

BEFORE THE IOWA BOARD OF MEDICINE

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

JEFFREY T. DARDINGER, M.D., RESPONDENT

FILE No. 02-13-124

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

COMES NOW the Iowa Board of Medicine (Board), and Jeffrey T. Dardinger, M.D., (Respondent), on June 28, 2013, 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. 38668 on September 23, 2009.
2. Respondent's Iowa medical license is active and will next expire on October 1, 2014.
3. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 147, 148 and 272C.

COUNT I

4. **Felony Criminal Conviction:** Respondent is charged pursuant to Iowa Code section 148.6(2)(b) and 653 IAC 23.1(9) for being convicted of a felony in the courts of this state, another state, the United States, or any country, territory, or other jurisdiction as defined in Iowa Code section 148.6(2)(b). A certified copy of the final order or judgment of conviction or plea of guilty in this state or in another state shall be conclusive evidence.

COUNT II

5. **Discipline by Another Licensing Authority:** Respondent is charged pursuant to Iowa Code section 148.6(2)(d) and 653 IAC 23.1(1) with having a license to practice medicine and surgery or osteopathic medicine and surgery revoked or suspended, or having other disciplinary action taken by a licensing authority of another state, territory, or country. A certified copy of the order of disciplinary action is prima facie evidence.

COUNT II

6. **Unethical or Unprofessional Conduct:** Respondent is charged pursuant to Iowa Code sections 147.55(3) and 272C.10(3), and 653 IAC sections 23.1(4), with engaging in unethical or unprofessional conduct. Engaging in unethical or unprofessional conduct includes, but is not limited to, the committing by a licensee of an act contrary to honesty, justice or good morals, whether the same is committed in the course of the licensee's practice or otherwise and whether committed within this state or elsewhere.

STATEMENT OF MATTERS ASSERTED

7. Respondent is an Iowa-licensed physician who formerly practiced radiology in Union, Kentucky.

8. **Felony Criminal Conviction:** Respondent secretly and repeatedly videotaped a teenage child in his home using a hidden camera. On January 4, 2013, Respondent pleaded guilty to one Count of Illegal Use of a Minor in Nudity Oriented Material or Performance, a felony in the fifth degree, in Hamilton County, Ohio. Respondent was ordered to perform 200 hours of community service, pay a \$2,500 fine and register as a sex offender.

9. **Kentucky Disciplinary Action:** On February 6, 2013, the Commonwealth of Kentucky Board of Medical Licensure (Kentucky Board) issued an Emergency Order of Suspension immediately suspending Respondent's Kentucky medical license based on the felony criminal conviction in Ohio.

SETTLEMENT AGREEMENT

10. **CITATION AND WARNING:** Respondent is hereby **CITED** for engaging in unethical or unprofessional conduct, pleading guilty to one Count of Illegal Use of a Minor in Nudity Oriented Material or Performance, a felony in the fifth degree, in Hamilton County, Ohio, and for being disciplined by the Commonwealth of Kentucky Board of Medical Licensure. Respondent is hereby **WARNED** that such conduct will not be tolerated by the Iowa Board of Medicine.

11. **VOLUNTARY SURRENDER:** Respondent **voluntarily surrenders** his Iowa medical license to resolve this matter.

12. Respondent shall submit a written statement to the Board which demonstrates that Respondent has shared a copy of this order with all medical licensing boards where Respondent holds a license, whether active or not, within thirty (30) days of the date of this order.

13. Respondent shall submit a written statement to the Board which demonstrates that Respondent has shared a copy of this order with all hospitals and clinics where Respondent practices medicine within thirty (30) days of the date of this order.

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

15. Respondent agrees that the State's counsel may present this Order to the Board for consideration.

16. By entering into this Order, Respondent understands that he has a right to legal counsel in this matter, 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.

17. 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.

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

19. Respondent understands that the Board is required by Federal law to report this Order to the National Practitioner Data Bank.

20. The Order becomes a public record available for inspection and copying upon execution in accordance with the requirements of Iowa Code Chapters 17A, 22 and 272C.

21. 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.

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

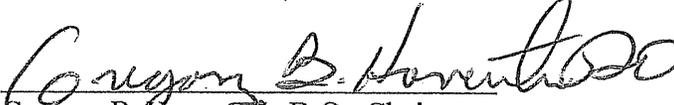


Jeffrey T. Dardinger, M.D., Respondent

Subscribed and sworn to before me on _____, 2013.

Notary Public, State of _____.

This Order is approved by the Board on June 28, 2013.



Gregory B. Hoversten, D.O., Chairman
Iowa Board of Medicine
400 SW 8th Street, Suite C
Des Moines, Iowa 50309-4686