

**BEFORE THE BOARD OF MEDICINE OF THE STATE OF IOWA**

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

**HAROLD BAFITIS, D.O., RESPONDENT**

**FILE No. 03-07-076**

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**STATEMENT OF CHARGES and SETTLEMENT AGREEMENT  
(combined)**

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**COMES NOW** the Iowa Board of Medicine (the Board), and Harold Bafitis, D.O., (Respondent), on November 8, 2007, and pursuant to Iowa Code sections 17A.10(2) and 272C.3(4) (2007), file this combined Statement of Charges and Settlement Agreement to resolve this pending disciplinary matter.

1. Respondent was issued Iowa medical license no. 02156 on May 16, 1986.
2. Respondent's Iowa license is active and will next expire on February 1, 2009.
3. The Board has jurisdiction in this matter pursuant to Iowa Code Chapters 147, 148 and 272C.

**COUNT I**

4. Respondent is charged under Iowa Code section 148.6(2)(d) (2007) with being disciplined by the medical licensing authority of another state.

## COUNT II

5. Respondent is charged under Iowa Code sections 147.55(3) and 272C.10(3) (2007) and 653 IAC sections 23.1(3) and (4) with engaging in unethical or unprofessional conduct and/or practice harmful or detrimental to the public.

### STATEMENT OF MATTERS ASSERTED

6. Respondent is an Iowa licensed plastic surgeon who practices in Wellington, Florida.

7. On or about December 15, 2005, the Florida Board of Osteopathic Medicine filed formal disciplinary charges against Respondent for inappropriately using Tri-Toxin (a potential substitute for Botox) in his medical practice even though Tri-Toxin has not been approved by the Food and Drug Administration for human use. Respondent received a public reprimand, was ordered to pay an \$18,500 fine and he was placed on probation for a period of one year under the indirect supervision of a Board-approved physician monitor.

### SETTLEMENT AGREEMENT

8. **CITATION AND WARNING:** Respondent is hereby **CITED** for being disciplined by the Florida Board of Osteopathic Medicine and for engaging in unethical or unprofessional conduct and/or practice harmful or detrimental to the public. Respondent is hereby **WARNED** that evidence of such conduct in the future may result in further formal disciplinary action, including revocation of his Iowa medical license.

9. **COMPLIANCE WITH FLORIDA ORDER:** Respondent shall fully comply with the terms and conditions established by the Florida Board of Osteopathic Medicine.

10. **CIVIL PENALTY:** Respondent shall be assessed a civil penalty in the amount of **\$5,000**. The civil penalty shall be paid prior to the Board's approval of this Order and shall be paid by delivery of a check or money order, payable to the Treasurer of Iowa, to the executive director of the Board. The civil penalty shall be deposited into the State General Fund.

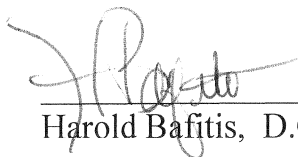
11. By entering into this Order Respondent voluntarily waives any rights to a contested case hearing on the allegations contained in the Statement of Charges, and waives any objections to the terms of this Settlement Agreement.

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

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

14. 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.

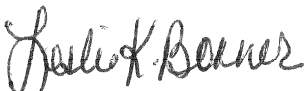
15. The Board's approval of this Order shall constitute a **FINAL ORDER** of the Board.

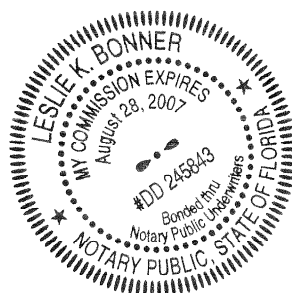
  
Harold Bafitis, D.O., Respondent

8/27/07  
Date

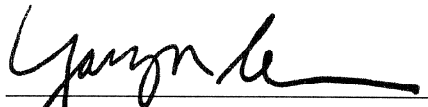
Date Subscribed and sworn to before me on 8/27/07, 2007.

Notary Public, State of





This is approved by the Board on November 8, 2007.

A handwritten signature in black ink, appearing to read 'Yasyn Lee', written over a horizontal line.

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