

BEFORE THE IOWA BOARD OF MEDICINE

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

JEAN M. LORENTZEN, D.O., RESPONDENT

File No. 03-04-737

SETTLEMENT AGREEMENT

COMES NOW the Iowa Board of Medicine (Board), and Jean M. Lorentzen, D.O., (Respondent), on October 21, 2009, and pursuant to Iowa Code sections 17A.10(2) and 272C.3(4), enter into this Settlement Agreement to resolve the contested case currently on file.

1. Respondent was issued Iowa osteopathic medical license no. 02371 on July 24, 1989.
2. Respondent's Iowa medical license is active and will next expire on June 1, 2010.

STATEMENT OF MATTERS ASSERTED

3. Respondent practices internal medicine in Boone, Iowa.
4. On March 29, 2007, the Board filed charges against Respondent. On March 5, 2009, the Board filed an Amended Statement of Charges and Respondent filed an answer denying the allegations.

5. **CITATION AND WARNING:** Respondent is hereby **CITED** for failing to document appropriate physical exams, diagnostic testing, diagnoses and the prescribed treatments. Respondent is hereby **WARNED** that failure to document appropriate physical exams, diagnostic testing, diagnoses and the prescribed treatments in the future may result in further disciplinary action, including suspension or revocation of her Iowa medical license.

6. **RECORD KEEPING COURSE:** Respondent shall complete a Board-approved record keeping course within ninety (90) days of the date of this Order.

7. **PHYSICAL EXAMINATION REVIEW COURSE:** Respondent shall complete a Board-approved course on performing appropriate physical examinations, within ninety (90) days of the date of this Order.

8. **HISTORIES, PHYSICAL EXAMS, LABORATORY ASSESSMENTS, DIAGNOSTIC PLANS AND TREATMENT RECOMMENDATIONS:** Respondent shall document in each patient's record the following information necessary to describe her medical decision-making, including:

- A. Patient's chief complaint;
- B. Patient's social history;
- C. Patient's primary care provider;
- D. Pertinent history, including past medical history, family history and sexual functioning;
- F. Appropriate physical examinations;
- G. Laboratory and other tests considered and/or performed, test results and Respondent's comments about those results, and action taken by Respondent;

- H. Differential diagnosis;
- I. Treatment plan;
- J. Medications prescribed, with the rationale for use of the medications; and
- K. Correspondence with primary care provider.

9. **BILLING PRACTICES:** Respondent shall thoroughly communicate her billing practices with all patients.

10. **PATIENT COMMUNICATION:** Respondent shall document her communication with all patients, including testing, treatment recommendations, medications, and off-label use of medications.

11. **TWO YEARS BOARD PROBATION:** Respondent shall be monitored for a period of two (2) years subject to the following terms and conditions:

- A. **Monitoring Program:** Respondent shall contact the Shantel Billington, Compliance Monitor, Iowa Board of Medicine, 400 SW 8th Street, Suite C, Des Moines, IA 50309-4686, Ph.#515-281-3654 to establish a Board monitoring program. Respondent shall fully comply with all requirements of the monitoring program.
- B. **Medical Records Audits:** Respondent shall fully comply with Board audits of her medical records during the period of this Order. Respondent shall identify all patients that she has treated in each quarter beginning on the date of this Order. From that list, the Board shall select 5 patients quarterly. Respondent shall provide the Board copies of the medical records for each patient selected for review. Respondent shall pay the Board a \$300 auditing fee each quarter for the audits performed by the

Board. The auditing fee shall be submitted to the Board with each quarterly report required below.

