

BEFORE THE IOWA BOARD OF MEDICINE

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

RAYMOND D. HELLER, M.D., RESPONDENT

FILE No. 02-12-294

STATEMENT OF CHARGES AND SETTLEMENT AGREEMENT

(Combined)

COMES NOW the Iowa Board of Medicine (Board), and Raymond D. Heller, M.D., (Respondent), on January 11, 201~~2~~³, 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. 31565 on October 31, 1996.
2. Respondent's Iowa medical license went inactive due to nonrenewal on November 1, 1999.
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 practices general medicine in Omaha, Nebraska.

6. **Colorado Disciplinary Action:** On or about September 7, 2000, Respondent entered into a Stipulation and Final Agency Order with the Colorado Board of Medical Examiners (Colorado Board). The Colorado Board charged Respondent with engaging in an intimate relationship with a co-worker for whom he had provided treatment within the prior six months. Respondent received a letter of admonition and was required to complete a Board-approved boundary education program.

7. **Iowa Disciplinary Action:** On May 3, 2001, the Board charged Respondent with being disciplined by the Colorado Board. On October 18, 2011, Respondent entered into a Settlement Agreement and Final Order with the Board. The Board issued Respondent a Citation and Warning for being disciplined by the Colorado Board for engaging in an inappropriate relationship with a co-worker within six months of providing treatment.

8. **Criminal Conviction:** On January 25, 2012, Respondent was convicted of Conspiracy to Dispense a Controlled Substance, a felony, in the United States District Court Northern District of Oklahoma. Respondent was sentenced to sixty (60) months of probation, eight (8) months of home detention with electronic monitoring, one hundred (100) hours of community service and a \$100.00 court fee.

9. **Nebraska Disciplinary Action:** On or about February 16, 2012, Respondent entered into an Agreed Settlement with the Nebraska Department of Health and Human Services, Division of Public Health (Nebraska Board) based on the criminal conviction. Respondent was placed on probation for a period of five (5) years subject to Board monitoring. Respondent was prohibited from prescribing, administering, dispensing or possessing any controlled substance at any time and required to complete continuing education for appropriate prescribing. Respondent was also required to have his medical practice supervised by a Board-approved Practice Monitor.

SETTLEMENT AGREEMENT

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

13. 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.

14. 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.

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

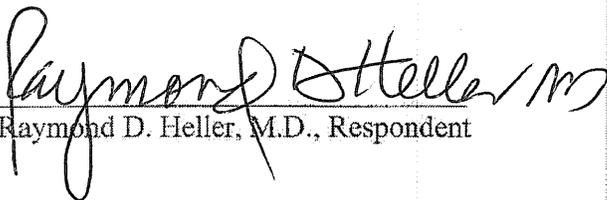
16. Pursuant to 653 IAC 21.6, if applicable, Respondent shall notify all physician assistant supervisees within one workday upon receiving disciplinary action from the Board or any other change in status that affects the physician's eligibility to supervise a physician assistant.

17. This 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.

18. 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.

19. 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.

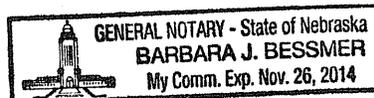
20. The Board's approval of this Order shall constitute a **Final Order** of the Board.


Raymond D. Heller, M.D., Respondent

Subscribed and sworn to before me on Dec. 11, 2012.

Notary Public, State of Nebraska.





This Order is approved by the Board on January 11, 201~~2~~³.

Colleen K. Stockdale MD MS

Colleen K. Stockdale, M.D., M.S., Chairwoman
Iowa Board of Medicine
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