

BEFORE THE BOARD OF DENTAL EXAMINERS OF THE STATE OF IOWA

IN THE MATTER OF THE NOTICE OF HEARING AGAINST

NANCY G. MILLER, R.D.H., RESPONDENT

ROCKFORD, IOWA

NOTICE OF HEARING, SETTLEMENT AGREEMENT and FINAL ORDER

(combined)

COMES NOW the Iowa Board of Dental Examiners (the Board), and Nancy G. Miller, 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 0895 to practice dental hygiene in Iowa on September 1, 1975.
3. Respondent's Iowa dental hygiene license is current and will expire on June 30, 2007.

LEGAL AUTHORITY AND JURISDICTION

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

SECTIONS OF STATUTES AND RULES INVOLVED

COUNT I

5. Respondent is charged under Iowa Code Section 153.34(4) (2005) 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).

STATEMENT OF MATTERS ASSERTED

6. Respondent had an active local anesthesia permit in the state of Iowa until June 30, 2004.
7. Respondent failed to meet the requirements for renewal, which caused her local anesthesia permit to lapse.
8. Respondent continued to administer local anesthesia with a lapsed permit until June 2006.

SETTLEMENT AGREEMENT

9. **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.
10. 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 sixty (60) days of the date of this Order.

FINAL ORDER

11. This combined Notice of Hearing, Settlement Agreement and Final Order constitutes the resolution of a contested case proceeding.
12. 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.
13. This combined Notice of Hearing, Settlement Agreement and Final Order, is voluntarily submitted by Respondent to the Board for consideration.
14. Respondent acknowledges that she has the right to be represented by counsel in this matter.
15. 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.
16. 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.
17. 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.

18. 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.
19. The Board's approval of this Notice of Hearing, Settlement Agreement and Final Order shall constitute a **Final Order** of the Board.

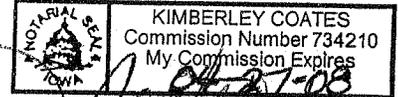
Nancy G. Miller

Nancy G. Miller, R.D.H.
Respondent

Subscribed and sworn to before me on 31 July, 2006.

Notary Public, State of Iowa
County of Floyd

Kimberley Coates



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

Deena R. Kuempel, DDS

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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