

BEFORE THE IOWA BOARD OF MEDICINE

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IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

JERRY A. HANCOCK, M.D., RESPONDENT

FILE No. 02-08-342

\*\*\*\*\*

TERMINATION ORDER

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Date: December 5, 2014.

1. Respondent was issued Iowa medical license no. 28152 on June 6, 1991.
2. Respondent's medical license is active and will next expire on December 1, 2016.
3. The Board has jurisdiction pursuant to Iowa Code chapters 147, 148 and 272C.
4. **Practice Setting:** Respondent formerly practiced obstetrics and gynecology in

Des Moines, Iowa.

5. **First Disciplinary Action:** On April 8, 2005, Respondent entered into a combined Statement of Charges and Settlement Agreement with the Board. The Board charged Respondent with engaging in a pattern of unprofessional conduct and/or disruptive behavior in violation of the laws and rules governing the practice of medicine in Iowa. The Board issued Respondent a Citation and Warning and referred him to the Iowa Physician Health Program (IPHP) for monitoring.

6. **Second Disciplinary Action:** On February 4, 2010, the Board charged Respondent with engaging in a pattern of unprofessional conduct and alcohol abuse in violation of the laws and rules governing the practice of medicine in Iowa. On July 8, 2010, Respondent entered into a Settlement Agreement with the Board to resolve the pending disciplinary charges. The Board issued Respondent a Citation and Warning and ordered him to pay a \$5,000 civil penalty. The Board also placed Respondent on probation for a period of five (5) years subject to counseling and Board monitoring.

7. **Termination of Probation:** On December 5, 2014, the Board concluded that Respondent has fully complied with the terms established in the February 4, 2010, Settlement Agreement and voted to terminate the terms of probation.

**THEREFORE IT IS HEREBY ORDERED:** that the terms of probation established in the February 4, 2010, Settlement Agreement, are terminated and Respondent's Iowa medical license is returned to its full privileges, free and clear of all restrictions.

This Order is effective on December 5, 2014.

**IOWA BOARD OF MEDICINE**



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Hamed H. Tewfik, M.D., Chairman  
Iowa Board of Medicine  
400 SW 8<sup>th</sup> Street, Suite C  
Des Moines, Iowa 50309-4686

**BEFORE THE IOWA BOARD OF MEDICINE**

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**IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST**

**JERRY A. HANCOCK, M.D., RESPONDENT**

**FILE No. 02-08-342**

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**SETTLEMENT AGREEMENT**

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**COMES NOW** the Iowa Board of Medicine (Board), and Jerry A. Hancock, M.D., (Respondent), and on July 8, 2010, and pursuant to Iowa Code sections 17A.10(2) and 272C.3(4) enter into this Settlement Agreement to resolve this matter.

**STATEMENT OF CHARGES**

1. Respondent was issued Iowa medical license no. 28152 on June 6, 1991.
2. Respondent's license is active and will next expire on December 1, 2010.
3. The Board has jurisdiction pursuant to Iowa Code chapters 147, 148 and 272C.

**STATEMENT OF MATTERS ASSERTED**

4. Respondent practices obstetrics and gynecology in Des Moines, Iowa.
5. In 1999, the Board received information which indicated that Respondent acted in a verbally abusive manner toward at least three patients. On June 30, 1999, the Board issued a confidential order requiring Respondent to complete a comprehensive physical, neuropsychological and substance abuse evaluation. The Board recommended that Respondent participate in counseling and abstain from the use of alcohol.

6. The Board subsequently received information which indicated that Respondent continued to engage in verbally abusive conduct toward patients and others. On November 5, 2004, the Board issued a second confidential order requiring Respondent to complete a second comprehensive physical, neuropsychological and disruptive behavior evaluation. On April 8, 2005, Respondent entered into a combined Statement of Charges and Settlement Agreement with the Board. The Board issued Respondent a Citation and Warning and referred him to the Iowa Physician Health Program (IPHP) for counseling and monitoring.

7. On July 22, 2008, the Board received information which indicated that Respondent was removed from a rock concert in Des Moines, Iowa, in July 2008. The information indicated that Respondent became angry with other concert-goers and security was called. On July 8, 2009, the Board issued a third confidential order requiring Respondent to complete a comprehensive physical, neuropsychological and substance abuse evaluation. On September 16, 2009, Respondent completed the Board-ordered comprehensive physical, neuropsychological and substance abuse evaluation.

