

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

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**IN THE MATTER OF THE NOTICE OF HEARING AGAINST**

**KYLE L. LEDERLE, R.D.A., RESPONDENT**

**HIAWATHA, IOWA**

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

**(combined)**

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**COMES NOW** the Iowa Dental Board (the Board), and Kyle L. Lederle, R.D.A. (Respondent), on January 26, 2011, 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 number Q09723 to practice dental assisting in the state of Iowa on October 30, 2007.
3. Respondent's Iowa dental assisting registration is current and will expire on August 31, 2011.

## **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)(2009) for engaging in practice harmful or detrimental to the public by failing to comply with universal precautions for preventing transmission of infectious diseases as issued by the Centers for Disease Control of the United States Department of Health and Human Services (CDC) in violation of 650 Iowa Administrative Code Section 30.4(35).

## **STATEMENT OF MATTERS ASSERTED**

6. Board rule 650-30.4(35) requires licensees to comply with universal precautions for preventing the transmission of infectious diseases as issued by the CDC.
7. Board rule 650-30.4(17) requires licensees to maintain adequate safety and sanitary conditions.
8. Guidelines for sterilization of dental instruments are set forth by the CDC. These guidelines classify dental hand pieces as critical instruments, which are required to be heat sterilized before each use.
9. Respondent informed an agent of the Board that she has reused dental hand pieces on siblings that were not properly heat sterilized between uses.

## **SETTLEMENT AGREEMENT**

10. Respondent agrees to submit a civil penalty in the amount of one hundred dollars (\$100.00) 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 State's general fund.
11. Respondent shall successfully complete the Board's infection control examination within sixty (60) days of the date of this Order.

## **FINAL ORDER**

12. This combined Notice of Hearing, Settlement Agreement and Final Order constitutes the resolution of a contested case proceeding.
13. By entering into this combined Notice of Hearing, Settlement Agreement and Final Order, Respondent voluntarily waives any rights to a contested case hearing and waives any objections to the terms of this Settlement Agreement.
14. Respondent understands that by entering into this combined Notice of Hearing, Settlement Agreement and Final Order, she cannot obtain a copy of the investigative file. Under 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.
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. This combined Notice of Hearing, 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 17, 22 and 272C.
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 approval of either party.
20. The Board's approval of this Notice of Hearing, Settlement Agreement and Final Order shall constitute a **Final Order** of the Board.

K. Lederle — ADLPHOT  
 Kyle L. Lederle, R.D.A  
 Respondent

Subscribed and sworn to before me on January 12

**MARSHA D. TROUTNER**  
 NOTARIAL SEAL - IOWA  
 COMMISSION NO. 718766  
 MY COMMISSION EXPIRES SEPT. 27, 2011

Notary Public, state of Iowa Marsha D. Troutner

This combined Notice of Hearing, Settlement Agreement and Final Order is approved by the Board on January 26, 2011.

Gary D. Roth  
 GARY D. ROTH, D.D.S.  
 Chairperson  
 Iowa Dental Board  
 400 SW 8<sup>th</sup> Street, Suite D  
 Des Moines, IA 50309-4867