

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

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<b>IN THE MATTER OF:</b>	)	
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<b>LANCE P. FORBES, D.D.S.</b>	)	<b>SETTLEMENT AGREEMENT</b>
<b>License #07957</b>	)	<b>AND FINAL ORDER</b>
<b>Respondent</b>	)	

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On this 22<sup>nd</sup> day of January, 2015, the Iowa Dental Board and Lance P. Forbes, D.D.S., each hereby agree as follows:

The licensee disciplinary hearing originally scheduled before the Iowa Dental Board on March 14, 2013, indefinitely continued February 28, 2013, shall be resolved without proceeding to hearing, as the parties have agreed to the following Settlement Agreement and Final Order:

1. Respondent was issued a license to practice dentistry on the 29<sup>th</sup> day of July, 1998, as evidenced by license number 07957 which is recorded in the permanent records in the office of the Iowa Dental Board.
2. Respondent's Iowa dental license number 07957 is current and will expire August 31, 2016.
3. The Iowa Dental Board has jurisdiction over the parties and subject matter herein.
4. On February 11, 2013, the Board issued an Emergency Adjudicative Order immediately suspending Respondent from prescribing, administering, or dispensing controlled substances.
5. On February 11, 2013, Respondent was charged by the Board with failing to prescribe, administer or dispense prescription drugs only if the use is directly

related to the practice of dentistry within the scope of the dentist-patient relationship; with failing to conduct a dental examination and take a medical history prior to prescribing medication to a patient; failing to include prescriptions in his patient records; self-prescribing, self-administering, or self-dispensing controlled substances; and with dishonorable or unprofessional conduct for pleading guilty to the crime of prostitution.

6. On March 5, 2014, Respondent pled guilty to two counts of Unlawful Possession of Prescription Drugs (Aiding and Abetting) and one count of Tampering with Records in the Iowa District Court for Johnson County in order to resolve criminal charges based on the same factual circumstances set forth in support of the Board's charges.

**THEREFORE, IT IS HEREBY ORDERED** that the restriction on Respondent's authority to prescribe controlled substances is lifted and Respondent's license shall be placed on probation for a period of five (5) years effective the date of this Order. The probation shall be subject to the following terms and conditions:

**SECTION I.**

1. Respondent shall fully cooperate with random unannounced visits by agents of the Board to determine compliance with this Order, and to ensure proper prescribing and record keeping protocols.
2. Respondent shall completely abstain from the personal use and possession of alcohol and all controlled substances or drugs in any form unless prescribed by a duly licensed and treating health care provider. Respondent shall inform any treating health care provider of his prior chemical abuse issues prior to accepting any prescription drug.

3. Respondent shall participate in the Board's random drug and alcohol screening program. Respondent agrees to submit to testing at the frequency rate determined by the Board. In addition, Respondent shall submit to unannounced random witnessed blood, urine, hair, or breath analysis samples on demand by any agent or designee of the Board. Respondent shall promptly pay all costs associated with all drug and alcohol screening.
4. Respondent shall remain under the care of and comply with all recommendations of his treating psychiatrist.
5. Respondent shall not be allowed to administer or dispense any controlled substances.
6. Respondent shall be allowed to prescribe controlled substances to patients of record if the use is directly related to the practice of dentistry. Respondent shall utilize the following protocols when prescribing:
  - a. Each prescription issued shall be written in triplicate on consecutively numbered scripts, with one copy to the patient, one copy for Respondent's records, and one copy to the Board to be filed with Respondent's quarterly report form to the Board.
  - b. Respondent shall maintain a controlled substance prescription log separate and apart from patient records. This log shall list all prescriptions for controlled substances by date in chronological order, and shall contain the name of the patient, quantity, and reason for issuance.
7. Respondent shall successfully complete a Board-approved course for appropriate controlled substance prescribing within ninety (90) days of the date of this Order.

8. Respondent shall successfully complete a record keeping course prior approved by the Board within sixty (60) days of the date of this Order. Respondent shall maintain his records in accordance with the Board's rules and the standard of care.
9. Respondent shall successfully complete the dental jurisprudence examination within sixty (60) days of the date of this Order.
10. Respondent shall fully disclose this Order to all current and future licensees, employees and/or employers at the Respondent's place of employment.

Respondent shall report back to the Board with signed statements from all such licensees, employees and employers within fourteen (14) days of the date of this Order, and thereafter within fourteen (14) days of any new employment relationship, indicating that they have read this Settlement Agreement and Final Order, and understand the current terms and conditions placed on Respondent's dental license. All employees shall report any concerns directly to the Board without adverse employment consequences.

11. Respondent shall make monthly written reports to the Board with respect to his practice, detailing his compliance with the terms of this Order for the first six (6) months, and quarterly thereafter. Quarterly reports are due by the 1<sup>st</sup> of January, April, July, October of each calendar year, monthly reports are due by the 1<sup>st</sup> of the month.
12. Respondent shall be responsible for all costs associated with compliance with this Order, and shall also be responsible for all costs incurred by the Board in the monitoring of this Order to determine compliance. Respondent shall promptly remit three hundred dollars (300.00) on or before the first day of January, April, July, and October, of each calendar year for such costs while on probation.

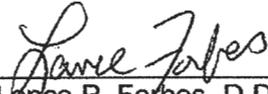
13. Respondent shall upon reasonable notice, and subject to the provisions of 650 Iowa Administrative Code 31.6, appear before the Board at the time and place designated by the Board.
14. Periods of residence outside of the state of Iowa may be applied toward period of the probation if approved by the Board prior to the commencement of the out of state residency. Notice of any change of residence must be provided to the Board within fourteen (14) days.
15. Notice of any change of practice location must be provided to the Board within fourteen (14) days.

## **SECTION II.**

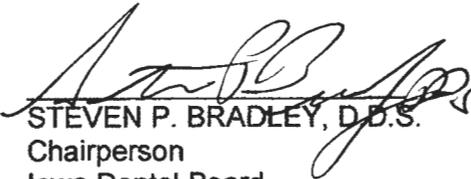
1. Respondent acknowledges that he has read in its entirety the foregoing Settlement Agreement and Final Order and that he understands its content and that he executed the Order freely, voluntarily, and with no mental reservation whatsoever.
2. Respondent acknowledges he has a right to a hearing in this matter, and he hereby waives that right.
3. Respondent acknowledges that he has the right to be represented by counsel in this matter.
4. Respondent understands that this Order is a public record and is therefore subject to inspection and copying by members of the public.
5. Respondent understands that the Board will report this Order to the National Practitioner Data Bank.
6. 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.

7. Respondent acknowledges that this proposed settlement is subject to approval of a majority of the full Board. If the Board fails to approve this proposed settlement, it shall be of no force or effect to either party.
8. Respondent shall fully and promptly comply with all Orders of the Board and the statutes and rules regulating the practice of dentistry in Iowa. Any violation of the terms of this Order is grounds for further disciplinary action, upon notice and opportunity for hearing, for failure to comply with an Order of the Board, in accordance with Iowa Code section 272C.3(2)(a)(2013).
9. The Board's approval of this Settlement Agreement and Final Order shall constitute a FINAL ORDER of the Board.

This Settlement Agreement and Final Order is voluntarily submitted on this 20 day of November, 2014.

  
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Lance P. Forbes, D.D.S.  
Respondent

This Settlement Agreement and Final Order is accepted by the Iowa Dental Board on this 22<sup>nd</sup> day of January, 2014.

  
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STEVEN P. BRADLEY, D.D.S.  
Chairperson  
Iowa Dental Board  
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