

**BEFORE THE IOWA BOARD OF MEDICINE**

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

**ROBERT S. YOUNG, II, M.D., RESPONDENT**

**FILE No. 02-09-457**

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**TERMINATION ORDER**

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Date: April 9, 2012.

1. Respondent was issued Iowa medical license no. 33245 on December 16, 1999.

2. Respondent's Iowa medical license is active and will next expire on January 1, 2014.

3. Respondent practiced orthopedic surgery in Marshalltown, Iowa. Respondent retired from the active practice of medicine on December 31, 2011.

4. On April 9, 2010, Respondent entered into a combined Statement of Charges and Settlement Agreement with the Board. The Board charged Respondent with inappropriately prescribing controlled substances to members of his immediate family in violation of the laws and rules governing the practice of medicine in Iowa. Under the terms of the Settlement Agreement, the Board issued Respondent a Citation and Warning, ordered him to pay a \$2,500 civil penalty and placed Respondent on probation subject to Board monitoring for a period of two years.

5. On April 9, 2012, Respondent completed the period of probation.

**THEREFORE IT IS HEREBY ORDERED:** that the terms and conditions of Respondent's probation are terminated and Respondent's Iowa medical license is returned to its full privileges, free and clear of all restrictions.

**IOWA BOARD OF MEDICINE**

A handwritten signature in black ink, appearing to read "Siroos S. Shirazi". The signature is written in a cursive style with a horizontal line underneath it.

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

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

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COMES NOW the Iowa Board of Medicine (Board), and Robert S. Young, M.D., (Respondent), on April 9, 2010, and pursuant to Iowa Code sections 17A.10(2) and 272C.3(4) (2007), and file this combined Statement of Charges and Settlement Agreement to resolve this matter.

**STATEMENT OF CHARGES**

1. Respondent was issued Iowa medical license no. 33245 on December 16, 1999.
2. Respondent's Iowa medical license is active and will next expire on January 1, 2012.
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 sections 147.55(8) and 148.6(2)(i) and 653 IAC 23.1(7) for inappropriately prescribing controlled substances to members of his immediate family in violation of the laws and rules governing the practice of medicine in Iowa.

### STATEMENT OF MATTERS ASSERTED

5. Respondent practices orthopedic surgery in Marshalltown, Iowa.

6. The Board alleges that Respondent inappropriately prescribed controlled substances to members of his immediate family in violation of the laws and rules governing the practice of medicine in Iowa.

7. Respondent admits prescribing controlled substances to family members for treatment and indicated that he was not aware that this practice was a violation of Iowa law. Respondent agrees to fully review the Board's administrative rules at 653 IAC 13.1-21 and 23.1-41.

### SETTLEMENT AGREEMENT

8. **CITATION AND WARNING:** Respondent is hereby **CITED** for inappropriately prescribing controlled substances to members of his immediate family in violation of the laws and rules governing the practice of medicine in Iowa. Respondent is hereby **WARNED** that such conduct in the future may result in further disciplinary action against his Iowa medical license.

9. **CIVIL PENALTY:** Respondent shall be assessed 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.

10. **PRESCRIBING COURSE:** Respondent shall complete a Board-approved course for appropriate controlled substance prescribing no later than July 1, 2010, unless said time is extended in writing by the Board.

11. **RECORD KEEPING COURSE:** Respondent shall complete a Board-approved course for record keeping no later than July 1, 2010, unless said time is extended in writing by the Board.

12. **TWO YEARS PROBATION:** Respondent shall be placed on **probation for a period of two years** subject to the following terms and conditions:

A. **Monitoring Program:** Respondent shall establish a monitoring program with Shantel Billington, Compliance Monitor, Iowa Board of Medicine, 400 SW 8<sup>th</sup> Street, Suite C, Des Moines, IA 50309-4686, Ph.#515-281-3654. Respondent shall fully comply with all requirements of the monitoring program.

B. **Prescribing Audits:** Respondent shall fully comply with Board-approved audits of his controlled substance prescribing on the dates set forth in Paragraph C. Respondent shall submit the names of all patients he has prescribed controlled substances for each quarter. From that list, the Board shall select 10 patients quarterly. Respondent shall provide the Board copies

of the medical records for each patient selected for review. Respondent shall pay the Board a \$300 auditing fee each quarter for the audits performed by the Board. The auditing fee shall be submitted to the Board with each quarterly report below.

- C. **Quarterly Reports:** Respondent shall file sworn quarterly reports attesting to his compliance with all the terms of his probation not later than 1/10, 4/10, 7/10 and 10/10 during the two years of probation.
- D. **Board Appearances:** Respondent shall appear before the Board annually or upon request of the Board during the period this Order. Respondent shall be given notice of the date, time and location of the appearances. The appearances shall be subject to the waiver provisions of 653 IAC 24.2(5)(2).
- E. **Monitoring Fee:** Respondent shall make a payment of \$100 to the Board each quarter for the duration of his probation to cover the Board's monitoring expenses in this matter. The monitoring fee shall be received by the Board with all quarterly reports required during his probation. The monitoring fee shall be sent to: Shantel Billington, Compliance Monitor, Iowa Board of Medicine, 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 Medicine. The monitoring fee shall be considered repayment receipts as defined in Iowa Code section 8.2.

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

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

15. Periods of residence or practice outside the state of Iowa shall not apply to the duration of this Order unless Respondent obtains prior written approval from the Board. Periods in which Respondent does not practice medicine or fails to comply with the terms established in this Order shall not apply to the duration of this Order unless Respondent obtains prior written approval from the Board.

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

17. 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.

18. In the event Respondent violates or fails to comply with any of the terms 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 272C and 653 IAC 25.

19. By entering into this 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.

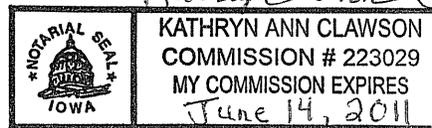
20. This Order is subject to approval of the Board. If the Board fails to approve this Order, it shall be of no force or effect to either party.

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

Robert S. Young MD  
Robert S. Young, M.D., Respondent

Subscribed and sworn to before me on April 6<sup>th</sup>, 2010.

Notary Public, State of Iowa



This Order is approved by the Board on April 9, 2010.

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