



2019
Annual
Report



ABOUT THE BOARD

The 21st General Assembly created the State Board of Medical Examiners in 1886 to license physicians and regulate the practice of medicine. Initially, the Board issued licenses to several classes of physicians, including medical (M.D.), homeopaths, and eclectics.

The Board did not issue licenses for osteopathic physicians until 1902. In 1921, the Legislature created a separate Board to license and regulate osteopaths. In 1963, the Legislature abolished the Osteopathic Board and redefined the State Board of Medical Examiners, making it a composite Board to license allopathic physicians (M.D.s) and osteopathic physicians (D.O.s). In 2007, the Board was renamed the Board of Medicine.

Non-physician “public” members have been on the 10-member Board since 1975.

Since 1994, the Board has regulated acupuncturists, first registering them, then licensing them. Over the past 130 years, the Board has directly or indirectly been responsible for licensure or regulation of other health care providers, including nurses, advanced emergency medical technicians, paramedics, and physician assistants. All of these professions are now licensed and regulated by their own Boards.

In 2019, legislation was approved to license and regulate genetic counselors under the Board beginning in 2020.

In 1996, the Legislature authorized the Board to establish the Iowa Physician Health Committee to administer a program to advocate for and monitor the recovery and rehabilitation of impaired physicians.

In 2015, the Legislature authorized the Board to join the Interstate Medical



IOWA BOARD OF MEDICINE

400 SW Eighth Street, Suite C
Des Moines, Iowa 50309-4686

HOURS: 8:00 a.m. to 4:30 p.m., Monday through Friday

PHONE: (515) 281-5171

FAX: (515) 242-5908

EMAIL: ibm@iowa.gov

WEB: <https://medicalBoard.iowa.gov/>

Licensure Compact, which establishes an expedited process for medical licensure in participating states.

The Board regulates the practice of medicine and surgery, acupuncture and genetic counseling under the authority of Iowa Code chapters 17A, 147, 147B, 148, 148E, 272C and Section 653 in the Iowa Administrative Code.

The Board is charged with enforcing these laws and rules to protect the public from licensees who do not practice within prevailing and acceptable standards of care.

The Board is an Executive Branch agency within the Iowa Department of Public Health. The Board is funded entirely with licensure fees.

BOARD MEMBERS

The 10-member Board of Medicine is composed of seven physicians (five M.D.s and two D.O.s) and three non-physicians who represent the public. Members are appointed by the Governor and confirmed by the Iowa Senate for a full three-year term or to complete the unexpired term of a member who resigned. Members receive a per diem and expenses, and can serve up to nine years.

The Board annually elects a chairperson, vice chairperson, and secretary and is organized into four standing committees, each with five members: Executive, Licensure, Monitoring, and Screening. The Board must be gender balanced and no more than five members can be from the same political party. Physician members must be actively engaged in the practice or the instruction of medicine for a period of five years just preceding the member’s appointment, the last two of which must be in Iowa. Public members have been a part of the Board’s composition since 1975.

The Board safeguards the public health, safety and welfare by:

- Licensing qualified physicians, acupuncturists and genetic counselors;
- Investigating complaints against physicians, acupuncturists and genetic counselors, establishing peer review committees, taking corrective action, and monitoring those under Board Order;
- Operating a program for physicians, acupuncturists and genetic counselors with an impairment;
- Defining the scope of medical, acupuncture and genetic counseling practices;
- Working cooperatively with certain other agencies, e.g., Board of Physician Assistants, Board of Pharmacy; and
- Operating within specified limitations, e.g., public meetings law, public records law, and the waiver and variance law.

| 2019 MEMBERS & OFFICERS | APPOINTED | TERM EXPIRES |
|---|-----------|----------------|
| Kyle Ulveling, M.D., Carroll, chair | 2018 | April 30, 2021 |
| Diane Cortese, Urbandale, secretary | 2019 | April 30, 2022 |
| Warren Gall, M.D., Dubuque | 2017 | April 30, 2020 |
| Ronald Kolegraff, M.D., Milford, vice chair | 2016 | April 30, 2019 |
| Mary Jo Romano, Pleasantville | 2018 | April 30, 2021 |
| Joyce Vista-Wayne, M.D., Clive | 2019 | April 30, 2022 |
| Brian Wilson, D.O., Spencer | 2017 | April 30, 2020 |
| Nikhil Wagle, M.D., Bettendorf | 2019 | April 30, 2022 |
| Public Member vacancies (two) | | |

Physicians and non-physicians interested in serving on the Board can complete an online application at <https://talentbank.iowa.gov/> or contact the governor’s staff member in charge of appointments at (515) 281-0215.

EXECUTIVE DIRECTOR'S REPORT

The Iowa Board of Medicine takes seriously its fundamental responsibility to serve the citizens of Iowa by ensuring that physicians and acupuncturists are qualified to practice and that they are adhering to the laws, rules and standards that regulate their practices.

In 2019, the Board:

- Administered active licenses for 13,728 physicians and 68 licensed acupuncturists.
- Received 660 complaints and mandatory reports and completed reviews or investigations of 614 case files.
- Took 36 public disciplinary actions and voted to issue 91 confidential letters of concerns about licensees' conduct or practice.
- Filed charges against 15 physicians and issued four public consent agreements as a condition for medical licensure.
- Assessed civil penalties totaling \$40,500 involving 11 physicians.
- Initiated action on 12 administrative rules.
- Held six two-day meetings, seven teleconferences and two disciplinary hearings.
- Issued 273 medical licenses to physicians who were qualified to use the expedited licensure process established by the Interstate Medical Licensure Compact.
- Continued a robust educational outreach program to the public and licensees, health care stakeholders, and state and federal government officials.
- Participated in training activities and regulatory discussions offered by the Federation of State Medical Boards and the Administrators in Medicine.

The Board places great emphasis on completing timely, fair and complete investigations that result in appropriate action. Concurrently, the Board provides assistance and guidance to licensees through the adoption of rules and regular communications on disciplinary actions and a variety of issues relating to their practices.

In addition, the Board remains a strong supporter of the Iowa Physician Health Program, which facilitates the intervention and rehabilitation of physicians who have mental, physical or chemical dependency issues that, if left untreated or not monitored, could impair their ability to practice safely.

