

BEFORE THE DENTAL BOARD OF THE STATE OF IOWA

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

FREDERICK K. CHEUNG, D.D.S., RESPONDENT

DUBUQUE, IOWA

STATEMENT OF CHARGES, SETTLEMENT AGREEMENT AND FINAL ORDER

(combined)

COMES NOW the Iowa Dental Board (the Board), and Frederick K. Cheung, D.D.S. (Respondent), on July 31st, 2014, 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.

NOTICE OF HEARING

1. A hearing on this matter will not be held as the Board and Respondent have entered into the following combined Statement of Charges, Settlement Agreement and Final Order.
2. Respondent was issued dental license number 06051 to practice as a dentist in the state of Iowa on January 1, 1975.
3. Respondent's Iowa dental license is current and will expire on August 31, 2014.

LEGAL AUTHORITY AND JURISDICTION

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

STATEMENT OF CHARGES

SECTIONS OF STATUTES AND RULES INVOLVED

COUNT I

5. Respondent is charged pursuant to Iowa Code section 153.34(4) and 650 Iowa Administrative Code rules 22.1 and 22.6 for permitting a person to perform dental radiography without a current radiography qualification.

STATEMENT OF MATTERS ASSERTED

6. Board rules require dental assistants who participate in dental radiography to hold an active radiography qualification issued by the Board pursuant to 650 Iowa Administrative Code section 22.
7. Respondent allowed a dental assistant to engage in dental radiography without the assistant having an active radiography qualification.
8. Respondent's dental assistant has subsequently obtained her dental radiography qualification.

SETTLEMENT AGREEMENT

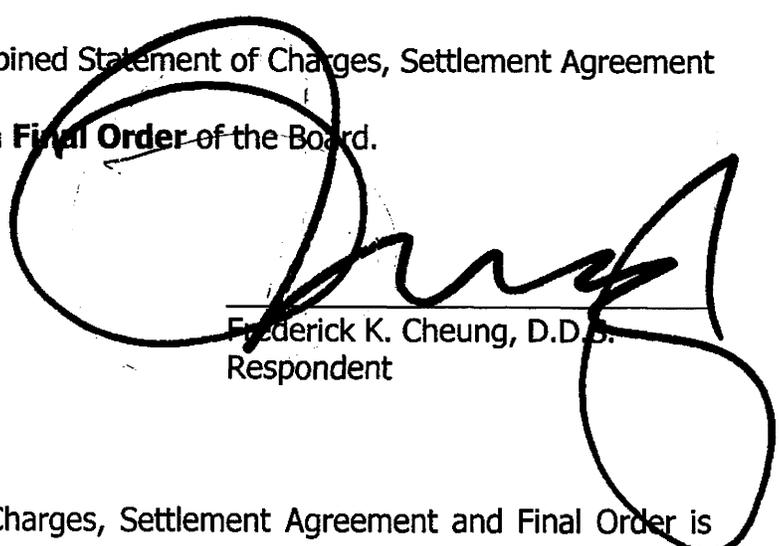
THEREFORE, IT IS HEREBY ORDERED that Respondent is hereby **CITED** for permitting a person to perform dental radiography without a current radiography qualification and **WARNED** that future violations may result in further disciplinary action.

9. Respondent agrees to submit a civil penalty in the amount of five hundred dollars (\$500.00) to the Iowa Dental Board within sixty (60) days of the date of this Order made payable to Treasurer, State of Iowa, and deposited in the general fund.

FINAL ORDER

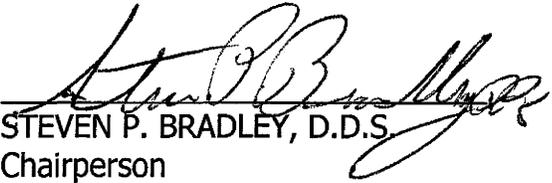
10. This combined Statement of Charges, Settlement Agreement and Final Order constitutes the resolution of a contested case proceeding.
11. By entering into this combined Statement of Charges, Settlement Agreement and Final Order, Respondent voluntarily waives any rights to a contested case hearing on the allegations contained in the Statement of Matters Asserted, and waives any objections to the terms of this Settlement Agreement.
12. Respondent understands that by entering into this combined Statement of Charges, Settlement Agreement and Final Order, he cannot obtain a copy of the investigative file. Under Iowa Code section 272C.6(4), a copy of the investigative file may only be provided to a licensee after a Statement of Charges is filed but before the final resolution of those charges.
13. This combined Statement of Charges, Settlement Agreement and Final Order, is voluntarily submitted by Respondent to the Board for consideration.
14. Respondent acknowledges that he has the right to be represented by counsel in this matter.

15. This combined Statement of Charges, Settlement Agreement and Final Order becomes public record 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 will report this Order to the National Practitioner Data Bank.
17. Respondent acknowledges that no member of the Board, nor any employee, nor attorney for the Board, has coerced, intimidated, or pressured him, in any way whatsoever, to execute this Order.
18. 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.
19. The Board's approval of this combined Statement of Charges, Settlement Agreement and Final Order shall constitute a **Final Order** of the Board.



Frederick K. Cheung, D.D.S.
Respondent

This combined Statement of Charges, Settlement Agreement and Final Order is approved by the Board on July 31st, 2014.



STEVEN P. BRADLEY, D.D.S.
Chairperson
Iowa Dental Board
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cc: Sara Scott
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