



October 29, 2021

## Summary of the October 21-22, 2021, Board Meeting

**Total Cases Reviewed:** The Board reviewed 89 cases.

**New Investigative Cases:** The Board reviewed 76 new investigative cases.

**Termination Order:** If the Board determines that a physician has satisfied the terms of a disciplinary order, the Board may issue a Termination Order.

The Board voted to issue 2 Termination Orders.

1. An Iowa-licensed physician who practices family medicine in Chicago, Illinois, and telehealth in many states, had a Termination Order issued by the Board on October 21, 2021. On August 28, 2020, the physician entered into a combined Statement of Charges and Settlement Agreement with the Board. The Board alleged that the physician violated the standards of practice for telemedicine in Iowa when he failed to establish a valid physician-patient relationship with patients receiving telemedicine services in Iowa; failed to perform interviews of his patients sufficient for the diagnosis and treatment of patients in Iowa prior to providing medical treatment, including issuing prescriptions; and prescribed medications to patients in Iowa based solely on an internet questionnaire. The physician denied the Board's allegations of wrongdoing and denied any breach of the Iowa Code or the Board's administrative rules. Under the terms of the August 28, 2020, combined Statement of Charges and Settlement Agreement, the Board issued the physician a Citation and Warning and ordered him to pay a \$5,000 civil penalty. The Board also ordered the physician to take corrective action to address the deficiencies in his telemedicine practice identified by the Board to the satisfaction of the Board including establishing an adaptive, interactive, and responsive online interview for diagnosis and treatment. At a minimum, the interview must also provide for a live interaction between the prescribing licensee and patient, which may take place via videoconferencing and the patient has the opportunity to ask questions of the licensee in real-time. On October 21, 2021, the Board determined that the physician successfully completed the terms of his Board Order and voted to issue a Termination Order. Under the terms of the October 21, 2021, Termination Order, the terms of the physician's Board Order are terminated and his Iowa medical license is returned to its full privileges, free and clear of all restrictions.
2. An Iowa-licensed physician who formerly practiced family medicine in Sibley, Iowa, had an Amended Order issued by the Board on October 21, 2021. On December 20, 2019, the Board filed a Statement of Charges alleging the physician violated the

laws and rules governing the practice of medicine in Iowa when she improperly managed medical records while practicing medicine. On March 26, 2020, the physician entered into a Settlement Agreement with the Board. 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 Board also prohibited the physician from prescribing administering or dispensing controlled substances for the treatment of chronic pain under her Iowa medical license. The physician was required to successfully complete a Board-approved chronic pain management program. The Board also prohibited the physician from engaging in the practice of telemedicine and from engaging in the diagnosis and treatment of Lyme disease. Finally, the Board limited the physician's medical practice to locations approved by the Board and the physician may not practice medicine in any other location unless she receives prior written approval of the Board. On October 21, 2021, the Board voted to issue an Amended Order terminating the provision prohibiting the physician from prescribing administering or dispensing controlled substances for the treatment of chronic pain under her Iowa medical license. All other provisions contained in the March 26, 2020, Settlement Agreement remain in effect.

**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 2 confidential Letters of Warning or Education due to the following area of concern:

1. Concerns that a physician failed to follow-up on a patient's referral to another physician.
2. Concerns about a physician's prescribing practices and failure to respond to the Board's investigation.

**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 4 applications for Iowa medical licensure. The committee took the following action:

1. Granted 1 waiver for a permanent Iowa medical license.
2. Left 1 case open.
3. Affirmed the issuance of 1 permanent Iowa medical license.
4. Offered 1 applicant a permanent Iowa medical license subject to the terms of a Consent Agreement.

**A Press Release describing public disciplinary action taken by the Board was distributed and posted on the Board's website on October 27, 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](mailto:kent.nebel@iowa.gov).**