

**PRESS RELEASE**  
**IOWA BOARD OF MEDICINE**  
**(October 9, 2014)**

**PUBLIC DOCUMENTS: Please click on the physician's name to access a link to a copy of the public documents for these physicians.**

Recently, the Iowa Board of Medicine took the following actions:

**Scott J. Fasse, M.D.**, a 59-year-old Iowa-licensed physician who practices family medicine in Omaha, Nebraska, had formal disciplinary charges filed against him by the Iowa Board on October 3, 2014. Dr. Fasse's Iowa medical license has been inactive due to nonrenewal since January 1, 2003. On July 13, 2011, the Nebraska Department of Health and Human Services, Division of Public Health (Nebraska Board) disciplined Dr. Fasse for engaging in a pattern of negligent practice in his treatment of three patients between December 2004 and November 2005 when he: ordered repeated, unnecessary sinus and chest x-rays; prescribed excessive and improper antibiotic therapy; and failed to refer patients to an otolaryngologist for specialty care. The Nebraska Board issued Dr. Fasse a public censure; ordered him to obtain a Board-approved practice monitor for a period of one year; successfully complete a Board-approved comprehensive review course and pay a \$5,000 civil penalty. The Iowa Board charged Dr. Fasse with being disciplined by the Nebraska Board. A hearing is scheduled on December 18, 2014.

**Kevin A. Kimm, D.O.**, a 62-year-old Iowa-licensed physician who formerly practiced general medicine in Charles City and Mason City, Iowa, and Blue Earth, Minnesota, had charges dismissed by the Board on October 3, 2014. On November 1, 2012, Dr. Kimm's Iowa medical license went inactive due to nonrenewal. On December 26, 2012, Dr. Kimm entered into an Initial Agreement with the Iowa Physician Health Program (IPHP) due to a health condition which may impair his ability to practice medicine with reasonable skill and safety. He agreed to obtain approval from the IPHP prior to returning to the practice of medicine. On March 9, 2013, Dr. Kimm entered into a Stipulation and Order with the Minnesota Board of Medical Practice (Minnesota Board). The Minnesota Board concluded that Dr. Kimm was unable to practice medicine with reasonable skill and safety due to illness and his Minnesota medical license was suspended indefinitely. Dr. Kimm is seeking reinstatement of his Minnesota medical license. On May 20, 2013, Dr. Kimm entered into an agreement to report to the IPHP prior to seeking reinstatement of his Iowa medical license. On August 8, 2014, the Iowa Board filed charges against Dr. Kimm based on the Minnesota action. On October 3, 2014, the Board voted to dismiss the pending charges. The Board noted that Dr. Kimm's Iowa medical license has been inactive since November 1, 2012, that the Stipulation and Order he entered into with the Minnesota Board is a public record and he has agreed to report to the IPHP prior to seeking reinstatement of his Iowa medical license.

**Luther P. Philaya, M.D.**, a 57-year-old Iowa-licensed physician who formerly practiced family and emergency medicine in Milaca, Minnesota, entered into a combined Statement of Charges and Settlement Agreement on October 3, 2014. Dr. Philaya's Iowa medical license has been inactive due to nonrenewal since July 1, 1991. On November 9, 2013, Dr. Philaya was disciplined by the Minnesota Board of Medical Practice (Minnesota Board). The Minnesota Board alleged that Dr. Philaya prescribed large quantities of controlled substances to two personal friends and diverted most of the drugs for his own use between 2010 and 2012. The Minnesota Board issued Dr. Philaya a reprimand and indefinitely suspended his Minnesota medical license indicating that he may petition for reinstatement of his Minnesota license upon successful completion of specified terms and conditions. Under the terms of the October 3, 2014, combined Statement of Charges and Settlement Agreement, Dr. Philaya voluntarily surrendered his Iowa medical license.

**David W. Selby, D.O.**, a 61-year-old Iowa-licensed physician who currently practices family medicine in Lake Oswego, Oregon, entered into a combined Statement of Charges and Settlement Agreement on October 3, 2014. Dr. Selby's Iowa medical license has been inactive due to nonrenewal since November 1, 1986. On March 1, 2012, Dr. Selby entered into a Stipulated Order with the Oregon Medical Board (Oregon Board). The Oregon Board alleged that Dr. Selby inappropriately prescribed medications to multiple patients without appropriate indications and monitoring in Lake Oswego, Oregon, between 2007 and 2010. The Oregon Board issued Dr. Selby a reprimand and ordered him to pay a \$1,000 fine and complete a Board-approved prescribing course and educational intervention. The Oregon Board also ordered him to limit the number of physician assistants under his supervision to one. Dr. Selby denied the allegations but accepted the Oregon Board's order to compromise and resolve the proceedings. Dr. Selby has successfully completed the conditions established by the Oregon Board and is not under any current restriction or limit to practice medicine in that state. Under the terms of the October 3, 2014, combined Statement of Charges and Settlement Agreement, the Iowa Board issued Dr. Selby a Citation and Warning for being disciplined by the Oregon Board for conduct occurring in that state and he agreed to provide the Iowa Board written notice at least ninety (90) days prior to seeking reinstatement of his Iowa medical license at which time he agrees to comply with any additional conditions ordered by the Iowa Board which are necessary to protect the public and ensure that he practices medicine with reasonable skill and safety.

**When appropriate, disciplinary actions are reported to the National Practitioner Data Bank, an electronic repository administered by the U.S. Health Resources and Services Administration to track adverse license actions.**

**CONSUMER COMPLAINTS: Consumers can submit complaints against physicians through the Board's Website at [www.medicalboard.iowa.gov](http://www.medicalboard.iowa.gov), by calling (515) 281-5847, or by mail at 400 SW 8<sup>th</sup> Street, Suite C, Des Moines, IA 50309-4686.**