



May 28, 2020

Summary of the May 14-15, 2020, Board Meeting

Total Cases Reviewed: The Board reviewed 119 cases.

New Investigative Cases: The Board reviewed 90 new investigative cases.

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 1 Combined Statement of Charges and Settlement Agreement.

1. An Iowa-licensed physician who formerly practiced family medicine in Pocahontas, Iowa, entered into a combined Statement of Charges and Settlement Agreement with the Board on May 15, 2020. The Board alleged that the physician failed to provide appropriate pain management to multiple patients in Pocahontas, Iowa, between 2015 and 2019, in violation of the laws and rules governing the practice of medicine in Iowa. Under the terms of the May 15, 2020, combined Statement of Charges and Settlement Agreement, the Board issued the physician a Citation and Warning and ordered him to pay a \$2,500 civil penalty and complete a Board-approved record keeping course. The Board also prohibited the physician from prescribing, administering or dispensing controlled substances for the treatment of chronic pain and ordered him to participate in Board audits of his controlled substance prescribing for a period of two years.

Termination Order: If the Board determines that a physician has fully complied with a disciplinary order the Board may issue a Termination Order.

The Board approved 1 Termination Order.

1. An Iowa-licensed physician who formerly practiced surgery in Harrisburg, Pennsylvania, and Shenandoah, Iowa, had the terms of his disciplinary order terminated by the Board on May 15, 2020. On November 16 2011, the Pennsylvania State Board of Medicine (Pennsylvania Board) disciplined Dr. Ray. The Pennsylvania Board concluded that Dr. Ray practiced medicine while his ability to practice was impaired by mental disability and that he engaged in unprofessional conduct when he departed from, or failed to conform to, a quality standard of the profession. The Pennsylvania Board placed Dr. Ray on indefinite probation subject

to Board monitoring, counseling, and the supervision of a practice monitor. On August 30, 2013, the Iowa Board charged Dr. Ray with being disciplined by the Pennsylvania Board in violation of the laws and rules governing the practice of medicine in Iowa. On October 25, 2013, Dr. Ray entered into a Settlement Agreement with the Iowa Board. Under the terms of the October 25, 2013, Settlement Agreement, the Iowa Board issued Dr. Ray a Citation and Warning and ordered him to pay a \$5,000 civil penalty. The Iowa Board also ordered Dr. Ray to complete a clinical competency evaluation, a behavioral evaluation, and a professional ethics program. The Iowa Board also placed Dr. Ray on indefinite probation subject to Board monitoring. On May 15, 2020, the Board determined that Dr. Ray has successfully completed the terms of the Iowa order. The Iowa Board issued a Termination Order terminating the terms of the October 25, 2013, Settlement Agreement and returning his Iowa medical license to its full privileges, free and clear of all restrictions.

Confidential Evaluation Order: The Board may issue a confidential evaluation order requiring a licensee to complete a Board-approved evaluation if the Board determines that a licensee may suffer from substance abuse; a mental health condition; a physical condition; or has engaged in sexual misconduct or unprofessional conduct or has demonstrated evidence of professional incompetence.

The Board issued 1 Confidential Evaluation Order due to the following concerns:

1. Concerns that a physician may suffer from a health condition which impairs the physician's ability to practice medicine with reasonable skill and safety.
2. Concerns that a physician engaged in a pattern of substance abuse and/or sexual misconduct.

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 failed to diagnose a patient who was suffering from a heart attack.
2. Concerns that a physician failed to timely respond to an audit of the continuing medical education credits required for renewal of their Iowa medical license.
3. Concerns that a physician prescribed combinations of opioids, benzodiazepines and sedatives to patients without appropriate monitoring.
4. Concerns that a physician prescribed opioids and benzodiazepines to a female co-worker without performing or documenting appropriate examinations and monitoring and without maintaining appropriate medical records.
5. Concerns that a physician was disciplined in another state for violating the laws and rules governing the practice of telemedicine in another state.

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 11 applications for Iowa medical licensure. The committee recommended the following actions:

1. Grant 7 permanent medical licenses.
2. Grant 1 temporary medical license.
3. Issue 1 confidential letter due to concerns about the applicant.
4. Left 2 cases open to obtain further information.

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.