BEFORE THE BOARD OF MEDICAL EXAMINERS

OF THE STATE OF IOWA

* *

IN THE MATTER OF THE COMPLAINT	:	
AND STATEMENT OF CHARGES AGAINST	:	ORDER
NORMAN JOHN PREVO, D.O.	:	03-89-275
RESPONDENT	:	

* *

BE IT REMEMBERED, that on April 20 1992, the above entitled matter coming on before the Director of Public Health of the State of Iowa for the issuance of an Order terminating the probation placed upon the Iowa license to practice osteopathic medicine and surgery, number 02366 issued to Norman John Prevo, D.O. (hereafter the Respondent) on February 20, 1990, and the said Director of Public Health having reviewed the file and being otherwise fully advised in the premises FINDS:

1. That on February 20, 1990, an Order was issued by the Director of Public Health of the state of Iowa, placing the license to practice osteopathic medicine and surgery, number 02366, issued to the Respondent on July 14, 1989, on probation for a 5 year term under certain terms and conditions; and,

2. That the Respondent has successfully completed probation to the satisfaction of the Iowa State Board of Medical Examiners (hereafter the Board); and,

3. That the Board having directed that the probation placed upon the Respondent's license to practice osteopathic medicine

and surgery, number 02366, issued on July 14, 1989, should be terminated and that the said license be restored to full privileges free and clear of any restrictions, IT IS HEREBY ORDERED:

That the probation placed upon the Respondent's license to practice osteopathic medicine and surgery, number 02366, is terminated and the said license is hereby returned to its full privileges free and clear of all restrictions.

Christopher G. Atchison
Iowa Department of Public Health
Robert Lucas State Office Building
Des Moines, Iowa 50319

BEFORE THE BOARD OF IOWA MEDICAL EXAMINERS

OF THE STATE OF IOWA

* *

IN THE MATTER OF THE COMPLAINT	:	
AND STATEMENT OF CHARGES AGAINST	:	ORDER
NORMAN JOHN PREVO, D.O.	:	02-89-275
RESPONDENT	:	

* *

NOW on February 20, 1990, the above entitled matter having been filed with the Director of Public Health, of the State of Iowa, and the said Director of Public Health, having reviewed the file and being fully advised in the premises FINDS:

1. That the Respondent was issued a license to practice osteopathic medicine and surgery, on July 14, 1989, as evidenced by certificate number 02366, which is recorded in the permanent records in the office of the Iowa State Board of Medical Examiners.

2. That a Complaint and Statement of Charges was filed against the Respondent, Norman John Prevo, D.O., on November 16, 1989, and was scheduled to be heard before the Iowa State Board of Medical Examiners.

3. That the Iowa State Board of Medical Examiners has jurisdiction of the parties and the subject matter herein.

4. That the Director of Public Health is authorized to

enter an Order herein under the provisions of Sections 148.6 and 148.7(7) of the 1989 Code of Iowa and rule 653-12.50(31) of the Iowa Administrative Code.

5. That pursuant to the provisions of Section 17A.10 and 258A.3(4) of the 1989 Code of Iowa, the Respondent and the Iowa State Board of Medical Examiners have entered into an Informal Settlement providing that the undersigned should enter an Order imposing discipline against the Respondent's license to practice osteopathic medicine and surgery in the State of Iowa.

6. THEREFORE IT IS HEREBY ORDERED that the Respondent's license to practice osteopathic medicine and surgery in Iowa is placed on probation for a period of five (5) years from this date under the following terms and conditions:

A. The Respondent shall abstain from the use of alcohol.

B. The Respondent shall not possess or use any controlled or prescription drug in any form unless prescribed for him by a duly licensed, treating physician. The Respondent shall inform any treating physician of the terms of the Informal Settlement and this Order prior to accepting any medication

C. The Respondent shall submit to witnessed blood or urine samples on demand by a designee of the Board. The samples shall be used for alcohol and drug screening, all costs of which shall be paid by the Respondent.

D. The Respondent shall within thirty (30) days of the execution of the Informal Settlement (February 15, 1990), submit to the Board for approval, the names and curriculums vitae of

three physicians or counselors practicing in Iowa. The Respondent may include his current physician as one of the three names submitted.

(1) As a condition of approval the physicians or counselors shall agree to report to the Board on Respondent's treatment on a quarterly basis or upon request.

(2) The Respondent shall continue treatment or counseling until discharged by the physician or counselor.

E. The Respondent shall attend at least one meeting of Alcoholics Anonymous, Narcotics Anonymous, or a similar organization weekly. Quarterly reports submitted under paragraph F shall include a statement by the Respondent attesting to attendance and listing the date and place of each meeting attended. In addition, the Respondent shall append to each report a signed statement by another member of the organization which confirms the Respondent's attendance.

F. The Respondent shall submit quarterly reports under penalty of perjury stating that there has been compliance with all the conditions of the Informal Settlement and this Order.

G. The Respondent shall make appearances annually and/or upon request before the Board or a committee of the Board. The Respondent shall be given reasonable notice of the date, time and place for the appearances.