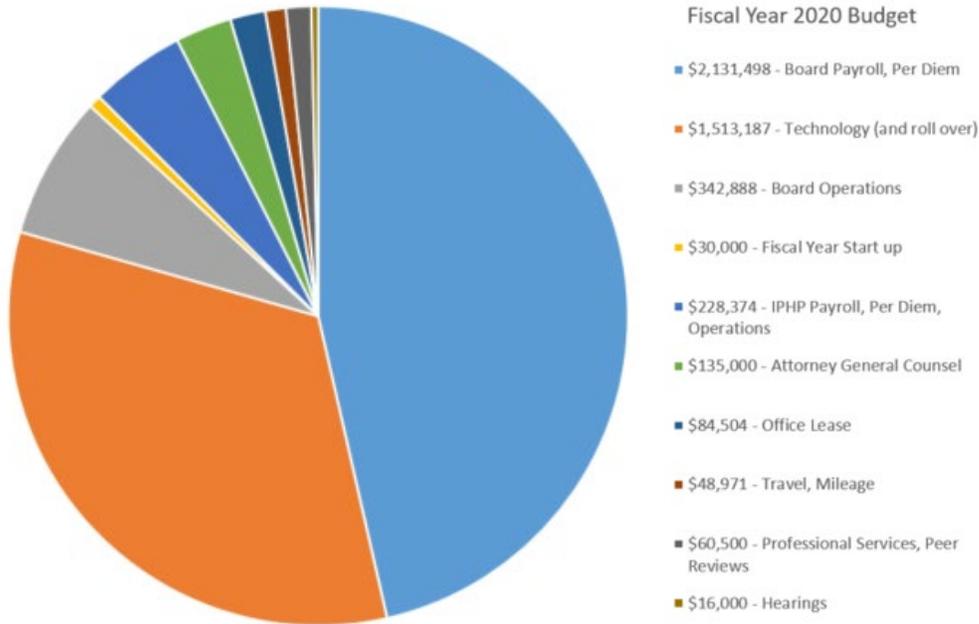
This brief report is a statistical tabulation of the Board's work during 2019. Behind these numbers are the hard work of a devoted and professional staff and the exceptional public service of dedicated Board members.

The Board has a long history of transparency regarding its licensure, disciplinary and regulatory work, making public documents easily available on the Board's website. In addition, the agency has provided annual reports such as this one for several decades. Do you want to know more about the Board? Please visit us online at www.medicalboard.iowa.gov or contact me.



KENT NEBEL, J.D.
EXECUTIVE DIRECTOR, IOWA BOARD OF MEDICINE
KENT.NEBEL@IOWA.GOV | PHONE: (515) 281-7088

FY2020 EXPENSE BUDGET



BOARD OF MEDICINE’S EXPENSE BUDGET FOR FISCAL YEAR 2019 (JULY 1, 2018, THROUGH JUNE 30, 2019): \$4,590,922. The FY2019 expense budget includes roll-over funds for operations and to cover ongoing expenses for programming the Board’s database and to fund technology upgrades. The Board’s anticipated revenue from licensure fees in FY2019 is \$3,298,850. The Board is funded entirely with licensure fees, which have not been increased since FY2007. In FY2014, the Board reduced fees.

2019 MEETINGS

BOARD MEETINGS

February 7-8
 April 11-12
 June 13-14 Cancelled
 August 1-2
 September 19-20
 November 7-8
 December 19-20

TELECONFERENCES

January 10
 May 29
 July 18
 August 29
 October 24
 December 12



THE BOARD’S WEBSITE: www.medicalboard.iowa.gov

To receive press releases, agendas and other Board news, sign up at:
<https://public.govdelivery.com/accounts/IACIO/subscriber/new?preferences=true>

ADMINISTRATIVE RULES

The Board of Medicine’s administrative rules, which have the weight of law, are found in Section 653 of the Iowa Administrative Code. Before the Board can adopt a new rule or amend an existing rule, the intended action item must be published in the Iowa Administrative Bulletin and reviewed at a public hearing. The proposed change can also be subject to review by the Governor’s Office and by the Administrative Rules Review Committee. In addition, the public can petition the Board to adopt, amend or repeal an administrative rule.

RULEMAKING IN 2019

| Subject of Rule Making (For full description, click on ARC number.) | Notice of Intended Action (NOIA) | Adopted Rule Making | Effective Date of Adopted Rule Making |
|--|---|--|---------------------------------------|
| Standards of practice—medical cannabidiol, 13.15(1) | ARC 5001C , IAB 03/25/2020 | | |
| Prohibition of licensing sanctions for student loan debt default or delinquency, amend chs 2, 20, 23; rescind ch 16 | ARC 4806C , IAB 12/18/2019 | Adopted and Filed ARC 4979C , IAB 03/11/2020 | 04/15/2020 |
| Mandatory training for identifying and reporting abuse, 11.4 | ARC 4820C , IAB 12/18/2019 | Adopted and Filed ARC 4978C , IAB 03/11/2020 | 04/15/2020 |
| Expedited licensure for spouses of active duty military service members, amendments to ch 18 | ARC 4805C , IAB 12/18/2019 | Adopted and Filed ARC 4980C , IAB 03/11/2020 | 04/15/2020 |
| Supervision of a conditional prescribing psychologist; collaboration with a prescribing psychologist; grounds for discipline, 19.10 to 19.12 | ARC 4663C , IAB 09/25/2019 | Adopted and Filed ARC 4835C , IAB 12/18/2019 | 01/22/2020 |
| Standards of practice—medical cannabidiol, 13.15(1) | ARC 4653C , IAB 09/11/2019 | | |
| Licensure of genetic counselors, amendments to ch 20 | | Adopted and Filed Emergency ARC 4468C , IAB 06/05/2019 | 05/15/2019 |
| Licensure of genetic counselors, amendments to ch 20 | ARC 4477C , IAB 06/05/2019 | Adopted and Filed ARC 4728C , IAB 10/23/2019 | 11/27/2019 |
| Standards of practice—medical cannabidiol, 13.15(1) | ARC 4445C , IAB 05/22/2019 | Adopted and Filed ARC 4658C , IAB 09/11/2019 | 10/16/2019 |
| Standards of practice—appropriate pain management, 13.2 | ARC 4382C , IAB 04/10/2019 | Adopted and Filed ARC 4714C , IAB 10/23/2019 | 11/27/2019 |
| Standards of practice—medical cannabidiol, 13.15(1) | ARC 4241C , IAB 01/16/2019 | Adopted and Filed ARC 4377C , IAB 03/27/2019 | 05/01/2019 |
| Training requirements for chronic pain management and end-of-life care for permanent or special license renewal; definition of “opioid,” 11.1, 11.4(1) | ARC 4204C , IAB 01/02/2019 | Adopted and Filed ARC 4338C , IAB 03/13/2019 | 04/17/2019 |

