

BEFORE THE IOWA BOARD OF MEDICINE

\*\*\*\*\*

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

IRVING L. WOLFE, D.O., RESPONDENT

FILE Nos. 03-00-927 & 03-03-413

\*\*\*\*\*

TERMINATION ORDER

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Date: December 5, 2014.

1. Respondent was issued Iowa license No. 02257 on January 22, 1988.
2. Respondent's Iowa medical license is active and will next expire on September 1, 2015.
3. **Practice Setting:** Respondent is an Iowa-licensed physician who currently practices neurology in Des Moines, Iowa.
4. **Statement of Charges, Settlement Agreement and Final Order:** On May 4, 2006, Respondent entered into a combined Statement of Charges, Settlement Agreement and Final Order with the Board. The Board charged Respondent with engaging in inappropriate sexual relationships with at least three patients, inappropriate prescribing and documenting patient examinations that he did not perform. Under the terms of the May 4, 2006, Order, the Board issued Respondent a Citation and Warning, ordered him to pay and \$10,000 civil penalty and indefinitely suspended his Iowa medical license.

5. **Reinstatement Order:** On February 12, 2007, the Board issued a Reinstatement Order reinstating Respondent's Iowa medical license and placing Respondent on probation for a period of five (5) years subject to the following terms and conditions:

- A. Respondent is required to have a Board-approved female healthcare professional chaperone continually present when treating female patients.
- B. Respondent is prohibited from prescribing or administering schedule II controlled substances under his Iowa medical license and he is prohibited from prescribing or administering controlled substances for the treatment of patients with chronic, nonmalignant or intractable pain and headache treatment under his Iowa medical license.

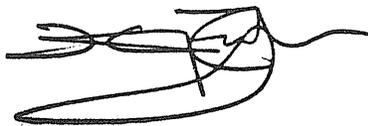
6. **Termination of Probation:** On February 12, 2012, the Board concluded that Respondent successfully completed the terms of probation and voted to terminate the terms of probation. However, Respondent was required to have a Board-approved female healthcare professional chaperone continually present when treating female patients and he was prohibited from prescribing or administering schedule II controlled substances under his Iowa medical license and he is prohibited from prescribing or administering controlled substances for the treatment of patients with chronic, nonmalignant or intractable pain and headache treatment under his Iowa medical license.

7. **Termination of Chaperone Requirement and Prescribing Restrictions:** On December 5, 2014, the Board concluded that Respondent has fully complied with the terms and conditions established in the February 12, 2007, Reinstatement Order and voted to terminate the chaperone requirement and the restrictions on his ability to prescribe or administer controlled substances.

**THEREFORE IT IS HEREBY ORDERED:** that the chaperone requirement and restrictions on Respondent's ability to prescribe or administer controlled substances are terminated and his Iowa medical license is returned to its full privileges, free and clear of all restrictions.

This Amended Order is effective on December 5, 2014.

**IOWA BOARD OF MEDICINE**

A handwritten signature in black ink, appearing to read 'Hamed H. Tewfik', written over a horizontal line.

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

**BEFORE THE IOWA BOARD OF MEDICINE**

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**IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST**

**IRVING L. WOLFE, D.O., RESPONDENT**

**FILE Nos. 03-00-927 & 03-03-413**

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**TERMINATION ORDER**

\*\*\*\*\*

Date: February 12, 2012.

1. Respondent was issued Iowa license No. 02257 on January 22, 1988.
2. Respondent's Iowa medical license is active and will next expire on September 1, 2013.
3. Respondent practices neurology in Des Moines, Iowa.
4. On May 4, 2006, Respondent entered into a combined Statement of Charges, Settlement Agreement and Final Order. Respondent was charged with engaging in inappropriate sexual relationships with at least three patients, inappropriate prescribing practices and documenting patient examinations that he did not perform. Under the terms of the Settlement Agreement, under the following terms and conditions:
  - A. Respondent's Iowa medical license was indefinitely suspended.
  - B. Respondent is required to have a Board-approved female healthcare professional chaperone continually present when treating female patients.