- C. **Quarterly Reports:** Respondent shall file sworn quarterly reports attesting to her compliance with the terms of this Settlement Agreement no later than 1/10, 4/10, 7/10 and 10/10 of each year of the duration this Order.
 - D. **Board Appearances:** Respondent shall appear before the Board upon request of the Board for the duration of the period of this Order. Respondent and her counsel shall be given reasonable notice of the date, time and location for the appearances. Said appearances shall be subject to the waiver provisions of 653 IAC 24.2(5)(d).
 - E. **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. The monitoring fee shall be received by the Board with each quarterly report required in this Order. The monitoring fee shall be sent to: Shantel Billington, Compliance Monitor, Iowa Board of Medicine, 400 SW 8th 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.
 - F. **Modification/Termination:** The Board will consider modification and/or termination of the provisions of this Order after one year from the date of this Order. The final decision rests in the sole discretion of the Board.
- 12. Respondent shall obey all federal, state and local laws, and all rules governing the practice of medicine in Iowa.
 - 13. Respondent voluntarily submits this Order to the Board for consideration.

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

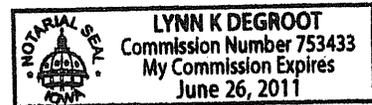
15. In the event Respondent violates or fails to comply with any of the terms of this Order, the Board may initiate action to suspend or revoke Respondent's Iowa medical license or to impose other license discipline as authorized in Iowa Code Chapters 148 and 272 and 653 IAC 25.

16. Only periods of time that Respondent continually practices under her Iowa medical license shall apply to duration of this Order. Respondent shall notify the Board within thirty days of any change in practice location.

17. 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 Settlement Agreement.

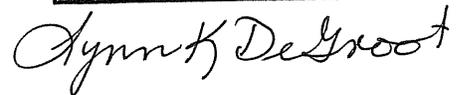
18. This Order is subject to approval of the Board. If the Board fails to approve this Order it shall be of no force or effect to either party.

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





Jean M. Lorentzen, D.O., Respondent



Subscribed and sworn to before me on September 25, 2009.

Notary Public, State of Iowa.

This Order is approved by the Board on October 21, 2009.



Siroos S. Shirazi, M.D., Chairperson
Iowa Board of Medicine
400 SW 8th Street, Suite C
Des Moines, Iowa 50309-4686

Before the Iowa Board of Medicine

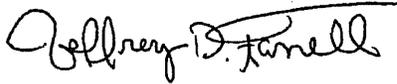
In the Matter of the Statement)	File No. 03-04-737
of Charges Against:)	DIA No. 07DPHMB005
)	
Jean M. Lorenzen, D.O.,)	
)	ORDER REGARDING MOTION
Respondent.)	TO AMEND

On February 9, 2009, the State of Iowa filed a motion to amend the statement of charges. The State attached a copy of the proposed amended statement of charges. Any response to the motion was due ten days after the motion is served. 653 IAC 25.14(2). Respondent has not filed a resistance.

ORDER

The State's motion to amend statement of charges is granted. The Board shall consider the allegations in the second amended statement of charges at the time this case is heard.

Dated this 5th day of March, 2009.



Jeffrey D. Farrell
Administrative Law Judge

cc: Iowa Board of Medicine
Theresa O'Connell Weeg
Roxanne Conlin
David Brown

BEFORE THE IOWA BOARD OF MEDICINE

IN THE MATTER OF THE STATEMENT)	FILE NO. 03-04-737
CHARGES AGAINST))
)
JEAN M. LORENTZEN, D.O.,)	AMENDED STATEMENT OF
) CHARGES
Respondent.))

Date: August 1, 2007.

COMES NOW the Iowa Board of Medicine and hereby files this Amended Statement of Charges pursuant to Iowa Code section 17A.12(2). Respondent was issued Iowa osteopathic medical license no. 02371 on July 24, 1989. Respondent's Iowa medical license is active and will next expire on June 1, 2008.

A. TIME, PLACE AND NATURE OF HEARING

1. Hearing. A disciplinary contested case hearing in this matter has been continued until further order of the Iowa Board of Medicine.
2. Answer. Within twenty (20) days of the date you are served this Statement of Charges you are required by 653 IAC 24.2(5)(d) to file an Answer. In that Answer, you should 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. Hearing Procedures. The procedural rules governing the conduct of the hearing are found at 653 IAC 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 IAC 25.16. The hearing may be open to the public or closed to the public at the discretion of the Respondent.