IOWA PHYSICIAN HEALTH PROGRAM

The Iowa Physician Health Program (IPHP) is a confidential monitoring program created by the Iowa Board of Medicine in 1996. The IPHP was designed to protect the public by supporting and monitoring services for physicians whose health conditions may impact their ability to practice medicine safely. The IPHP promotes early intervention, diagnosis, treatment and monitoring for physicians with potential impairments caused by a mental health condition, substance use disorder or physical condition. Participants in the program receive confidential help without board involvement as long as they comply with program expectations. The IPHP monitors treatment progress and work quality. Specific requirements are based on the individual’s illness and risk to patient safety. The program is administered by the Iowa Physician Health Committee, which is appointed by the Board of Medicine. The committee and program are defined in Iowa Administrative Code 653 Chapter 14. Committee members receive a per diem and expenses.



The committee held four meetings in 2019 and met with 19 program participants. Staff members conducted field visits with 9 participants. The program’s budget of \$228,374 in FY2020 is funded entirely with licensure fees. Licensees do not pay additionally to participate in the program, but they are responsible for all costs associated with drug screening, therapy, treatment and so forth.

Staff members of the Board manage the program. The committee’s co-chairs and legal counsel provide guidance on case issues. **Members of the committee in 2019:**

- Eric Boyum, M.D., West Burlington, co-chair
- Raymond Harre, M.D., Davenport, co-chair
- Kim Brangoccio, LMFT, CEAP, IAADC, Des Moines
- Martin Carpenter, M.D., Davenport
- Jeanine Freeman, J.D., Des Moines
- Jeff Kerber, Ph.D., West Des Moines, licensed marriage and family therapist
- Jeffrey Means, M.Div., Ph.D., Des Moines
- Kent Nebel, JD., Executive Director, Board of Medicine

Amy Van Maanen, LBSW, is the program’s coordinator and Emily Zalasky, LBSW, is the program’s case manager. Kristi Traynor, Emily Willits, Jordan Esbrook, all from the Iowa Attorney General’s office, provided legal counsel for the program and the committee in 2019.

IOWA PHYSICIAN HEALTH PROGRAM | <http://iphp.iowa.gov/>

| (TOTALS ON DECEMBER 31) | 2018 | 2019 | (PARTICIPANTS' DIAGNOSES) | 2018 | 2019 |
|----------------------------------|-----------|-----------|---------------------------|-----------|-----------|
| Active Participants | 39 | 40 | Substance use | 9 | 11 |
| In review for eligibility | 6 | 6 | Mental health | 6 | 5 |
| Physicians | 42 | 43 | Physical condition | 0 | 0 |
| Resident physicians | 3 | 3 | Multiple diagnoses | 24 | 24 |
| Discharged | 42 | 35 | | | |
| Noticed for violations | 1 | 5 | | | |

LICENSURE

| JANUARY 1-DECEMBER 31 | 2017 | 2018 | 2019 |
|---|---------------|---------------|---------------|
| Active M.D. licenses | 10,393 | 10,651 | 10,970 |
| Active D.O. licenses | 2,024 | 2,096 | 2,148 |
| TOTAL | 12,417 | 12,747 | 13,118 |
| Active M.D.s with Iowa work address | 5,340 | 5,281 | 5,156 |
| Active D.O.s with Iowa work address | 1,413 | 1,397 | 1,391 |
| TOTAL | 6,753 | 6,678 | 6,547 |
| PERMANENT PHYSICIAN LICENSE | | | |
| Issued by endorsement | 574 | 674 | 714 |
| Issued by expedited endorsement | 95 | 23 | 0 |
| Issued by examination | 245 | 290 | 236 |
| Licensed through Interstate Compact | 59 | 219 | 272 |
| TOTAL | 973 | 1,206 | 1,222 |
| Application denied | 0 | 0 | 0 |
| Confidential letter about application | 24 | 51 | 7 |
| (EFFECTIVE 1/1/20) Relinquished | 565 | 605 | 765 |
| Renewed | 5,468 | 5,825 | 5,882 |
| Went inactive | 855 | 874 | 906 |
| Reinstated | 89 | 96 | 80 |
| ADMINISTRATIVE MEDICINE LICENSE | | | |
| (EFFECTIVE 1/1/19) Issued | 9 | 6 | 5 |
| Renewed | 3 | 7 | 3 |
| ACTIVE | 18 | 16 | 17 |
| RESIDENT PHYSICIAN LICENSE | | | |
| Issued | 300 | 322 | 316 |
| Renewed | 10 | 28 | 0 |
| ACTIVE | 806 | 827 | 841 |
| SPECIAL PHYSICIAN LICENSE | | | |
| Issued | 7 | 3 | 10 |
| Renewed | 22 | 28 | 29 |
| Went inactive | 1 | 1 | 2 |
| ACTIVE | 28 | 31 | 36 |
| TEMPORARY PHYSICIAN LICENSE | | | |
| Issued | 2 | 3 | 1 |
| Renewed | 1 | 0 | 0 |
| Went inactive | 5 | 5 | 2 |
| ACTIVE | 3 | 1 | 1 |
| ACUPUNCTURIST LICENSE | | | |
| Issued | 7 | 2 | 4 |
| Renewed | 1 | 62 | 0 |
| Went inactive | 8 | 0 | 5 |
| ACTIVE | 68 | 67 | 71 |
| GENETIC COUNSELOR LICENSE | | | |
| Issued | N/A | N/A | 61 |
| PHYSICIAN LICENSURE REQUIREMENTS | | | |
| Waivers granted | 4 | 7 | 1 |
| Waivers denied | 1 | 1 | 0 |

IOWA MEDICAL LICENSES

PERMANENT – A license to practice in any setting in Iowa. It's a two-year license that can be renewed.

RESIDENT – A license to practice in a Board-approved resident training program in Iowa. The license is issued for the duration of the training program.