C. Respondent is prohibited from prescribing or administering schedule II controlled substances under his Iowa medical license and he is prohibited from prescribing or administering controlled substances for the treatment of patients with chronic, nonmalignant or intractable pain and headache treatment under his Iowa medical license.

D. Respondent was issued a Citation and Warning.

E. Respondent was ordered to pay a \$10,000 civil penalty.

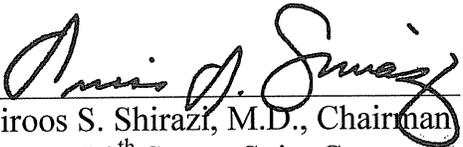
5. In November 2006, Respondent completed professional sexual misconduct treatment at a Board-approved program..

6. On February 12, 2007, the Board issued a Reinstatement Order reinstating Respondent's Iowa medical license and Respondent was placed on probation for a period of five years subject to Board monitoring.

7. On February 12, 2012, Respondent completed the period of probation.

**THEREFORE IT IS HEREBY ORDERED:** that the terms and conditions of Respondent's probation are terminated. Respondent is required to have a Board-approved female healthcare professional chaperone continually present when treating female patients. Respondent is prohibited from prescribing or administering schedule II controlled substances under his Iowa medical license and he is prohibited from prescribing or administering controlled substances for the treatment of patients with chronic, nonmalignant or intractable pain and headache treatment under his Iowa medical license.

**IOWA BOARD OF MEDICINE**

  
Siroos S. Shirazi, M.D., Chairman  
400 SW 8<sup>th</sup> Street, Suite C  
Des Moines, Iowa 50309-4686

**BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF IOWA**

\*\*\*\*\*

**IN THE MATTER OF STATEMENT OF CHARGES AGAINST**

**IRVING L. WOLFE, D.O., RESPONDENT**

**FILE Nos. 03-00-927 & 03-03-413**

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**REINSTATEMENT ORDER**

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**COMES NOW** the Iowa Board of Medical Examiners, ( the Board), and Irving L. Wolfe, D.O., (Respondent), on February 12, 2007, and pursuant to Iowa Code sections 17A.10(2) and 272C.3(4) (2007), enter into this Reinstatement Order in the above matter.

1. Respondent was issued Iowa medical license no. 02257 on January 22, 1988.
2. Respondent's Iowa medical license is active and will next expire on September 1, 2007.
3. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 147, 148 and 272C.

**CIRCUMSTANCES**

4. Respondent engaged in inappropriate sexual relationships with at least three patients in violation of appropriate physician-patient boundaries.

5. On May 4, 2006, the Board charged Respondent for engaging in inappropriate sexual relationships with patients, inappropriate prescribing practices and documenting patient examinations that he did not perform. Respondent entered into a combined Statement of Charges, Settlement Agreement and Final Order with the Board and subject to the following terms and conditions:

- A. He received a Citation and Warning,
- B. He was ordered to pay a \$10,000 civil penalty,
- C. He is required to have a Board-approved female healthcare professional chaperone continually present when treating female patients,
- D. He is prohibited from prescribing or administering schedule II controlled substances under his Iowa medical license and he is prohibited from prescribing or administering controlled substances for the treatment of patients with chronic, nonmalignant or intractable pain and headache treatment under his Iowa medical license, and
- E. His Iowa medical license was indefinitely suspended.

6. In November 2006, Respondent completed professional sexual misconduct treatment at a Board-approved program and the program determined that Respondent is safe to return to the practice subject to certain terms and conditions.