5. 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, 2nd Floor, Hoover State Office Building, Des Moines, Iowa 50319.

6. 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 should direct any questions to Kent M. Nebel, J.D., the Board's Legal Director at 515-281-7088 or to Assistant Attorney General Theresa O'Connell Weeg at 515-281-6858.

B. LEGAL AUTHORITY AND JURISDICTION

7. Jurisdiction. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 17A, 147, 148, and 272C (2007).

8. 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 and 653 IAC 25.

9. 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 IAC 25.20.

C. SECTIONS OF STATUTES AND RULES INVOLVED

COUNT I

10. Respondent is charged with professional incompetency pursuant to Iowa Code sections 147.55(2), 148.6(2)(g) and (i), and 272C.10(2) and 653 IAC 23.1(2)(c), (d), (e), and (f), by demonstrating one or more of the following:

- A. A substantial lack of knowledge or ability to discharge professional obligations within the scope of the physician's or surgeon's practice;
- B. A substantial deviation from the standards of learning or skill ordinarily possessed and applied by other physicians or surgeons in the state of Iowa acting in the same or similar circumstances;
- C. A failure by a physician or surgeon to exercise in a substantial respect that degree of care which is ordinarily exercised by the average physician or surgeon in the state of Iowa acting in the same or similar circumstances; and
- D. A willful or repeated departure from, or the failure to conform to, the minimal standard of acceptable and prevailing practice of medicine and surgery in Iowa.

D. STATEMENT OF MATTERS ASSERTED

11. The Board alleges, based on a review of Respondent's treatment of nineteen patients, Respondent engaged in a pattern of professional incompetency in her treatment of patients who

presented with hypogonadism and androgen deficiency, by:

- A. Failing to follow established diagnostic protocols;
- B. Improperly prescribing and monitoring medications;
- C. Failing to maintain appropriate medical records;
- D. Neglecting to recognize the need for and to perform appropriate diagnostic testing;
- E. Using therapies that are not within the standard of care; and
- F. Subjecting patients to unnecessary procedures.

E. SETTLEMENT

12. Settlement. This matter may be resolved by settlement agreement. The procedural rules governing the Board’s settlement process are found at 653 IAC 25. If you are interested in pursuing, please contact Kent M. Nebel, J.D., Legal Director at 515-281-7088.

F. PROBABLE CAUSE FINDING

13. On the 1st day of August 2007, the Iowa Board of Medicine found probable cause to file this Amended Statement of Charges.



Yasyn Lee, M.D., Chairperson
Iowa Board of Medicine
400 SW 8th Street, Suite C
Des Moines, Iowa 50309-4686

BEFORE THE IOWA BOARD OF MEDICINE

IN THE MATTER OF THE) DIA NO. 07DPHMB005
STATEMENT OF CHARGES AGAINST:) CASE NO. 03-04-737
)
JEAN M. LORENTZEN, D.O.) ORDER GRANTING MOTION TO
) AMEND STATEMENT OF CHARGES
Respondent

08-02-07P01:46 RCVD

The above-captioned disciplinary matter has been continued until further order of the Iowa Board of Medicine. On or about July 6, 2007, the state of Iowa filed a Motion For Leave To Amend Statement of Charges. An Amended Statement of Charges was attached to the motion as Exhibit A. Respondent Jean M. Lorentzen, D.O. has not filed a resistance to the motion, and it has been referred to the undersigned administrative law judge for ruling.

The motion seeks to amend the pending Statement of Charges to assert factual allegations, which were previously provided only to Respondent as the Statement of Matters Asserted (Confidential). A recent decision from the Iowa Court of Appeals held that the notice of hearing and the factual information necessary to provide a licensee with "fair notice" of the claim asserted are public records. Revez v. Iowa Board of Medical Examiners, No. 05-2095, slip op. (Iowa Ct. App. May 9, 2007). The state's Motion to Amend should be granted.