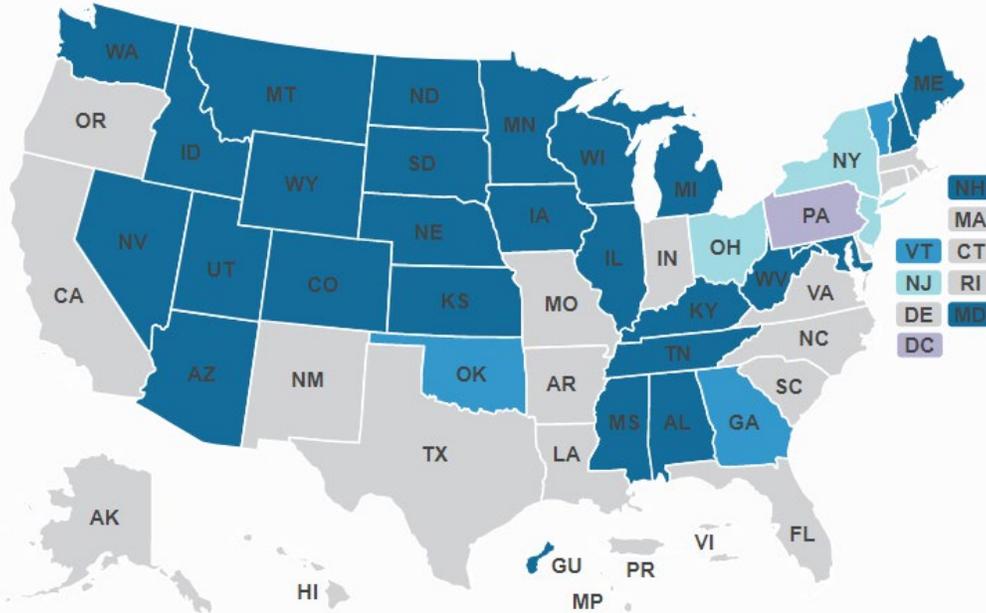
SPECIAL – A license to practice by a highly specialized physician who is a medical college faculty member at the University of Iowa or Des Moines University who does not meet qualifications for permanent licensure.

TEMPORARY – A license authorizing a physician to practice in a short-term Board-approved practice setting such as medical director of a camp.

ADMINISTRATIVE – A license for a non-clinical, administrative position in medicine not involving patient care.

INTERSTATE MEDICAL LICENSURE COMPACT

Source: Interstate Medical Licensure Compact Commission)



The Interstate Medical Licensure Compact creates a new pathway to expedite the licensing of physicians seeking to practice medicine in multiple states. States participating in the Compact agree to work together in new ways to significantly streamline the licensing process and to strengthen public protection by sharing investigative and disciplinary information. Thousands of physicians have used the expedited licensure process since it began in April 2017.

The Compact currently includes 29 states, the District of Columbia and the Territory of Guam. In these jurisdictions, physicians are licensed by 43 different medical and osteopathic Boards. Iowa was the 10th state to enact the law, which is presented in Iowa Code chapter 147B. More than 273 Iowa medical licenses have been issued to physicians licensed in other states who are qualified to use the expedited process, and 65 Iowa-licensed physicians have used the process to be licensed in other states.

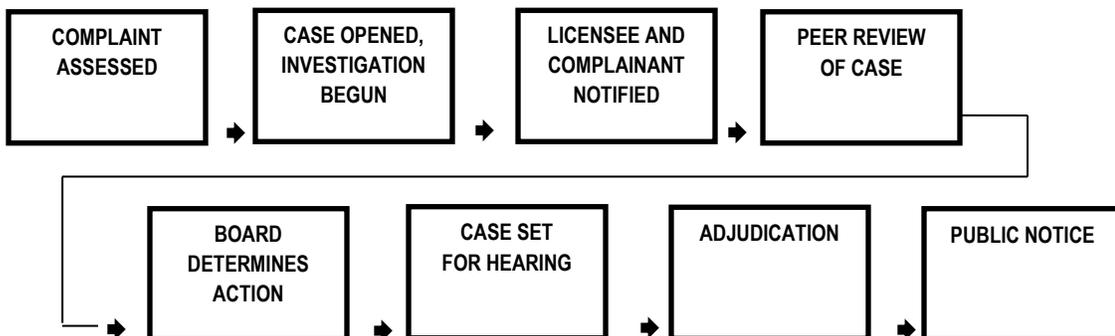
To be eligible for expedited licensure, physicians must possess a full and unrestricted license to practice medicine in a Compact state; possess specialty certification or be in possession of a time unlimited specialty certificate; have no discipline on any state medical license; have no discipline related to controlled substances; not be under investigation by any licensing or law enforcement agency; have passed each component/step of the USMLE or COMLEX (or equivalent) within three attempts; and have successfully completed a graduate medical education program. Approximately 80 percent of physicians licensed in the U.S. meet the criteria for licensure through the Compact.

A commission oversees the administration of the Compact. Iowa's commissioners are Mary Jo Romanco, a public member of the Board, and Warren Gall, a physician member of the Board. More information about the Interstate Medical Licensure Compact is available at www.imlcc.org

ENFORCEMENT

| JANUARY 1 TO DECEMBER 31 | 2016 | 2017 | 2018 | 2019 |
|--|------------|------------|------------|------------|
| COMPLAINTS, MANDATORY REPORTS | | | | |
| Complaints | 449 | 443 | 516 | 540 |
| Reports | 196 | 218 | 133 | 120 |
| TOTAL | 645 | 661 | 649 | 660 |
| Complaint files closed | 474 | 441 | 421 | 478 |
| Report files closed | 184 | 222 | 157 | 136 |
| TOTAL | 661 | 663 | 578 | 614 |
| Complaint investigations open on 12/31 | 358 | 344 | 391 | 455 |
| Report investigations open on 12/31 | 73 | 88 | 59 | 65 |
| TOTAL | 431 | 432 | 450 | 520 |
| PUBLIC CHARGES & CONSENT AGREEMENTS | 24 | 24 | 22 | 19 |
| DISCIPLINARY ACTIONS | | | | |
| License revocation/surrender | 2 | 7 | 5 | 1 |
| License suspension | 0 | 4 | 1 | 0 |
| License probation | 8 | 4 | 9 | 5 |
| Civil penalty | 17 | 11 | 12 | 11 |
| Public citation and warning | 23 | 17 | 21 | 14 |
| Practice restriction | 10 | 4 | 10 | 5 |
| TOTAL FORMAL (PUBLIC) ACTIONS | 62 | 47 | 58 | 36 |
| Confidential letter about practice or conduct | 89 | 76 | 111 | 91 |
| Licensees monitored by the Board on 12/31 | 67 | 61 | 60 | 59 |
| PUBLIC LETTER TO CEASE AND DESIST | 0 | 0 | 0 | 0 |