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

7. If the Respondent has complied with all the terms and conditions of the Informal Settlement, one year from the date of this Order, the Respondent may apply to the Board to modify or delete any of the terms and conditions enumerated in paragraphs A - E including the length of the probation.

8. In the event the Respondent leaves Iowa to reside or to practice outside the state, the Respondent shall so notify the Board in writing of the dates of departure and return. Periods of residence or practice outside Iowa will not apply to the duration of the Informal Settlement or this Order.

9. In the event the Respondent violates or fails to comply with any of the terms or provisions of the Informal Settlement or this Order, the Board may initiate appropriate action to revoke or suspend the Respondent's license or to impose other licensee discipline as authorized in Iowa Code sections 258A.3(2) and Iowa Administrative Code section 653-12.2.

10. Upon full compliance with the terms and conditions set forth in the Informal Settlement and this Order and upon expiration of the period of probation, Respondent's license shall be restored to its full privileges free and clear of the terms of the probation.

Mary L. Ellis, Director
Iowa Department of Public Health
Lucas State Office Building
Des Moines, Iowa 50319

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF IOWA

IN THE MATTER OF THE COMPLAINT AND STATEMENT OF CHARGES AGAINST NORMAN JOHN PREVO, D.O., RESPONDENT.	)	NO. 03-89-275 INFORMAL SETTLEMENT

COME NOW the Iowa Board of Medical Examiners [the Board] and Norman John Prevo, D.O., [the Respondent] and, pursuant to Iowa Code §§ 17A.10 and 258A.3(4), enter into the following Informal Settlement of the contested case currently on file:

1. The Respondent was issued license no. 02366 to practice medicine and surgery in Iowa on July 14, 1989, of the permanent records in the office of the Board.

2. A Complaint and Statement of Charges was filed against the Respondent on November 16, 1989.

3. The Board has jurisdiction of the parties and the subject matter.

4. The Director of Public Health shall take appropriate action to place the Respondent's license on probation for a period of five (5) years under the following terms and conditions:

A. The Respondent shall abstain from the use of alcohol.

B. The Respondent shall not possess or use any controlled or prescription drug in any form unless

prescribed for him by a duly licensed, treating physician. The Respondent shall inform any treating physician of the terms of this Informal Settlement prior to accepting any medication.

C. The Respondent shall submit to witnessed blood or urine samples on demand by a designee of the Board. The samples shall be used for alcohol and drug screening all costs of which shall be paid by the Respondent.

D. The Respondent shall within thirty (30) days of the execution of this Informal Settlement submit to the Board for approval the names and curriculum vitae of three physicians or counselors practicing in Iowa. The Respondent may include his current physician as one of the three names submitted.

(1) As a condition of approval the physicians or counselors shall agree to report to the Board on Respondent's treatment on a quarterly basis or upon request.

(2) The Respondent shall continue treatment or counseling until discharged by the physician or counselor.

E. The Respondent shall attend at least one meeting of Alcoholics Anonymous, Narcotics Anonymous, or a

similar organization weekly. Quarterly reports submitted under ¶ 4F shall include a statement by the Respondent attesting to attendance and listing the date and place of each meeting attended. In addition, the Respondent shall append to each report a signed statement by another member of the organization which confirms the Respondent's attendance.

F. The Respondent shall submit quarterly reports under penalty of perjury stating that there has been compliance with all the conditions of this Informal Settlement.

G. The Respondent shall make appearances annually and/or upon request before the Board or a committee of the Board. The Respondent shall be given reasonable notice of the date, time and place for the appearances.

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

5. If the Respondent has complied with all the terms and conditions of this Informal Settlement, one year from the date of the Director's Order in this case the Respondent may apply to the Board to modify or delete any of the terms and conditions enumerated in ¶ 4(A)-(E) including the length of the probation.

6. In the event the Respondent leaves Iowa to reside or to practice outside the state, the Respondent shall notify the Board in writing of the dates of departure and return. Periods of residence or practice outside Iowa will not apply to the duration of the Informal Settlement.

7. In the event the Respondent violates or fails to comply with any of the terms or provisions of this Informal Settlement, the Board may initiate appropriate action to revoke or suspend the Respondent's license or to impose other licensee discipline as authorized in Iowa Code § 258A.3(2) and 653 Iowa Admin. Code § 12.2.

8. Upon full compliance with the terms and conditions set forth in this Informal Settlement and upon expiration of the period of probation, Respondent's license shall be restored to its full privileges free and clear of the terms of the probation.

9. This Informal Settlement is voluntarily submitted by the Respondent to the Board for consideration. Execution of the Informal Settlement, however, does not constitute an admission of wrongdoing.

10. This Informal Settlement is subject to approval of the Board. If the Board fails to approve this Informal Settlement, it shall be of no force or effect to either party.

NORMAN JOHN PREVO, D.O.

Subscribed and sworn to before me on this 22nd day of January, 1990.

