

BEFORE THE IOWA BOARD OF MEDICINE

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

DELNA LEE, M.D., RESPONDENT

FILE No. 02-08-623

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

COMES NOW the Iowa Board of Medicine (Board), and Delna Lee, M.D., (Respondent), on April 8, 2011, and pursuant to Iowa Code sections 17A.10(2) and 272C.3(4), enter into this combined Statement of Charges and Settlement Agreement to resolve this matter.

STATEMENT OF CHARGES

1. Respondent was issued Iowa medical license no. 33071 on August 11, 1999.
2. Respondent's Iowa medical license is active and will next expire on May 1, 2012.
3. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 147, 148 and 272C.

COUNT I

4. Respondent is charged pursuant to Iowa Code sections 147.55(2), 148.6(2)(g) and 272C.10(2) and 653 IAC 23.1(2)(f) for failing to conform to the standard of acceptable and prevailing practice of medicine in Iowa.

STATEMENT OF MATTERS ASSERTED

5. Respondent practices family medicine in Sioux City, Iowa.

6. The Board alleges that Respondent failed to conform to the standard of acceptable and prevailing practice of medicine when she failed to perform a timely examination on an insulin-dependent diabetic patient who was admitted to the hospital via the emergency department to Respondent's care on October 29, 2006, for pain control with complaints of chest and back pain, a sore throat with swelling, hyperglycemia, tachycardia, and slightly elevated temperature and respiration.

7. At the direction of the Board, Respondent completed Board-approved continuing medical education for the infectious disease risks associated with diabetes mellitus on November 22-23, 2010.

SETTLEMENT AGREEMENT

8. **CITATION AND WARNING:** Respondent is hereby **CITED** for failing to conform to the standard of practice of medicine in Iowa. Respondent is hereby **WARNED** that such practice in the future may result in further formal disciplinary action, including suspension or revocation of her Iowa medical license.

9. **CIVIL PENALTY:** Respondent shall pay a **\$5,000** civil penalty. The civil penalty shall be paid within twenty (20) days of this Order and 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. **BOARD-APPROVED CORRECTIVE ACTION PLAN:** Prior to the Board's approval of this Order, Respondent shall submit a written corrective action plan to the Board for approval which describes what Respondent has learned from this matter and the steps she has taken to avoid similar concerns in the future.

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

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

13. 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.

14. In the event Respondent fails to comply with any of the terms of this Order, the Board may initiate action to suspend or revoke Respondent's 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. 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.

17. Respondent agrees that the State's counsel may present this Order to the Board.

18. 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.

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



Delna Lee, M.D., Respondent

Subscribed and sworn to before me on March 10, 2011.

Notary Public, State of Iowa.

This Order is approved by the Board on April 8, 2011.



Siroos S. Shirazi, M.D., Chairperson
Iowa Board of Medicine
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Des Moines, Iowa 50309-4686