



March 10, 2021

Summary of the February 18-19, 2020, Board Meeting

Total Cases Reviewed: The Board reviewed 106 cases.

New Investigative Cases: The Board reviewed 80 new investigative cases.

Statement of Charges: Upon a determination by the Board that probable cause exists to take formal disciplinary action against a licensee, the Board may file a Statement of Charges which contains the allegations of the Board.

The Board approved 2 Statement of Charges.

1. An Iowa-licensed physician who formerly practiced radiology and interventional radiology in Iowa City, Iowa, had a Statement of Charges filed by the Board on February 18, 2021. The Board alleged that the physician violated patient privacy standards in violation of the laws and rules governing the practice of medicine in Iowa. A contested case hearing will be scheduled in the future.
2. An Iowa-licensed physician who practices family medicine in Mason City, Iowa, had an Amended Statement of Charges filed by the Board on February 18, 2021. On December 10, 2020, the Board filed a Statement of Charges against the physician alleging that he engaged in professional incompetency in violation of the laws and rules governing the practice of medicine in Iowa. Under the terms of the February 18, 2021, Amended Statement of Charges the Board further alleged that the physician was disciplined in another jurisdiction in violation of the laws and rules governing the practice of medicine in Iowa. A contested case hearing will be scheduled in the future.

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. Iowa-licensed physician who formerly practiced radiation oncology in Aberdeen, South Dakota, and Ottumwa, Iowa, entered into a combined Statement of Charges

and Settlement Agreement with the Board on February 18, 2021. On May 13, 2019, the physician pled guilty to one count of Distribution of a Controlled Substance (a felony) in the United States District Court, District of South Dakota, Northern District. The Indictment alleged that the physician wrote prescriptions for Oxycodone, which were filled by a coworker and two other individuals, and were returned to the physician in exchange for \$50.00 and some Oxycodone tablets. The physician was sentenced to 18 months in federal prison and ordered to pay a \$20,000 fine. The physician surrendered his South Dakota medical license effective November 15, 2018. The physician has been diagnosed with a substance abuse disorder and has successfully completed substance abuse treatment under the supervision of the Iowa Physician Health Program (IPHP). The IPHP reports that the physician's recovery has been successful and supports his return to the practice of medicine under the terms of this order. Under the terms of the February 18, 2021, combined Statement of Charges and Settlement Agreement, the Board alleged that the physician was convicted of a felony related to the practice of medicine in violation of the laws and rules governing the practice of medicine in Iowa. The Board issued the physician a Citation and Warning and ordered him to pay a \$2,500 civil penalty. The Board also prohibited the physician from prescribing, administering or dispensing controlled substances for the treatment of chronic pain and placed him on probation for a period of five (5) years subject to Board monitoring.

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 2 Settlement Agreement.

1. An Iowa-licensed physician who currently practices family medicine and emergency medicine in Carroll, Iowa, entered into a Settlement Agreement with the Board on February 18, 2021. On May 29, 2019, the Board issued a Confidential Clinical Competency Evaluation Order requiring the physician to successfully complete a comprehensive clinical competency evaluation within ninety days. The physician failed to complete the Board-ordered evaluation. On December 20, 2019, the Board filed a Statement of Charges alleging that the physician violated the terms of the May 29, 2019, Confidential Clinical Competency Evaluation Order when she failed to complete the Board-ordered evaluation. Under the terms of the February 18, 2021, Settlement Agreement, the Board issued the physician a Citation and Warning and ordered her to pay a \$2,000 civil penalty and the physician agreed to successfully complete a Board-approved comprehensive clinical competency evaluation at the next available appointment and fully comply with the recommendations of the evaluation program.
2. An Iowa-licensed physician who formerly practiced plastic surgery in Sioux City, Iowa, entered into a Settlement Agreement with the Iowa Board on February 18, 2021. On July 18, 2019, the Board filed a Statement of Charges against the physician alleging that he failed to provide appropriate surgical care to seventeen patients in Sioux City, Iowa, between December 2014 and September 2017, including, but not limited to, the following aspects of care: patient selection; surgical choice; informed consent; surgical execution; surgical judgement and decision making; postoperative care; excessive narcotics, anxiolytics and/or hypnotics prescribing; medical record keeping; and coding and billing practices. On November 19, 2020, the Iowa Board filed an Amended Statement of Charges further alleging that the physician's South Dakota medical license was

suspended due the suspension of the physician's clinical privileges. Under the terms of the February 18, 2021, Settlement Agreement, the physician voluntarily surrendered his Iowa medical license to resolve this matter.

