

BEFORE THE IOWA BOARD OF MEDICINE

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

JAMES R. FREDE, M.D., RESPONDENT

FILE No. 02-12-333

STATEMENT OF CHARGES AND SETTLEMENT AGREEMENT

(Combined)

COMES NOW the Iowa Board of Medicine (Board), and James R. Frede, M.D., (Respondent), on March 8, 2013, and pursuant to Iowa Code sections 17A.10(2) and 272C.3(4) enter into this combined Statement of Charges and Settlement Agreement.

1. Respondent was issued Iowa medical license no. 38939 on April 27, 2010.
2. Respondent's Iowa medical license is active and will next expire on March 1, 2013.
3. The Board has jurisdiction in this matter pursuant to Iowa Code Chapters 147, 148 and 272C.

COUNT I

4. **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, osteopathic medicine and surgery, or osteopathy 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.

STATEMENT OF MATTERS ASSERTED

5. Respondent is an Iowa-licensed physician who currently practices obstetrics and gynecology in Kahului, Hawaii.

6. **Illinois Disciplinary Action:** On May 14, 2012, Respondent entered into a Consent Order with the Illinois Department of Financial and Professional Regulation, Division of Professional Regulation (Illinois Board). The Illinois Board alleged that Respondent inappropriately issued prescriptions for non-controlled substances for patients over the internet without establishing an appropriate physician-patient relationship. The Illinois Board indefinitely suspended Respondent's Illinois medical license.

7. **Other Disciplinary Action:** Respondent was subsequently disciplined by Utah, Missouri, Maine, Washington, California and North Carolina based on the Illinois disciplinary action.

SETTLEMENT AGREEMENT

8. **Voluntary Surrender:** Respondent voluntarily surrenders his Iowa medical license to resolve this matter.

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

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

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

12. 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.

13. 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.

14. Respondent shall share a copy of this order with all hospitals and clinics where Respondent practices medicine. Respondent shall submit a written statement to the Board from each hospital and clinic where Respondent practices medicine which indicates that they have read and fully understand the terms and conditions of this order.

15. Pursuant to 653 IAC 21.6, if applicable, Respondent shall notify all physician assistant supervisees within one workday upon receiving disciplinary action from the Board or any other change in status that affects the physician's eligibility to supervise a physician assistant.

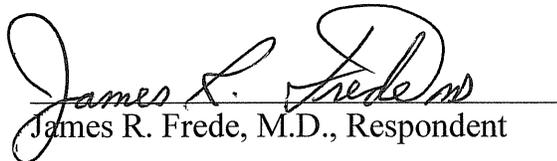
16. Respondent shall obey all federal, state and local laws, and all rules governing the practice of medicine in Iowa.

17. Respondent understands that the Board is required by Federal law to report this Order to the National Practitioner Data Bank and Healthcare Integrity and Protection Data Bank.

18. 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.

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.


James R. Frede, M.D., Respondent

Subscribed and sworn to before me on February 15, 2013.

Notary Public, State of Hawaii.

This Order is approved by the Board on March 8, 2013.



Colleen K. Stockdale, M.D., M.S., Chairwoman
Iowa Board of Medicine
400 SW 8th Street, Suite C
Des Moines, Iowa 50309-4686

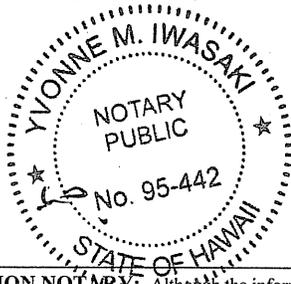
STATE OF HAWAII

2nd Circuit)
COUNTY OF Maui) SS.

On this 15th day of February, 2013

before me appeared James R. Frede, MD

to me personally known, who being by me duly sworn or affirmed, did say that such person(s) executed the foregoing instrument as the free act and deed of such person(s), and if applicable in the capacity shown, having been duly authorized to execute such instrument in such capacity.



[Signature]
YVONNE M. IWASAKI

Notary Public, State of Hawaii [2nd Judicial Circuit]

My Commission expires: 10/16/2015

ATTENTION NOTARY: Although the information below is OPTIONAL, it could prevent fraudulent attachment of this acknowledgement to another document.

THIS MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT THE RIGHT:

Title/type of document: Statement of Charges and Settlement Agreement Date of document: 2/15/2013

Number of pages in body of document (excluding, e.g., all acknowledgements and exhibits): 4

Signer(s) other than named above: [Signature]