

**VIRGINIA BOARD OF DENTISTRY
FORMAL HEARINGS
MARCH 12, 2009**

TIME AND PLACE: The meeting of the Virginia Board of Dentistry was called to order at 9:10 a.m. on March 12, 2009 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico, Virginia.

PRESIDING: Meera A. Gokli, D.D.S.

MEMBERS PRESENT: Jeffrey Levin, D.D.S.
Darryl J. Pirok, D.D.S.
James D. Watkins, D.D.S.
Jacqueline G. Pace, R.D.H.
Robert B. Hall, Jr. D.D.S.
Augustus A. Petticolos, Jr. D.D.S.
Myra Howard
Paul N. Zimmet, D.D.S.

MEMBER ABSENT: Misty Mesimer, R.D.H

STAFF PRESENT: Sandra K. Reen., Executive Director
Huong Vu, Administrative Assistant

COUNSEL PRESENT: Howard M. Casway, Senior Assistant Attorney General

OTHERS PRESENT: Leigh Kiczales, Adjudication Specialist
Sandra Spinner, Court Reporter, Capitol Reporting, Inc.

**ESTABLISHMENT OF
A QUORUM:** With nine members present, a quorum was established.

**Peter Ciampa, D.D.S.
Case No. 119518** Dr. Ciampa appeared without counsel in accordance with a Notice of the Board dated July 31, 2008.

Dr. Gokli admitted into evidence Commonwealth's exhibits 1 through 5.

The respondent advised that he had no additional exhibits.

Dr. Gokli swore in the witnesses.

Testifying on behalf of the Commonwealth was Patricia Sheehan, R.N., B.C., C.P.C., Senior Investigator.

Testifying on behalf of the Respondent was Brent Caldwell, the attorney who represented him in Kentucky.

Dr. Ciampa testified on his own behalf.

Closed Meeting: Dr. Levin moved that the Board enter into a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia to deliberate for the purpose of reaching a decision in the matter of Dr. Ciampa. Additionally, it was moved that Board staff, Sandra Reen, and Huong Vu, and Board counsel, Howard Casway 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.

Reconvene: Dr. Levin moved to certify that only public matters lawfully exempted from open meeting requirements under Virginia law were discussed in the closed meeting and only public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board. The motion was seconded and passed.

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

Decision: Dr. Gokli asked Mr. Casway to report the Findings of Fact, Conclusions of Law and Sanctions adopted by the Board.

Dr. Levin moved to adopt the Findings of Fact and Conclusions of Law as reported by Mr. Casway and to issue an order reinstating Dr. Ciampa's license and placing the license on Indefinite Probation until he provides evidence of the reinstatement of his Kentucky license without restriction. At such time, his license shall be reinstated without restriction. Further, Dr. Ciampa shall be issued a reprimand. The motion was seconded and passed.

SECOND FORMAL HEARING:

Convened at 11:22 am.

PRESIDING:

Meera A. Gokli, D.D.S.

MEMBERS PRESENT:

Darryl J. Pirok, D.D.S.
James D. Watkins, D.D.S.
Jacqueline G. Pace, R.D.H.
Augustus A. Petticolas, Jr. D.D.S.
Myra Howard

MEMBERS EXCUSED:

Jeffrey Levin, D.D.S.
Paul N. Zimmet, D.D.S.
Robert B. Hall, Jr. D.D.S.

MEMBER ABSENT:

Misty Mesimer, R.D.H

STAFF PRESENT:

Sandra K. Reen., Executive Director
Huong Vu, Administrative Assistant

COUNSEL PRESENT: Howard M. Casway, Senior Assistant Attorney General

OTHERS PRESENT: Gail Ross, Adjudication Specialist
Sandra Spinner, Court Reporter, Capitol Reporting, Inc.

ESTABLISHMENT OF A QUORUM: With six members present, a quorum was established.

**Laura Ungerman,
R.D.H.
Case No. 112887**

Ms. Ungerman appeared without counsel in accordance with a Notice of the Board dated February 11, 2009.

