

BEFORE THE IOWA BOARD OF MEDICINE

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

KHALED A. K. DABASH, M.D., RESPONDENT

FILE NO. 02-07-414

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

COMES NOW the Iowa Board of Medicine (Board), and Khaled A. K. Dabash, M.D., (Respondent), on July 24, 2008, and pursuant to Iowa Code sections 17A.10(2) and 272C.3(4)(2007), file this combined Statement of Charges and Settlement Agreement.

STATEMENT OF CHARGES

1. Respondent was issued Iowa medical license no. 29584 on October 26, 1993.
2. Respondent's Iowa medical license is active and will next expire on July 1, 2009.
3. The Board has jurisdiction pursuant to Iowa Code chapters 147, 148 and 272C.

COUNT I

4. Respondent is charged pursuant to Iowa Code section 148.6(2)(c) and 653 IAC 23.1(10) with violating a statute or law, which statute or law relates to the practice of medicine in violation of the laws and rules governing the practice of medicine in Iowa.

COUNT II

5. Respondent is charged pursuant to Iowa Code sections 147.55(3), 272C.10(3) and 653 IAC 23.1(3) and (4) with engaging in unethical or unprofessional conduct or practice harmful or detrimental to the public in violation of the laws and rules governing the practice of medicine in Iowa.

COUNT III

6. 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 THE MATTERS ASSERTED

7. Respondent is an Iowa-licensed physician who practices pediatrics in Macomb, Illinois.

8. **Improper Billing:** From November 19-26, 2003, Respondent inappropriately permitted nursing staff to conduct detailed medical evaluations and prescribe and administer medications to several patients while Respondent was out of the country. Respondent inappropriately billed for services as though they were performed by a physician.

9. **Fraud Conviction:** On September 14, 2007, Respondent was found guilty of one count of fraud (Vendor Fraud, a Class III Felony) in the Circuit Court of McDonough County, Illinois, for inappropriately billing for medical services that he did not provide. The State of Illinois placed Respondent on probation for a period of ~~three~~ ^{TWO} years and ordered him to pay costs and restitution. (Paid in Full) ^{kd}

10. **Illinois Disciplinary Action:** On May 7, 2008, Respondent entered into a Stipulation and Recommendation for Settlement with the Illinois Division of Professional Regulation. Under the terms of the Stipulation and Recommendation for Settlement, Respondent was disciplined for the conduct described in paragraphs 8 and 9 above. Effective June 15, 2008, Respondent's Illinois medical license was suspended for a period of sixty days and he was ordered to pay a \$1,000 fine.

SETTLEMENT AGREEMENT

11. **SIXTY DAY SUSPENSION:** Respondent's Iowa medical license shall be suspended for a period of sixty (60) days beginning on the date of this Order. Respondent shall not engage in any aspect of the practice of medicine under his Iowa medical license during the period of suspension.

12. **CITATION AND WARNING:** Respondent is hereby **CITED** for violating a statute or law, which statute or law relates to the practice of medicine, for engaging in unethical or unprofessional conduct and practice harmful or detrimental to the public when he engaged in fraud in the practice of medicine and for being disciplined by another state licensing authority. Respondent is hereby **WARNED** that such conduct in the future may result in further disciplinary action, including revocation of his Iowa medical license.

13. **CIVIL PENALTY:** Respondent shall be assessed a civil penalty in the amount of **\$5,000**. The civil penalty shall be paid within twenty days of the date of this Order and 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.

14. **ETHICS PROGRAM:** Respondent shall successfully complete the Professional/Problem Based Ethics (PROBE) program sponsored by the Ethics Group, LLC, of Summit, New Jersey, no later than October 1, 2008. Respondent shall cause a report to be sent the Board directly from PROBE at the conclusion of the program. Respondent is responsible for all costs associated with the ethics program.

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

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

17. 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 Settlement Agreement.

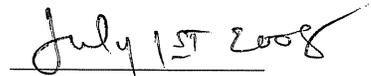
18. Respondent voluntarily submits this Order to the Board for consideration.

19. 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.

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



Khaled A. K. Dabash, M.D., Respondent



Date

Date Subscribed and sworn to before me on _____, 2008.

Notary Public, State of _____.

This Order is approved by the Board on July 24, 2008.



Yasyn Lee, M.D., Chairperson
Iowa Board of Medicine
400 SW 8th Street, Suite C
Des Moines, IA 50309-4686