BEFORE THE VIRGINIA BOARD OF DENTISTRY

IN RE: MICHAEL ANTHONY ROSSETTI, D.D.S.
License Number: 0401-007631
Case Number: 173736

CONSENT ORDER

JURISDICTION AND PROCEDURAL HISTORY

The Virginia Board of Dentistry ("Board") and Michael Anthony Rossetti, D.D.S., as evidenced by their signatures hereto, in lieu of proceeding to an informal conference, enter into the following Consent Order affecting Dr. Rossetti’s license to practice dentistry in the Commonwealth of Virginia.

NOTICE

By letter dated February 21, 2017, the Board sent a Notice of Informal Conference ("Notice") to Dr. Rossetti notifying him that an informal conference would be held on April 21, 2017. The Notice was sent by certified and first class mail to the legal address of record on file with the Board at the time of the mailing.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Michael Anthony Rossetti, D.D.S., was issued License Number 0401-007631 to practice dentistry on December 2, 1991, which is scheduled to expire on March 31, 2018.

   a. He failed to perform a proper occlusal analysis or address Patient A’s complete dentition and bite mechanics prior to delivering the implant-supported bridge for teeth #s 5-8 to Patient A on August 16, 2011. Patient A saw a periodontist on January 8, 2013, who opined
that the #5-8 implant-supported bridge delivered by Dr. Rossetti failed to make contact with the opposing teeth.

b. He failed to diagnose the decay associated with Patient A’s teeth #9, 10, 11 and 12, which is evident on radiographs dated July 5, 2011.

3. Michael Anthony Rossetti, D.D.S., violated Virginia Code § 54.1-2706(9) and 18VAC60-20-15(3) of the Regulations Governing Dental Practice (currently found at 18VAC60-21-90(B)(7) of the Regulations Governing the Practice of Dentistry) in that:

a. On or about July 7, 2010, Dr. Rossetti referred Patient A to a periodontist for extraction of teeth #4 - 8; however, he failed to document a diagnosis to support his recommendation for the extractions.

b. On or about July 25, 2011, Dr. Rossetti failed to document the treatment provided, status of copings, impressions or bite registration for the fabrication of Patient A’s implant-supported bridge for teeth #5 - 8.

c. On or about April 7, 2011 through October 11, 2011, Dr. Rossetti failed to document in Patient A’s treatment record a diagnosis relating to the crown and bridge work on teeth #11 and 12 (incorrectly documented as #s 12 and 13).

CONSENT

Michael Anthony Rossetti, D.D.S., by affixing his signature to this Consent Order, agrees to the following:

1. I have been advised to seek advice of counsel prior to signing this document and am represented by Joel M. McCray, Esq.;

2. I am fully aware that without my consent, no legal action can be taken against me or my license except pursuant to the Virginia Administrative Process Act, Virginia Code § 2.2-4000 et seq.;
3. I acknowledge that I have the following rights, among others: the right to an informal fact-finding conference before the Board; and the right to representation by counsel;

4. I waive my right to an informal conference;

5. I admit to the Findings of Fact and Conclusions of Law contained herein and waive my right to contest such Findings of Fact and Conclusions of Law and any sanction imposed hereunder in any future judicial or administrative proceeding in which the Board is a party;

6. I consent to the entry of the following Order affecting my licensure to practice dentistry in the Commonwealth of Virginia.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Dentistry hereby ORDERS as follows:

1. Michael Anthony Rossetti, D.D.S., is REPRIMANDED.

2. Michael Anthony Rossetti, D.D.S., is assessed a MONETARY PENALTY of $2,000.00. This penalty shall be paid to the Board by certified check or money order made payable to the Treasurer of Virginia within 30 days from the date of entry of this Order. Failure to pay the full monetary penalty by the due date may cause the matter to be sent for collection and constitutes grounds for an administrative proceeding and further discipline.

3. Within 6 months from the date of entry of this Order, Michael Anthony Rossetti, D.D.S., shall provide written proof satisfactory to the Board of successful completion of a Board-approved course of at least 10 credit hours in the subject of dental implant prosthodontics—restoration of dental implants, and 3 credit hours in the subject of dental recordkeeping. These continuing education credits shall be obtained from approved sponsors set forth in 18VAC 60-20-50.C of the Board's Regulations Governing Dental Practice. These courses shall be approved in advance of
registration by the Board. Requests for approval must be received within 15 business days prior to the course date. All continuing education hours/courses shall be completed through face-to-face, interactive sessions (i.e., no home study, journal, or Internet courses). Continuing education obtained through compliance with this term shall not be used toward licensure renewal.


Any violation of the foregoing terms and conditions of this Order or any statute or regulation governing the practice of Dentistry shall constitute grounds for further disciplinary action.

Pursuant to Virginia Code §54.1-2708.2, the Board imposes administrative costs in the amount of $2,116.50, which shall be submitted to the Board no later than 45 days from the date of entry of the Order by certified check or money order. Failure to pay this assessment by the deadline referenced above may constitute a violation of the Order, which may result in the imposition of additional sanctions and will result in the matter being sent to collections.

Pursuant to Virginia Code §§ 2.2-4023 and 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

FOR THE BOARD

[Signature]
Sandra K. Reen
Executive Director
Virginia Board of Dentistry

ENTERED: April 10, 2017
SEEN AND AGREED TO:

Michael Anthony Rossetti, D.D.S.

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF __Henrico______, TO WIT:

Subscribed and sworn to me, a notary public in and for the Commonwealth of Virginia at large, on this
5 day of __April______, 2017 .

Notary Public

My commission expires: __12/31/2018____

Registration No.: __144774____