



April 21, 2020

Summary of the March 26-27, 2020, Board Meeting

Total Cases Reviewed: The Board reviewed 73 cases.

New Investigative Cases: The Board reviewed 54 new investigative cases.

Settlement Agreement: After the Board has filed formal disciplinary charges against a licensee, the Board and the licensee may enter into a Settlement Agreement to resolve the pending disciplinary charges. The Settlement Agreement contains the disciplinary sanctions.

The Board approved 1 Settlement Agreement.

1. An Iowa-licensed physician who formerly practiced family medicine in Sibley, Iowa, entered into a Settlement Agreement with the Board on March 26, 2020. On December 20, 2019, the Board filed a Statement of Charges against the physician alleging that she violated the laws and rules governing the practice of medicine in Iowa when she improperly managed medical records while practicing medicine in Sibley, Iowa. Under the terms of the March 26, 2020, Settlement Agreement, the Board issued the physician a Citation and Warning and placed her on probation for a period of five years subject to Board monitoring. The physician is also prohibited from prescribing, administering, or dispensing controlled substances for the treatment of chronic pain under her Iowa medical license until and unless she demonstrates to the Board that she is competent to provide such care with reasonable skill and safety and receives written approval from the Board. The physician is also permanently prohibited from engaging in the practice of telemedicine. The physician is also prohibited from engaging in the diagnosis and treatment of Lyme disease or treating patients she previously treated for Lyme disease until and unless she demonstrates to the Board that she is competent to provide such care with reasonable skill and safety and she receives prior written approval from the Board. The physician also may only practice medicine at locations approved by the Board.

Combined Statement of Charges and Settlement Agreement: If the Board determines that probable cause exists for formal disciplinary action against a licensee, the Board and the licensee may enter into a combined Statement of Charges and Settlement Agreement to resolve the matter. The combined Statement of Charges and Settlement Agreement contains the Board's allegations and the disciplinary sanctions.

The Board approved 3 Combined Statement of Charges and Settlement Agreements.

1. An Iowa-licensed physician who formerly practiced family medicine in Overland Park, Kansas, entered into a combined Statement of Charges and Settlement Agreement with the Board on March 26, 2020. The Board charged the physician with being convicted of a felony in violation of the laws and rules governing the practice of medicine in Iowa. On April 17, 2019, the physician was convicted of two felony counts of aggravated battery in the Kansas District Court for Johnson County. The physician was sentenced to thirty (30) days in jail and thirty-six (36) months of probation. Under the terms of the March 26, 2020, combined Statement of Charges and Settlement Agreement, the Board issued the physician a Citation and Warning and he voluntarily surrendered his Iowa medical license.
2. An Iowa-licensed physician who formerly practiced anatomic pathology entered into a combined Statement of Charges and Settlement Agreement with the Board on March 26, 2020. The Board charged the physician with being disciplined by another state licensing authority in violation of the laws and rules governing the practice of medicine in Iowa. On September 17, 2019, the physician entered into a Consent Order with the North Carolina Medical Board (North Carolina Board). The North Carolina Board alleged that the physician misdiagnosed two patients with breast cancer from tissue obtained from biopsies, failed to timely assess tissue samples obtained during surgery for possible cancer, and asked a resident physician to lie for him to account for the delay. The North Carolina Board suspended the physician's medical license for one year, all but thirty days were stayed, and ordered him to complete a Board-approved professional ethics program prior to reapplying to reinstate his North Carolina medical license. Under the terms of the March 26, 2020, combined Statement of Charges and Settlement Agreement, the Iowa Board issued the physician a Citation and Warning and ordered him to provide written notice to the Board at least thirty days prior to applying for reactivation of his Iowa medical license.
3. An Iowa-licensed physician who practices family medicine in Waterloo, Iowa, entered into a combined Statement of Charges and Settlement Agreement with the Board on March 26, 2020. The Board charged the physician with engaging sexual misconduct in violation of the laws and rules governing the practice of medicine in Iowa. The Board alleged that the physician entered into a sexual relationship with a female patient in September 2019 concurrent with the physician-patient relationship, and continued to treat the patient while engaged in a sexual relationship with her until November 2019. Under the terms of the March 26, 2020, combined Statement of Charges and Settlement Agreement, the Board issued the physician a Citation and Warning and ordered him to pay a \$1,000 civil penalty. The Board also ordered the physician to complete a Board-approved professional boundaries program and placed him on probation for a period of three to five years subject to Board monitoring.

Confidential Letters of Warning or Education: When the Board determines that probable cause does not exist to take formal disciplinary action against a licensee, the

Board may send a confidential, non-disciplinary, letter to the licensee expressing concerns and requesting that the licensee take corrective action, including further education.

The Board voted to issue nine (9) confidential Letters of Warning or Education due to the following areas of concern:

1. Concerns that a physician injured a patient's left eye while performing an incision and drainage of a chalazion of the left upper eyelid.
2. Concerns that a physician is performing excessive liver biopsies.
3. Concerns that a physician is not recording accurate blood pressures for patients.
4. Concerns that a physician failed to timely perform a lumbar puncture and failed to timely diagnose bacterial meningitis.
5. Concerns that a physician failed to timely perform a lumbar puncture and failed to timely diagnose bacterial meningitis.
6. Concerns that a physician did not examine a patient who was subsequently diagnosed with bacterial meningitis.
7. Concerns that a physician did not examine a patient who was subsequently diagnosed with bacterial meningitis and that the physician provided false testimony in a civil lawsuit.
8. Concerns that a physician failed to timely complete their Interstate Medical Licensure Compact renewal application.
9. Concerns that a physician read the wrong cardiac strip for a patient.
10. Concerns that a physician failed to address an abnormal MRI result.
11. Concerns that a physician failed to call another physician with the results of an abnormal MRI.
12. Concerns that a physician prescribed combinations of opioids, benzodiazepines and muscle relaxants to patients without appropriate monitoring.
13. Concerns that a physician made an unprofessional comment to a child patient.
14. Concerns that a physician took pain medication intended for his spouse.
15. Concerns that a physician failed to timely diagnose and/or inform a female patient about an ovarian cyst.
16. Concerns that a physician was disciplined in another state for improper prescribing.

Licensure Committee: The Licensure Committee reviews initial applications, renewals, and reinstatements and licensure policies. Most applications are approved by staff without committee review. However, some concerns identified during the review process must be reviewed by the committee to determine whether a license should be granted, renewed or reinstated.

The committee reviewed 3 applications for permanent Iowa medical licensure. The committee recommended the following actions:

1. Grant 1 permanent medical license.
2. Allow 1 applicant to withdraw the application.
3. Issue 1 confidential letter due to concerns about the applicant.

A Press Release describing public disciplinary action taken by the Board was distributed and posted on the Board's website on April 6, 2020. If you have any questions about this summary or the Press Release, please contact Kent M. Nebel, J.D., Executive Director, at (515) 281-7088 or kent.nebel@iowa.gov.