



March 7, 2022

Summary of the March 24-25, 2022, Board Meeting

Total Cases Reviewed: The Board reviewed 120 cases.

New Investigative Cases: The Board reviewed 43 new investigative cases.

Amended Statement of Charges: If the Board determines that there is a new basis for disciplinary charges, the Board may issue Amended Statement of Charges.

The Board approved 1 Amended Statement of Charges.

1. An Iowa-licensed physician who formerly practiced interventional radiology in Iowa City, Iowa, had an Amended Statement of Charges issued by the Board on March 25, 2022. On February 18, 2021, the Board filed a Statement of Charges against the physician alleging that he violated patient privacy standards in violation of the laws and rules governing the practice of medicine in Iowa. On March 25, 2022, the Board issued an amended Statement of Charges against the physician alleging that he violated the laws or rules governing the practice of medicine or acupuncture of this state, another state, the United States, or any country, territory or other jurisdiction. Violation of the laws or rules governing the practice of medicine includes, but is not limited to, willful or repeated violation of the provisions of these rules or the provisions of Iowa Code chapter 147, 148, 148E or 272C or other state or federal laws or rules governing the practice of medicine. A disciplinary hearing will be scheduled in the future.

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 4 Termination Orders.

1. An Iowa-licensed physician who formerly practiced neurological surgery in Iowa City, Iowa, and currently practices in North Carolina, had a Termination Order issued by the Board on March 24, 2022. On February 17, 2022, the physician entered into Combined Statement of Charges and Settlement Agreement with the Board. The Board alleged that the physician failed to exercise that degree of care which is ordinarily exercised by the average physician or surgeon in Iowa acting in the same or similar circumstances. The Board alleges that on May 10, 2021, the physician was to perform a frontotemporal craniotomy to resect a lesion on the hypothalamus in the center of the brain. The surgery was planned to be an approach from the right side of the patient's head, but the physician instead performed the frontotemporal

craniotomy approaching from the left side, contrary to plan. Due to the location of the lesion, surgery continued and was ultimately completed without complication. Under the terms of the February 17, 2022, 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. The physician also submitted a written corrective action plan to the Board describing the steps he has taken to avoid such errors in the future. On March 24, 2022, the Board determined that The physician successfully completed the terms of his Board order, the Board voted to issue a Termination Order and 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 an Iowa-licensed physician who practices family medicine in Waterloo, Iowa, had a Termination Order issued by the Board on March 25, 2022. On March 26, 2020, the physician entered into a Combined Statement of Charges and Settlement Agreement with the Board. The Board alleged that the physician engaged in sexual misconduct when he 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 and complete a Board-approved professional boundaries program. The Board also placed the physician on probation for a period of 3-5 years subject to Board monitoring. On March 24, 2022, the Board determined that the physician successfully complied with the terms of his Board order, the Board voted to issue a Termination Order and 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.
3. An Iowa-licensed physician who practices neurology in Davenport, Iowa, had a Termination Order issued by the Board on March 24, 2022. On October 30, 2017, the physician was granted a permanent Iowa medical license subject to the terms of a Consent Agreement. On May 11, 2015, the physician was arrested on suspicion of Driving Under the Influence of Drugs. On September 16, 2015, the Colorado Medical Board required the physician to undergo evaluation with the Colorado Physician Health Program (CPHP) and cooperate with CPHP. On October 20, 2016, the physician entered into a Stipulation and Final Agency Order with the Colorado Medical Board (Colorado Board) due to substance abuse. Under the terms of the October 30, 2017, Consent Agreement, the Iowa Board issued the physician a Citation and Warning and referred him to the Iowa Physician Health Program for substance abuse treatment and monitoring. On March 24, 2022, the Board determined that the physician successfully completed the terms of his Board order, the Board voted to issue a Termination Order and 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.
4. An Iowa-licensed physician who formerly practiced internal medicine in San Francisco, California, had a Termination Order issued by the Board on March 25, 2022. On December 10, 2020, the physician entered into Combined Statement of Charges and Settlement Agreement with the Board. The Board alleged that on April 3, 2013, the physician was ticketed for speeding in excess of 95 mph near Chico, California. The physician allegedly told the California Highway Patrol officer that he was on his way to a medical emergency when, in fact, he was just late for work. The physician subsequently submitted a letter to District Attorney's Office for consideration of dismissing the speeding ticket and the physician's letter allegedly

contained fabricated information regarding the reported medical emergency on the day the physician was ticketed for speeding. On May 9, 2017, the physician was found guilty of one Count of Offering False Evidence and one Count of Preparing False Documentary Evidence, both felony convictions. On September 28, 2017, the physician was sentenced to 36 months formal probation with terms and conditions. The physician has appealed the criminal convictions. Under the terms of the December 10, 2020, Combined Statement of Charges and Settlement Agreement, the Board issued the physician a Citation and Warning and ordered him to pay a \$10,000 civil penalty and complete a Board-approved professional ethics program. The Board also placed the physician on probation for a period of 3-5 years subject to Board monitoring. On March 24, 2022, the Board determined that the physician successfully complied with the terms of his Board order, and the Board voted to issue a Termination Order and 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 12 confidential Letters of Warning or Education due to the following areas of concern:

1. Concerns about a physician's professional boundaries.
2. Concerns about a physician's professional boundaries.
3. Concerns that a physician misread an MRI.
4. Concerns that a physician failed to provide appropriate follow-up on a patient.
5. Concerns about a physician's surgical care and record keeping for a patient.
6. Concerns that a physician was charged with criminal harassment of his spouse.
7. Concerns that a physician failed to follow federal laws regarding dispensing methadone for substance abuse treatment.
8. Concerns that a physician improperly discharged a mental health patient.
9. Concerns about a physician's surgical treatment of a patient.
10. Concerns about a physician's surgical treatment of a patient.
11. Concerns about a physician's pain management prescribing an communication with a patient.
12. Concerns about a physician's physical examination and communications with a patient.

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

1. Granted 3 permanent Iowa medical licenses.
2. Issued 3 confidential letters due to concerns about the applicant.
3. Granted 2 waivers for applicants.
4. Left one case open.

A Press Release describing public disciplinary action taken by the Board was distributed and posted on the Board's website on March 6, 2022. 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.