## REINSTATEMENT

7. **CHAPERONE REQUIREMENT:** Respondent shall be **permanently prohibited** from treating female patients without having a Board-approved female healthcare professional chaperone continually present. The Board-approved healthcare professional chaperone shall be continually present when the Respondent is providing healthcare services, including but not limited to, patient evaluation, treatment and post-evaluation treatment directions. The chaperone shall clearly document her continued presence in each patient's chart. Respondent shall provide the Board with the names of all persons providing chaperone services for him at all facilities where Respondent practices medicine under his Iowa medical license within 48 hours of their joining the staff. The Board will provide all chaperones with a copy of all Board Orders in this matter. All chaperones shall provide a written statement to the Board indicating that they have read the Board Orders and agree to inform the Board immediately if there is any evidence of inappropriate sexual behavior or professional misconduct.

8. **PROHIBITION – PRESCRIBING OR ADMINISTERING CONTROLLED SUBSTANCES:** Respondent is prohibited from prescribing or administering schedule II controlled substances under his Iowa medical license. Respondent is prohibited from prescribing or administering controlled substances for the treatment of patients with chronic, nonmalignant or intractable pain and headache treatment under his Iowa medical license.

9. **FIVE YEARS PROBATION:** Respondent's Iowa medical license is reinstated and he is placed on probation for a period of five years subject to the following terms and conditions:

- A. **Board Monitoring Program:** Respondent shall contact Shantel Billington, Compliance Monitor, Iowa Board of Medical Examiners, 400 SW 8<sup>th</sup> Street, Suite C, Des Moines, IA 50309-4686, Ph. #515-281-3654, to establish a monitoring program.
- B. **Notice to Employers:** Respondent shall provide all present and future employers and employment supervisors at any location where Respondent is employed as a physician with a copy of all Board orders relating to this disciplinary action. All such individuals shall provide a written statement to the Board indicating they have read and understand the documents related to this matter. All such individuals shall agree to contact the Board immediately upon receipt of evidence that Respondent has engaged in unprofessional conduct or has deviated from the minimum standard of care.
- C. **Professional Boundary Program:** Within sixty (60) days of the date of this Order, Respondent shall complete a Board-approved professional boundary program under the direction of John Hung, Ph.D. at Health Psychology Consultants, 7300 France Avenue, Suite 201, Edina, Minnesota, Ph.# 952-835-1952. Respondent shall be responsible for all costs associated with the program.

D. **Sexual Misconduct Treatment:** Respondent shall successfully complete Board-approved sexual misconduct treatment under the following terms and conditions:

- (1) The counselor shall agree to submit written quarterly reports to the Board concerning Respondent's progress. The reports shall be filed with the Board not later than 1/20, 4/20, 7/20 and 10/20 of each year of Respondent's probation.
- (2) Respondent shall continue counseling until discharged by the Board-approved counselor and until Respondent's discharge from counseling is approved by the Board.
- (3) Respondent shall meet with his Board-approved counselor as frequently as recommended by the counselor and approved by the Board.

E. **Sexual Misconduct Risk Reduction Plan:** Respondent shall submit a written sexual misconduct risk reduction plan for Board approval which includes the following provisions:

- (1) Respondent shall not engage in any romantic and/or sexual relationship with any current, former or future patients.
- (2) Respondent shall refer all patients with a high risk of drug addiction to another practitioner for treatment. Respondent's staff shall assist him in identifying high risk patients.
- (3) Respondent shall refer all patients with a high risk for sexual misconduct (manipulative and/or seductive behavior) to another practitioner for

treatment. Respondent's staff shall assist him in identifying high risk patients.

G. **Quarterly Reports:** Respondent shall file sworn quarterly reports with the Board attesting to his compliance with all the terms and conditions of this Settlement Agreement, including attendance at meetings with his counselor. The reports shall be filed not later than 1/10, 4/10, 7/10 and 10/10 of each year of Respondent's probation.

H. **Board Appearances:** Respondent shall make an appearance before the Board annually or upon request. Respondent shall be given written notice of the date, time and location for the appearances. Such appearances shall be subject to the waiver provisions of 653 IAC 24.2(5)(d).