8. On February 4, 2010, the Board filed disciplinary charges against Respondent alleging that he engaged in a pattern of unprofessional conduct and abuse of alcohol in violation of the laws and rules governing the practice of medicine in Iowa.

## SETTLEMENT AGREEMENT

9. **CITATION AND WARNING:** Respondent is hereby **CITED** for engaging in a pattern of unprofessional conduct in violation of the laws and rules governing the practice of medicine in Iowa. 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.

10. **CIVIL PENALTY:** Respondent shall pay a civil penalty in the amount of **\$5,000** 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.

11. **FIVE YEARS PROBATION:** Respondent shall be placed on **probation for a period of five (5) years** subject to the following terms and conditions:

- A. **Monitoring Program:** Respondent shall establish a monitoring program with Shantel Billington, Compliance Monitor, Iowa Board of Medicine, 400 SW 8<sup>th</sup> Street, Suite C, Des Moines, IA 50309-4686, Ph.#515-281-3654. Respondent shall fully comply with all requirements of the monitoring program.
- B. **Compliance with Assessment Program Recommendations:** Respondent shall fully comply with all recommendations made by the assessment program.
- C. **Psychiatrist:** Respondent shall submit for Board approval the name and CV of a psychiatrist with expertise working with professionals with substance abuse and behavioral problems.

- (1) The psychiatrist shall submit written quarterly reports to the Board concerning Respondent's progress not later than 1/20, 4/20, 7/20 and 10/20 of each year of this Order.
  - (2) Respondent shall continue with treatment until discharged by the psychiatrist and until Respondent's discharge is approved by the Board.
  - (3) Respondent shall meet with his psychiatrist as frequently as recommended by the psychiatrist and approved by the Board.
- Respondent is responsible for all costs associated with treatment.

**D. Counseling:** Respondent shall submit for Board approval the name and CV of a counselor with expertise working with professionals with substance abuse and behavioral problems.

- (1) The counselor shall submit written quarterly reports to the Board concerning Respondent's progress not later than 1/20, 4/20, 7/20 and 10/20 of each year of this Order.
  - (2) Respondent shall continue with counseling until discharged by the counselor and until Respondent's discharge from counseling is approved by the Board.
  - (3) Respondent shall meet with his Board-approved counselor as frequently as recommended by the counselor and approved by the Board.
- Respondent is responsible for all costs associated with counseling.

E. **Principles of Medical Ethics, Staff Surveillance Forms and Patient Satisfaction Surveys:**

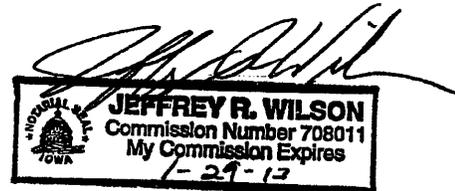
- (1) Respondent shall post the Principles of Medical Ethics in his medical practice as directed by the Board.
- (2) Respondent shall utilize Staff Surveillance Forms in his medical practice as directed by the Board.
- (3) Respondent shall utilize Patient Satisfaction Surveys in his medical practice as directed by the Board.

F. **Physician Mentor:** Respondent shall submit the name and CV of a physician to serve as his physician mentor for Board approval. Respondent shall meet regularly with the Board-approved physician mentor, once per week initially, to discuss his relationships with staff and others and how he is doing the stressors in his life and medical practice. The Board shall share a copy of all Board orders relating to this matter with the physician mentor. The physician mentor shall provide a written statement indicating that the mentor has read and understands all Board orders and agrees to serve as the physician mentor under the terms of this agreement. The physician mentor shall agree to inform the Board immediately if there is evidence of unprofessional conduct, disruptive behavior or substance abuse. The physician mentor shall agree to submit quarterly reports to the Board concerning Respondent's conduct not later than 1/20, 4/20, 7/20 and 10/20 of each year of this Order.

- G. **Quarterly Reports:** Respondent shall file sworn quarterly reports attesting to his compliance with all the terms and conditions of this Order not later than 1/10, 4/10, 7/10 and 10/10 of each year of this Order.
- H. **Board Appearances:** Respondent shall make an appearance before the Board annually or upon request. Respondent shall be given written notice of the date, time and location for the appearances. Such appearances shall be subject to the waiver provisions of 653 IAC 24.2(5)(d).
- I. **Monitoring Fee:** Respondent shall make a payment of \$100 to the Board each quarter for the duration of this Order to cover the Board's monitoring expenses in this matter. The monitoring fee shall be received by the Board with each quarterly report required under this Order. The monitoring fee shall be sent to: Shantel Billington, Compliance Monitor, Iowa Board of Medicine, 400 SW 8<sup>th</sup> Street, Suite C, Des Moines, IA 50309-4686. The check shall be made payable to the Iowa Board of Medicine. The monitoring fee shall be considered repayment receipts as defined in Iowa Code section 8.2.
12. Respondent shall obey all federal, state and local laws, and all rules governing the practice of medicine in Iowa.
13. 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 24.

