BEFORE THE BOARD OF MEDICAL EXAMINERS

OF THE STATE OF IOWA

* *

IN THE MATTER OF THE COMPLAINT	:	
AND STATEMENT OF CHARGES AGAINST	:	ORDER
ROBERT J. CORRY, M.D.,	:	02-92-214
RESPONDENT	:	

* *

BE IT REMEMBERED:

1. That Robert J. Corry, M.D. (hereafter the Respondent), was issued a license to practice medicine and surgery in the state of Iowa, on February 26, 1973, as evidenced by certificate number 18871, which is recorded in the permanent records in the office of the Iowa State Board of Medical Examiners (hereafter the Board).

2. That a Complaint and Statement of Charges was filed against the Respondent, on January 28, 1993, simultaneously with the execution of the Informal Settlement.

3. That the Board has jurisdiction of the parties and the subject matter herein.

4. That the undersigned is authorized to issue an Order herein on the behalf of the Board, under the provisions of sections 148.6(1) and 148.7(7), of the 1991 Code of Iowa as amended.

5. That pursuant to the provisions of sections 17A.10 and 258A.3(4) of the 1991 Code of Iowa, the Respondent and the Board have entered into an Informal Settlement providing that the undersigned should enter an Order relating to the Respondent's license to practice

medicine and surgery in the state of Iowa.

THEREFORE IT IS ORDERED that the Respondent's license to practice medicine and surgery in the state of Iowa is hereby placed on probation commencing on February 1, 1993, for a period of five (5) years under the following terms and conditions:

A. The Respondent shall abstain from the use of alcohol.

B. The Respondent shall not possess or use any controlled or prescription drug in any form unless prescribed for him by a duly licensed, treating physician, or other qualified medical practitioner. The Respondent shall inform any treating physician or medical practitioner of the terms of the Informal Settlement and this Order prior to accepting any medication.

C. The Respondent shall submit to witnessed blood or urine samples on demand by a designee of the Board. The samples shall be used for alcohol and drug screening all costs of which shall be paid by the Respondent.

D. The Respondent shall, within thirty (30) days of this Order, submit to the Board for approval the names and curriculum vitae of three physicians or counselors practicing in Iowa. A current physician or counselor may be included among the three names submitted. As a condition of approval the physicians or counselors shall agree to report to the Board on Respondent's treatment on a quarterly basis or upon request.

E. The Respondent shall commence treatment or counseling within ninety (90) days of this Order. The Respondent shall continue treatment or counseling until discharged by the physician or counselor and discharge is approved by the Board.

F. The Respondent shall attend at least one meeting of Alcoholics Anonymous, Narcotics Anonymous, or a similar organization weekly. Quarterly reports submitted under Paragraph G shall include a statement by the Respondent attesting to attendance and listing the date and place of each meeting attended. In addition, the Respondent shall append to each report a signed statement by another member of the organization which confirms the Respondent's attendance.

G. The Respondent shall submit quarterly reports under penalty of perjury stating that there has been compliance with all the conditions of the Informal Settlement and this Order.

H. The Respondent shall make appearances annually and/or upon request before the Board or a committee of the Board. The Respondent shall be given reasonable notice of the date, time and place for the appearances.

I. The Respondent shall obey all rules and all federal, state and local laws whether related to the practice of medicine in Iowa or not.

J. In the event the Respondent leaves Iowa to reside or to practice outside the state, the Respondent shall notify the Board in writing of the dates of departure and return. Periods of residence or practice outside Iowa will not apply to the duration of the Informal Settlement or this Order.

K. In the event the Respondent violates or fails to comply with any of the terms or provisions of the Informal Settlement, or this Order, the Board may initiate appropriate action to revoke or suspend the Respondent's license or to impose other licensee discipline as authorized in Iowa Code section 148.6, 258A.3(2) and 653 Iowa Adminis-

trative Code section 12.2 et seq.

L. Upon full compliance with the terms and conditions set forth in the Informal Settlement and this Order and upon expiration of the period of probation, Respondent's license shall be restored to its full privileges free and clear of the terms of the probation.

