



Fields of Opportunities

STATE OF IOWA

CHESTER J. CULVER
GOVERNOR
PATTY JUDGE
LT. GOVERNOR

IOWA BOARD OF MEDICINE
MARK BOWDEN
EXECUTIVE DIRECTOR

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FOR IMMEDIATE RELEASE

Appeals Court upholds Board's authority

DES MOINES, IA – The Iowa Court of Appeals has affirmed the Iowa Board of Medicine's authority to take disciplinary action against a physician over a single act of substandard treatment of a patient.

The court, in a decision filed June 17, said the Board could discipline Lynn A. Lyons, D.O., of Lewisville, Texas, for professional incompetence for his treatment of a teen-age girl with urination issues when he had a urology practice in Fort Dodge, IA, in 2000-2001. Lyons later moved to Texas where he continued to practice medicine, and his Iowa medical license became inactive in 2004.

In 2005, the Board filed charges against Lyons over his treatment of the girl, and in 2007 a three-member Board panel concluded that the physician committed a substantial deviation from the standard of care, resulting in severe long-term health problems of the patient. Lyons appealed the panel's findings to the full Board, which also reached the same conclusion. The Board suspended his license for 90 days, restricted some aspects of his urology practice, placed him on probation for five years and ordered him to pay a \$10,000 fine.

Lyons appealed the Board's decision in Polk County District Court, contending the board was without authority to discipline him over the treatment of a single patient, that the board did not have jurisdiction to take an action against him as a non-resident of Iowa with a lapsed license, that the Board erred in refusing to appoint a new panel for his second hearing, and that the board erred in refusing to facilitate production of certain medical records in the case against him.

When the District Court affirmed the Board's handling of the case and the disciplinary action against Lyons, he appealed to the Iowa Court of Appeals, which affirmed the District Court's decision.

The Court of Appeals' full decision can be found on the court's Website:

http://www.iowacourts.gov/court_of_appeals/Recent_Opinions/20090617/9-340.pdf