OVERVIEW OF COMPETENCY COMPLAINT PROCESS



COMPLIANCE SUMMARY - 2019 CHARGES, AGREEMENTS:

In 2019, the Board of Medicine filed Charges against 18 physicians involving issues related to their practices in Iowa or related to adverse actions taken against them by another state’s medical licensing Board. Total charges listed below exceed 18 because some physicians were charged with more than one count. The total charges include three Consent Agreements as a condition for granting an Iowa medical license, publicly recognizing adverse action taken against applicants by another state’s licensing Board.

CHARGES:

- Discipline by another Licensing Authority* – 6**
- Failure to Conform to the Minimal Standard of Acceptable and Prevailing Practice of Medicine – 1**
- Failure to Respond or to Comply with a Board Investigation – 1**
- Improper Management of Medical Records – 2**
- Improper Pain Management – 1**
- Inappropriate Prescribing – 1**
- Knowingly Making Misleading, Deceptive, Untrue or Fraudulent Representations in the Practice of Medicine and Surgery – 1**
- Practice Harmful or Detrimental to the Public – 2**
- Professional Incompetency – 3**
- Sexual Harassment – 2**
- Sexual Misconduct – 2**
- Standard of Care – 1**
- Unethical or Unprofessional Conduct – 2**
- Violation of a Confidential Evaluation Order – 1**
- Wrong Site Surgery – 1**

CONSENT AGREEMENT FOR LICENSURE:

(Agreement puts public on notice of action against applicant by Iowa’s or another state’s medical licensing Board)

- Any Act or Omission Which Fails to Meet Generally Accepted Standards of Medical Practice – 1**
- Falsifying or Repeatedly Making Incorrect Essential Entries or Repeatedly Failing to make Essential Entries on Patient Records – 1**
- Mental Illness – 1**
- Practice Without a License – 1**
- Unprofessional Conduct – 1**

**OUTCOMES:
Complaints
are most often
handled in one
of three ways**

1. **NO ACTION.** This is the result when no violation of laws, rules or medical care standards has occurred. The licensee and complainant are notified and the information is kept on file.

2. **INFORMAL ACTION.** There may be no violation of laws, rules or medical care standards that warrants public action, but the Board is nonetheless concerned about some aspect of the licensee’s conduct or performance. The Board will issue a confidential letter of education or warning cautioning the licensee against repeating similar conduct or practice. Complainant is notified that no formal disciplinary action has been taken.

3. **PUBLIC CHARGES FILED.** The Board determines there is a violation of laws, rules or medical care standards and files public charges and a disciplinary hearing is scheduled.

(*Actions were taken against these six physicians in other states for these issues: Committed an Offense Against Provisions of the Laws of the Commonwealth Relating to the Practice of Medicine and Regulations Adopted Thereunder – 1; Criminal Conviction – 1; During Lengthy Absence From the Office, Failed to Adequately Monitor Patients Who Were Prescribed Certain Controlled Substances – 1; Engaged in Conduct that Undermines the Public Confidence in the Integrity of the Medical Profession – 1; Failure to Appropriately Transfer or Terminate Certain Patients Who Were Otherwise Unable to Obtain Care From Office While Physician Was Out of the Country – 1; False Representations in Requests to Renew Medical License – 1; Immediate and Serious Threat to the Public Health, Safety, or Welfare – 1; Inappropriate Prescribing – 2; Lacks Good Moral Character - 1)

COMPLIANCE SUMMARY - 2019 INFORMAL ACTIONS

When the Board of Medicine determines that probable cause does not exist to take formal public disciplinary action the Board may send a confidential non-disciplinary letter to a licensee expressing concerns and requesting that a licensee take corrective action. In 2019, the Board voted to issue 89 confidential letters addressing the following concerns:

FEBRUARY 7-8 MEETING – 12 LETTERS

1. failure to share abnormal test results with a patient, and failed to complete dictation, in a timely manner.
2. prescribed excessive amounts of benzodiazepines and stimulants to a patient with a known substance abuse history.
3. failure to respond to a random audit of the continuing medical education required for renewal of his/her Iowa medical license.
4. failure to diagnose preeclampsia and failed to perform a C-section delivery in a timely manner.
5. examination, diagnosis and treatment of a patient with a burn wound.
6. radiologist's diagnostic capabilities.
7. Failure to respond to a random audit of the continuing medical education required for renewal of his/her Iowa medical license.
8. evaluation, diagnosis and treatment of multiple patients.
9. disciplined by another state licensing board for prescribing medications to colleagues without performing appropriate examinations and without maintaining appropriate medical records.
10. failure to provide truthful, accurate or complete information on license application.
11. failure to provide truthful, accurate or complete information on license application.
12. allowing a third party to complete the application.

APRIL 11-12 MEETING – 24 LETTERS

1. charged with Domestic Assault following a physical altercation with his wife.
2. used medical marijuana in Iowa that was approved in another state where its use is legal.
3. prescribed high doses of psychotropic medications to patients without maintain adequate medical records.
4. prescribed controlled substances to patients without performing appropriate addiction assessments.
5. prescribed large quantities of benzodiazepines and stimulants to patients without addressing the risks associated with polypharmacy.
6. performed gallbladder surgery on a patient and the patient experienced serious complications.
7. failure to order a cardiac consultation for a patient who presented with clear signs of a heart attack.
8. improperly placed a central line in a patient.
9. failure to properly address an improper central line placement.
10. failure to recognize and properly treat a patient who presented with preeclampsia.
11. changed a patient's psychotropic medications without examining the patient.
12. prescribed a controlled substance (Tramadol) to his wife.