Dr. Gokli admitted into evidence Commonwealth's exhibits 1 and 2.

Dr. Gokli admitted into evidence Respondent's exhibit A.

Dr. Gokli swore in the witnesses.

Dr. Gokli ruled that it was not necessary for Patricia Hart-Byers, Senior Investigator, to testify on behalf of the Commonwealth.

Testifying on behalf of the Respondent was Bill Ungerman.

Ms. Ungerman testified on her own behalf.

Closed Meeting: Dr. Watkins moved that the Board enter into a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia to deliberate for the purpose of reaching a decision in the matter of Ms. Ungerman. Additionally, it was moved that Board staff, Sandra Reen, and Huong Vu, and Board counsel, Howard Casway 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.

Reconvene: Dr. Watkins moved to certify that only public matters lawfully exempted from open meeting requirements under Virginia law were discussed in the closed meeting and only public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board. The motion was seconded and passed.

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

Decision: Dr. Gokli asked Mr. Casway to report the Findings of Fact, Conclusions of Law and Sanctions adopted by the Board.

Dr. Watkins moved to adopt the Findings of Fact and Conclusions of Law as reported by Mr. Casway and to issue an order reprimanding Ms. Ungerman and imposing a monetary penalty of \$1000.00 to be paid within 30 days from the date of the Order. The motion was seconded and passed.

THIRD FORMAL HEARING:

Convened at 1:05 pm.

PRESIDING:

Meera A. Gokli, D.D.S.

MEMBERS PRESENT:

Jeffrey Levin, D.D.S.
Darryl J. Pirok, D.D.S.
James D. Watkins, D.D.S.
Jacqueline G. Pace, R.D.H.
Robert B. Hall, Jr. D.D.S.
Augustus A. Petticolas, Jr. D.D.S.
Myra Howard
Paul N. Zimmet, D.D.S.

MEMBER ABSENT:

Misty Mesimer, R.D.H

STAFF PRESENT:

Sandra K. Reen., Executive Director
Huong Vu, Administrative Assistant

COUNSEL PRESENT:

Howard M. Casway, Senior Assistant Attorney General

OTHERS PRESENT:

Clay Garret, Assistant Attorney General
Gail Ross, Adjudication Specialist
Sandra Spinner, Court Reporter, Capitol Reporting, Inc.

ESTABLISHMENT OF A QUORUM:

With nine members present, a quorum was established.

**Wray Chaffin, II,
D.D.S.
Case No. 123154**

Dr. Chaffin appeared with his counsel, Terry G. Kilgore, in accordance with a Notice of the Board dated February 12, 2009.

Dr. Gokli admitted into evidence Commonwealth's exhibits 1 through 4.

The respondent advised that he had no additional exhibits.

Dr. Gokli swore in the witnesses.

Testifying on behalf of the Commonwealth was Cecile H. Custer, R.N., LNCC, Senior Investigator.

Testifying on behalf of the Respondent were Dr. Chaffin's wife, Mrs. Chaffin and Rhonda Bright, Dr. Chaffin's Office Manager.

Dr. Chaffin testified on his own behalf.

Closed Meeting:

Dr. Levin moved that the Board enter into a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia to deliberate for the purpose of reaching a decision in the matter of Dr. Chaffin. Additionally, it was moved that Board staff, Sandra Reen, and Huong Vu, and Board counsel, Howard Casway 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.

Reconvene:

Dr. Levin moved to certify that only public matters lawfully exempted from open meeting requirements under Virginia law were discussed in the closed meeting and only public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board. The motion was seconded and passed.

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

Decision:

Dr. Gokli asked Mr. Casway to report the Findings of Fact, Conclusions of Law and Sanctions adopted by the Board.

Dr. Levin moved to adopt the Findings of Fact and Conclusions of Law as reported by Mr. Casway and to issue an order reinstating Dr. Chaffin's license. The motion was seconded and passed.

ADJOURNMENT:

The Board adjourned at 3:55 p.m.

Meera A. Gokli, D.D.S., Chair

Sandra K. Reen, Executive Director

Date

Date