

APPROVED

BOARD OF DENTISTRY

MINUTES

SPECIAL CONFERENCE COMMITTEE "C"

- TIME AND PLACE:** Special Conference Committee "C" convened on February 20, 2015 at 9:10 a.m., at the Department of Health Professions, Perimeter Center, 2nd Floor Conference Center, 9960 Mayland Drive, Henrico, VA 23233.
- FIRST CONFERENCE:** 9:10 a.m.
- PRESIDING:** James D. Watkins, D.D.S.
- MEMBERS PRESENT:** Sharon W. Barnes
Charles E. Gaskins, D.D.S.
- MEMBERS ABSENT:** Evelyn M. Rolon, D.M.D.
- STAFF PRESENT:** Kelley W. Palmatier, Deputy Executive Director
Donna Lee, Discipline Case Manager
Tiffany A. Laney, Adjudication Specialist
- QUORUM:** With three members present a quorum was established.
- Latanya O'Neal, D.D.S.
Case No.: 142111** Dr. O'Neal appeared with counsel, James Tate, to discuss the allegations set forth in a Notice of the Board dated July 10, 2014. James M. Keeton, Jr., D.D.S, appeared as an expert witness on behalf of the Board. The Committee received statements from Dr. O'Neal, Mr. Tate, and Dr. Keeton and discussed the allegations with them.
- Closed Meeting:** Ms. Barnes 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 Latanya O'Neal. Additionally, Ms. Barnes moved that Ms. Palmatier, Ms. Lee, and Ms. Laney 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. Barnes 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

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convened. The motion was seconded and passed.

DECISION:
Case No.: 142111

Ms. Laney reported that the Committee found that Dr. O'Neal failed to provide pediatric patients with the appropriate delivery of anesthesia to achieve adequate comfort and pain control when she performed multiple and extensive dental procedures in a single visit.

Dr. O'Neal treated teeth #D, E, F, K, S and T with pulpotomies and stainless steel crowns, and placed amalgam restorations on teeth #I and #J of Patient A, a four-year old male. Dr. O'Neal treated all eight teeth in a single visit, and she only administered 1½ carpules of Lidocaine 2% by infiltration in all four quadrants for the entire procedure, and she failed to administer inferior alveolar nerve blocks.

Dr. O'Neal treated teeth #A, B, I, J, K, L, S, and T of Patient B, a three-year old male, with pulpotomies and stainless steel crowns. Dr. O'Neal treated all eight teeth in a single visit, and she only administered 2 cc's of Lidocaine 2% by infiltration in all four quadrants for the entire procedure, and she failed to administer inferior alveolar nerve blocks.

Dr. O'Neal treated teeth #A, C, H, J, K, L, S, and T with pulpotomies and stainless steel crowns and extracted tooth # G of Patient D, a five-year old female. Dr. O'Neal treated all nine teeth in a single visit, and she only administered 3.8 cc's of Lidocaine 2% during the entire procedure, and she failed to administer alveolar nerve blocks.

The Committee also found that on multiple occasions in 2010 and 2011, Dr. O'Neal performed full-mouth, invasive dental treatments in all four quadrants on pediatric patients in a single appointment, a practice that is a danger to the health and welfare of patients.

Dr. O'Neal provided the following treatments in a single appointment: treated Patient A's teeth #D, E, F, K, S, and T with pulpotomies and stainless steel crowns and placed amalgam restorations on teeth #I and #J; treated Patient B's teeth #A, B, I, J, K, L, S, and T with pulpotomies and stainless steel crowns; treated Patient C's teeth #B, C, D, H, J, K, L, M, S, and T with pulpotomies and stainless steel crowns, and extracted tooth #A; treated Patient D's teeth #A, C, H, J, K, L, S, and T with pulpotomies and stainless steel crowns, and extracted tooth #G; treated Patient E's teeth #B, D, E, F, G, I, N, R, and S with stainless steel crowns and treated teeth #B, D, E, F, G, I, R, and S

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with pulpotomies and placed amalgam restorations on teeth #K and T; and treated Patient F's teeth #A, J, K, L, T, 3, 14, 19 and 30 with pulpotomies and stainless steel crowns and extracted tooth #H.

The Committee further found that Dr. O'Neal treated numerous teeth of pediatric patients with pulpotomies and crowns despite the fact that these treatments were diagnostically and clinically unwarranted.

Dr. O'Neal treated Patient A's tooth #S with a stainless steel crown and a pulpotomy, despite the fact that x-rays showed that tooth #S only had small caries, which indicated that his tooth could have been restored with less invasive treatment.

Dr. O'Neal performed pulpotomies with stainless steel crowns on Patient C's teeth #B, K, L, and S despite the fact that x-rays showed that these teeth had little or no decay.

Dr. O'Neal performed a pulpotomy with a stainless steel crown on Patient E' tooth #I, despite the fact that x-rays taken on that same date showed only a small lesion on the mesial of this tooth, which indicated that it could have been restored with less invasive dental treatment.

Dr. O'Neal seated a crown on Patient F's tooth #3, despite the fact that x-rays taken on that same date did not reflect any caries on this tooth.

The sanctions reported by Ms. Laney were that Dr. O'Neal shall pay a \$3,000.00 monetary penalty and that within 6 months from the date of entry of the Order, Dr. O'Neal shall successfully complete a 4 hour continuing education course in pediatric treatment to include local anesthesia; a 4 hour continuing education course in risk management; and a 4 hour continuing education course in the fundamentals of caries detection.

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

SECOND CONFERENCE: 2:35 p.m.

PRESIDING: James D. Watkins, D.D.S.

MEMBERS PRESENT: Sharon W. Barnes
Charles E. Gaskins, D.D.S.

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MEMBERS ABSENT: Evelyn M. Rolon, D.M.D.

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

QUORUM: With three members present a quorum was established.

**Ryan A. Javier, D.D.S.
Case No.: 152944** Dr. Javier appeared without counsel to discuss the allegations set forth in a Notice of the Board dated October 29, 2014. The Committee received statements from Dr. Javier and discussed the allegations with him.

Closed Meeting: Ms. Barnes 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 Ryan A. Javier. Additionally, Ms. Barnes moved that Ms. Palmatier, Ms. Lee, and Ms. Roukous 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. Barnes 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.: 152944** Ms. Roukous reported that the Committee found that Dr. Javier failed to document in Patient A's treatment record the percentage of epinephrine in the anesthetic administered on or about May 17, 2012 and May 24, 2012.

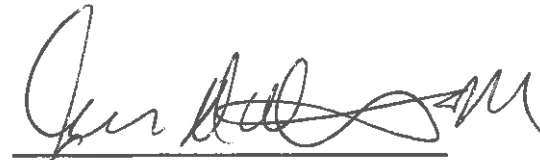
Ms. Roukous reported that the Committee imposed no sanctions against the license of Dr. Javier.

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

Approval of Minutes: Upon a motion by Ms. Barnes, the minutes from the Informal Conference conducted on January 9, 2015 were approved.

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ADJOURNMENT: With all business concluded, the Committee adjourned at 3:15 p.m.



James D. Watkins, D.D.S., Chair

4-3-15

Date



Sandra K. Reen, Executive Director

April 9, 2015

Date