

BEFORE THE IOWA BOARD OF MEDICINE

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

RENE F. RECINOS, M.D., RESPONDENT

FILE NO. 02-12-109

STATEMENT OF CHARGES and SETTLEMENT AGREEMENT
(Combined)

COMES NOW the Iowa Board of Medicine (Board) and Rene F. Recinos, M.D., (Respondent), on August 8, 2014, and pursuant to Iowa Code sections 17A.10(2) and 272C.3(4), enter into this combined Statement of Charges and Settlement Agreement.

STATEMENT OF CHARGES

1. Respondent was issued Iowa medical license no. 35481 on February 17, 2004.
2. Respondent's Iowa medical license is active and will next expire on February 1, 2016.
3. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 147, 148 and 272C.

COUNT I

4. **Wrong Site Surgery:** Respondent is charged pursuant to Iowa Code sections 147.55(2), 148.6(2)(g) and 272C.10(2), and 653 IAC 23.1(45) with performing or attempting to perform a surgical procedure at the wrong anatomical site.

STATEMENT OF THE MATTERS ASSERTED

5. **Practice Setting:** Respondent is an Iowa-licensed physician who practices orthopedic surgery in Mason City, Iowa.

6. **Wrong Site Surgery:** On December 28, 2010, Respondent inadvertently performed trigger release surgery on a patient's wrong finger. The patient was scheduled to undergo trigger release surgery on the right long finger and Respondent mistakenly performed the procedure on the right ring finger requiring additional surgery. Respondent recognized the error, informed the patient and subsequently performed the correct procedure. Respondent has taken corrective action to avoid such errors in the future.

SETTLEMENT AGREEMENT

7. **CITATION AND WARNING:** Respondent is hereby CITED for performing wrong site surgery in violation of the laws and rules governing the practice of medicine in Iowa when he inadvertently performed trigger release surgery on a patient's wrong finger on December 28, 2010, in Mason City, Iowa. Respondent is hereby WARNED that such errors in the future may result in further disciplinary action against his Iowa medical license.

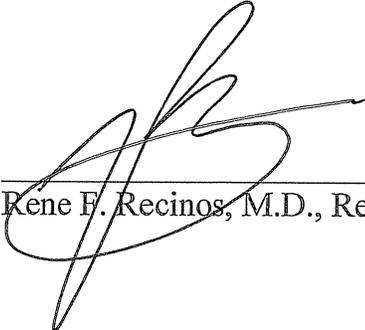
8. **CIVIL PENALTY:** Respondent shall pay a \$2,500 civil penalty. The civil penalty shall be payable to the Treasurer of Iowa, and shall be mailed to the executive director of the Board within twenty (20) days of the date of this Order. The civil penalty shall be deposited into the State General Fund.

9. **CORRECTIVE ACTION PLAN:** Respondent submitted a written corrective action plan to the Board. The written corrective action plan describes the steps Respondent has taken to avoid such errors in the future.

10. Respondent voluntarily submits this Order to the Board for consideration.
11. Respondent agrees that the State's counsel may present this Order to the Board for consideration.
12. This Order constitutes the resolution of a contested case proceeding.
13. In the event Respondent violates or fails to comply with any of the terms or conditions of this Order, the Board may impose other license discipline as authorized in Iowa Code Chapters 148 and 272 and 653 IAC 23.
14. By entering into this Order, Respondent understands that he has a right to legal counsel in this matter, voluntarily waives any rights to a contested case hearing on the allegations contained in the Statement of Charges and waives any objections to the terms of this Order.
15. 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.
16. Respondent shall obey all federal, state and local laws, and all rules governing the practice of medicine in Iowa.
17. Respondent understands that the Board is required by Federal law to report this disciplinary action to the National Practitioner Data Bank.
18. 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.

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

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



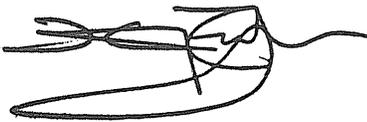
Rene F. Recinos, M.D., Respondent

Subscribed and sworn to before me on 7-11, 2014.

Notary Public, State of Iowa.

Dana Younger Commission # 186905 expires 9-17-2014

This Order is approved by the Board on August 8, 2014.



Hamed H. Tewfik, M.D., Chairman
Iowa Board of Medicine
400 SW 8th Street, Suite C
Des Moines, Iowa 50309-4686