

BEFORE THE BOARD OF DENTAL EXAMINERS OF THE STATE OF IOWA

**IN THE MATTER OF THE NOTICE OF HEARING FOR
CHARITY LEWIS GATHRIGHT, R.D.H., RESPONDENT
MUSCATINE, IOWA**

**NOTICE OF HEARING, 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 August 25, 2006, and pursuant to Iowa Code sections 17A.10(2) and 272C.3(4), enter into the following combined Notice of Hearing, Settlement Agreement, and Final Order.

NOTICE OF HEARING

1. A hearing on this matter will not be held as the Board and Respondent have entered into the following combined Notice of Hearing, Settlement Agreement and Final Order.
2. Respondent was issued license number 2824 to practice dental hygiene in the state of Iowa on February 17, 2000.
3. License number 2824 is currently on indefinite probationary status and is active until June 30, 2007.

LEGAL AUTHORITY AND JURISDICTION

4. The Board has jurisdiction in this matter pursuant to Iowa Code Chapters 153 and 272C (2005).

SECTIONS OF STATUTES AND RULES INVOLVED

COUNT I

5. The Respondent is charged under Iowa Code Section 153.34(14) (2005) with the inability to practice dental hygiene with reasonable skill and safety by reason of habitual or excessive use of drugs, intoxicants, narcotics, chemicals, or other types of materials.

STATEMENT OF MATTERS ASSERTED

6. Respondent self reported to the IPRC on July 11th, 2003.
7. Respondent signed a recovery contract with the IPRC on September 16th, 2003.
8. Respondent agreed in this contract to comply with numerous terms and conditions, which included her abstinence from the use of drugs and alcoholic beverages.
9. 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.
10. In March 2005, Respondent again relapsed with the use of cocaine.
11. On April 15th, 2005, Respondent entered into a combined Statement of Charges, Settlement Agreement, and Final Order with the Board which suspended her license to practice dental hygiene.

12. On January 18th, 2006, Respondent's license to practice dental hygiene was reinstated and was placed on indefinite probationary status subject to numerous terms and conditions.
13. On August 21st, 2006, Respondent reports that she has relapsed with the use of alcohol and reports that she has been charged with Operating a Motor Vehicle While Under the Influence of Alcohol (OWI).

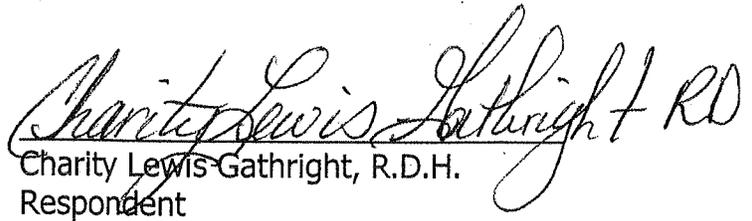
SETTLEMENT AGREEMENT

14. Upon the Board's approval of this Settlement Agreement and Final Order, Respondent agrees to voluntarily surrender her license to practice dental hygiene in the state of Iowa and understands that pursuant to 650 Iowa Administrative Code section 51.34(2) a voluntary surrender, when accepted by the Board, shall have the same force and effect as an order of revocation.
15. This agreement shall constitute Respondent's written statement of intention to surrender her Iowa dental hygiene license pursuant to 51.34(2).

FINAL ORDER

16. This combined Notice of Hearing, Settlement Agreement and Final Order constitutes the resolution of a contested case proceeding.
17. By entering into this combined Notice of Hearing, Settlement Agreement and Final Order, Respondent voluntarily waives any rights to a contested case hearing on the allegations contained in the Statement of Matters Asserted, and waives any objections to the terms of this Settlement Agreement.

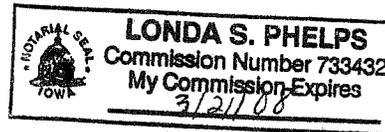
18. This combined Notice of Hearing, Settlement Agreement and Final Order, is voluntarily submitted by Respondent to the Board for consideration.
19. Respondent acknowledges that she has the right to be represented by counsel in this matter.
20. This combined Notice of Hearing, Settlement Agreement, Final Order and Statement of Matters Asserted become public records available for inspection and copying upon execution of this agreement in accordance with the requirements of Iowa Code Chapters 17A, 22 and 272C.
21. 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.
22. This combined Notice of Hearing, Settlement Agreement and Final Order, is subject to approval of the Board. If the Board fails to approve this combined Notice of Hearing, Settlement Agreement and Final Order, it shall be of no force or effect to either party.
23. The Board's approval of this combined Notice of Hearing, 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 August 21, 2006.

Londa S. Phelps

Notary Public, state of



This combined Notice of Hearing, Settlement Agreement and Final Order is approved by the Board on August 25, 2006.

Deena R. Kuempel, D.D.S.

DEENA R. KUEMPEL, D.D.S., Chairperson
Iowa Board of Dental Examiners
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Des Moines, IA 50309-4687

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