

**BEFORE THE IOWA BOARD OF MEDICINE**

\*\*\*\*\*

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

**RANDY S. LENTZ, M.D., RESPONDENT**

**FILE No. 02-13-403**

\*\*\*\*\*

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

\*\*\*\*\*

COMES NOW the Iowa Board of Medicine (Board) and Randy S. Lentz, M.D., (Respondent), on December 20, 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. 33371 on February 28, 2000.
2. Respondent's Iowa medical license went inactive due to nonrenewal on January 1, 2002.
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 medicine in Jesup, Georgia.

6. **Criminal Conviction:** On or about December 21, 2009, Respondent pled guilty to one felony count of conspiracy to commit health care fraud in the United States District Court, Southern District of Georgia, for prescribing and billing for physical therapy services to Medicaid and Medicare, when the services were either not medically necessary or were not provided. The records indicate that Respondent's former employee double billed for physical therapy services. Respondent was originally indicted on one hundred counts. Respondent was sentenced to 34 months in prison followed by three years supervised release.

7. **Georgia Disciplinary Action:** On or about June 7, 2013, Respondent was disciplined by the Georgia Composite Medical Board (Georgia Board) based on the felony criminal conviction. The Georgia Board issued

Respondent a public reprimand and ordered him to complete ten hours of ethics training and pay \$550 in costs. Respondent has successfully completed the requirements established by the Georgia Board. See Attachment A.

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 understands that he has a right to be represented by legal counsel in this matter, 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.

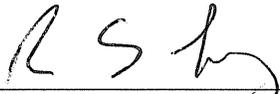
12. Respondent shall obey all federal, state and local laws, and all rules governing the practice of medicine in Iowa.

13. Respondent understands that the Board is required by Federal law (45 C.F.R. 60.8) to report this Order to the National Practitioner Data Bank.

14. 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.

15. 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.

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



\_\_\_\_\_  
Randy S. Lentz, M.D., Respondent

Subscribed and sworn to before me on Oct 23, 2013.

Notary Public, State of Georgia



This Order is approved by the Board on December 20, 2013.



\_\_\_\_\_  
Gregory B. Hoversten, D.O., Chairman  
Iowa Board of Medicine  
400 SW 8<sup>th</sup> Street, Suite C  
Des Moines, Iowa 50309-4686

BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD

STATE OF GEORGIA

**GEORGIA COMPOSITE  
MEDICAL BOARD**

IN THE MATTER OF:

RANDY SCOTT LENTZ, M.D.,  
License No. 050500,  
Respondent.

\*  
\*  
\*  
\*  
\*

JUN 27 2013

**DOCUMENT NUMBER**

20130040

FINAL DECISION

A hearing was held before Georgia Composite Medical Board ("Board") on May 3, 2013 pursuant to a Notice of Hearing issued March 19, 2013. The hearing on May 3, 2013 was adjourned prior to completion due to the evacuation of the building; the hearing was continued and rescheduled for June 7, 2013. At the hearing on both May 3, 2013 and June 7, 2013, the Board was represented by Janet B. Wray, Senior Assistant Attorney General of the Office of the Georgia Attorney General, and Randy Scott Lentz, M.D ("Respondent") was present and represented by Andrew M. Wilkes, Esq.

Prior to the hearing, the parties submitted a Joint Stipulation of Facts and Admissibility of Documents. The documents, duly admitted during the hearing, included State's Exhibit 1, Judgment, Plea, Indictment, Sentencing (CR406-00309-001); Respondent's Exhibit 1, Sentencing Transcript, 12/21/09 (CR406-00309-001); and Respondent's Exhibit 2, Affidavit of Joe Ierardi.

During the hearing, Gerald Filmore, M.D. and Ross Allen Goehring, M.D. testified on behalf of the Respondent and the Respondent testified on his own behalf.

After hearing testimony and reviewing the documentary evidence, and after due consideration of such evidence, the Board makes the following findings of fact and conclusions of law, and issues this final agency decision in this matter.

---

FINDINGS OF FACT

1.

Respondent was licensed to practice medicine in the State of Georgia by the Board on or about August 3, 2001. His current license to practice medicine expires January 31, 2015. Joint Stipulation, para. 1.