IT IS THEREFORE ORDERED that the Motion For Leave To Amend Statement of Charges is hereby GRANTED.

Dated this 1st day of August, 2007.



Margaret LaMarche
Administrative Law Judge
Iowa Department of Inspections and Appeals
Administrative Hearings Division
Lucas State Office Building-Third Floor
Des Moines, Iowa 50319
For the Iowa Board of Medicine

cc: Theresa O'Connell Weeg/Heather Palmer
Assistant Attorney General
Hoover State Office Building
Des Moines, Iowa 50319 (LOCAL)

David L. Brown
Hansen, McClintock & Riley
218 Sixth Avenue, 8th Fl.
Des Moines, IA 50309

Kent Nebel
Director of Legal Affairs
Iowa Board of Medical Examiners
400 SW 8th St., Suite C
Des Moines, Iowa (LOCAL)

BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF IOWA

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

JEAN M. LORENTZEN, D.O., RESPONDENT

File No. 03-04-737

STATEMENT OF CHARGES

COMES NOW the Iowa Board of Medical Examiners on March 29, 2007, and files this Statement of Charges pursuant to Iowa Code Section 17A.12(2). Respondent was issued Iowa osteopathic medical license no. 02371 on July 24, 1989. Respondent's Iowa medical license is active and will next expire on June 1, 2008.

A. TIME, PLACE AND NATURE OF HEARING

1. Hearing. A disciplinary contested case hearing shall be held on May 16, 2007, before the Iowa Board of Medical Examiners. The hearing shall begin at 8:30 a.m. and shall be located in the conference room at the Iowa Board of Medical Examiners office at 400 SW 8th Street, Suite C, Des Moines, Iowa.

2. Answer. Within twenty (20) days of the date you are served this Statement of Charges you are required by 653 Iowa Administrative Code 24.2(5)(d) to file an Answer. In that Answer, you should 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. 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.

5. 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, 2nd Floor, Hoover State Office Building, Des Moines, Iowa 50319.

6. 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 should direct any questions to Kent M. Nebel, J.D., the Board's Legal Director at 515-281-7088 or to Assistant Attorney General Theresa O'Connell Weeg at 515-281-6858.

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7. Jurisdiction. The Board has jurisdiction in this matter pursuant to Iowa Code Chapters 17A, 147, 148, and 272C (2007).

8. 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 (2007) and 653 Iowa Administrative Code Chapter 25.

9. 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

10. Respondent is charged with professional incompetency pursuant to Iowa Code section 147.55(2), 148.6(2)(g) and (i), and 272C.10(2) (2007), and 653 IAC sections 23.1(2)(c), (d), (e), and (f), by demonstrating one or more of the following:

- A. A substantial lack of knowledge or ability to discharge professional obligations within the scope of the physician's or surgeon's practice;
- B. A substantial deviation from the standards of learning or skill ordinarily possessed and applied by other physicians or surgeons in the state of Iowa acting in the same or similar circumstances;
- C. A failure by a physician or surgeon to exercise in a substantial respect that degree of care which is ordinarily exercised by the average physician or surgeon in the state of

Iowa acting in the same or similar circumstances; and

- D. A willful or repeated departure from, or the failure to conform to, the minimal standard of acceptable and prevailing practice of medicine and surgery in Iowa.

D. STATEMENT OF MATTERS ASSERTED

11. A short and plain Statement of the Matters Asserted was reviewed and approved by the Board at the time this Statement of Charges was filed. A Statement of the Matters Asserted shall be furnished to Respondent as an attachment to this Statement of Charges. However, the Statement of the Matters Asserted is not a public record at the time of this filing. The Statement of Matters Asserted shall become a public record upon final resolution of this matter.

E. SETTLEMENT

12. 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 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

13. On this 29th day of March 2007, the Iowa Board of Medical Examiners found probable cause to file this Statement of Charges.



Yasn Lee, M.D., Chairperson
Iowa Board of Medical Examiners
400 SW 8th Street, Suite C
Des Moines, Iowa 50309-4686