

BEFORE THE DENTAL BOARD OF THE STATE OF IOWA

IN THE MATTER OF THE NOTICE OF HEARING FOR

JOHN R. LESTER, D.D.S., RESPONDENT

ESTHERVILLE, IOWA

NOTICE OF HEARING, SETTLEMENT AGREEMENT AND FINAL ORDER

(combined)

COMES NOW the Iowa Dental Board (the Board), and John R. Lester, D.D.S. (Respondent), on July 21st, 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 license number 06489 on June 14, 1979, by the Board to engage in the practice of dentistry, subject to the laws of the state of Iowa and the rules of the Board.
3. License number 06489 is current and expires August 31, 2012.

LEGAL AUTHORITY AND JURISDICTION

4. The Board has jurisdiction in this matter pursuant to Iowa Code Chapter 153 and 272C (2011).

SECTIONS OF STATUTES AND RULES INVOLVED

COUNT I

5. The Respondent is charged under Iowa Code Section 153.34(14) (2011) with the inability to practice dentistry 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 or as a result of a mental or physical condition.

STATEMENT OF MATTERS ASSERTED

6. The Iowa Dental Board has received information indicating that Respondent is unable to practice dentistry with reasonable skill and safety.
7. Respondent has indicated that he has been diagnosed with a mental health condition which could impact his practice of dentistry.
8. The Board has information that Respondent is regularly engaging in the excessive use of alcohol.
9. Respondent has voluntarily closed his dental practice.
10. Respondent is seeking voluntary surrender of his dental license.

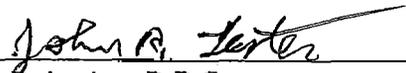
SETTLEMENT AGREEMENT

11. Upon the Board's approval of this Settlement Agreement and Final Order, Respondent agrees to voluntarily surrender his license to practice dentistry 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.
12. This Agreement shall constitute Respondent's written statement of intention to surrender his Iowa dental license pursuant to 51.34(2) effective the date of this Order.

FINAL ORDER

13. This combined Notice of Hearing, Settlement Agreement and Final Order constitutes the resolution of a contested case proceeding.
14. 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 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 he has the right to be represented by counsel in this matter.

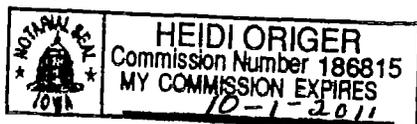
17. This combined Notice of Hearing, Settlement Agreement and Final Order become public records available for inspection and copying upon execution of this agreement in accordance with the requirements of Iowa Code Chapters 17A, 22 and 272C.
18. Respondent understands that the Board is required by Federal law to report this Order to the National Practitioner Data Bank and Healthcare Integrity and Protection Data Bank.
19. 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.
20. 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.
21. The Board's approval of this combined Notice of Hearing, Settlement Agreement and Final Order shall constitute a **Final Order** of the Board.



John R. Lester, D.D.S.
Respondent

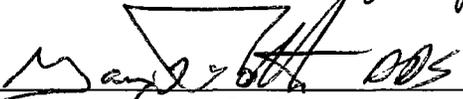
Subscribed and sworn to before me on 20th July, 2011.

Notary Public, state of Iowa





This combined Notice of Hearing, Settlement Agreement and Final Order is approved by the Board on July 21st, 2011.


GARY D. ROTH, D.D.S., Chairperson
Iowa Dental Board
400 SW 8th Street, Suite D
Des Moines, IA 50309-4687

cc: Theresa O'Connell Weeg
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