2.

On or about December 21, 2009, Respondent pled guilty to one count of conspiracy to commit health care fraud in the United States District Court, Southern District of Georgia, Case No. CR406-00309-001. According to the plea agreement, this conviction was for the prescription of physical therapy services and the billing of physical therapy services to Medicaid and Medicare, when said services were either not medically necessary or were not provided. Respondent was sentenced to imprisonment for 34 months followed by three years of supervised release. Special conditions of the supervised release included 200 hours of professional community service of rendering medical treatment to indigent patients during the first eighteen months of supervision. Respondent was also ordered to pay restitution of \$248,755. Joint Stipulation; State's Exhibit 1.

3.

Respondent built a World Gym in his town with complete physical therapy services. Respondent employed a physical therapist, Scott Bolan, who worked for him for about six months but Respondent fired him due to attitude problems and behavior issues. After Respondent fired him, Respondent learned from patients that the physical therapist was double billing. Respondent reported the issue to Medicare. Respondent took "a hundred percent responsibility"; he did not watch any of the physical therapists do any of their work, and they gave the billing to the Respondent's wife who did the billing under the Respondent's billing number. Respondent was indicted on 100 counts and, after about three years, pled guilty to one

---

count of reckless billing. Testimony of Randy Scott Lentz, M.D., Transcript of May 3, 2013, pgs. 34-36; and Testimony of Randy Scott Lentz, M.D., Transcript of May 7, 2013, p. 11.

4.

Respondent began serving his prison sentence on February 20, 2010 after having practiced medicine in Jesup, Georgia for almost ten years. Testimony of Randy Scott Lentz, M.D., Transcript of May 3, 2013, p. 32. During that ten year period of time, Respondent, to his knowledge, did not have any complaints against his medical license, problems with the hospital, or any issues as to patient care. He was never sued for malpractice and did not have any restrictions placed on his medical license. Ibid.

5.

Respondent served approximately 80% of his prison sentence, was discharged to a halfway house in Savannah, Georgia in April 2012, and was fully discharged in August 2012. As soon as he was released in April 2012, Respondent immediately began practicing medicine. Testimony of Randy Scott Lentz, M.D., Transcript of May 3, 2013, p. 37. Part of Respondent's sentence requires that Respondent perform 200 hours of indigent patient services under a supervising physician. Testimony of Randy Scott Lentz, M.D., Transcript of May 7, 2013, p. 19.

6.

Following his release from prison, Respondent offered his medical services to uninsured and underserved patients that have been directed to his care mostly from the Wayne Memorial Hospital emergency room physicians. Respondent is providing appropriate and needed medical care to patients in that area that would otherwise not receive primary care services. Respondent has never had any restrictions or limitations placed on his staff privileges at Wayne Memorial Hospital. Affidavit of Joseph P. Ierardi, Chief Executive Officer for Wayne Memorial Hospital.

---

7.

Gerald Filmore, M.D., a physician who practices emergency medicine at Wayne Memorial Hospital in Jesup, Georgia, has known Respondent in a personal and professional capacity for approximately 1 ½ years. Testimony of Gerald Filmore, M.D., Transcript of May 3, 2013, p. 16. Respondent had agreed to see indigent patients who needed follow up after having been seen in the emergency room, has made himself available as a referral source, and has not put any limitations on types of patients referred to him. Testimony of Gerald Filmore, M.D., Transcript of May 3, 2013, pgs. 17-18.

8.

Ross Allen Goehring, M.D., a physician who practices family medicine in Jesup, Georgia, has known Respondent since 2001 and continuously shared “call” with Respondent from 2001 until Respondent went to prison. Testimony of Ross Allen Goehring, M.D., Transcript of May 3, 2013, pgs. 23-24. Dr. Goehring entrusted Respondent with the care of his patients, believes Respondent is an excellent physician, and has never had any problems with any of his patients that Respondent covered for him. Testimony of Ross Allen Goehring, M.D., Transcript of May 3, 2013, p. 24. Dr. Goehring would be willing to share call with Respondent if not for issues with his malpractice carrier. Testimony of Ross Allen Goehring, M.D., Transcript of May 3, 2013, p. 25. Dr. Goehring opined that Respondent’s legal trouble did not impact patient care. There is a need for an additional primary care physician in their geographic area. Testimony of Ross Allen Goehring, M.D., Transcript of May 3, 2013, p. 26.

