

APPROVED

BOARD OF DENTISTRY

MINUTES

SPECIAL CONFERENCE COMMITTEE "B"

TIME AND PLACE: Special Conference Committee "B" convened on March 24, 2023 at 9:02 a.m., at the Department of Health Professions, Perimeter Center, 2nd Floor Conference Center, Board Room 3, 9960 Mayland Drive, Henrico, VA 23233.

FIRST CONFERENCE:

PRESIDING: Margaret F. Lemaster, R.D.H.

MEMBERS PRESENT: William C. Bigelow, D.D.S.
Sultan E. Chaudhry, D.D.S.

MEMBERS ABSENT: Alf Hendricksen, D.D.S.

STAFF PRESENT: Erin T. Weaver, Deputy Executive Director
Donna Lee, Discipline Case Manager
Shevaun Roukous, Adjudication Analyst

QUORUM: With three members present, a quorum was established.

Isabel L. Kelly, D.D.S.
Case No.: 204364 Dr. Kelly appeared with counsel, Dirk McClanahan, to discuss the allegations set forth in a Notice of the Board dated January 13, 2023. The Committee received statements from Dr. Kelly and Mr. McClanahan and discussed the allegations with them.

Closed Meeting: Dr. Bigelow moved that the Committee convene a closed meeting pursuant to § 2.2-3711(A)(16) of the Code of Virginia for the purpose of consideration and discussion of medical and mental health records of Dr. Kelly. Additionally, Dr. Bigelow moved that Ms. Weaver, Ms. Lee and Ms. Roukous attend the closed meeting because their presence in the closed meeting was deemed necessary and their presence would aid the Committee in its deliberations. The motion was seconded and passed.

Reconvene: Dr. Bigelow 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.

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Closed Meeting: Dr. Bigelow 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 Isabel Kelly. Additionally, Dr. Bigelow moved that Ms. Weaver and Ms. Lee attend the closed meeting because their presence in the closed meeting was deemed necessary and their presence would aid the Committee in its deliberations. The motion was seconded and passed.

Reconvene: Dr. Bigelow 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: Ms. Weaver reported that the Committee voted unanimously to refer the matter for a formal administrative hearing.
Case No.: 204364

SECOND CONFERENCE:

PRESIDING: Margaret F. Lemaster, R.D.H.

MEMBERS PRESENT: William C. Bigelow, D.D.S.
Sultan E. Chaudhry, D.D.S.

MEMBERS ABSENT: Alf Hendricksen, D.D.S.

STAFF PRESENT: Erin T. Weaver, Deputy Executive Director
Donna Lee, Discipline Case Manager
Shevaun Roukous, Adjudication Analyst

QUORUM: With three members present, a quorum was established.

Peter J. Broccoli, D.D.S. Dr. Broccoli appeared with counsel, Donna L. Foster, to discuss the allegations set forth in the Notice of the Board dated August 19, 2022. The Committee received statements from Dr. Broccoli and Ms. Foster and discussed the allegations with them.
Case No.: 216044

Closed Meeting: Dr. Bigelow 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 Peter Broccoli. Additionally, Dr. Bigelow moved that Ms. Weaver and Ms. Lee attend the closed meeting because their presence in the closed meeting was deemed necessary and their presence would aid the Committee in its deliberations. The motion was seconded and passed.

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Reconvene: Dr. Bigelow 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: Ms. Weaver reported that the Committee voted unanimously to dismiss the allegations against Dr. Broccoli.
Case No.: 216044

THIRD CONFERENCE:

PRESIDING: Margaret F. Lemaster, R.D.H.

MEMBERS PRESENT: William C. Bigelow, D.D.S.
Sultan E. Chaudhry, D.D.S.

MEMBERS ABSENT: Alf Hendricksen, D.D.S.

STAFF PRESENT: Erin T. Weaver, Deputy Executive Director
Donna Lee, Discipline Case Manager
Victoria Hinton, Adjudication Specialist

QUORUM: With three members present, a quorum was established.

Kevin Mullin, Applicant Mr. Mullin appeared without counsel to discuss his application to practice dentistry in the Commonwealth of Virginia and the allegations set forth in a Notice of the Board dated February 8, 2023. The Committee received statements from Mr. Mullin and discussed the allegations with him.
Case No.: 223496

Closed Meeting: Dr. Bigelow 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 Kevin Mullin. Additionally, Dr. Bigelow moved that Ms. Weaver and Ms. Lee attend the closed meeting because their presence in the closed meeting was deemed necessary and their presence would aid the Committee in its deliberations. The motion was seconded and passed.

Reconvene: Dr. Bigelow 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.

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DECISION:
Case No.: 223496

Ms. Weaver reported that the Committee denied Mr. Mullin's application to practice dentistry in the Commonwealth of Virginia.

Dr. Bigelow moved to adopt the decision of the Committee. The motion was seconded and passed.

Approval of Minutes:

Upon a motion by Dr. Bigelow, the minutes from the Informal Conference conducted on February 10, 2023 were approved.

ADJOURNMENT:

With all business concluded, the Committee adjourned at 3:56 p.m.



Margaret F. Lemaster, R.D.H., Chair



Jamie C. Sacksteder, Executive Director

5/12/2023

Date

5/12/23

Date