

**VIRGINIA BOARD OF DENTISTRY
FORMAL HEARING MINUTES
June 30, 2023**

TIME AND PLACE: The meeting of the Virginia Board of Dentistry was called to order at 9:07 a.m., on June 30, 2023, in Board Room 4 at the Perimeter Center, 9960 Mayland Drive, Suite 201, Henrico, Virginia, 23233.

PRESIDING: Jamiah Dawson, D.D.S., Vice President

MEMBERS PRESENT: William C. Bigelow, D.D.S.
Sidra Butt, D.D.S.
J. Michael Martinez de Andino, J.D.
Emelia H. McLennan, R.D.H.

MEMBERS ABSENT: Nathaniel C. Bryant, D.D.S., President
Sultan E. Chaudhry, D.D.S.

STAFF PRESENT: Debbie Southall, Discipline Case Specialist
Sarah Moore, Executive Assistant

COUNSEL PRESENT: James Rutkowski, Assistant Attorney General

OTHERS PRESENT: Sean Murphy, Assistant Attorney General
Shevaun Roukous, Adjudication Analyst
Juan Ortega, Court Reporter
Rodney S. Dillman, Esquire, Respondent's Council

ESTABLISHMENT OF A PANEL: With five Board members present, a panel was established.

**Adam Foleck, D.D.S.
Case No.: 199509, 202011** Dr. Foleck was present with legal counsel, Rodney S. Dillman, Esquire, in accordance with the Notice of the Board dated November 2, 2022.

Dr. Dawson swore in the witnesses.

Upon request, and with no objections by Mr. Dillman, the witnesses were not sequestered.

Following Ms. Murphy's opening statement, Dr. Dawson admitted into evidence Commonwealth's Exhibits 1 – 6.

Following Mr. Dillman's opening statement, Dr. Dawson admitted into evidence the Respondent's Exhibits A – E.

The following witness testified on behalf of the Commonwealth:

- Ms. Wendy Ashworth, DHP Senior Inspector
- Dr. Francisco Limon, D.D.S.

Dr. Adam Foleck testified on his own behalf.

Mr. Murphy and Mr. Dillman provided closing statements.

Closed Meeting:

Mr. Martinez 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 Adam Foleck, D.D.S. Additionally, he moved that Board staff, Ms. Southall, Ms. Moore and the Board Counsel, James 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 unanimously.

Reconvene:

Mr. Martinez 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 unanimously.

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


Decision:

Mr. Rutkowski reported that Dr. Foleck has been issued a reprimand and ordered to pay a monetary penalty of \$5,000.00, seven (7) hours in the continuing education subject of 'Sedation Recordkeeping', seven (7) hours in the continuing education subject of 'Drug Control Management'.

Mr. Martinez moved to accept the Board's decision as read by Mr. Rutkowski. The motion was seconded and passed unanimously.

ADJOURNMENT:

The Board adjourned at 11:37 a.m.



Nathaniel Bryant, President

8 Dec 2023

Date



Jamie Sacksteder, Executive Director

12/11/23

Date