

BEFORE THE IOWA BOARD OF MEDICINE

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

GILBERT SHAPIRO, M.D., RESPONDENT

FILE No. 02-12-357

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

COMES NOW the Iowa Board of Medicine (Board) and Gilbert Shapiro, M.D., (Respondent), on June 28, 2013, and pursuant to Iowa Code sections 17A.10(2) and 272C.3(4) and 653 IAC 25.3, enter into this combined Statement of Charges and Settlement Agreement.

STATEMENT OF CHARGES

1. Respondent was issued Iowa medical license no. 24986 on July 1, 1985.
2. Respondent's Iowa medical license went inactive due to nonrenewal on July 1, 1989.
3. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 147, 148 and 272C.

COUNT I

4. **Discipline by Another Licensing Authority:** Respondent is charged pursuant to Iowa Code section 148.6(2)(d) and 653 IAC 23.1(1) with having a license to practice medicine and surgery or osteopathic medicine and surgery revoked or suspended, or having other disciplinary action taken by a licensing authority of another state, territory, or country. A certified copy of the order of disciplinary action is prima facie evidence.

STATEMENT OF THE MATTERS ASSERTED

5. Respondent is an Iowa-licensed physician who formerly practiced medicine in Key West, Florida.

6. **Florida Disciplinary Action:** On or about March 12, 2012, the Florida Department of Health (Florida Board) issued an Emergency Restriction Order. The Florida Board alleged that Respondent violated the laws and rules governing the practice of medicine in Florida for pain management when prescribed inappropriate or excessive quantities of controlled substances, failed to provide appropriate monitoring, and failed to maintain appropriate medical records in his treatment of five patients in Key West, Florida. Under the terms of the Emergency Restriction Order, Respondent is prohibited from prescribing any Schedule II-IV controlled substances and is prohibited from practicing medicine in a pain management clinic.

SETTLEMENT AGREEMENT

7. **CITATION AND WARNING:** Respondent is hereby **CITED** for being disciplined by the Florida Board for violating the laws and rules governing the practice of medicine in Florida for pain management during his treatment of five patients in Key West, Florida. Respondent is hereby **WARNED** that being disciplined by another state licensing board and/or violating the laws and rules governing the practice of medicine in the future may result in further formal disciplinary action against his Iowa medical license.

8. **VOLUNTARY SURRENDER:** Respondent voluntarily surrenders his Iowa medical license to resolve this matter.

9. Respondent voluntarily submits this Order to the Board for consideration.

10. Respondent agrees that the State's counsel may present this Order to the Board for consideration.

11. By entering into this Order, Respondent understands that he has a right to be represented by legal counsel, 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. This Order constitutes the resolution of a contested case proceeding.

12. 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.

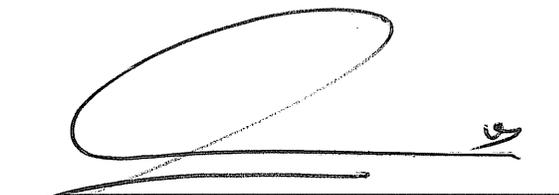
13. Respondent shall obey all federal, state and local laws, and all rules governing the practice of medicine in Iowa.

14. Respondent understands that the Board is required by Federal law to report this Order to the National Practitioner Data Bank and Healthcare Integrity and Protection Data Bank.

15. 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.

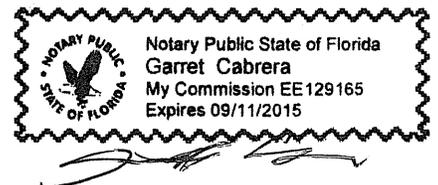
16. This Order is subject to approval of the Board. If the Board fails to approve this Order it shall be of no force or effect to either party.

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


Gilbert Shapiro, M.D., Respondent

Subscribed and sworn to before me on June 12, 2013.

Notary Public, State of Florida.



This Order is approved by the Board on June 28, 2013.

A handwritten signature in cursive script that reads "Gregory B. Hoversten". The signature is written in black ink and is positioned above the printed name.

Gregory B. Hoversten, D.O., Chairman

Iowa Board of Medicine

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