

BEFORE THE BOARD OF DENTAL EXAMINERS OF THE STATE OF IOWA

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

CHARITY LEWIS GATHRIGHT, R.D.H., RESPONDENT

MUSCATINE, IOWA

STATEMENT OF CHARGES,

**SETTLEMENT AGREEMENT and FINAL ORDER
(combined)**

COMES NOW the Iowa Board of Dental Examiners (the Board), and Charity Lewis Gathright, R.D.H., (Respondent), on April 15, 2005, and pursuant to Iowa Code sections 17A.10(2) and 272C.3(4), enter into the following combined Statement of Charges, Settlement Agreement and Final Order.

STATEMENT OF CHARGES

1. Respondent was issued license number 2824 to practice dental hygiene in Iowa on February 17, 2000.
2. Respondent's Iowa dental hygiene license is current and will expire on June 30, 2006.
3. The Board has jurisdiction in this matter pursuant to Iowa Code Chapters 147, 148 and 272C.

COUNT I

4. Respondent is charged under Iowa Code Section 153.34(4) (2005) and 650 Iowa Administrative Code Section 30.4(27) with violating the terms of a recovery contract that she entered into with the Iowa Practitioner Review Committee (IPRC).

CIRCUMSTANCES

5. Respondent self reported to the IPRC on July 11th, 2003.
6. Respondent signed a recovery contract with the IPRC on September 16th, 2003.
7. Respondent agreed in this contract to comply with numerous terms and conditions, which included her abstinence from the use of drugs and alcoholic beverages.
8. In January 2004, Respondent relapsed with the use of cocaine and the matter was referred to the Board for consideration. The Board reviewed the matter and determined to allow Respondent to remain under the jurisdiction of the IPRC.
9. In March 2005, Respondent again relapsed with the use of cocaine.

SETTLEMENT AGREEMENT

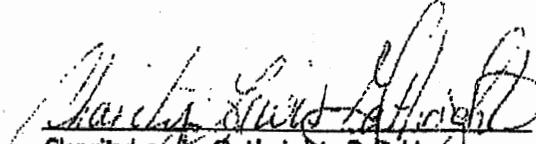
10. Immediately upon the Board's approval of this Settlement Agreement, Respondent's Iowa dental hygiene license shall be suspended.
11. Respondent agrees not to apply for reinstatement of her dental hygiene license until the following conditions are met:
 - a. Respondent must undergo an evaluation at a facility prior approved by the Board.
 - b. Respondent shall sign releases to allow for the free flow of information between the Board and the evaluating and/or treatment facility(s).

- c. Respondent must document compliance with all treatment recommendations made by the evaluating facility.
 - d. Respondent must receive a recommendation from the evaluating facility, which supports her return to the practice of dental hygiene.
12. Following successful completion and documentation of all above conditions, Respondent may apply for reinstatement of her dental hygiene license, in accordance with 650 IAC 51.34.

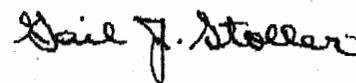
FINAL ORDER

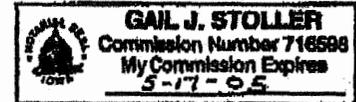
13. This combined Statement of Charges, Settlement Agreement and Final Order constitutes the resolution of a contested case proceeding.
14. By entering into this combined Statement of Charges, Settlement Agreement and Final Order, Respondent voluntarily waives any rights to a contested case hearing on the allegations contained in the Statement of Charges, and waives any objections to the terms of this Settlement Agreement.
15. This combined Statement of Charges, Settlement Agreement and Final Order, is voluntarily submitted by Respondent to the Board for consideration.
16. Respondent acknowledges that she has the right to be represented by counsel in this matter.
17. Respondent understands that this Order is a public record and is therefore subject to inspection and copying by members of the public.
18. Respondent understands that the Board is required by Federal law to report this Order to the National Practitioner Data Bank and Healthcare Integrity and Protection Data Bank.

19. Respondent acknowledges that no member of the Board, nor any employee, nor attorney for the Board, has coerced, intimidated, or pressured her, in any way whatsoever, to execute this Order.
20. This combined Statement of Charges, Settlement Agreement and Final Order, is subject to approval of the Board. If the Board fails to approve this combined Statement of Charges, Settlement Agreement and Final Order, it shall be of no force or effect to either party.
21. The Board's approval of this Settlement Agreement and Final Order shall constitute a **Final Order** of the Board.


Charity Lewis Gathright, R.D.H
Respondent

Subscribed and sworn to before me on April 13, 2005.

Notary Public, State of Iowa 



This combined Statement of Charges, Settlement Agreement and Final Order is approved by the Board on April 15, 2005.


Deena R. Kuempel, D.D.S., Chairperson
Iowa Board of Dental Examiners
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cc: Theresa O'Connell Weeg
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