

**BEFORE THE IOWA BOARD OF MEDICINE**

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**IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST**

**VALARIE L. CAMPBELL, M.D., RESPONDENT**

**File No. 02-08-311**

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**SETTLEMENT AGREEMENT**

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COMES NOW the Iowa Board of Medicine (Board), and Valarie L. Campbell, M.D., (Respondent), and on October 21, 2009, and pursuant to Iowa Code sections 17A.10(2) and 272C.3(4)(2007), enter into this Settlement Agreement to resolve the contested case currently on file.

1. Respondent was issued Iowa medical license no. 27259 on August 8, 1989.
2. Respondent's Iowa medical license is active and will next expire on October 1, 2010.
3. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 147, 148 and 272C.

**STATEMENT OF THE MATTERS ASSERTED**

4. Respondent practiced pathology in Grinnell, Iowa.

5. On February 28, 2007, Respondent entered into a Physician Health Contract with the Iowa Physician Health Program (IPHP) for substance abuse monitoring for five years. Respondent agreed to fully comply with the requirements of the IPHP Physician Health Contract.

6. On June 6, 2008, the IPHP voted to refer Respondent to the Board after the IPHP concluded that Respondent violated the terms of her Physician Health Contract when she used an abusable drug without IPHP approval.

7. On July 10, 2008, the Board filed formal disciplinary charges against Respondent for violating the terms of her IPHP Physician Health Contract.

8. Respondent has indicated to the Board that she does not plan to practice medicine at this time.

#### **SETTLEMENT AGREEMENT**

9. **CITATION AND WARNING:** Respondent is hereby **CITED** for failing to fully comply with the IPHP's drug screening program and for using an abusable drug without IPHP approval in violation of her IPHP Physician Health Contract. Respondent is hereby **WARNED** that such conduct in the future may result in further disciplinary action, including suspension or revocation of her Iowa medical license.

10. **PRACTICE PROHIBITION:** Respondent shall not engage in any aspect of the practice of medicine until she receives written approval from the Board. Respondent shall demonstrate that she is safe to return to the practice of medicine prior to receiving Board-approval to return to the practice of medicine.

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

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

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

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. In the event Respondent violates or fails to comply with any of the terms or conditions of this Order, the Board may initiate action to suspend or revoke Respondent's Iowa medical license or to impose other license discipline as authorized in Iowa Code chapters 148 and 272 and 653 IAC 25.

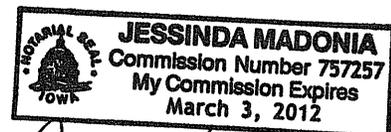
16. This Order is subject to approval by the Board. If the Board fails to approve this Order it shall be of no force or effect to either party.

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

Valarie L. Campbell MD  
Valarie L. Campbell, M.D., Respondent

Subscribed and sworn to before me on 10-16, 2009.

Notary Public, State of Iowa.



*Jessinda Madonia*

This Order is approved by the Board on October 21, 2009.

A handwritten signature in black ink, reading "Siros S. Shirazi". The signature is written in a cursive style and is positioned above a horizontal line.

Siros S. Shirazi, M.D., Chairman  
Iowa Board of Medicine  
400 SW 8<sup>th</sup> Street, Suite C  
Des Moines, Iowa 50309-4686

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**IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST**

**VALARIE L. CAMPBELL, M.D., RESPONDENT**

**File No. 02-08-311**

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**STATEMENT OF CHARGES**

\*\*\*\*\*

COMES NOW the Iowa Board of Medicine on July 10, 2008, and files this Statement of Charges pursuant to Iowa Code section 17A.12(2)(2007). Respondent was issued Iowa medical license no. 27259 on August 8, 1989. Respondent's Iowa medical license is active and will next expire on October 1, 2008.

**A. TIME, PLACE AND NATURE OF HEARING**

1. Hearing. A disciplinary contested case hearing shall be held on August 21, 2008, before the Board. The hearing shall begin at 8:30 a.m. and shall be located in the conference room at the Board office at 400 SW 8<sup>th</sup> Street, Suite C, Des Moines, Iowa.