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 voted to issue 2 Termination Orders.

1. An Iowa-licensed physician who formerly practiced pain medicine in Des Moines and West Des Moines, Iowa, and currently practices addiction medicine in Des Moines, Iowa, had a Termination Order entered by the Board on February 15, 2021. On February 15, 2018, the physician entered into a combined Statement of Charges and Settlement Agreement with the Board. The Board alleged that the physician engaged in improper pain management in violation of the laws and rules governing the practice of medicine in Iowa. The Board issued the physician a Citation and Warning and ordered him to pay a \$5,000 civil penalty and complete a chronic pain management course and a record keeping course. The Board also placed the physician on probation for a period of three (3) years subject to Board monitoring. On February 15, 2021, the physician successfully completed the terms of his Board order, the terms of the physician's Board order were terminated and his Iowa medical license was returned to its full privileges, free and clear of all restrictions.
2. An Iowa-licensed family physician who formerly operated vein clinics in multiple locations in Minnesota and currently operates a vein clinic in St. Joseph, Missouri, had a Termination Order entered by the Iowa Board on February 18, 2021. On December 14, 2018, the Iowa Board filed a Statement of Charges against the physician alleging that he entered into a voluntary agreement to restrict the practice of medicine and surgery in another state in violation of the laws and rules governing the practice of medicine in Iowa. On June 12, 2017, the physician entered into a Stipulation and Order for Voluntary Surrender (the "Minnesota Order") with the Minnesota Board of Medical Practice (Minnesota Board). The Minnesota Board alleged that the physician engaged in unethical and unprofessional conduct in violation of the laws and rules governing the practice of medicine in Minnesota, including improper delegation of patient evaluations and development of treatment plans, performance of procedures without sufficient patient evaluation, performance of excessive or unnecessary procedures, and improper billing practices, including fee splitting. The physician denied the Minnesota Board's allegations. Under the terms of the June 12, 2017, Stipulation and Order for Voluntary Surrender, the physician agreed to voluntarily surrender his Minnesota medical license to resolve the pending matter. On August 2, 2019, the physician entered into a Settlement Agreement with the Iowa Board. The Iowa Board issued the physician a Citation and Warning and ordered him to pay a \$2,500 civil penalty and complete a Board-approved professional ethics program. On February 18, 2021, the Iowa Board determined that the physician successfully completed the terms of his Iowa Board Order.
3. An Iowa-licensed physician who practices family medicine in Mason City, Iowa, had a Termination Order entered by the Board on February 15, 2021. On February 15, 2018, the physician entered into a combined Statement of Charges and Settlement Agreement with the Board. The Board alleged that the physician engaged in improper pain management in violation of the laws and rules governing the practice of medicine in Iowa. The Board issued the physician a Citation and Warning and ordered her to pay a \$5,000 civil penalty and complete a chronic pain management

course and a record keeping course. The Board also placed the physician on probation for a period of three (3) years subject to Board monitoring. On February 15, 2021, the physician successfully completed the terms of her Board Order, the terms of the physician's Board Order were terminated and her Iowa medical license was returned to its full privileges, free and clear of all restrictions.

4. An Iowa-licensed physician who practices family medicine in Bloomfield, Iowa, had a Termination Order entered by the Board on February 15, 2021. On February 15, 2018, the physician entered into a combined Statement of Charges and Settlement Agreement with the Board. The Board alleged that the physician engaged in improper pain management in violation of the laws and rules governing the practice of medicine in Iowa. The Board issued the physician a Citation and Warning and ordered him to pay a \$5,000 civil penalty and complete a chronic pain management course and a record keeping course. The Board also placed the physician on probation for a period of three (3) years subject to Board monitoring. On February 15, 2021, the physician successfully completed the terms of his Board Order, the terms of the physician's Board Order were terminated and his Iowa medical license was returned to its full privileges, free and clear of all restrictions.

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 5 confidential Letters of Warning or Education due to the following areas of concern:

1. Concerns that a physician may suffer from a health condition which affects their ability to practice surgery.
2. Concerns that a physician engaged in disruptive behavior in the practice of medicine.
3. Concerns that a physician prescribed braces and orthotics without performing appropriate evaluations.
4. Concerns about a physician's evaluation of a mental health patient.
5. Concerns that a physician provided care to an immediate family member that created a conflict of interest.

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

1. Issued 4 confidential letters due to concerns about the applicant.
2. 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 March 3, 2021. 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.