C. L. Peterson, D.O., Chairperson
IOWA STATE BOARD OF MEDICAL EXAMINERS
1209 East Court Avenue
Des Moines, IA 50319-0180

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF IOWA

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IA BOARD OF MED. EXAMINERS

IN THE MATTER OF THE COMPLAINT AND STATEMENT OF CHARGES AGAINST ROBERT J. CORRY, M.D., RESPONDENT.	)	NO. 02-92-214 INFORMAL SETTLEMENT

COME NOW the Iowa Board of Medical Examiners [the Board] and Robert J. Corry, M.D. [the Respondent] and, pursuant to Iowa Code §§ 17A.10 and 258A.3(4), enter into the following Informal Settlement of the contested case currently on file:

1. The Respondent was issued license no. 18871 to practice medicine and surgery in Iowa on February 26, 1973 as recorded in the permanent records in the office of the Board.

2. A Complaint and Statement of Charges was filed against the Respondent on January 28, 1993, simultaneously with the execution of this Informal Settlement.

3. The Board has jurisdiction of the parties and the subject matter.

4. The Board shall place the Respondent's license on probation commencing on February 1, 1993, for a period of five (5) years under the following terms and conditions:

A. The Respondent shall abstain from the use of alcohol.

B. The Respondent shall not possess or use any controlled or prescription drug in any form unless

prescribed for him by a duly licensed, treating physician, or other qualified medical practitioner. The Respondent shall inform any treating physician or medical practitioner of the terms of this Informal Settlement prior to accepting any medication.

C. The Respondent shall submit to witnessed blood or urine samples on demand by a designee of the Board. The samples shall be used for alcohol and drug screening all costs of which shall be paid by the Respondent.

D. The Respondent shall, within thirty (30) days of the execution of this Informal Settlement by the Board, submit to the Board for approval the names and curriculum vitae of three physicians or counselors practicing in Iowa. A current physician or counselor may be included among the three names submitted. As a condition of approval the physicians or counselors shall agree to report to the Board on Respondent's treatment on a quarterly basis or upon request.

E. The Respondent shall commence treatment or counselling within ninety (90) days of the execution of this Informal Settlement by the Board. The Respondent shall continue treatment or

counselling until discharged by the physician or counselor and discharge is approved by the Board.

F. The Respondent shall attend at least one meeting of Alcoholics Anonymous, Narcotics Anonymous, or a similar organization weekly. Quarterly reports submitted under ¶ G shall include a statement by the Respondent attesting to attendance and listing the date and place of each meeting attended. In addition, the Respondent shall append to each report a signed statement by another member of the organization which confirms the Respondent's attendance.

G. The Respondent shall submit quarterly reports under penalty of perjury stating that there has been compliance with all the conditions of this Informal Settlement.

H. The Respondent shall make appearances annually and/or upon request before the Board or a committee of the Board. The Respondent shall be given reasonable notice of the date, time and place for the appearances.

I. The Respondent shall obey all rules and all federal, state and local laws whether related to the practice of medicine in Iowa or not.

5. In the event the Respondent leaves Iowa to reside or to practice outside the state, the Respondent shall notify the Board

in writing of the dates of departure and return. Periods of residence or practice outside Iowa will not apply to the duration of the Informal Settlement.

6. In the event the Respondent violates or fails to comply with any of the terms or provisions of this Informal Settlement, the Board may initiate appropriate action to revoke or suspend the Respondent's license or to impose other licensee discipline as authorized in Iowa Code §§ 148.6, 258A.3(2) and 653 Iowa Admin. Code § 12.2 et seq.

7. Upon full compliance with the terms and conditions set forth in this Informal Settlement and upon expiration of the period of probation, Respondent's license shall be restored to its full privileges free and clear of the terms of the probation.

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

Robert J. Corry
ROBERT J. CORRY, M.D.

Subscribed and sworn to before me on this 22 day of January, 1993.

Deborah L Geager
NOTARY PUBLIC IN AND FOR THE
STATE OF ~~IOWA~~ OHIO

This Informal Settlement is accepted by the Iowa Board of Medical Examiners on the 28th day of January, 1993.

C L Peterson DO

C.L. PETERSON, D.O., Chairman
Iowa Board of Medical Examiners

Subscribed and sworn to before me on this 28th day of January, 1993.

