

BEFORE THE IOWA BOARD OF MEDICINE

IN THE MATTER OF THE CONSENT AGREEMENT FOR

GREGORY L. THALKEN, M.D., APPLICANT

FILE No. 02-2011-0683

CONSENT AGREEMENT

COMES NOW the Iowa Board of Medicine (Board) and Gregory L. Thalken, M.D. (Applicant) on December 6, 2011, and enter into this Consent Agreement granting Applicant a permanent Iowa medical license subject to the following conditions:

1. Applicant is hereby granted Iowa permanent medical license no. 39941.
2. Applicant completed a radiology residency in Minneapolis, Minnesota, on June 30, 2011.
3. Applicant applied for a permanent Iowa medical license on April 18, 2011.
4. The Board received information which indicates that Applicant was charged with reckless driving on September 8, 2002 and driving under the influence of alcohol on five separate occasions between December 1, 2002, and December 19, 2009, including the following:
 - A. On September 8, 2002, Applicant fell asleep while driving an automobile and was cited for reckless driving in Lincoln, Nebraska. Applicant paid a fine.

- B. On December 1, 2002, Applicant was arrested for driving under the influence (DUI) and reckless driving in Sarpy County, Nebraska. Applicant pleaded not guilty and the charges were dismissed after he successfully completed a diversion program and outpatient alcohol treatment.
- C. On September 26, 2004, Applicant was arrested for DUI in Omaha, Nebraska. Applicant pleaded guilty to misdemeanor first offense DUI and was placed on probation for a period of six months.
- D. On February 10, 2008, Applicant was arrested for DUI on Anoka County, Minnesota. Applicant pleaded guilty to misdemeanor offense DUI. He was required to complete a two-day alcohol education program and was placed on probation for a period of two years.
- E. On November 1, 2009, Applicant was arrested for DUI in Minneapolis, Minnesota. Applicant was sentenced to thirty-days of home detention/electronic monitoring for violating his probation following the February 10, 2008, DUI. Respondent also attended Alcoholics Anonymous.
- F. On December 19, 2009, Applicant was arrested for DUI in Edina, Minnesota, prior to the resolution of the November 1, 2009, DUI charges. Applicant enrolled in an outpatient alcohol treatment program and aftercare program. Applicant pleaded guilty to the November 1, 2009, DUI charges and was sentenced to sixty-days of home detention/electronic monitoring

and placed on probation for a period of four years. Applicant subsequently pleaded guilty to the December 19, 2009, DUI charges. He was sentenced to four days in jail, sixty-five-days of home detention/electronic monitoring and placed on probation for a period of six years.

- G. Respondent has since completed an out-patient alcohol treatment program and aftercare program. Respondent has stopped using alcohol and regularly attends Alcoholics Anonymous.

CONSENT AGREEMENT

6. **CITATION AND WARNING:** Respondent is hereby **CITED** for being charged with DUI on five separate occasions between December 1, 2002, and December 19, 2009. Respondent is hereby **WARNED** that future evidence of drug or alcohol abuse may result in further disciplinary action, including suspension or revocation of his Iowa medical license.

7. **IPHP REFERRAL:** Prior to the Board's approval of this Order and granting Applicant an Iowa medical license, Respondent shall enter into a Physician Health Contract with the Iowa Physician Health Program (IPHP) for substance abuse treatment and monitoring. Applicant shall fully comply with the terms and conditions of the Physician Health Contract. If Respondent fails to fully comply with all requirements of the Physician Health Contract, the Board may initiate action to suspend or revoke Respondent's Iowa medical license or to impose other license discipline as authorized in Iowa Code Chapters 148 and 272 and 653 IAC 24.

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

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

10. This Consent Agreement constitutes the resolution of a contested case proceeding.

11. In the event Applicant violates or fails to comply with any of the terms or conditions of this Consent Agreement, the Iowa Board may initiate action to suspend or revoke the Applicant's Iowa medical license or to impose other license discipline as authorized in Iowa Code chapters 148 and 272 and 653 IAC 25.

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

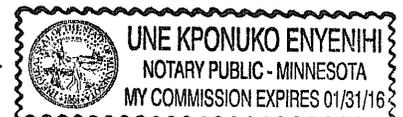
13. This Consent Agreement is subject to approval of the Iowa Board. If the Iowa Board fails to approve the Order, it shall be of no force or effect to either party.

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



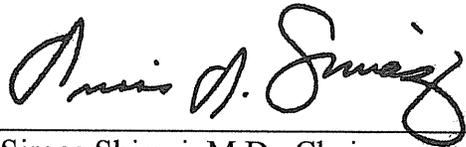
Gregory Lee Thalken, M.D., Applicant

Subscribed and sworn to before me on November 25th, 2011.



Notary Public, State of MINNESOTA.

This Consent Agreement is approved by the Board on December 6, 2011.

A handwritten signature in cursive script, reading "Siroos Shirazi". The signature is written in black ink and is positioned above a horizontal line.

Siroos Shirazi, M.D., Chairman
Iowa Board of Medicine
400 SW 8th Street, Suite C
Des Moines, IA 50309-4686