

WEST VIRGINIA BOARD OF DENTISTRY

MINUTES - EMERGENCY MEETING

Dates: February 17, 2016

Location: WV Board of Dentistry
1319 Robert C Byrd Drive
Crab Orchard, WV 25827

Members Present: C. Richard Gerber, DDS, President
George D. Conard, Jr., DDS , Secretary
Byron H. Black, DDS
L. Edward Eckley, DDS
Mr. William E. Ford, III
Stanley W. Kaczkowski, DDS
Mary Beth Shea, RDH
Charles L. Smith, DDS
Beverly L. Stevens, COMSA

Staff Present: Mrs. Susan M. Combs, Executive Secretary

Board Counsel: Ms. Betty A. Pullin, Assistant Attorney General

February 17, 2016

The Board Executive Secretary, Board Counsel and the Complaint Committee for an investigation concluded that an emergency meeting of the Board was necessary to discuss and vote on whether recent evidence of substance abuse impairment of a licensee was to such a degree that it posed an immediate danger to the public if the licensee were to continue practicing dental hygiene and whether their licensee should be immediately suspended.

The Board's President, Dr. Gerber, determined this emergency meeting was properly noticed with the Secretary of State's office and a sufficient number of Board members were in attendance to constitute a quorum. The quorum was determined by the presence of Dr. Gerber, Dr. Conard, Dr. Black, Dr. Eckley, Mr. Ford, Dr. Kaczkowski, Mrs. Shea, Dr. Smith, & Mrs. Stevens. Therefore, the meeting of the West Virginia Board of Dentistry was called to order.

The first order of business was the meeting notice to the Secretary of State which was distributed for information purposes only.

At this time the President announced the need for an Executive Session to consider matters under provisions contained in Chapter 6, Article 9A, Section 4, not limited to, but primarily for those contained in Subsections (4) and (6). Specifically to consider possible summary disciplinary actions pursuant to W. Va. Code §§ 30-4-19(g)(h) and 30-1-8(e)(1).

Upon motion by Dr. Charles L. Smith, and properly seconded by Dr. Stanley W. Kaczkowski, and unanimously passed, the Board went into an Executive Session. Thereafter,

the Board came back into a general session upon motion by Dr. Charles L. Smith, properly seconded by Mrs. MaryBeth Shea, and unanimously passing.

The next order of business was Case No. 2015-DB-0048H. Board Counsel, Betty Pullin, summarized information provided to her by the Board staff, the Fayette County and Raleigh County Sheriff's Departments as well as the Raleigh County Magistrate Court concerning two recent arrests due to DUI involving drugs. These arrests violate the Consent Decree and Order approved by the Board on January 22, 2016. The Board received a recommendation from Mike Brown at the Dental Recovery Network recommending her license be placed on an inactive or suspended status, whichever is the norm for the Board in these circumstances. Dr. Stanley W. Kaczkowski made a motion, as the licensee poses an immediate danger to the public, to summarily suspend the licensee from practicing dental hygiene in the State of West Virginia until further Order of the Board. Dr. Charles L. Smith seconded the motion. The motion passed unanimously.

At this time the meeting was adjourned upon motion by Dr. Charles L. Smith, and properly seconded by Dr. Stanley W. Kaczkowski, and unanimously passing.