

BEFORE THE IOWA BOARD OF MEDICINE

IN THE MATTER OF THE CONSENT AGREEMENT FOR

RICHARD ELMER RATTAY, M.D., APPLICANT

FILE No. 02-2010-0099

CONSENT AGREEMENT

COMES NOW the Iowa Board of Medicine (Board) and Richard Elmer Rattay, M.D. (Applicant) on April 6, 2010, and hereby enter into the following Consent Agreement for the issuance of a permanent Iowa medical license under the following terms and conditions:

1. Applicant is hereby granted Iowa permanent license no. 38919.
2. Applicant is an orthopedic surgeon who submitted an application for a permanent Iowa medical license on November 5, 2009.
3. The Board received information which indicates that Applicant was named as a defendant in a malpractice suit where an operation was performed on the wrong patient. The suit was eventually settled. Applicant has taken corrective measures to prevent future wrong patient operations.

4. **CITATION AND WARNING:** Applicant is hereby **CITED** for performing an operation on the wrong patient. Applicant is hereby **WARNED** that such conduct in the future may result in further disciplinary action, including suspension or revocation of his Iowa medical license.

5. **CIVIL PENALTY:** Respondent shall pay a **\$5,000** civil penalty within twenty (20) days of the date of this order. The civil penalty shall be made payable to the Treasurer of Iowa and shall be mailed to the Executive Director of the Board prior to issuance of Applicant's Iowa medical license. The civil penalty shall be deposited into the State General Fund.

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

7. Applicant voluntarily submits this Consent Agreement to the Board for consideration.

8. By entering into this Consent Agreement, Applicant voluntarily waives any right to a contested case hearing in this matter.

9. This Consent Agreement is subject to approval of the Board. If the Board fails to approve the Order, it shall be of no force or effect to either party.

10. The Board's approval of this Consent Agreement shall constitute a **FINAL ORDER** of the Board.



Richard Elmer Rattay, M.D. Applicant



Subscribed and sworn to before me on April 13, 2010.

Notary Public, State of Kansas.

This Consent Agreement is approved by the Board on April 16, 2010.



Siroos Shirazi, Chairman
Iowa Board of Medicine
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Des Moines, IA 50309-4686