

**BEFORE THE IOWA BOARD OF MEDICINE**

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

**KENT F. METCALF, D.O., RESPONDENT**

**FILE No. 03-08-498**

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**TERMINATION ORDER**

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Date: September 21, 2012.

1. Respondent was issued Iowa medical license no. 03238 on August 6, 1999.
2. Respondent's Iowa medical license is active and will next expire on October 1, 2012.
3. The Board has jurisdiction pursuant to Iowa Code Chapters 147, 148 and 272C.
4. Respondent practices family medicine, including obstetrics, in Mount Pleasant, Iowa.
5. On April 19, 2012, Respondent entered into a combined Statement of Charges and

Settlement Agreement with the Board. The Board charged Respondent with failing 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. The Board alleged that Respondent failed to provide appropriate obstetrical care to a female patient in her late thirties who presented to Henry County Health Center, in Mount Pleasant, Iowa, in December 2007, when he failed to go to the hospital to examine the patient in a timely manner and failed to timely diagnose and manage the patient's pre-term labor.

6. Under the terms of the Settlement Agreement, the Board issued Respondent a Citation and Warning and ordered him to pay a \$2,500 civil penalty for failing 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. The Board also ordered Respondent to submit a written corrective action plan for Board approval and complete a Board-approved advanced obstetrical care program.

7. Respondent paid the \$2,500 civil penalty, submitted a written corrective action plan for Board approval and successfully completed a Board-approved advanced obstetrical care program.

8. On September 21, 2012, the Board voted to terminate the terms and conditions of Respondent's order.

**THEREFORE IT IS HEREBY ORDERED:** that the terms and conditions of Respondent's order are terminated and Respondent's Iowa medical license is returned to its full privileges, free and clear of all restrictions.

**IOWA BOARD OF MEDICINE**



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Colleen K. Stockdale, M.D., M.S., Chairman  
400 SW 8<sup>th</sup> Street, Suite C  
Des Moines, Iowa 50309-4686

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

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COMES NOW the Iowa Board of Medicine (Board), and Kent F. Metcalf, D.O., (Respondent), on April 19, 2012, 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. 03238 on August 6, 1999.
2. Respondent's Iowa medical license is active and will next expire on October 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) and 272C.10(2) and 653 IAC 23.1(2)(e) with failing to exercise in a substantial respect that degree of care which is ordinarily exercised by the average physician or surgeon in the state if Iowa acting in the same or similar circumstances.

### STATEMENT OF MATTERS ASSERTED

5. Respondent practices family medicine, including obstetrics, in Mount Pleasant, Iowa.

6. The Board alleges that Respondent failed to provide appropriate obstetrical care to a female patient in her late thirties who presented to Henry County Health Center, in Mount Pleasant, Iowa, in December 2007. The Board alleges that Respondent failed to go to the hospital to examine the patient in a timely manner and failed to timely diagnose and manage the patient's pre-term labor.

### SETTLEMENT AGREEMENT

7. **CITATION AND WARNING:** Respondent is hereby **CITED** for failing to exercise in a substantial respect that degree of care which is ordinarily exercised by the average physician or surgeon in the state if Iowa acting in the same or similar circumstances. Respondent is hereby **WARNED** that such practice in the future may result in further formal disciplinary action, including suspension or revocation of his Iowa medical license.

8. **CIVIL PENALTY:** Respondent shall pay a **\$2,500 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.

9. **ADVANCED OBSTETRICAL CARE PROGRAM:** Respondent has submitted for approval to the Board a plan to complete an education program for advanced obstetrical care for family practice physicians. The education program will be completed within one hundred twenty (120) days of the date of the Board's approval of the program.

10. **BOARD-APPROVED CORRECTIVE ACTION PLAN:** Respondent has submitted a written corrective action plan to the Board for approval which describes what Respondent has learned from this matter and the steps he has taken to avoid similar concerns in the future. The written corrective action plan is considered confidential investigative information in the possession of the Board and is not subject to disclosure or discovery.

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

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

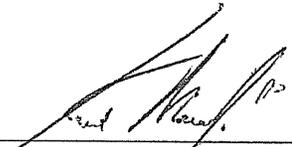
15. In the event Respondent fails to comply with any of the terms of this Order, the Board may initiate action to suspend or revoke Respondent's license or to impose other license discipline as authorized in Iowa Code chapters 148 and 272 and 653 IAC 25.

16. 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.

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 Order.

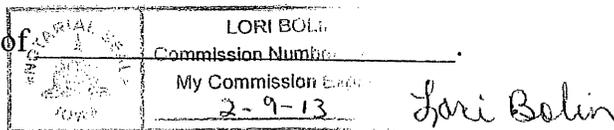
18. This Order is subject to approval of the Board. If the Board fails to approve this Order it shall be of no force or effect to either party.

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

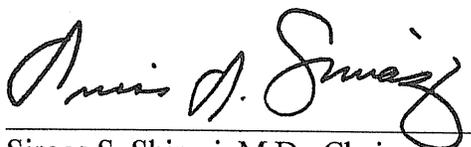
  
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Kent F. Metcalf, D.O., Respondent

Subscribed and sworn to before me on April 17<sup>th</sup>, 2012.

Notary Public, State of



This Order is approved by the Board on April 19, 2012.

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