14. Respondent voluntarily submits this Order to the Board for consideration.
15. Periods of residence or practice outside the state of Iowa shall not apply to the duration of this Order unless Respondent obtains prior written approval from the Board. Periods in which Respondent does not practice medicine or fails to comply with the terms established in this Order shall not apply to the duration of this Order unless Respondent obtains prior written approval from the Board.
16. This Order constitutes the resolution of a contested case proceeding.
17. This Order is subject to approval by 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.

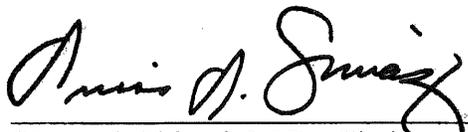
  
\_\_\_\_\_  
Jerry A. Hancock, M.D., Respondent



Subscribed and sworn to before me on 6/15, 2010.

Notary Public, State of Iowa.

This Order is approved by the Board on July 8, 2010.

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

**BEFORE THE IOWA BOARD OF MEDICINE**

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**IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST**

**JERRY A. HANCOCK, M.D., RESPONDENT**

**FILE No. 02-08-342**

\*\*\*\*\*

**STATEMENT OF CHARGES**

\*\*\*\*\*

**COMES NOW** the Iowa Board of Medicine (Board) on February 4, 2010, and files this Statement of Charges pursuant to Iowa Code Section 17A.12(2). Respondent was issued Iowa medical license no. 28152 on June 6, 1991. Respondent's license is active and will next expire on December 1, 2010.

**A. TIME, PLACE AND NATURE OF HEARING**

1. Hearing. A disciplinary contested case hearing shall be held on March 25, 2010, before the Iowa Board of Medicine. The hearing shall begin at 8:30 a.m. and shall be located in the conference room at the Iowa Board of Medicine office at 400 SW 8<sup>th</sup> Street, Suite C, Des Moines, Iowa.

2. Answer. Within twenty (20) days of the date you are served this Notice of Hearing you are required by 653 Iowa Administrative Code 25.10 to file an Answer. In that Answer, you should also state whether you will require a continuance of the date and time of the hearing.

3. Presiding Officer. The Board shall serve as presiding officer, but the Board may request an Administrative Law Judge make initial rulings on prehearing matters, and be present to assist and advise the board at hearing.

4. Prehearing Conference. A prehearing conference will be held by telephone on March 4, 2010, at 10:00 a.m., before an Administrative Law Judge from the Iowa Department of Inspections and Appeals (ALJ). Please contact Kent M. Nebel, J.D., Legal Director, Iowa Board of Medicine, at 515-281-7088 with the telephone number at which you or your legal counsel can be reached. Board rules on prehearing conferences may be found at 653 Iowa Administrative Code 25.15.

5. Hearing Procedures. The procedural rules governing the conduct of the hearing are found at 653 Iowa Administrative Code Chapter 25. At hearing, you will be allowed the opportunity to respond to the charges against you, to produce evidence on your behalf, cross-examine witnesses, and examine any documents introduced at hearing. You may appear personally or be represented by counsel at your own expense. If you need to request an alternative time or date for hearing, you must review the requirements in 653 Iowa Administrative Code 25.16. The hearing may be open to the public or closed to the public at the discretion of the Respondent.

6. Prosecution. The office of the Attorney General is responsible for representing the public interest (the State) in this proceeding. Pleadings shall be filed with the Board and copies should be provided to counsel for the State at the following address: Theresa O'Connell Weeg, Assistant Attorney General, Iowa Attorney General's Office, 2<sup>nd</sup> Floor, Hoover State Office Building, Des Moines, Iowa 50319.

7. Communications. You may not contact board members by phone, letter, facsimile, e-mail, or in person about this Notice of Hearing. Board members may only receive information about the case when all parties have notice and an opportunity to participate, such as at the hearing or in pleadings you file with the Board office and serve upon all parties in the case. You may contact Kent M. Nebel, J.D., Legal Director, at 515-281-7088 or to Assistant Attorney General Theresa O'Connell Weeg at 515-281-6858.