9.

Respondent takes full responsibility, does all of his own billing now, has a billing company that he speaks to daily, and has learned his lesson. Testimony of Randy Scott Lentz, M.D., Transcript of May 7, 2013, p. 12. None of the investigation involved evidence that

---

Respondent compromised patient care or harmed any patients. Testimony of Randy Scott Lentz, M.D., Transcript of May 7, 2013, p. 14. Upon his release from prison, the Respondent was encouraged [to practice medicine] by the Bureau of Prisons. The Respondent is currently banned as a provider under Medicaid and Medicare but may qualify for a hardship exemption because there are not enough providers in [his] area. Testimony of Randy Scott Lentz, M.D., Transcript of May 7, 2013, p. 15, 17, and 18.

#### CONCLUSIONS OF LAW

O.C.G.A. §§ 43-34-8(a)(3) authorizes the Board to discipline a medical license upon a finding that a licensee has been convicted of a felony in the courts of the United States.

O.C.G.A. §§ 43-34-8(a)(4) authorizes the Board to discipline a medical license upon a finding that a licensee has committed a crime involving moral turpitude, without regard to conviction; the conviction of a crime involving moral turpitude shall be evidence of the commission of such crime. Respondent's conviction in Case Number CR406-00309-001 in the United States District Court for the Southern District of Georgia constitutes sufficient grounds for the Board to discipline Respondent's license to practice medicine in the State of Georgia. O.C.G.A. §43-34-8(b)(1) sets forth the actions the Board may take when it finds that any person should be disciplined pursuant to subsection (a) of this Code section.

#### DECISION

Counsel for the Board has presented evidence that that disciplinary action is warranted since Respondent was convicted of one felony count of conspiracy to commit health care fraud in the United States District Court, Southern District of Georgia. Respondent has presented his case to the Board and asked to be allowed to continue to practice medicine. The Board has carefully considered the specific facts in this case, particularly that the court required, as part of its sentence, that Respondent continue to practice medicine after his incarceration; that the

---

Respondent has been so practicing since in or about April 2012; and that Respondent is helping to bring medical services to patients who might otherwise not receive primary care services. Therefore, in light of all of the facts in this case, the Board has determined the appropriate sanction is to publicly reprimand Respondent for his conduct and further order that Respondent complete ten (10) hours of continuing medical education in ethics within six (6) months and pay the Board administrative costs of five hundred fifty dollars (\$550.00) within thirty (30) days from docketing of this Final Decision.

So ordered, this 7<sup>th</sup> day of June, 2013.

**GEORGIA COMPOSITE MEDICAL BOARD**

BY:



WILLIAM J. BUTLER, M.D.  
Chairperson

ATTEST:



LASHARN HUGHES  
Executive Director

BEFORE THE GEORGIA COMPOSITE MEDICAL BOARD

STATE OF GEORGIA **GEORGIA COMPOSITE  
MEDICAL BOARD**

IN THE MATTER OF:

RANDY LENTZ, MD,  
License No. 50500,  
Respondent

JUL 11 2013

**DOCKET NUMBER**

20130040

PUBLIC ORDER TERMINATING TERMS

WHEREAS, the Georgia Composite Medical Board ("Board") entered a Final Decision in the above-styled matter on **June 7, 2013**, which placed terms on Respondent's license to practice medicine in the State of Georgia, and

WHEREAS, Respondent has petitioned to have the terms lifted, and

WHEREAS, the Board has determined that the Respondent has complied with all the terms and conditions,

NOW, THEREFORE, IT IS HEREBY ORDERED that the terms placed on Respondent's license to practice medicine in the State of Georgia be **TERMINATED**.

SO ORDERED THIS 11<sup>th</sup> DAY OF JULY 2013.

BY:

*Richard L. Weil, MD*

Richard L. Weil, MD  
Board Chairperson

ATTEST:

*Lasharn Hughes*  
LASHARN HUGHES  
Executive Director

(BOARD SEAL)