

BEFORE THE BOARD OF DENTAL EXAMINERS OF THE STATE OF IOWA

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

KIMBERLY K. HEINRICHS, R.D.H., RESPONDENT

COUNCIL BLUFFS, IOWA

STATEMENT OF CHARGES,

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

COMES NOW the Iowa Board of Dental Examiners (the Board), and Kimberly K. Heinrichs, R.D.H., (Respondent), on December 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 3237 to practice dental hygiene in the state of Iowa on July 16, 2004.
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, 153 and 272C.

COUNT I

4. Respondent is charged under Iowa Code Section 153.34(11) (2005) with having disciplinary action taken against her dental hygiene license by another state.

COUNT II

5. Respondent is charged with violating a Board rule when she failed to report a license revocation, suspension, or other disciplinary action taken by a licensing authority of another state within thirty (30) days of the final action, as required by Iowa Administrative Code 650-30.4(32).

THE CIRCUMSTANCES

6. Respondent was issued Iowa dental hygiene license number 3237 in the state of Iowa on July 16, 2004, which is currently on active status and expires on June 30, 2006.
7. Respondent was issued Nebraska dental hygiene license number 1217 in the state of Nebraska.
8. On or about May 3, 2005, the Nebraska Department of Health and Human Services Regulation and Licensure filed a Petition for Disciplinary Action against Respondent for violation of the Nebraska Uniform Controlled Substance Act, for delivering a prescription in her name to her employer.
9. On May 6, 2005, an Order on Agreed Settlement was issued resolving the charges without proceeding to hearing.
10. Respondent agreed to the imposition of sanctions of an Agreed Settlement on May 3, 2005, which imposed the sanction of a censure and a civil penalty in the amount of five hundred dollars (\$500.00).
11. Respondent failed to report this final action taken against her dental hygiene license to the Iowa Board of Dental Examiners within 30 days.

SETTLEMENT AGREEMENT

12. **THEREFORE, IT IS HEREBY ORDERED** that Respondent is hereby **CITED** and **WARNED** for having disciplinary action taken against her dental hygiene license by another licensing authority and for failing to report that final action within thirty (30) days, as required by Iowa Administrative Code 650-30.4(32).
13. Respondent agrees to submit a civil penalty in the amount of one hundred dollars (\$100.00) within sixty (60) days of the date of this Order.

FINAL ORDER

14. This combined Statement of Charges, Settlement Agreement and Final Order constitutes the resolution of a contested case proceeding.
15. 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.
16. This combined Statement of Charges, Settlement Agreement and Final Order, is voluntarily submitted by Respondent to the Board for consideration.
17. Respondent acknowledges that she has the right to be represented by counsel in this matter.
18. The Respondent understands that this Order is a public record and is therefore subject to inspection and copying by members of the public.
19. 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.

- 20. The 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.
- 21. 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.
- 22. The Board's approval of this Settlement Agreement and Final Order shall constitute a **Final Order** of the Board.


 Kimberly K. Heinrichs, R.D.H.
 Respondent

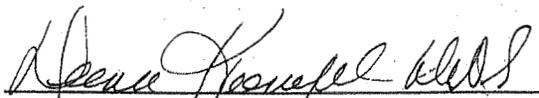
Subscribed and sworn to before me on December 2, 2005

2005.



Notary Public, State of Iowa

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


 DEENA R. KUEMPEL, D.D.S.
 Chairperson
 Iowa Board of Dental Examiners
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