

**BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF IOWA**

**IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST
GARY L. VANGAASBEEK, MD, RESPONDENT**

No. 02-96-173

INFORMAL SETTLEMENT

COMES NOW the Iowa Board of Medical Examiners (the Board) and Gary L. Vangaasbeek, MD (the Respondent), and pursuant to Iowa Code sections 17A.10 and 272C.3(4), enter into the following Informal Settlement of the contested case currently on file against the Respondent:

- 1) The Respondent was issued license number 24422 to practice medicine and surgery in Iowa on July 27, 1984. The license is current and will next expire on March 1, 1998.
- 2) A Statement of Charges was filed against the Respondent on October 31, 1996.

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3) The Board has jurisdiction over the parties and subject matter of the Statement of Charges.

4) The Respondent admits the allegations contained in the Statement of Charges.

5) Upon the Board's approval of this Informal Settlement the Respondent shall be assessed a civil penalty in the amount of \$1000. The civil penalty shall be paid within 20 days thereafter 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.


6) The Respondent shall receive a letter of citation and warning. (Copy attached)

7) By entering into this Informal Settlement, the Respondent voluntarily waives any rights to a contested case hearing on the allegations contained in the Statement of Charges as amended, and waives any objections to the terms of this Informal Settlement.

8) This Informal Settlement constitutes resolution of a contested case proceeding and is subject to approval by the Board. If the Board does not approve this Informal Settlement it shall be of no force or effect to either party.

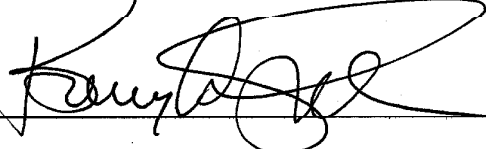
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9) The Board's approval of this Informal Settlement shall constitute a
FINAL ORDER of the Board.




Gary L. Vangaasbeek, MD, Respondent

Subscribed and sworn to before me on June 12, 1997.



Notary Public, State of New York

Informal Settlement approved by the Board on July 10, 1997.



Chairperson
Iowa Board of Medical Examiners
1209 East Court Avenue
Des Moines, IA 50319-0180
Phone 515-281-5171 Fax 515-242-5908

c Theresa O'Connell Weeg, Esq., Assistant Attorney General
Gary L. Vangaasbeek, MD, Respondent



TERRY E. BRANSTAD, GOVERNOR

BOARD OF MEDICAL EXAMINERS
ANN M. MARTINO, PH.D., EXECUTIVE DIRECTOR

July 10, 1997

Gary L. Vangaasbeek, MD
368 Broadway, #104
Kingston, NY 12401

LETTER OF CITATION AND WARNING

Dear Dr. Vangaasbeek:

On October 31, 1996, the Iowa Board of Medical Examiners initiated a disciplinary action against you based upon license discipline imposed upon you by the medical licensing authorities of the state of New York. On July 10, 1997 you entered into an Informal Settlement with the Iowa Board as a resolution to its action. A condition of the Informal Settlement is that you receive this Letter of Citation and Warning.

Being disciplined by the medical licensing authorities of another jurisdiction is a violation of Iowa law and medical practice rules and constitutes grounds for discipline against a physician's Iowa medical license. Accordingly, you are hereby **cited** for your violation of those laws and rules. Additionally, you are **warned** that any future violation may result in the revocation of your Iowa medical license.

Please take notice and govern yourself accordingly.

Sincerely,

Ann M. Martino, PhD
Executive Director
Iowa Board of Medical Examiners

c: File

AMM/de XX-XX-97

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BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF IOWA

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

GARY L. VANGAASBEEK, MD, RESPONDENT

No. 02-96-173

STATEMENT OF CHARGES

COMES NOW Ann M. Martino, PhD, Executive Director of the Iowa Board of Medical Examiners (the Board), on October 31, 1996, and at the direction of the Board files this Statement of Charges against Gary L. Vangaasbeek, MD (the Respondent), a physician licensed pursuant to Chapter 147 of the Code of Iowa and alleges:

1. That James D. Collins, Jr., MD, Chairperson; Laura J. Stensrud, Vice Chairperson; Teresa A. Mock, MD, Secretary; James M. Caterine, MD; Eddie D. DeHaan, MD; Mary C. Hodges; Dale R. Holdiman, MD; Shirley A. Meisenheimer; Donna M. Norman, DO; and, Allen J. Zagoren, DO, are the duly appointed, qualified and acting members of the Board.

2. That the Respondent was issued license number 24422 to practice medicine and surgery in Iowa on July 27, 1984. The license is current and will next expire on March 1, 1998.

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3. That on or about November 7, 1991, an Amended Statement of Charges (the ASoC) was filed against the Respondent with the New York State Board For Professional Medical Conduct (New York Board), the medical licensure disciplinary authority for the state of New York. The ASoC accused the Respondent of engaging in incompetent and grossly incompetent, and, negligent and grossly negligent medical practice. The ASoC also alleged that the Respondent had practiced fraudulently; was morally unfit to practice medicine; and, that he had willfully filed a false report.

4. 5. That in November 1992, following a hearing on the allegations contained in the ASoC, an order was issued by the New York Board suspending the Respondent's New York license for 2 years for all medical practice except that related to retraining. A period of 2 years probation following the period of suspension was also ordered.

5. 6. That the Board is authorized to take disciplinary action against the Respondent pursuant to the provisions of sections 148.6(1), 148.6(2), 148.6(2)d of the 1995 Code of Iowa, and 653 IAC 12.4 and 12.4(28) which state in whole or 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 272C, or this subsection.

148.6(2) - Pursuant to this section, the Board of medical examiners may discipline a licensee who is guilty of any of following acts or offenses:

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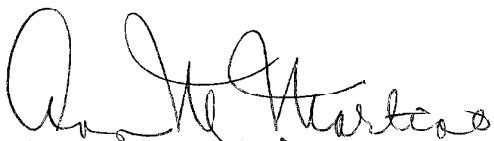
148.6(2)d - Having the license to practice medicine and surgery ... revoked, suspended, or having other disciplinary action taken by a licensing authority of another state ...

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 of offenses:

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

WHEREFORE the undersigned charges that pursuant to the provisions of the Iowa Code sections and Iowa Administrative Code rules outlined herein, the Respondent is subject to disciplinary action by the Board. The undersigned prays that the Board enter an order fixing a time and place for hearing the 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 Respondent's Iowa medical license, and for such other relief as the Board deems just in the premises.

IOWA BOARD OF MEDICAL EXAMINERS



Ann M. Martino, PhD, Executive Director
1209 East Court Avenue
Des Moines, IA 50319-0180
Telephone: (515)-281-5171