

BEFORE THE BOARD OF DENTAL EXAMINERS OF THE STATE OF IOWA

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

DONNA J. LOHRBACH, R.D.H., RESPONDENT

IOWA FALLS, IOWA

STATEMENT OF CHARGES,

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

COMES NOW the Iowa Board of Dental Examiners (the Board), and Donna J. Lohrbach, R.D.H. (Respondent), on January 13, 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 2590 to practice dental hygiene in Iowa on September 4, 1996.
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. The Respondent is charged under Iowa Code Section 153.34(4) (2003) with willfully or repeatedly violating a Board rule by administering local anesthesia with a lapsed local anesthesia permit in violation of 650 Iowa Administrative Code Section 11.7(1).

THE CIRCUMSTANCES

5. Respondent had an active local anesthesia permit in the State of Iowa until June 30, 2002.
6. Respondent failed to meet the requirements for renewal, which caused her local anesthesia permit to lapse.
7. Respondent continued to administer local anesthesia with a lapsed permit until August 2004.

SETTLEMENT AGREEMENT

8. THEREFORE, the Respondent is hereby **CITED** for administering local anesthesia with a lapsed local anesthesia permit **AND WARNED** that future violations could result in additional discipline.
9. Respondent agrees to submit a civil penalty in the amount of two hundred fifty dollars (\$250.00) to the Iowa Board of Dental Examiners within 60 days of the date of this Order.

FINAL ORDER

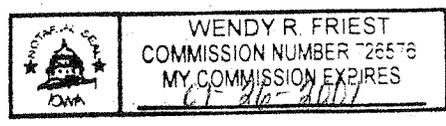
10. This combined Statement of Charges, Settlement Agreement and Final Order constitutes the resolution of a contested case proceeding.

11. 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.
12. This combined Statement of Charges, Settlement Agreement and Final Order, is voluntarily submitted by Respondent to the Board for consideration.
13. Respondent acknowledges that she has the right to be represented by counsel in this matter.
14. The Respondent understands that this Order is a public record and is therefore subject to inspection and copying by members of the public.
15. The 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.
16. 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.
17. 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.
18. The Board's approval of this Settlement Agreement and Final Order shall constitute a **Final Order** of the Board.

Donna J. Lorbach
Donna J. Lorbach, R.D.H.
Respondent

Subscribed and sworn to before me on November 15, 2004.

Notary Public, State of Iowa



Wendy R. Friest
Notary Public

This combined Statement of Charges, Settlement Agreement and Final Order is approved by the Board on January 13, 2004.⁵

Deena R. Kuempel, D.D.S.
DEENA R. KUEMPEL, D.D.S.
Chairperson
Iowa Board of Dental Examiners
400 SW 8th Street, Suite D
Des Moines, IA 50309-4687

cc: Theresa O'Connell Weeg
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