13. prescribed a Fentanyl Patch to a patient for postoperative pain control without appropriate monitoring.
14. prescribed opioids, including a Fentanyl Patch, to a patient without appropriate monitoring.
15. failure to provide truthful, accurate or complete information on their applications.
16. failure to provide truthful, accurate or complete information on their applications.
17. failure to provide truthful, accurate or complete information on their applications.
18. failure to provide truthful, accurate or complete information on their applications.
19. failure to provide truthful, accurate or complete information on their applications.
20. failure to provide truthful, accurate or complete information on their applications.
21. failure to provide truthful, accurate or complete information on their applications.
22. failure to provide truthful, accurate or complete information on their applications.
23. allowed a third party to complete the application.
24. allowed a third party to complete the application.

JULY 18 TELECONFERENCE – 2 LETTERS

1. failure to provide truthful, accurate or complete information on their applications.
2. failure to provide truthful, accurate or complete information on their applications.

AUGUST 1-2 MEETING – 27 LETTERS

1. experienced difficulty providing anesthesia to multiple patients.
2. experienced difficulty performing certain physical examinations on female patients.
3. experienced difficulty providing appropriate obstetrical care to certain patients.
4. prescribed combinations of opioids and benzodiazepines to patients without addressing the risks associated with polypharmacy.
5. prescribed combinations of opioids and benzodiazepines to patients without addressing the risks associated with polypharmacy.
6. prescribed excessive pain medications to a patient with a foot sprain.
7. allowed staff to dispense Latisse and perform Botox and dermal filler injections without appropriate supervision.
8. failure to appropriately evaluate, diagnose and treat a patient with a stroke.
9. failure to diagnose and treat an infant with an abdominal malrotation.
10. allowed a family member, who is a CNA, to scrub in and assist in surgery, placing a spinal cord perm stimulator and retract and place leads.
11. failure to provide necessary pain management to a patient following neurosurgery.

12. failure to make appropriate arrangements for the delivery of his obstetrics patients.
13. prescribed controlled substances to spouse.
14. damaged the nerves serving the bladder and sphincter and sutured over the dentate line while performing a Swenson pull-through procedure.
15. concerns with diagnosis and prescribing to multiple patients.
16. Concerns with diagnosis and prescribing to multiple patients.
17. prescribed narcotics for minor medical issues.
18. prescribed narcotics for minor medical issues.
19. inappropriately issued a mental health committal order for a patient.
20. failure to provide truthful, accurate or complete information on their application.
21. failure to provide truthful, accurate or complete information on their application.
22. unethical or unprofessional conduct.
23. failure to provide truthful, accurate or complete information on their application.
24. failure to provide truthful, accurate or complete information on their application.
25. failure to provide truthful, accurate or complete information on their application.
26. unethical or unprofessional conduct.
27. failure to provide truthful, accurate or complete information on their application.

SEPTEMBER 19-20 MEETING – 7 LETTERS

1. entered into a public remediation order with another jurisdiction.
2. delayed diagnosis and treatment of occluded arteries.
3. failure to provide adequate care and monitoring of an infant's development.
4. misread a patient's abdominal x-ray.
5. performed an inappropriate physical exam on a female patient.
6. entered into a public remediation order with another jurisdiction.
7. failure to provide truthful, accurate or complete information on their application.

NOVEMBER 7-8 MEETING – 11 LETTERS

1. engaged in unprofessional conduct and failed to cooperate with a Board investigation.
2. engaged in a pattern of rude and unprofessional conduct.
3. violated the standards of practice for appropriate patient care via telemedicine.
4. violated the standards of practice for appropriate prescribing, including pain management and polypharmacy.
5. charged with domestic assault of his spouse and failure to report the criminal charges on his application for an Iowa medical license.
6. concerns about performance of a total hip replacement surgery on a patient.
7. concerns about his surgical care to multiple patients.
8. allowed a Resident physician to participate in a procedure without appropriate patient notification and consent.
9. failure to complete a death certificate in a timely manner.
10. failure to provide truthful, accurate or complete information on their applications.
11. failure to provide truthful, accurate or complete information on their applications.

DECEMBER 19-20 MEETING – 6 LETTERS

1. failure to perform an appropriate workup on a patient.
2. violated the standards of practice for appropriate prescribing, including pain management and polypharmacy.
3. charged with domestic assault of their spouse.
4. failure to inform a patient about an abnormal x-ray result.
5. allowed the sale of CBD products at her medical office.
6. treated Board staff in an unprofessional manner during the licensure process.

CIVIL PENALTIES

| | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 |
|------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| TOTAL LICENSEES | 16 | 17 | 17 | 11 | 12 | 12 |
| DOLLAR AMOUNT | | | | | | |
| 1,000 | 0 | 2 | 1 | 0 | 0 | 0 |
| 2,000 | 0 | 0 | 0 | 0 | 0 | 0 |
| 2,500 | 7 | 1 | 3 | 4 | 1 | 5 |
| 3,000 | 0 | 1 | 0 | 0 | 0 | 1 |
| 5,000 | 8 | 7 | 12 | 5 | 11 | 5 |
| 7,500 | 1 | 2 | 0 | 0 | 0 | 0 |
| 10,000 | 0 | 4 | 1 | 2 | 0 | 0 |
| TOTAL PENALTIES | \$65,000 | \$97,500 | \$78,500 | \$55,000 | \$57,500 | \$40,500 |

The Board may issue an order to discipline a licensee, including imposing a civil penalty (fine) not to exceed \$10,000. Penalties are deposited in the general fund of the State of Iowa. The Board does not benefit from the fines it imposes. The Board is funded with licensure fees.

COMPLIANCE, LICENSURE ACTIONS - 2019 ORDERS

The following are summaries of the Board of Medicine's public Orders issued in 2019, including compliance actions and licensure requirement waivers. The documents for these orders are available at www.medicalboard.iowa.gov:

Bollinger, Alan R.
Chisty, Khaja N.
Dehner, Michael A.
Fehrle, Margaret J.
Gupta, Sameer
Haas, Jonathan
Hendricks, Michael W.
Hlavaty, Tamara S.
Jacks, Tobin E.

Janda, Jerome W.
Karuparth, Venkateswara R.
Kolusu, Hanumantha R.
Kosinski, Joel M.
Lawton, Richard L.
Leonard, Todd A.
Loseke, Melissa S.
Opheim, Eric F.
Otoadese, Eromosele A.

Robinson, David B.
Roethle, Scott T.
Schenne, Alan J.
Smith, Josh A.
Trent, James A.
VandeLune, Christopher J.
Venteicher, Andrea L.
Yates, LeRoy L.