I. **Monitoring Fee:** Respondent shall make a payment of \$100 to the Board each quarter for the duration of this Order to cover the Board's monitoring expenses in this matter. The monitoring fee shall be submitted with each quarterly report required under this Order. The monitoring fee shall be sent to: Shantel Billington, Compliance Monitoring, Iowa Board of Medical Examiners, 400 SW 8<sup>th</sup> Street, Suite C, Des Moines, IA 50309-4686. The check shall be made payable to the Iowa Board of Medical Examiners. The monitoring fee shall be considered repayment receipts as defined in Iowa Code section 8.2.

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

11. This Order constitutes the resolution of a contested case proceeding.

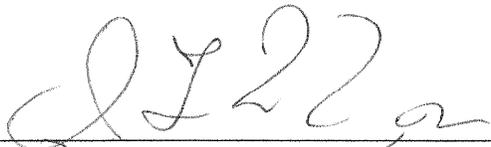
12. In the event Respondent violates or fails to comply with any of the terms or conditions of this Order the Board may initiate action to suspend or revoke Respondent's Iowa medical license or to impose other license discipline as authorized in Iowa Code Chapters 148 and 272 and 653 IAC 25.

13. This Order is voluntarily submitted by Respondent to the Board for consideration.

14. By entering into this Order Respondent voluntarily waives any rights to a contested case hearing in this matter and waives any objections to the terms of this Order.

15. 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.

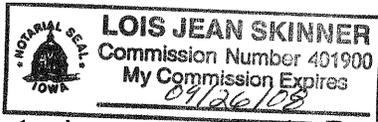
16. The Board's approval of this Order shall constitute a **Final Order** of the Board.



Irving L. Wolfe, D.O., Respondent

Subscribed and sworn to before me on February 9, 2007.

Notary Public, State of Iowa



*Lois Jean Skinner  
Notary Public  
1015 J. SKINNER*

This Order is approved by the Board on February 12, 2007.



Yasyn Lee, M.D., Chair  
Iowa Board of Medical Examiners  
400 SW 8<sup>th</sup> Street, Suite C  
Des Moines, Iowa 50309-4686

**BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF IOWA**

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**IN THE MATTER OF STATEMENT OF CHARGES AGAINST**

**IRVING L. WOLFE, D.O., RESPONDENT**

**FILE Nos. 03-00-927 & 03-03-413**

\*\*\*\*\*

**STATEMENT OF CHARGES,**

**SETTLEMENT AGREEMENT AND FINAL ORDER  
(Combined)**

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**COMES NOW** the Iowa Board of Medical Examiners (the Board), and Irving L. Wolfe, D.O., (Respondent), on May 4, 2006, and pursuant to Iowa Code sections 17A.10(2) and 272C.3(4) (2005), file this combined Statement of Charges, Settlement Agreement and Final Order.

**STATEMENT OF CHARGES**

1. Respondent was issued license number 02257 to practice osteopathic medicine and surgery in Iowa on January 22, 1988.
2. Respondent's Iowa medical license is active and will next expire on September 1, 2007.
3. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 147, 148 and 272C.

## COUNT I

4. Respondent is charged pursuant to Iowa Code section 147.55(3) (2005) and 653 IAC sections 12.4(3) and 12.4(36) with engaging in unethical conduct or practice harmful or detrimental to the public or unprofessional conduct.

## COUNT II

5. Respondent is charged pursuant to Iowa Code sections 147.55(2), 148.6(2)(g) and 272C.10(2) (2005), and 653 IAC section 12.4(2)(d) with failing to conform to the minimal standard of acceptable and prevailing practice of medicine in the state of Iowa.

## CIRCUMSTANCES

6. Respondent engaged in inappropriate sexual relationships with at least three patients in violation of appropriate physician-patient boundaries.

