

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

\*\*\*\*\*

**IN THE MATTER OF THE NOTICE OF HEARING FOR**

**LISA J. NASH, R.D.A, RESPONDENT**

\*\*\*\*\*

**NOTICE OF HEARING, SETTLEMENT AGREEMENT AND FINAL ORDER**

**(combined)**

\*\*\*\*\*

**COMES NOW** the Iowa Board of Dental Examiners (the Board), and Lisa J. Nash, R.D.A., (Respondent), on April 5, 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 registration # Q08205 to practice dental assisting in Iowa on October 16, 2003.
3. Respondent's Iowa dental assisting registration is currently on probationary status 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. The Respondent is charged under Iowa Code Section 153.34(14) (2005) with the inability to practice dental assisting 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. On January 13, 2005, Respondent was charged with the inability to practice dental assisting with reasonable skill and safety by reason of illness, drunkenness, or habitual or excessive use of drugs, intoxicants, narcotics, chemicals, or other types of materials. The circumstances of that action involved Respondent testing positive for an illicit drug and later admitting to illicit drug use.
7. On April 15, 2005, Respondent entered into a settlement agreement with the Board resolving those charges without proceeding to hearing. Respondent was required pursuant to the Agreement to participate in the Board's random drug and alcohol screening program.
8. Respondent has tested positive for illicit drug use on four occasions following the date of the Settlement Agreement. Respondent has admitted to continued illicit drug use.

## SETTLEMENT AGREEMENT

9. Upon the Board's approval of this Settlement Agreement and Final Order, Respondent agrees to voluntarily surrender her registration to practice dental assisting 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. This agreement shall constitute Respondent's written statement of intention to surrender her registration pursuant to 51.34(2).
10. Respondent shall surrender her dental assistant registration to the Board office within ten (10) days of the execution date of this Agreement. The execution date is that date which accompanies the Board Chairperson's signature.
11. By voluntarily surrendering her registration, Respondent agrees not to use any words or titles which imply or represent that she is a dental assistant or to otherwise hold herself out to the public as a dental assistant or to engage in the practice of dental assisting for which a registration is required in the state of Iowa.
12. Respondent agrees that should she ever seek reinstatement of her registration to practice dental assisting in the state of Iowa, such application shall be subject to the provisions of 650 Iowa Administrative Code Section 51.34. Respondent may make application for reinstatement at such time that she can submit evidence that demonstrates to the Board's satisfaction that the basis for the surrender of Respondent's registration no longer exists and that it will be in the public interest for the registration to be reinstated. Respondent shall bear the burden of proof establishing these facts.

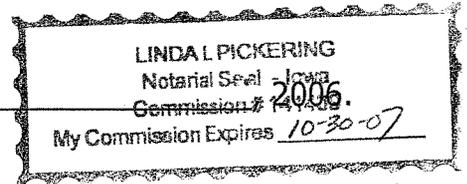
## FINAL ORDER

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

  
\_\_\_\_\_  
Lisa J. Nash, R.D.A.  
Respondent

*Linda Pickering Notary*

Subscribed and sworn to before me on March 31



Notary Public, State of Iowa

This combined Notice of Hearing, Settlement Agreement and Final Order is approved by the Board on April 5 2006.

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

cc: Theresa O'Connell Weeg  
Assistant Attorney General  
Office of the Attorney General  
Hoover State Office Building  
Des Moines, IA 50319