

ORIGINAL

**STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS
DEPARTMENT OF HEALTH
HEALTH PROFESSIONS REGULATION
BOARD OF EXAMINERS IN DENTISTRY**

vs.

DEN 02-05

GREGG MELFI, DDS

CONSENT ORDER

Pursuant to Section 5-31.1-10 of the General Laws of the State of Rhode Island, 1956, as Amended, and the Rules and Regulations promulgated thereunder, Department of Health/Board of Examiners in Dentistry (hereinafter referred to as the "Board") has investigated the above complaint charging Gregg Melfi,, DDS, (hereinafter referred to as Respondent) with violations of Section 5-31.1-10 of the General Laws of the State of Rhode Island, 1956, as Amended .

After consideration by the Board, the following constitutes the findings of fact with respect to the professional performance of the Respondent:

1. The Respondent is a dentist licensed in the State of Rhode Island;
2. That the Respondent did engage in a personal relationship with a patient of record;
3. That the conduct described in item 2 herein constitutes unprofessional conduct as defined in Section 5-31.1-10 and the Rules and Regulations promulgated thereunder.
4. That the Respondent, with respect to the dental care rendered, did meet the prevailing standards of care;

The parties agrees as follows:

1. The Respondent is a dentist licensed to practice dentistry in the State of Rhode Island.
2. That the Respondent admits to the jurisdiction of the Board and hereby agrees to remain under the jurisdiction of the Board;

3. Respondent has read this Consent Order and understands that it is a proposal of the Board and is subject to the final approval by the Board. This Consent Order and the contents is not binding on Respondent until final approval by the Board.
4. Respondent hereby acknowledges and waives the following:
 - a) The right to appear personally or by counsel or both before the Board;
 - b) The right to produce witnesses and evidence in his behalf at a hearing;
 - c) Any and all rights of appeal of this Consent Order;
 - d) Any objection to the fact that this Consent Order will be presented to the Board for consideration and review;
 - e) Any objection to the fact that it will be necessary for the Board to become acquainted with all evidence pertaining to this matter in order to review this Consent Order adequately; and
 - f) Any objection to the fact that potential bias against the Respondent may occur as a result of the presentation of this Consent Order to the Board
5. This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties.
6. Acceptance by the Respondent and approval by the Board of this Consent Order constitutes and admission of the facts contained herein.
7. Failure to comply with the Consent Order, once signed and accepted, shall subject the Respondent to further disciplinary action.
8. Respondent voluntarily accepts the sanction of a written reprimand of his license to practice dentistry in this state.
9. That this Consent Order shall constitute a final disposition of the matters forming the basis thereof.

This Consent Order constitutes a final order of the Department of Health pursuant to RI General Laws § 42-35-12. Pursuant to R.I. Gen. Laws § 42-34-15, a final order may be appealed to the Superior Court sitting in and for the County of Providence within thirty (30) days of the mailing date of this decision. Such appeal, if taken, must be completed by filing a petition for review in Superior Court. The filing of the complaint does not itself stay enforcement of this order. The

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agency may grant, or the reviewing court may order, a stay upon the appropriate terms. By signing this Consent Order, Respondent has waived the appellate rights stated herein.

Signed this 21ST day of September, 2005

Gregg Melfi, DDS
Gregg Melfi, DDS

Joseph G. Samartano, DDS 10/19/05
JOSEPH G. SAMARTANO, DDS
CHAIRMAN
RI BOARD OF EXAMINERS
IN DENTISTRY

CERTIFICATION

I, the undersigned, hereby certify that I have mailed a copy of the within Consent Agreement to Gregg Melfi, DDS, of 323 Cushman Road, North Attleboro, MA 02760 on this 19th day of October 2005

Neil Antonino
Signature