCE: 4:09 p.m.

PRESIDING: Herbert R. Boyd, III, D.D.S.

MEMBERS PRESENT: Myra Howard
Jacqueline G. Pace, R.D.H.

Virginia Board of Dentistry
Special Conference Committee "B"
December 9, 2011

STAFF PRESENT:	Alan Heaberlin, Deputy Executive Director Donna Lee, Discipline Case Manager Shevaun Roukous, Adjudication Specialist Indy Toliver, Adjudication Specialist
QUORUM:	All three members of the Committee were present.
Martin W. Jenkins, DDS **Case No.: 136278**	Dr. Jenkins did not appear. Based upon the representations of the documents provided, the Committee ruled that adequate notice was given in this case and the conference proceeded in the respondent's absence. The Committee discussed the allegations set forth in the Notice of the Board dated September 30, 2011.
Closed Meeting:	Ms. Howard moved that the Committee 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 Martin W. Jenkins. Additionally, Ms. Howard moved that Mr. Heaberlin, Ms. Lee, Ms. Roukous and Ms. Toliver attend the closed meeting because their presence will aid the Committee in its deliberations. The motion was seconded and passed.
Reconvene:	Ms. Howard moved that the Committee 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: **Case No.: 136278**	Ms. Roukous reported that the Committee found Dr. Jenkins submitted an Application for Licensure to practice dentistry in the Commonwealth of Virginia and provided evidence that he passed the North East Regional Board ("NERB") examination which made him eligible for licensure in the Commonwealth. Dr. Jenkins was issued a license on September 25, 2009. The Board was later notified by NERB that Dr. Jenkins had taken the Florida Dental Examination instead of the NERB examination and that his scores were misidentified in the NERB database. The Committee further found that Dr. Jenkins had not passed a clinical examination acceptable to the Board and, therefore, was not eligible for licensure in the Commonwealth of Virginia. The sanction reported by Ms. Roukous was that Dr. Jenkins shall be offered a consent order for voluntary surrender of his license to practice dentistry in the Commonwealth of Virginia.

Ms. Pace moved to adopt the decision of the Committee. The motion was seconded and passed.

Approval of Minutes: Upon a motion by Ms. Howard, the minutes from the Informal Conference conducted on August 26, 2011 and October 7, 2011 were approved.

ADJOURNMENT: With all business concluded, the Committee adjourned at 4:42 p.m.

Herbert R. Boyd, III, D.D.S., Chair

6-16-12
Date

Sandra K. Reen, Executive Director

June 19, 2012
Date