7. Respondent failed to conform to the minimum standards of practice for prescribing or administering controlled substances for the treatment of patients with chronic, nonmalignant pain, pursuant to 653 IAC 13.2.

8. Respondent engaged in unprofessional conduct and/or failed to conform to the minimal standard of acceptable and prevailing practice of medicine in Iowa when he documented patient examinations that he did not perform.

## SETTLEMENT AGREEMENT

9. **CITATION AND WARNING:** Respondent is hereby **CITED** for engaging in sexual misconduct with at least three patients in the practice of medicine and for failing to conform to the minimal standard of acceptable and

prevailing practice in his treatment of numerous patients. Respondent is hereby **WARNED** that engaging in such conduct in the future may result in further disciplinary action, including revocation of his Iowa medical license.

10. **CIVIL PENALTY:** Respondent shall be assessed a civil penalty in the amount of **\$10,000**. The civil penalty shall be paid within 30 days of the date of this Order and shall be made payable to the Treasurer of Iowa, and mailed to the executive director of the Board. The civil penalty shall be deposited into the State General Fund.

11. **CHAPERONE REQUIREMENT:** Respondent shall be **permanently prohibited** from treating female patients without having a Board-approved female healthcare professional chaperone continually present. The Board-approved healthcare professional chaperone shall be continually present when the Respondent is providing healthcare services, including but not limited to, patient evaluation, treatment and post-evaluation treatment directions. The chaperone shall clearly document her continued presence in each patient's chart. Respondent shall provide the Board with the names of all persons providing chaperone services for him at all facilities where Respondent practices medicine under his Iowa medical license within 48 hours of their joining the staff. The Board will provide all chaperones with a copy of all Board Orders in this matter. All chaperones shall provide a written statement to the Board indicating that they have read the Board Orders and agree to inform the Board immediately if there is any evidence of inappropriate sexual behavior or professional misconduct.

12. **PROHIBITION – PRESCRIBING OR ADMINISTERING CONTROLLED SUBSTANCES:** Respondent is prohibited from prescribing or administering schedule II controlled substances under his Iowa medical license. Respondent is prohibited from prescribing or administering controlled substances for the treatment of patients with chronic, nonmalignant or intractable pain and headache treatment under his Iowa medical license.

13. **INDEFINITE SUSPENSION:** Respondent’s Iowa medical license shall be **indefinitely suspended** upon the date of this Order. During the period of suspension, Respondent shall not engage in the practice of medicine under his Iowa medical license. The Board will not consider reinstatement of Respondent’s Iowa medical license until Respondent has successfully completed treatment at a Board-approved treatment program and he demonstrates that it is safe for him to return to the practice of medicine. Respondent may seek reinstatement pursuant to 653 IAC 12.40.

14. **FIVE YEARS PROBATION:** Upon reinstatement of Respondent’s Iowa medical license, his license shall be placed on **probation for a period of five (5) years** subject to the following terms and conditions:

- A. **Board Monitoring Program:** Respondent shall contact Deb Anglin, Coordinator, Monitoring Programs, Iowa Board of Medical Examiners, 400 SW 8<sup>th</sup> Street, Suite C, Des Moines, IA 50309-4686, Ph. #515-281-6491, to establish a monitoring program.

B. **Notice to Employers:** Respondent shall provide all present and future employers and employment supervisors at any location where Respondent is employed as a physician with a copy of all Board orders relating to this disciplinary action. All such individuals shall provide a written statement to the Board indicating they have read and understand the documents related to this matter. All such individuals shall agree to contact the Board immediately upon receipt of evidence that Respondent has engaged in unprofessional conduct or has deviated from the minimum standard of care.

C. **Sexual Misconduct Treatment:** Respondent shall successfully complete Board-approved sexual misconduct treatment under the following terms and conditions:

- (1) The counselor shall agree to submit written quarterly reports to the Board concerning Respondent's progress. The reports shall be filed with the Board not later than 1/20, 4/20, 7/20 and 10/20 of each year of Respondent's probation.
- (2) Respondent shall continue counseling until discharged by the Board-approved counselor and until Respondent's discharge from counseling is approved by the Board.
- (3) Respondent shall meet with his Board-approved counselor as frequently as recommended by the counselor and approved by the Board.