## **B. LEGAL AUTHORITY AND JURISDICTION**

8. Jurisdiction. The Board has jurisdiction in this matter pursuant to Iowa Code Chapters 17A, 147, 148, and 272C (2005).

9. Legal Authority: If any of the allegations against you are founded, the Board has authority to take disciplinary action against you under Iowa Code Chapters 17A, 147, 148, and 272C (2005) and 653 Iowa Administrative Code Chapter 25.25.

10. Default. If you fail to appear at the hearing, the Board may enter a default decision or proceed with the hearing and render a decision in your absence, in accordance with Iowa Code Section 17A.12(3) and 653 Iowa Administrative Code 25.20.

**C. SECTIONS OF STATUTES AND RULES INVOLVED**

**COUNT I**

11. 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 a pattern of unprofessional conduct.

**COUNT II**

12. Respondent is charged pursuant to Iowa Code sections 147.55(4) and 272C.10(4) with habitual intoxication.

**COUNT III**

13. Respondent is charged pursuant to Iowa Code section 148.6(2)(h) and 653 IAC 23.1(6) with inability to practice medicine with reasonable skill and safety due to substance abuse and/or excessive use of alcohol.

**COUNT IV**

14. Respondent is charged pursuant to Iowa Code sections 147.55(3) and 272C.10(3) with practice harmful or detrimental to the public.

**D. STATEMENT OF MATTERS ASSERTED**

15. Respondent practices obstetrics and gynecology in Des Moines, Iowa.

16. In 1999, the Board received information which indicated that Respondent acted in a verbally abusive and unprofessional manner toward at least three patients. On June 30, 1999, the Board issued a confidential order requiring Respondent to complete a

comprehensive physical, neuropsychological and substance abuse evaluation. Upon review of the evaluation report, the Board had concerns about Respondent's anger management problems in the work place and his alcohol use and recommended that he complete cognitive behavioral counseling and abstain from the use of alcohol.

17. The Board subsequently received information which indicated that Respondent continued to engage in verbally abusive and unprofessional conduct toward patients and others after he completed the 1999 Board-ordered evaluation, and the Board recommended counseling. On November 5, 2004, the Board issued a confidential order requiring Respondent to complete a second comprehensive physical, neuropsychological and disruptive behavior evaluation. Upon review of the evaluation report, the Board determined that Respondent had anger management problems that impacted his medical practice. On April 8, 2005, Respondent entered into a combined Statement of Charges and Settlement Agreement with the Board. Respondent was charged with engaging in unprofessional conduct and disruptive behavior in the practice of medicine. The Board issued Respondent a Citation and Warning and referred him to the Iowa Physician Health Program (IPHP) for disruptive behavior counseling and monitoring. Respondent completed the IPHP monitoring.

18. The Board received information which indicated that Respondent was removed from a rock concert in Des Moines, Iowa, in July 2008. The information indicated Respondent became angry and threatening toward other concert-goers and security was called. The security staff indicated that Respondent appeared intoxicated. On July 8, 2009,

the Board issued a third confidential order requiring Respondent to complete a comprehensive physical, neuropsychological and substance abuse evaluation. On September 16, 2009, Respondent completed the Board-ordered comprehensive physical, neuropsychological and substance abuse evaluation.

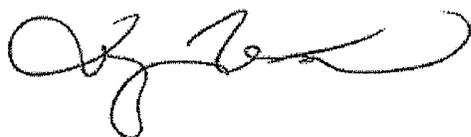
19. The Board alleges that Respondent has engaged in a pattern of alcohol abuse and unprofessional conduct.

#### **E. SETTLEMENT**

20. Settlement. This matter may be resolved by settlement agreement. The procedural rules governing the Board's settlement process are found at 653 Iowa Administrative Code 12.25. If you are interested in pursuing settlement of this matter, please contact Kent M. Nebel, J.D., Legal Director at 515-281-7088.

#### **F. PROBABLE CAUSE FINDING**

21. On this 4<sup>th</sup> day of February, 2010, the Iowa Board of Medicine found probable cause to file this Statement of Charges.



Rodney Zeitler, M.D., Vice Chairman  
Iowa Board of Medicine  
400 SW 8<sup>th</sup> Street, Suite C  
Des Moines, Iowa 50309-4686