

BEFORE THE IOWA BOARD OF MEDICINE

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

CASSANDRA N. GARCIA, M.D., RESPONDENT

FILE No. 02-12-441

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

COMES NOW the Iowa Board of Medicine (Board) and Cassandra N. Garcia, M.D., (Respondent), on June 28, 2013, and pursuant to Iowa Code sections 17A.10(2) and 272C.3(4) and 653 IAC 25.3, enter into this combined Statement of Charges and Settlement Agreement.

STATEMENT OF CHARGES

1. Respondent was issued Iowa medical license no. 33341 on February 11, 2000.
2. Respondent's Iowa medical license went inactive due to nonrenewal on October 1, 2004.
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 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.

STATEMENT OF THE MATTERS ASSERTED

5. Respondent is an Iowa-licensed physician who currently practices family medicine in ~~Cloverdale~~, California.
 SANTA ROSA (CA)

6. **California Disciplinary Action:** On or about May 25, 2012, Respondent entered into a Stipulated Settlement and Disciplinary Order with the Medical Board of California (California Board). The California Board alleged that Respondent engaged in gross negligence when she prescribed excessive controlled substances to a single patient between August 2006 and May 2010, including the following:

- A. Respondent failed to document a formal history and physical examination;
- B. Respondent failed to consult with other treating physicians who were prescribing medications to the patient;
- C. Respondent failed to identify and address the patient's substance abuse history;

- D. Respondent failed to discuss the risks and benefits for the use of opioids with the patient;
- E. Respondent overprescribed pain medications to the patient despite the patient's repeated concerns about organ toxicity;
- F. Respondent failed to periodically review the efficacy of the pain management treatment;
- G. Respondent failed to perform opioid risk scales and/or drug screens;
- H. Respondent failed to consider contributing psychological factors and/or consult with, or refer, the patient to a specialist;
- I. Respondent failed to assess the subjective factors outweighing objective pathology;
- J. Respondent failed to limit the number of controlled medications prescribed to the patient to assess the side effects of the medications;
- K. Respondent failed to maintain adequate and accurate medical records.

7. **Sanctions:** The California Board revoked Respondent's California medical license, stayed the revocation, and placed Respondent on probation for a period of three years subject to the following terms and conditions:

- A. Respondent was ordered to complete a Board-approved prescribing practices course;
- B. Respondent was ordered to complete a Board-approved medical record keeping course;

- C. Respondent was ordered to complete a Board-approved clinical training program;
- D. Respondent was ordered to complete a Board-approved practice monitoring program; and
- E. Respondent was prohibited from supervising physician assistants for the duration of the probation.

SETTLEMENT AGREEMENT

8. **CITATION AND WARNING:** Respondent is hereby **CITED** for being disciplined by the California Board for engaging in gross negligence when she prescribed excessive controlled substances to a single patient between August 2006 and May 2010. Respondent is hereby **WARNED** that being disciplined by another state licensing board and/or violating the laws and rules governing the practice of medicine in Iowa in the future may result in further formal disciplinary action against his Iowa medical license.

9. **COMPLIANCE WITH THE CALIFORNIA ORDER:** Respondent shall fully comply with the terms established by the California Board.

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

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

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

13. By entering into this Order, Respondent understands that he has a right to be represented by legal counsel, 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.

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

15. 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.

16. 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.

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.



Cassandra N. Garcia, 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