Alan R. Bollinger, D.O.
License No. DO-02348
Date of Order: 09/20/2019
Action: Paragraph #9 removed from the February 15, 2018, combined Statement of Charges and Settlement Agreement. **Basis:** Complied with terms of Probation.

Khaja N. Chisty, M.D.
License No. MD-43862
Date of Order: 04/12/2019
Action: Issued Citation and Warning; assessed civil penalty; prohibited from engaging in telehealth and from prescribing, possessing, maintaining, administering or dispensing any controlled substance; ordered to complete Board-approved neuropsychological testing; placed on probation. **Basis:** Action taken by the Colorado Medical Board.

Michael A. Dehner, M.D.
License No. MD-21100
Date of Order: 11/08/2019
Action: Terms of November 15, 2012, combined Statement of Charges and Settlement Agreement terminated. **Basis:** Completed terms of Order.

Margaret J. Fehrle, M.D.
License No. MD-31397
Date of Order: 12/20/2019
Action: Agrees to not seek renewal or reinstatement of medical license. **Basis:** Practice harmful or Detrimental to the Public; Professional Incompetency.
Sameer Gupta, M.D.
License No. MD-40535
Date of Order: 08/02/2019
Action: Issued Citation and Warning; assessed civil penalty; and ordered successfully complete

CPEP's Professional / Problem Based Ethics (ProBE) program. **Basis:** Action taken by the Minnesota Board of Medical Practice; entering into a voluntary agreement with the Minnesota Board of Medical Practice.

Jonathan Haas, M.D.
License No. MD-46921
Date of Order: 12/24/2019
Action: Issued Citation and Warning; Referral to Iowa Physician Health Program (IPHP); and granted him a permanent Iowa medical license. **Basis:** Action taken by the Minnesota Board of Medical Practice, the Pennsylvania State Board of Medicine and the Washington State Medical Quality Assurance Commission.

Michael W. Hendricks, M.D.
License No. MD-26178
Date of Order: 04/12/2019
Action: Issued Citation and Warning; assessed civil penalty. **Basis:** Wrong Site Surgery.

Tamara S. Hlavaty, M.D.
License No. MD-29637
Date of Order: 02/21/2019
Action: Terms of July 29, 2016, combined Statement of Charges and Settlement Agreement terminated. **Basis:** Completed terms of Order.

Tobin E. Jacks, M.D.
License No. MD-26026
Date of Order: 04/12/2019
Action: Terms and conditions established in the Amended Order dated September 15, 2017, were terminated; prohibited from practicing any aspect of the practice of obstetrics in the future; shall seek approval of the Board prior to

returning to the practice of medicine at a new practice location; Board shall audit controlled substance prescribing practices. **Basis:** Complied with terms of Probation.

Tobin E. Jacks, M.D.
License No. MD-26026
Date of Order: 09/20/2019
Action: Terms of June 11, 2010, combined Statement of Charges and Settlement Agreement terminated. **Basis:** Complied with terms of Order to the satisfaction of the Board.

Jerome W. Janda, D.O.
License No. DO-02966
Date of Order: 09/20/2019
Action: Terms of February 6, 2015, combined Statement of Charges and Settlement Agreement terminated. **Basis:** Complied with terms of Order to the satisfaction of the Board.

Venkateswara R. Karuparth, M.D.
License No. MD-34461
Date of Order: 08/02/2019
Action: Agreed to no engage in any aspect of the practice of medicine under Iowa medical license. **Basis:** Pending criminal charges.

Hanumantha R. Kolusu, M.D.
License No. MD-31016
Date of Order: 04/12/2019
Action: Issued Citation and Warning; assessed civil penalty; placed on probation. **Basis:** Standard of Care.

Joel M. Kosinski, M.D.
License No. MD-19784
Date of Order: 04/12/2019
Action: Terms of August 6, 2008, Reinstatement Order terminated.

Basis: Complied with terms of Order.

Richard L. Lawton, M.D.

License No. MD-45982

Date of Order: 02/08/2019

Action: Issued Citation and Warning; assessed civil penalty; provided proof of successful compliance with Colorado Order upon completion; and granted him a permanent Iowa medical license.

Basis: Action taken by the Colorado Medical Board.

Todd A. Leonard, M.D.

License No. MD-46576

Date of Order: 08/14/2019

Action: Issued Citation and Warning. **Basis:** Action taken by the Minnesota Board of Medical Practice.

Melissa S. Loseke, D.O.

License No. DO-05400

Date of Order: 05/20/2019

Action: Issued Citation and Warning. **Basis:** Action taken by the Kansas Board of Healing Arts.

Eric F. Opheim, D.O.

License No. DO-03462

Date of Order: 11/08/2019

Action: Terms of May 15, 2015, combined Statement of Charges and Settlement Agreement terminated.

Basis: Completed terms of Order.

Eromosele A. Otoadese, M.D.

License No. MD-28663

Date of Order: 04/12/2019

Action: Issued Citation and Warning; assessed civil penalty; ordered to successfully complete a comprehensive clinical competency evaluation; ordered to complete a Board-approved record keeping course; placed on probation. **Basis:** Professional incompetency.

David B. Robinson, MD.

License No. MD-41096

Date of Order: 08/02/2019

Action: Terms of October 28, 2016, combined Statement of Charges and Settlement Agreement terminated.

Basis: Complied with terms of Order to the satisfaction of the Board.

Scott T. Roethle, M.D.

License No. MD-45471

Date of Order: 12/20/2019

Action: Issued Citation and Warning; assessed civil penalty.

Basis: Failure to Conform to the Minimal Standard of Acceptable and Prevailing Practice of medicine.

Alan J. Schenne, D.O.

License No. DO-03654

Date of Order: 02/08/2019

Action: Issued Citation and Warning; assessed civil penalty; voluntary surrender of Iowa medical license. **Basis:** Sexual Misconduct; Sexual Harassment.

Josh A. Smith, D.O.

License No. DO-02944

Date of Order: 09/20/2019

Action: Terms of February 5, 2016, combined Statement of Charges and Settlement Agreement terminated.

Basis: Complied with terms of Order to the satisfaction of the Board.

James A. Trent, M.D.

License No. MD-42602

Date of Order: 04/12/2019

Action: Issued Citation and Warning; comply with terms of Wyoming Board Consent Decree.

