

BEFORE THE IOWA BOARD OF MEDICINE

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

AMY S. COULTHARD, D.O., RESPONDENT

FILE No. 03-10-305

**STATEMENT OF CHARGES AND SETTLEMENT AGREEMENT
(Combined)**

COMES NOW the Iowa Board of Medicine (Board), and Amy S. Coulthard, D.O., (Respondent), on June 2, 2011, and pursuant to Iowa Code sections 17A.10(2) and 272C.3(4), enter into this combined Statement of Charges and Settlement Agreement to resolve this matter.

STATEMENT OF CHARGES

1. Respondent was issued Iowa medical license no. 3826 on July 20, 2007.
2. Respondent's Iowa medical license went inactive due to non-renewal on January 1, 2011.
3. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 147, 148 and 272C.

COUNT I

4. Respondent is charged pursuant to Iowa Code section 148.6(2)(d) with being disciplined by the medical licensing authority of another state.

STATEMENT OF MATTERS ASSERTED

5. Respondent is an Iowa-licensed physician whose Iowa medical license became inactive due to non-renewal on January 1, 2011. Respondent practices family medicine in Neillsville, Wisconsin.

6. On April 21, 2010, the Wisconsin Medical Examining Board issued a Final Decision and Order. The Wisconsin Board determined that Respondent inappropriately prescribed controlled substances without maintaining appropriate medical records and without complying with the standard of minimal competence for chronic pain management to an individual that Respondent was dating and that individual's grandfather and friends. At the direction of the Wisconsin Medical Examining Board, Respondent completed Board-approved programs for professional ethics, medical record keeping and controlled substance management. Under the terms of the Wisconsin Final Decision and Order:

- A. Respondent's Wisconsin medical license was suspended for a period of sixty (60) days, retroactive to June 1, 2009;
- B. Respondent was prohibited from providing non-emergent medical care outside of a clinic or hospital setting for a period of two years;
- C. Respondent was ordered to complete Board-approved counseling for a period of not less than one year; and
- D. Respondent was ordered to pay costs in the amount of \$3,750.

SETTLEMENT AGREEMENT

7. **CITATION AND WARNING:** Respondent is hereby **CITED** for being disciplined by the Wisconsin Medical Examining Board for inappropriate prescribing in violation of the laws and rules governing the practice of medicine in Wisconsin. Respondent is hereby **WARNED** that such conduct in the future may result in further formal disciplinary action, including suspension or revocation of her Iowa medical license.

8. **CIVIL PENALTY:** Respondent shall pay a **\$2,500** civil penalty. The civil penalty shall be paid within twenty (20) days of this Order and shall be made payable to the Treasurer of Iowa and mailed to the Executive Director of the Board. The civil penalty shall be deposited into the State General Fund.

9. **THREE YEARS PROBATION:** Respondent shall be placed on **probation for a period of three years** (subject to paragraph 9(F) of this order) under the following terms and conditions:

- A. **Monitoring Program:** Respondent shall establish a monitoring program with Shantel Billington, Compliance Monitor, Iowa Board of Medicine, 400 SW 8th Street, Suite C, Des Moines, IA 50309-4686, Ph.#515-281-3654. Respondent shall fully comply with all requirements of the monitoring program.
- B. **Prescribing Audits:** Respondent shall fully comply with Board-approved audits of his controlled substance prescribing during the period of this Order.

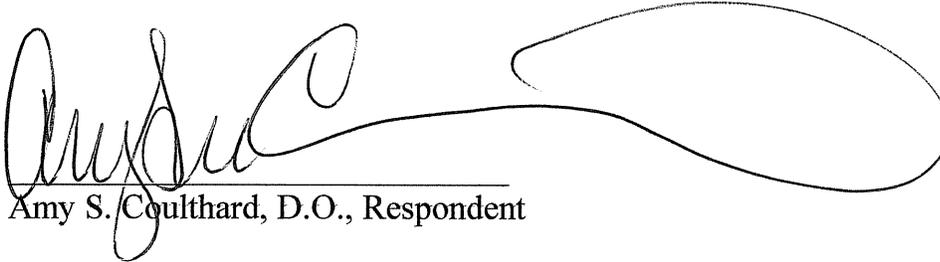
Respondent shall submit the names of all patients he has prescribed controlled substances for each quarter. From that list, the Board shall select 10 patients quarterly. Respondent shall provide the Board copies of the medical records for each patient selected for review. Respondent shall pay the Board a \$300 auditing fee each quarter for the audits performed by the Board. The auditing fee shall be submitted to the Board with each quarterly report required below.

- C. **Quarterly Reports:** Respondent shall file sworn quarterly reports attesting to his compliance with all the terms of his probation not later than 1/10, 4/10, 7/10 and 10/10 of each year of this Order.
- D. **Board Appearances:** Respondent shall appear before the Board annually or upon request of the Board during the period this Order. Respondent shall be given notice of the date, time and location of the appearances. The appearances shall be subject to the waiver provisions of 653 IAC 24.2(5)(2).
- E. **Monitoring Fee:** Respondent shall make a payment of \$100 to the Board each quarter for the duration of his probation to cover the Board's monitoring expenses in this matter. The monitoring fee shall be received by the Board with all quarterly reports required during his probation. The monitoring fee shall be sent to: Shantel Billington, Compliance Monitor, Iowa Board of Medicine, 400 SW 8th Street, Suite C, Des Moines, IA 50309-4686. The check shall be made payable to the Iowa Board of Medicine. The monitoring fee shall be considered repayment receipts as defined in Iowa Code section 8.2.

- F. **Practicing under Another License:** Respondent shall only be required to comply with the terms of probation if she chooses to practice medicine under her Iowa medical license during the three-year period of probation.
10. Respondent shall obey all federal, state and local laws, and all rules governing the practice of medicine in Iowa.
 11. Respondent voluntarily submits this Order to the Board for consideration.
 12. This Order constitutes the resolution of a contested case proceeding.
 13. In the event Respondent fails to comply with any of the terms of this Order, the Board may initiate action to suspend or revoke Respondent's license or to impose other license discipline as authorized in Iowa Code chapters 148 and 272 and 653 IAC 25.
 14. Respondent agrees that the State's counsel may present this Order to the Board.
 15. By entering into this Order, Respondent voluntarily waives any rights to a contested case hearing on the allegations in the Statement of Charges, and waives any objections to the terms of this Order.
 16. Respondent understands that by entering into this combined Statement of Charges and Settlement Agreement, Respondent cannot obtain a copy of the investigative 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.

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

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



Amy S. Coulthard, D.O., Respondent

Subscribed and sworn to before me on April 19, 2011.

Notary Public, State of Wisconsin. Carla A. Ten

This Order is approved by the Board on June 2, 2011.



Siroos S. Shirazi, M.D., Chairperson
Iowa Board of Medicine
400 SW 8th Street, Suite C
Des Moines, Iowa 50309-4686