

**APPROVED**

**BOARD OF DENTISTRY  
MINUTES OF FORMAL HEARING**

**TIME AND PLACE:** A meeting of the Virginia Board of Dentistry convened on November 13, 2003, at 2:10 p.m., at the Department of Health Professions, Richmond, Virginia.

**PRESIDING:** Trudy Levitin, R.D.H., President

**MEMBERS PRESENT:** Meera A. Gokli, D.D.S.  
Darryl Lefcoe, D.D.S.  
Michael J. Link, D.D.S.  
Harold S. Seigel, D.D.S.  
Millard D. "Pete" Stith, Jr.  
Gary E. Taylor, D.D.S.  
James D. Watkins, D.D.S.  
Paul N. Zimmet, D.D.S.

**MEMBERS ABSENT:** Deborah Southall, R.D.H.

**STAFF PRESENT:** Sandra K. Reen, Executive Director  
Cheri Emma-Leigh, Operations Manager  
John K. Dickinson, Sr. Adjudication Analyst

**COUNSEL PRESENT:** Howard Casway, Assistant Attorney General

**OTHERS PRESENT:** James Schliessmann, Assistant Attorney General

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

**DENIS PEPER, D.D.S.  
Case #89870** A formal administrative hearing was convened in the matter of Denis Peper, D.D.S. to discuss allegations that he may have violated certain laws or regulations governing the practice of dentistry in the Commonwealth of Virginia in accordance with the Board's notice dated October 20, 2003.

Dr. Peper appeared with counsel Gerald C. Canaan, II, Esq.

Testifying on behalf of Dr. Peper were Beth Paben, R.D.H., Dianeda Short, D.A., Angelika Hyrman, Receptionist/Office Manager.

Dr. Zimmet reported that he had received information

concerning Dr. Peper and that he had not shared this information with any of the Board members. Dr. Link and Ms. Levitin disclosed that they had sat on an Informal Conference involving Dr. Peper and felt they could render an unbiased decision in this case. Ms. Levitin asked Mr. Canaan if he had any objections to either Dr. Zimmet, Dr. Link or herself hearing this case. Mr. Canaan stated he had no objections.

**Closed Meeting:**

On a properly seconded motion by Dr. Watkins, the Board voted 9-0 in favor of the motion, to enter into a closed meeting pursuant to §2.1-344(A)(15) of the Code of Virginia for the purpose of consideration and discussion of medical/mental health records of Denis Peper, D.D.S. that are excluded from the Freedom of Information Act by Virginia Code Section 2.2-3705(a)(5).

**Reconvene:**

The Board reconvened in open session pursuant to §2.1-344.1(D) of the Code. On a properly seconded motion by Dr. Watkins, the Board voted 9-0 in favor of the motion, that only public business 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 Board reconvened in open session pursuant to §2.2-3712(D) of the Code.

**Closed Meeting:**

On a properly seconded motion by Dr. Watkins, the Board voted 9-0 in favor of the motion, to enter into a closed meeting pursuant to §2.1-344(A)(28) of the Code of Virginia to deliberate in reaching a decision in the matter of Denis Peper, D.D.S.

**Reconvene:**

The Board reconvened in open session pursuant to §2.1-344.1(D) of the Code. On a properly seconded motion by Dr. Watkins, the Board voted 9-0 in favor of the motion, that only public business 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 Board reconvened in open session pursuant to §2.2-3712(D) of the Code.

**Decision:**

Mr. Casway read the Findings of Fact and Conclusions of Law.

On a properly seconded motion by Dr. Link, the Board voted 9-0 in favor of adopting the Findings of Fact and Conclusions of Law.

On a properly seconded motion by Dr. Link, the Board voted 9-0 in favor of adopting the sanctions as read by Mr. Casway.

An Order shall be entered to continue Dr. Peper on suspension with said suspension stayed indefinitely for not less than two (2) years from the date of entry of the Order, a monetary penalty of ten thousand dollars (\$10,000.00), surrender of Dr. Peper's Drug Enforcement Administration (DEA) certificate, two unannounced inspections, completion of a comprehensive psychological evaluation and completion of four (4) continuing education hours in Record Keeping and Risk Management, four (4) continuing education hours in Maintaining Appropriate Boundaries and enroll in a comprehensive prescribing course.

***This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of the Board.***

**ADJOURNMENT:**

With all business concluded, the Board adjourned at 6:00 p.m.

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Trudy Levitin, R.D.H., President

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Sandra K. Reen, Executive Director

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Date

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Date