Janis Carr

NOTARY PUBLIC IN AND FOR THE
STATE OF IOWA

BEFORE THE BOARD OF MEDICAL EXAMINERS

OF THE STATE OF IOWA

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IN THE MATTER OF THE COMPLAINT	:	
AND STATEMENT OF CHARGES AGAINST	:	**COMPLAINT AND STATEMENT**
ROBERT J. CORRY, M.D.	:	**OF CHARGES**
RESPONDENT	:	**02-92-214**

* *

COMES NOW Dennis M. Carr, Acting Executive Director of the Iowa State Board of Medical Examiners (hereafter the Board), on January 28, 1993, and at the direction of the Board, files this Complaint and Statement of Charges against Robert J. Corry, M.D.(hereafter the Respondent), a physician licensed pursuant to Chapter 147 of the Code of Iowa and alleges:

1. That C. L. Peterson, D.O., Chairman; John W. Olds, M.D., Vice Chairman; Laura Stensrud, Secretary; Edra Broich; James Caterine, M.D.; Charlotte Cleavenger, D.O.; James D. Collins, Jr., M.D.; Mary C. Hodges; George G. Spellman, Sr., M.D.; and Johanna Whalen, M.D., are the duly appointed and qualified officers and members of the Board.

2. That the Respondent was issued license number 18871 to practice medicine and surgery in the State of Iowa on February 26, 1973, as recorded in the permanent records in the office of the Board.

3. That the Respondent's license is current until December 1, 1994.

4. That on several occasions between February 1992 and September 1992 the Respondent used alcohol excessively. Said excessive use of alcohol affected his ability to practice medicine and surgery safely and skillfully.

5. That the Board is authorized to take disciplinary action against the Respondent pursuant to the provisions of sections 148.6(1), 148.6(1)(h) and 148.6(1)(i) of the 1991 Code of Iowa, as amended, which state in whole or in part:

148.6(1) - "The medical examiners, after due notice and hearing in accordance with chapter 17A, may issue an order to discipline a licensee for any of the grounds set forth in section 147.55, chapter 258A, or this subsection...

"Pursuant to this section the board of medical examiners may discipline a licensee who is guilty of any of the following acts or offenses:"

148.6(1)(h) - "Inability to practice medicine and surgery... with reasonable skill and safety by reason of...excessive use of...chemicals or other type of material..."

148.6(1)(i) - "Willful or repeated violation of lawful rule or regulation adopted by the board..."

6. That the Board is authorized to take disciplinary action against the Respondent pursuant to the provisions of 653 I.A.C 12.4, 12.4(3), 12.4(3)(c), 12.4(14) and 12.4(28) which

state in whole or in part:

653-12.4 - "Grounds for discipline. The Board may impose any of the disciplinary sanctions set forth in rule 12.2, including civil penalties in an amount not to exceed $10,000, when the board determines that the licensee is guilty of any of the following acts or offenses:"

653-12.4(3) - "...practice harmful or detrimental to the public..."

653-12.4(3)(c) - "Practice harmful or detrimental to the public includes, but is not limited to...when a physician is unable to practice medicine with reasonable skill and safety to patients as a result of...chemical abuse."

653-12.4(14) - "Inability to practice medicine and surgery...with reasonable skill and safety by reason of ...chemical abuse."

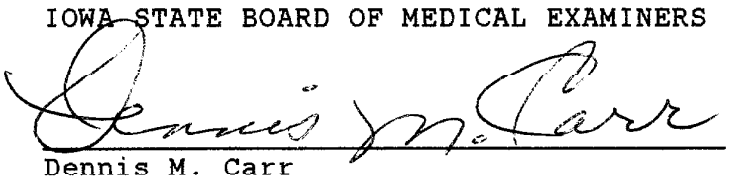
653-12.4(28) - "Violating any of the grounds for revocation or suspension of a license listed in Iowa Code sections...148.6."

7. That paragraphs 5 and 6 constitute grounds for the Board to revoke, suspend or otherwise discipline the license to practice medicine and surgery issued to the Respondent on February 26, 1973.

WHEREFORE the undersigned charges that the Respondent, is subject to disciplinary action pursuant to the provisions of sections 148.6(1), 148.6(1)(h) and 148.6(1)(i) of the 1991 Code of Iowa, as amended, and 653 I.A.C. 12.4, 12.4(3), 12.4(3)(c), 12.4(14) and 12.4(28). The undersigned prays that the Board

enter an order fixing a time and place of hearing for the Complaint and Statement of Charges. The undersigned further prays that upon final hearing, the Board enter its findings of fact and decision to revoke, suspend or otherwise discipline the license to practice medicine and surgery issued to the Respondent on February 26, 1973, and for such other relief as the Board deems just in the premises.

IOWA STATE BOARD OF MEDICAL EXAMINERS



Dennis M. Carr
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