- D. **Worksite Monitor:** Respondent shall submit for Board approval the name of a physician who regularly observes Respondent in the practice of medicine to serve as worksite monitor. The Board shall share a copy of all Board orders relating to this matter with the worksite monitor. The worksite monitor shall provide a written statement indicating that they have read and understand all Board orders relating to this disciplinary action and agrees to act as the worksite monitor under the terms of this agreement. The worksite monitor shall agree to inform the Board immediately if there is evidence of substance abuse, professional misconduct, or a violation of the terms of this Settlement Agreement. The monitor shall agree to submit quarterly reports to the Board concerning Respondent's progress. The reports shall be filed with the Board not later than 1/20, 4/20, 7/20 and 10/20 of each year of probation.
- E. **Full Compliance with All Recommendations:** Respondent shall fully comply with all recommendations made by the Board and all Board-approved treatment professionals, including but not limited to BMI.
- F. **Quarterly Reports:** Respondent shall file sworn quarterly reports with the Board attesting to his compliance with all the terms and conditions of this Settlement Agreement, including attendance at

meetings with his counselor. The reports shall be filed not later than 1/10, 4/10, 7/10 and 10/10 of each year of Respondent's probation.

G. **Board Appearances:** Respondent shall make an appearance before the Board annually or upon request. Respondent shall be given written notice of the date, time and location for the appearances. Such appearances shall be subject to the waiver provisions of 653 IAC 12.6(6)(d).

H. **Monitoring Fee:** Respondent shall make a payment of \$100 to the Board each quarter for the duration of this Order to cover the Board's monitoring expenses in this matter. The Monitoring Fee shall be received by the Board no later than the 15<sup>th</sup> of the month three months after the date of this order and every quarter thereafter. The Monitoring Fee shall be sent to: Coordinator of Monitoring Programs, Iowa Board of Medical Examiners, 400 SW 8<sup>th</sup> Street, Suite C, Des Moines, IA 50309-4686. The check shall be made payable to the Iowa Board of Medical Examiners. The Monitoring Fee shall be considered repayment receipts as defined in Iowa Code section 8.2.

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

16. This combined Statement of Charges, Settlement Agreement and Final Order constitutes the resolution of a contested case proceeding.

17. In the event Respondent violates or fails to comply with any of the terms or conditions of this Statement of Charges, Settlement Agreement and Final Order, 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 12.2.

18. This combined Statement of Charges, Settlement Agreement and Final Order is voluntarily submitted by Respondent to the Board for consideration.

19. By entering into this combined Statement of Charges, Settlement Agreement and Final Order, Respondent 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 Settlement Agreement.

20. This Statement of Charges, Settlement Agreement and Final Order is subject to approval by the Board. If the Board fails to approve this Settlement Agreement and Final Order, it shall be of no force or effect to either party.

21. The Board's approval of this Settlement Agreement and Final Order shall constitute a **Final Order** of the Board.

  
Irving L. Wolfe, D.O., Respondent

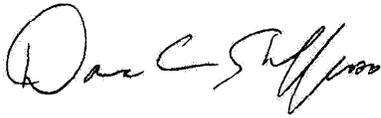
Subscribed and sworn to before me on March 18, 2006. By Irving L. Wolfe  
Notary Public, State of Iowa D. O.

  
Ed Skinner

9-28-08

This combined Statement of Charges, Settlement Agreement and Final Order is

approved by the Board on May 4, 2006.



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Dana Shaffer, D.O.  
Iowa Board of Medical Examiners  
400 SW 8<sup>th</sup> Street, Suite C  
Des Moines, Iowa 50309-4686