

BEFORE THE IOWA BOARD OF MEDICINE

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

CLIFFORD K. BOESE, M.D., RESPONDENT

FILE NO. 02-10-625

STATEMENT OF CHARGES AND SETTLEMENT AGREEMENT

(Combined)

COMES NOW the Iowa Board of Medicine (Board) and Clifford K. Boese, M.D. (Respondent), on September 23 2011, and pursuant to Iowa Code sections 17A10(2) and 272C.3(4), enter into this combined Statement of Charges and Settlement Agreement.

STATEMENT OF CHARGES

1. Respondent was issued Iowa medicine license no. 30053 on July 8, 1994.
2. Respondent's Iowa medical license will expire on May 1, 2012.
3. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 147, 148 and 272C.

COUNT I

4. Respondent is being charged pursuant to Iowa Code sections 147.55(2) and 272C.10(2).

STATEMENT OF THE MATTERS ASSERTED

5. Respondent is an Iowa-licensed physician who practices orthopedic surgery in Council Bluffs, Iowa.

6. On March 18, 2010 Respondent mistakenly reviewed the x-rays of another patient and attempted to perform surgery to repair a fractured hip when, in fact, the patient had a fractured pelvis.

SETTLEMENT AGREEMENT

7. **CITATION AND WARNING:** Respondent is hereby **CITED** for mistakenly reviewing the x-rays of another patient and attempting to perform surgery to repair a fractured hip when, in fact, the patient had a fractured pelvis in violation of the laws and rules governing the practice of medicine in Iowa. Respondent is hereby **WARNED** that violating the laws and rules governing the practice of medicine in Iowa in the future may result in further disciplinary action, including suspension or revocation of his Iowa medical license.

8. **CIVIL PENALTY:** Respondent shall pay **\$5,000.00 civil penalty** within twenty (20) days of the date of this Order. The civil penalty shall be payable to the Treasurer of Iowa, and shall be mailed to the executive director of the Board. The civil penalty shall be deposited into the State General Fund.

9. **CORRECTIVE ACTION PLAN:** Prior to the Board's approval of this Order, Respondent submitted a written corrective action plan for Board approval. The written corrective action plan describes the steps Respondent has taken to avoid such errors in the future.

10. Respondent voluntarily submits this Order to the Board for consideration.

11. Respondent shall obey all federal, state and local laws and all rules governing the practice of medicine in Iowa.

12. This Order constitutes the resolution of a contested case proceeding.

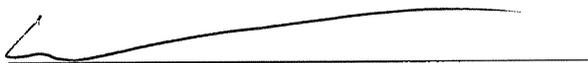
13. Respondent understands that by entering into this combined Statement of Charges and Settlement Agreement. Respondent cannot obtain a copy of the investigation file. Pursuant

to Iowa Code section 272C.6(4), a copy of the investigative file may only be provided to a licensee after a Statement of Charges is filed but before the final resolution of those charges.

14. By entering into this Order, Respondent voluntarily waives any rights to a contested case hearing on the allegations contained in the Statement of Charges, and waives any objections to the terms of this Settlement Agreement.

15. This Order is subject to approval of the Board. If the Board fails to approve the Order, it shall be of no force or effect to either party.

16. The Board's approval of this Order shall constitute a **Final Order** of the Board.


Clifford K. Boese, M.D., Respondent

Subscribed and sworn to before me on August 19, _____, 2011.

Notary Public, State of Iowa. Victoria Tarascio

This order is approved by the Board on September 23, 2011.


Simone S. Shirazi, M.D., Chairman
Iowa Board of Medicine
400 S.W. 8th Street, Suite C
Des Moines, IA 50309-4686

