

APPROVED

BOARD OF DENTISTRY

MINUTES

SPECIAL CONFERENCE COMMITTEE "A"

TIME AND PLACE: Special Conference Committee "A" convened on July 12, 2013 at 9:08 a.m., at the Department of Health Professions, Perimeter Center, 2nd Floor Conference Center, 9960 Mayland Drive, Henrico, VA 23233.

FIRST CONFERENCE: 9:08 a.m.

PRESIDING: Martha C. Cutright, D.D.S.

MEMBERS PRESENT: Surya P. Dhakar, D.D.S.

MEMBERS ABSENT: Tammy K. Swecker, R.D.H.

STAFF PRESENT: Kelley W. Palmatier, Deputy Executive Director
Donna Lee, Discipline Case Manager
Indy Toliver, Adjudication Specialist

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

Randall Bittner, DDS
Case No.: 142920 Dr. Bittner appeared without counsel to discuss the allegations set forth in a Notice of the Board dated January 17, 2013. The Committee received statements and additional evidence from Dr. Bittner and discussed the allegations with him.

Closed Meeting: Dr. Dhakar 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 Randall Bittner. Additionally, Dr. Dhakar moved that Ms. Palmatier, Ms. Lee, 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: Dr. Dhakar 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.: 142920

Ms. Toliver reported that the Committee found that Dr. Bittner failed to document in Patient A's record the date orthodontic bands and brackets were placed on Patient A's mouth, and he admitted that this treatment was provided prior to November 22, 2011.

Ms. Toliver reported that the Committee imposed no sanction against Dr. Bittner.

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

SECOND CONFERENCE: 10:00 a.m.

PRESIDING: Martha C. Cutright, D.D.S.

MEMBERS PRESENT: Surya P. Dhakar, D.D.S.

MEMBERS ABSENT: Tammy K. Swecker, R.D.H.

STAFF PRESENT: Kelley W. Palmatier, Deputy Executive Director
Donna Lee, Discipline Case Manager
Indy Toliver, Adjudication Specialist

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

Sunmin Park, DDS
Case No.: 139849
Dr. Park appeared with counsel, Gerald C. Canaan, to discuss the allegations set forth in a Notice of the Board dated May 24, 2013. The Committee received statements and additional evidence from Dr. Park and Mr. Canaan and discussed the allegations with them.

Closed Meeting: Dr. Dhakar 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 Sunmin Park. Additionally, Dr. Dhakar moved that Ms. Palmatier 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: Dr. Dhakar 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.: 139849**

Ms. Toliver reported that the Committee found that while providing treatment to Patient A, Dr. Park failed to diagnose decay on tooth #13 on or about January 6, 2010, as evidenced by radiographs taken in her practice on April 11, 2011; and failed to document the material used for the pulp cap procedures performed on teeth #30 and 31 on or about December 29, 2009, and the materials used for the pulp cap procedures performed on teeth #18 and 19 on or about January 6, 2010.

The Committee also found that Dr. Park noted a periodontal screening and recording (PSR) score of 6 in two sextants of the mouths of Patients A and B, however, a PSR score can only be 0-4.

Dr. Park failed to include her address on duplicate laboratory work orders for Patients B, C, and F.

The Committee further found that while providing treatment to Patient B, Dr. Park failed to document the anesthetic used during restoration and post and core build up of teeth #3 and 19 on or about January 17, 2011; failed to note in Patient C's treatment records the materials used when she delivered a crown to tooth #9 on or about September 7, 2010 and tooth #18 on or about March 31, 2011; and she failed to document in Patient F's treatment record the type of post she used to restore teeth #14 and 15 on or about July 26, 2011.

Dr. Park performed a four surface restoration on Patient F's teeth #8 and 9 on or about September 13, 2011, despite the fact that radiographs taken on the same day did not indicate the need for a four surface restoration.

The sanctions reported by Ms. Toliver were that Dr. Park shall pay a \$500.00 monetary penalty and that her license be placed on probation subject to the terms and conditions that within 6 months from the date of entry of the Order she shall successfully complete three hours of continuing education in diagnosis and treatment planning to include periodontal diagnosis.

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

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THIRD CONFERENCE: 2:25 p.m.

PRESIDING: Martha C. Cutright, D.D.S.

MEMBERS PRESENT: Surya P. Dhakar, D.D.S.

MEMBERS ABSENT: Tammy K. Swecker, R.D.H.

STAFF PRESENT: Kelley W. Palmatier, Deputy Executive Director
Donna Lee, Discipline Case Manager
Indy Toliver, Adjudication Specialist

QUORUM: With two members present a quorum was established.

Sharon Colvin, DDS
Case No.: 143919
Dr. Colvin appeared without counsel to discuss the allegations set forth in a Notice of the Board dated May 23, 2013. The Committee received statements from Dr. Colvin and discussed the allegations with her.

Closed Meeting: Dr. Dhakar 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 Sharon Colvin. Additionally, Dr. Dhakar moved that Ms. Palmatier, Ms. Lee, 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: Dr. Dhakar 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.: 143919
Ms. Toliver reported that the Committee dismissed the allegations against Dr. Colvin.

The decision was unanimously accepted by the Committee.

Approval of Minutes: Upon a motion by Dr. Dhakar, the minutes from the Informal Conference conducted on April 12, 2013 were approved.

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ADJOURNMENT: With all business concluded, the Committee adjourned at 3:30 p.m.

Jimmy K. Secker, BSDH Med
Martha C. Cutright, DDS, Chair

8/23/2013
Date

Sandra K. Reen
Sandra K. Reen, Executive Director

August 30, 2013
Date