

**BEFORE THE DENTAL BOARD  
OF THE STATE OF IOWA**

---

<b>IN THE MATTER OF</b>	)	
<b>BRUCE C. KROOK, D.D.S.</b>	)	<b>NOTICE OF HEARING AND STATEMENT OF CHARGES</b>
<b>RESPONDENT.</b>	)	

---

**COMES NOW** the Iowa Dental Board (Board) and files this Notice of Hearing and Statement of Charges pursuant to Iowa Code sections 17A.12(2), 17A.18(3), and 650 Iowa Administrative Code (IAC) 51.6. Respondent was issued Iowa dental license number 06474 on July 30, 1979. Respondent's license is current and will next expire on August 31, 2012. Respondent's address as reported to the Board is 1903 E.P. True Parkway, #301, West Des Moines, Iowa 50265.

**A. TIME, PLACE AND NATURE OF HEARING**

1. Hearing. A disciplinary contested case hearing shall be held on July 21, 2011, before the Iowa Dental Board. The hearing shall begin at 3:00 p.m. and shall be located in the conference room at the office of the Iowa Dental Board, 400 SW 8<sup>th</sup> Street, Ste. D, Des Moines, Iowa.

2. Answer. Within twenty (20) days of the date you are served this Notice of Hearing and Statement of Charges you are required by 650 IAC 51.12(2) to file an Answer. The Answer should specifically admit, deny, or otherwise answer all allegations contained in sections C and D of this Notice of Hearing and Statement of Charges. Pleadings shall be filed with the Board at the following address: Iowa Dental Board, 400 SW 8<sup>th</sup> Street, Ste. D, Des Moines, Iowa 50309.

3. Presiding Officer. The Board shall serve as presiding officer, but the Board may request an Administrative Law Judge make initial rulings on pre-hearing matters, and be present to assist and advise the Board at hearing.

4. Hearing Procedures. The procedural rules governing the conduct of the hearing are found at 650 IAC Chapter 51. At hearing, you may appear personally or be represented by legal counsel at your own expense. You will be allowed the opportunity to respond to the charges against you, to produce evidence on your behalf on issues of material fact, cross-examine witnesses present at the hearing, and examine and respond to any documents introduced at hearing. If you need to request an alternative time or date for hearing, you must comply with the requirements of 650 IAC 51.18. The hearing may be open to the public or closed to the public at your discretion.

5. Pre-hearing Conference. Any party may request a pre-hearing conference to discuss evidentiary issues related to the hearing. The Board's rules regarding pre-hearing conferences are contained at 650 IAC 51.17.

6. Prosecution. The Office of the Attorney General is responsible for representing the public interest (the State) in this proceeding. Copies of pleadings should be provided to counsel for the State at the following address: Theresa O'Connell Weeg, Assistant Attorney General, Iowa Attorney General's Office, 2<sup>nd</sup> Floor, Hoover State Office Building, Des Moines, Iowa 50319.

7. Communications. You may not contact Board members in any manner, including by phone, letter, or e-mail, about this Notice of Hearing and Statement of

Charges. Board members may only receive information about the case when all parties have notice and an opportunity to participate, such as at the hearing or in pleadings you file with the Board office and serve upon all parties in the case. You should direct any questions to Melanie Johnson, J.D., Executive Director at 515-281-5157.

## **B. LEGAL AUTHORITY AND JURISDICTION**

1. Jurisdiction. The Board has jurisdiction in this matter pursuant to Iowa Code Chapters 147, 153, and 272C.

2. Legal Authority. If any of the allegations against you are founded, the Board has authority to take disciplinary action against you under Iowa Code Chapters 17A, 147, 153, and 272C and 650 IAC Chapters 30 and 51.

3. Default. If you fail to appear at the hearing, the Board may enter a default decision or proceed with the hearing and render a decision in your absence, in accordance with Iowa Code Section 17A.12(3) and 650 IAC 51.22.

## **C. SECTIONS OF STATUTES AND RULES INVOLVED**

### **COUNT I**

Respondent is charged under Iowa Code Section 153.34(4) (2011) with willful or repeated violations of Board rules by failing to comply with the terms of an Iowa Practitioner Review Committee contract, in violation of 650 Iowa Administrative Code 35.1(5)(b).

### **COUNT II**

Respondent is charged under Iowa Code Section 153.34(14) (2011) with the inability to practice dentistry with reasonable skill and safety by reason of habitual or

excessive drunkenness or as a result of a mental condition, in violation of 650 Iowa Administrative Code 30.4 (40).

### **FACTUAL CIRCUMSTANCES**

1. In August, 2008, Respondent self reported to the Iowa Practitioner Review Committee due to alcohol dependency and mental health issues.
2. In December, 2008, Respondent submitted to a substance abuse evaluation which indicated that Respondent was alcohol dependent.
3. The evaluating facility recommended that Respondent remain abstinent from alcohol and all other mood altering substances.
4. In July, 2010, Respondent relapsed by using alcohol. Following this relapse, Respondent was issued a Letter of Warning by the Board indicating that any additional relapses could be addressed formally with the Board.
5. The Board received information that Respondent had again relapsed by using alcohol in February, 2011.
6. An investigation was initiated following receipt of this information in February, 2011. During the course of the investigation, both Respondent and members of his staff were interviewed.
7. During the course of the investigation, the Board confirmed that Respondent had relapsed by using alcohol following the Letter of Warning from the Board.

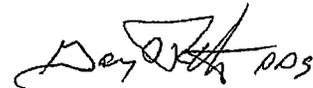
### **E. SETTLEMENT**

This matter may be resolved by settlement agreement. The procedural rules governing the Board's settlement process are found at 650 IAC 51.19. If you are

interested in pursuing settlement of this matter, please contact Melanie Johnson, J.D., Executive Director, at 515-281-5157.

#### F. PROBABLE CAUSE FINDING

On this 20th day of April, 2011, the Iowa Dental Board found probable cause to file this Notice of Hearing and Statement of Charges.



---

Gary D. Roth, D.D.S.  
Chairperson  
Iowa Dental Board

cc: Theresa O'Connell Weeg  
Sara Scott  
Assistant Attorneys General  
Iowa Attorney General's Office  
2<sup>nd</sup> Floor Hoover Bldg.  
Des Moines, IA 50319