

BEFORE THE IOWA BOARD OF MEDICINE

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

MARK J. DEARDEN, D.O., RESPONDENT

FILE Nos. 03-07-169 & 03-07-216

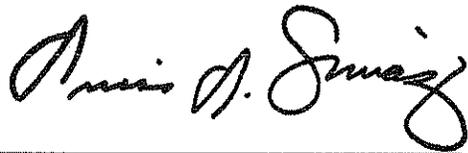
TERMINATION ORDER

Date: September 1, 2009.

1. Respondent was issued Iowa license No. 3457 on July 17, 2002.
2. Respondent's Iowa license is active and will next expire on March 1, 2011.
3. Respondent practices family medicine in Vinton, Iowa.
4. On July 10, 2008, Respondent entered into a combined Statement of Charges and Settlement Agreement with the Board. The Board charged Respondent with engaging in unprofessional conduct when he made inappropriate comments in the presence of co-workers and a patient. Under the terms of the Settlement Agreement, Respondent was issued a Citation and Warning and order to pay a \$2,500 Civil Penalty. At the direction of the Board, Respondent completed a professional boundary evaluation, professional boundary training and individual counseling.
5. Recently, the Board determined that Respondent successfully completed the Board-approved remediation program and voted to terminate his Board Order.

THEREFORE IT IS HEREBY ORDERED: Respondent's Board Order is terminated and Respondent's Iowa medical license is returned to its full privileges, free and clear of all restrictions.

IOWA BOARD OF MEDICINE

A handwritten signature in black ink, appearing to read "Siroos S. Shirazi". The signature is written in a cursive, flowing style.

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

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IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

MARK J. DEARDEN, D.O., RESPONDENT

FILE Nos. 03-07-169 & 03-07-216

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

COMES NOW the Iowa Board of Medicine (Board), and Mark J. Dearden, D.O., (Respondent), on July 10, 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 license No. 3457 on July 17, 2002.
2. Respondent's Iowa license is active and will next expire on March 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 sections 147.55(3) and 272C.10(3) and 653 IAC 23.1(4) with engaging in unprofessional conduct in the practice of medicine.

STATEMENT OF THE MATTERS ASSERTED

5. Respondent practices family medicine in Vinton, Iowa.

6. The Board alleges that Respondent made inappropriate comments in the presence of female co-workers and a patient.

7. Respondent filed an Answer denying the Board's allegations. However, Respondent voluntarily agreed to enter into this Order to resolve the allegations.

SETTLEMENT AGREEMENT

8. **CITATION AND WARNING:** Respondent is hereby **CITED** for making inappropriate comments in the presence of female co-workers and a patient. Respondent is hereby **WARNED** that such conduct in the future may result in further disciplinary action, including suspension or revocation of his Iowa medical license.

9. **CIVIL PENALTY:** Respondent shall pay a civil penalty in the amount of **\$2,500** within twenty (20) days of the date of this Order. The civil penalty 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.

10. **PROFESSIONAL BOUNDARY EVALUATION:** At the direction of the Board, Respondent completed a professional boundary evaluation at a Board-approved program. The Board concluded that Respondent does not pose an immediate threat to patients or staff. Respondent shall fully comply with the recommendations of the evaluation program.

11. **PROFESSIONAL BOUNDARY TRAINING:** Respondent shall complete Board-approved professional boundary training no later than August 31, 2008.

12. **COUNSELING:** Respondent shall complete Board-approved counseling for professional boundaries. Respondent shall attend at least one counseling session each month

and Respondent's counselor shall submit reports to the Board each quarter. The Board will consider terminating counseling after one year upon a recommendation from his counselor.

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

14. 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.

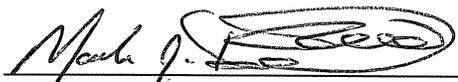
15. This Order constitutes the resolution of a contested case proceeding.

16. Respondent voluntarily submits Order to the Board for consideration.

17. 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.

18. This Order is subject to approval by the Board. If the Board fails to approve this Settlement Agreement and Final Order, it shall be of no force or effect to either party.

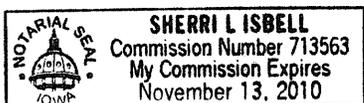
19. The Board's approval of this Order shall constitute a **Final Order** of the Board.



Mark J. Dearden, D.O., Respondent

Subscribed and sworn to before me on June 23rd, 2008.

Notary Public, State of Iowa.



This Order is approved by the Board on July 10, 2008.



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