2. Answer. Within twenty (20) days of the date you are served this Statement of Charges you are required by 653 IAC 24.2(5)(d) to file an Answer. In that Answer, you should state whether you will require a continuance of the date and time of the hearing.

3. Presiding Officer. The Board shall serve as presiding officer, but the Board may request an Administrative Law Judge make initial rulings on prehearing matters, and be present to assist and advise the Board at hearing.

4. Hearing Procedures. The procedural rules governing the conduct of the hearing are found at 653 IAC 25. At hearing, you will be allowed the opportunity to respond to the charges against you, to produce evidence on your behalf, cross-examine witnesses, and examine any documents introduced at hearing. You may appear personally or be represented by counsel at your own expense. If you need to request an alternative time or date for hearing, you must review the requirements in 653 IAC 25.16. The hearing may be open to the public or closed to the public at the discretion of the Respondent.

5. Prosecution. The office of the Attorney General is responsible for representing the public interest (the State) in this proceeding. Pleadings shall be filed with the Board and copies should be provided to counsel for the State at the following address: Theresa O'Connell Weeg, Assistant Attorney General, Iowa Attorney General's Office, 2<sup>nd</sup> Floor, Hoover State Office Building, Des Moines, Iowa 50319.

6. Communications. You may not contact board members by phone, letter, facsimile, e-mail, or in person about this Notice of Hearing. Board members may only receive information about the case when all parties have notice and an opportunity to participate, such as at the hearing or in pleadings you file with the Board office and serve upon all parties in the case. You should direct any questions to Kent M. Nebel, J.D., the Board's Legal Director at 515-281-7088 or to Assistant Attorney General Theresa O'Connell Weeg at 515-281-6858.

## **B. LEGAL AUTHORITY AND JURISDICTION**

7. Jurisdiction. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 17A, 147, 148, and 272C.

8. Legal Authority: If any of the allegations against you are founded, the Board has authority to take disciplinary action against you under Iowa Code chapters 17A, 147, 148, and 272C and 653 IAC 25.

9. Default. If you fail to appear at the hearing, the Board may enter a default decision or proceed with the hearing and render a decision in your absence, in accordance with Iowa Code section 17A.12(3) and 653 IAC 25.20.

## **C. SECTIONS OF STATUTES AND RULES INVOLVED**

### **COUNT I**

10. Respondent is charged pursuant to 653 IAC 23.1(12) for violating a health contract that she entered into with the Iowa Physician Health Program (IPHP).

### **COUNT II**

11. Respondent is charged pursuant to Iowa Code sections 147.55(4), 148.6(2)(h) and 272C.10(4) and 653 IAC 23.1(6) with substance abuse which impairs her ability to practice medicine with reasonable skill and safety.

## **STATEMENT OF THE MATTERS ASSERTED**

12. Respondent practices pathology in Pella, Iowa.

13. On February 28, 2007, Respondent entered into a Physician Health Contract with the IPHP for substance abuse monitoring due to alcohol abuse and/or dependence. Respondent agreed to fully comply with the requirements of the IPHP Physician Health Contract.

14. On June 6, 2008, the IPHP voted to refer Respondent to the Board after the IPHP concluded that Respondent violated the terms of her Physician Health Contract when she repeatedly used Lorazepam, an abusable drug, without IPHP approval.

#### **E. SETTLEMENT**

15. Settlement. This matter may be resolved by settlement agreement. The procedural rules governing the Board's settlement process are found at 653 Iowa Administrative Code 25. If you are interested in pursuing settlement of this matter, please contact Kent M. Nebel, J.D., Legal Director at 515-281-7088.

#### **F. PROBABLE CAUSE FINDING**

16. On this 10<sup>th</sup> day of July 2008, the Iowa Board of Medicine found probable cause to file this Statement of Charges.

  
Yash Lee, M.D., Chairperson  
Iowa Board of Medicine  
400 SW 8<sup>th</sup> Street, Suite C  
Des Moines, Iowa 50309-4686