Basis: Action taken by the Wyoming Board of Medicine.

Christopher J. VandeLune, D.O.

License No. DO-03566

Date of Order: 05/09/2019

Action: Issued citation and warning; assessed civil penalty; comply with all recommendations by the Professional Renewal Center; placed on probation. **Basis:** Sexual Misconduct; Sexual Harassment.

Andrea L. Venteicher, M.D.

License No. MD-36110

Date of Order: 05/09/2019

Action: Issued Citation and Warning; assessed civil penalty; prohibited from prescribing, administering or dispensing controlled substances for the treatment of chronic pain; ordered to complete Board-approved comprehensive clinical competency evaluation and medical recordkeeping course; placed on probation. **Basis:** Improper Pain Management.

LeRoy L. Yates, Jr., M.D.

License No. MD-27540

Date of Order: 12/12/2019

Action: Issued Citation and Warning; assessed civil penalty; prohibited indefinitely from engaging in any aspect of the practice of cosmetic surgery ; Complete medical records keeping course.

Basis: Fraud in Representations as to Skill or Ability; Improper Management of Medical Records; Inappropriate Prescribing; Knowingly Making Misleading, Deceptive, Untrue or Fraudulent Representations in the Practice of Medicine and Surgery; Practice Harmful or Detrimental to the Public; Professional Incompetency; Unethical or Unprofessional Conduct; Use of Untruthful or Improbable Statements in Advertisements

ALTERNATE MEMBERS

Alternate members of the Board of Medicine play an important role in contested case hearings. Up to three alternates can serve on a six-member panel for a hearing when a quorum (six members) of the 10 current members of the Board is not available. Since it was authorized by law in 2008 and implemented in 2009, the Alternate pool is routinely tapped for hearings. Alternates are recommended by the Board, but must be approved by the Governor. An Alternate’s term is nine years. Alternates receive a per diem and expenses. **Alternates serving in 2019 were:**

| ALTERNATE MEMBERS | APPOINTED |
|-------------------------------------|-------------------|
| Ronald Cheney, D.O., Carroll | May 17, 2018 |
| Carole Frier, D.O., Des Moines | March 25, 2011 |
| Analisa Haberman, D.O., Mason City | August 21, 2012 |
| Bruce Hughes, M.D., Des Moines | March 25, 2011 |
| John Marshall, M.D., Council Bluffs | August 21, 2012 |
| Paul Thurlow, Dubuque | November 14, 2011 |
| Janece Valentine, Fort Dodge | July 8, 2012 |

CONTESTED CASE HEARINGS

| | 2015 | 2015 | 2017 | 2018 | 2019 |
|---------------------------------|-----------|-----------|-----------|-----------|-----------|
| HEARING | 2 | 1 | 1 | 0 | 2 |
| HEARING USING ALTERNATES | 2 | 1 | 0 | 0 | 1 |
| SETTLED WITHOUT HEARING | 23 | 25 | 19 | 23 | 15 |

PEER REVIEWS

In addition to three public members, the Board of Medicine includes seven physicians, representing at most seven specialties. Complaints about Iowa physicians, however, cross the spectrum of specialties, from anesthesiology to urology. Therefore, in competency issues expertise in a given case may not be available on the Board when the case is discussed. If, after a case has been investigated and discussed at the Board level, specialty expert opinion is needed to fairly determine if the standard of care has or has not been met, a formal peer review may be requested. Don Woodhouse, M.D., the Board’s medical advisor, will recruit physicians to serve on a committee to review a case file, which includes the investigative report, interviews with the complainant, witnesses and the physician involved, and pertinent medical records. The peer reviewers then discuss their findings and determinations amongst themselves and submit a formal report to the Board for consideration. Iowa physicians who are interested in serving as a peer reviewer may contact Dr. Woodhouse at (515) 242-3229. An instruction manual for peer reviewers is available at www.medicalboard.iowa.gov

PEER REVIEWS

| | 2016 | 2017 | 2018 | 2019 |
|------------------|----------|-----------|-----------|----------|
| ORDERED | 8 | 17 | 12 | 5 |
| COMPLETED | 6 | 16 | 9 | 6 |

The Board of Medicine is fortunate to have dedicated, competent personnel who take their jobs, and the Board's mission, seriously. Every day, these men and women perform licensure and regulatory enforcement duties that enable the Board to protect the health of Iowans.

IOWA BOARD OF MEDICINE

400 SW Eighth Street, Suite C
Des Moines, Iowa 50309-4686

HOURS: 8:00 a.m. to 4:30 p.m., Monday-Friday

PHONE: (515) 281-5171

FAX: (515) 242-5908

E-MAIL: ibm@iowa.gov

WEB: www.medicalboard.iowa.gov



ADMINISTRATION

Kent Nebel, J.D.

Executive Director

Shantel Billington

Office Manager

Steve Ervin

Information Technology Specialist

Joseph Fraioli, J.D.

Director of Legal Affairs

Chrissy Greco

Assistant to the Executive Director

John Olds, M.D.

Medical Advisor

LICENSURE

Annie Hoffmann

Director of Licensure

Jaime Dunbar

Licensing Specialist

Cheryl Gravett

Licensing Specialist

Judy Hojati

Renewal Coordinator

Melissa Nelsen

Licensing Specialist

ENFORCEMENT

Jim Graham

Chief Investigator

Brandi Allen, C.M.B.I.*

Investigator

Luann Brickei

Support Coordinator

Jerome Hill

Investigator

Jennifer Huisman, C.M.B.I.*

Investigator

Aaron Kephart, C.M.B.I.*

Investigator

David McGlaughlin, C.M.B.I.*

Investigator

Anne Schleppehorst, C.M.B.I.*

Investigator

Kari Rolls

Administrative Assistant

Andrew Rupiper

Support Coordinator

Laura Wood, C.M.B.I.*

Investigator

Mary Knapp

Monitoring Coordinator

IOWA PHYSICIAN HEALTH PROGRAM

Amy Van Maanen, L.B.S.W.

Program Coordinator

Emily Zalasky, L.B.S.W.

Case Manager

IOWA ATTORNEY GENERAL'S OFFICE

Anaghat Dixit, J.D.

Assistant Attorney General

*Certified Medical Board Investigator by Administrators
in Medicine and Federation of State Medical Board