Fran Magie
NOTARY PUBLIC IN AND FOR THE
STATE OF IOWA

This Informal Settlement is accepted by the Iowa Board of Medical Examiners on the 15th day of February, 1990.

J R Anderson M.D.
JOHN ANDERSON, M.D., Chairman
Iowa Board of Medical Examiners

Subscribed and sworn to before me on this 15th day of February, 1990.

Dennis Carle
NOTARY PUBLIC IN AND FOR THE
STATE OF IOWA

BEFORE THE BOARD OF MEDICAL EXAMINERS

OF THE STATE OF IOWA

* *

IN THE MATTER OF THE COMPLAINT	:	
AND STATEMENT OF CHARGES AGAINST	:	COMPLAINT AND STATEMENT
NORMAN JOHN PREVO, D.O.	:	OF CHARGES
RESPONDENT	:	03-89-275

* *

COMES NOW William S. Vanderpool, Executive Director of the Iowa State Board of Medical Examiners, on ~~August 24~~ November 16, 1989, and at the direction of the Board, files this Complaint and Statement of Charges against Norman John Prevo, D.O., a physician licensed pursuant to Chapter 147, Code of Iowa and alleges:

1. That Mary Ellis is the duly appointed and qualified Director of Public Health of the State of Iowa.

2. That John R. Anderson, M.D., Chairman; C. L. Peterson, D.O., Vice Chairman; Edra Broich, Secretary; Charlotte Cleavenger, D.O; Donna Drees, M.D.; John W. Olds, M.D.; Ann O'Neill; George Spellman, Sr., M.D.; and Robert B. Stickler, M.D., are the duly appointed and qualified officers and members of the Iowa State Board of Medical Examiners.

3. That the Respondent is a resident of Warren County, Iowa, and was issued license number 02366 to practice osteopathic medicine and surgery in the State of Iowa on July 14, 1989, as recorded in the permanent records in the office of the Iowa State

Board of Medical Examiners.

4. That the Respondent's license is current until October 1, 1990.

5. That while practicing osteopathic medicine and surgery, the Respondent has, on several occasions during the period of July 1, 1987 through July 31, 1989, excessively used drugs, narcotics, chemicals or other materials which impaired his ability to practice osteopathic medicine and surgery in a safe and skillful manner.

6. That the Iowa State Board of Medical Examiners is authorized to take disciplinary action against the Respondent pursuant to the provisions of section 148.6(1), 148.6(1)(h), and 148.6(1)(i) of the Code of Iowa which state in whole or in part:
148.6(1) - "In addition to the provisions of sections 147.58 to 147.71, the medical examiners after due notice and hearing may direct the director of public health to issue an order to revoke or suspend the license to practice... osteopathic medicine and surgery... or to discipline a person licensed to practice... osteopathic medicine and surgery... if after a hearing, the medical examiners determine that a physician licensed to practice... osteopathic medicine and surgery... is guilty of any of the following acts or offenses:"
148.6(1)(h) - "Inability to practice... osteopathic medicine and surgery... with reasonable skill and safety by reason of... excessive use of drugs, narcotics, chemicals or other type of material..."
148.6(1)(i) - "Willful or repeated violation of lawful rule or regulation promulgated by the board..."

7. That the Iowa State Board of Medical Examiners is authorized to take disciplinary action against the Respondent pursuant to the provisions of rules 653-12.4, 653-12.4(14) and 653-12.4(28) of the Iowa Administrative Code which state in whole or in part:

653-12.4 - "Grounds for discipline. The board may impose any of the disciplinary sanctions set forth in rule 12.2 including civil penalties in an amount not to exceed $1000, when the board determines that the licensee is guilty of any of the following acts or offenses:"

653-12.4(14) - "Inability to practice medicine and surgery... with reasonable skill and safety by reason of... chemical abuse."

653-12.4(28) - "Violating any of the grounds for the revocation or suspension of a license listed in Iowa Code sections... 148.6."

8. That paragraphs 6 and 7 constitute grounds for the Iowa State Board of Medical Examiners to revoke, suspend or otherwise discipline the license to practice osteopathic medicine and surgery issued to the Respondent, Norman John Prevo, D.O., on July 14, 1989.

WHEREFORE the undersigned charges that the Respondent, Norman John Prevo, D.O. is subject to disciplinary action pursuant to the provisions of sections 148.6(1), 148.6(1)(h), 148.6(1)(i) of the Code of Iowa and Rules 653-12.4, 653-12.4(14) and 653-12.4(28) of the Iowa Administrative Code and the undersigned prays that the Board enter an order fixing a time and place of hearing for the Complaint and Statement of Charges. The

undersigned further prays that upon final hearing, the Board enter its findings of fact and decision to revoke, suspend or otherwise discipline the license to practice osteopathic medicine and surgery issued to the Respondent Norman John Prevo, D.O., on July 14, 1989, and for such other relief as the Board deems just in the premises.

IOWA BOARD OF MEDICAL EXAMINERS

William S. Vanderpool
Executive Director
Executive Hills West
1209 E. Court
Des Moines, IA 50319
(515) 281-5171