

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

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<b>IN THE MATTER OF:</b>	)	
<b>THOMAS P. ROEMER, D.D.S.</b>	)	
<b>Interstate Dental</b>	)	
<b>755 W. IA 80 Road</b>	)	
<b>Walcott, IA 52773</b>	)	<b>NOTICE OF HEARING</b>
<b>License #7339</b>	)	
<b>Respondent</b>	)	

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You are hereby notified that on August 22, 2003, the Board found probable cause to file a Statement of Charges against you. If any of the allegations against you are founded, the Board has authority to take disciplinary action against you under Iowa Code chapters 17A, 147, 153, and 272C (2003), and 650 Iowa Administrative Code Chapter 51. A copy of the Statement of Charges is attached, and sets forth the particular statutes and rules which you are alleged to have violated, and further provides a short and plain statement of the matters asserted.

**IT IS HEREBY ORDERED** that a disciplinary contested case hearing be held upon the Statement of Charges on Thursday, December 4, 2003, before the full Board or a panel of the Board. The hearing shall begin at 11:00 a.m. and shall be located in the 1<sup>st</sup> Floor Conference Room, Iowa Board of Dental Examiners at 400 SW 8<sup>th</sup> Street, Ste D, Des Moines, Iowa. The Board shall serve as presiding officer, but the Board may request an

Administrative Law Judge make initial rulings on prehearing matters, and be present to assist and advise the Board at hearing.

Within twenty (20) days of the date you are served with the Statement of Charges and Notice of Hearing, you are required by 650 Iowa Administrative Code 51.12(2) to file an Answer to the Charges. In that Answer, you should also state whether you will require an adjustment of the date and time of the hearing.

At hearing, you may appear personally or be represented by counsel at your own expense. You will be allowed the opportunity to respond to the Charges against you. The procedural rules governing the conduct of the hearing are found at 650 Iowa Administrative Code Chapter 51.

The office of the Attorney General is responsible for representing the public interest (the State) in this proceeding. Pleadings shall be filed with the Board and copies should be provided to counsel for the State at the following address:

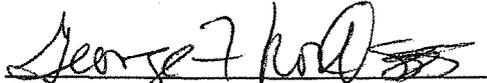
Theresa O'Connell Weeg  
Assistant Attorney General  
Iowa Attorney General's Office  
2<sup>nd</sup> Floor, Hoover State Office Building  
Des Moines, IA 50319  
Phone (515) 281-6858

If you fail to appear at the hearing, the Board may enter a default decision or proceed with the hearing and render a decision in your absence, in accordance with Iowa Code section 17A.12(3) and 650 Iowa Administrative Code 51.22.

This matter may be resolved by settlement agreement. The procedural rules governing the Board's settlement process are found at 650 Iowa Administrative Code

51.19. If you are interested in pursuing settlement of this matter, please contact Constance L. Price, Executive Director, at 515-281-5157.

Dated this 22nd day of August, 2003.

  
GEORGE F. NORTH, D.D.S.  
Chairperson  
Iowa Board of Dental Examiners  
400 SW 8<sup>th</sup> Street, Ste. D  
Des Moines, IA 50309

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

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<b>Interstate Dental</b>	)	
<b>755 W. IA 80 Road</b>	)	<b>STATEMENT OF CHARGES</b>
<b>Walcott, IA 52773</b>	)	
<b>License#7339</b>	)	
<b>Respondent</b>	)	

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1. Respondent was issued license number 7339 to practice dentistry in Iowa on July 1, 1988.
2. Respondent's Iowa dental license is current and will expire on June 30, 2004.
3. The Board has jurisdiction in this matter pursuant to Iowa Code Chapters 147, 148 and 272C.

**COUNT I**

The Respondent is charged under Iowa Code Section 153.34(4) (2003) for willfully or repeatedly violating a Board rule by indiscriminately or promiscuously prescribing controlled substances in violation of 650 Iowa Administrative Code 30.4(18).

**COUNT II**

The Respondent is charged under Iowa Code Section 153.34(4) (2003) with willfully or repeatedly violating a Board rule by failing to maintain records of

controlled substance prescriptions pursuant to 650 Iowa Administrative Code 27.11(1)(d)(5), 16.2(3), and 16.2(5).

### **COUNT III**

The Respondent is charged under Iowa Code Section 153.34(4) (2003) with willfully or repeatedly violating a Board rule by prescribing, administering, or dispensing prescription drugs for purposes not related to the practice of dentistry, in violation of 650 Iowa Administrative Code 16.2(1).

### **COUNT IV**

The Respondent is charged under Iowa Code Section 153.34(4) (2003) with willfully or repeatedly violating a Board rule by failing to maintain proper records of controlled substances that he purchased and dispensed, by failing to perform inventory requirements of all controlled substances, and by failing to secure controlled substances in a securely locked, substantially constructed cabinet, in violation of 650 Iowa Administrative Code 16.3.

### **COUNT V**

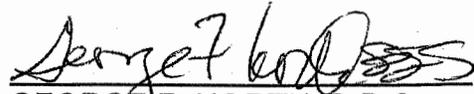
Respondent is charged under Iowa Code Section 153.34(4) (2003) with willful or repeated violations of the rules of the Board by failing to maintain patient records in a manner consistent with the protection of the welfare of the patient, in violation of 650 Iowa Administrative Code Section 27.11.

### **CIRCUMSTANCES**

1. The Board received information that Respondent was attempting to issue a prescription to a patient for purposes not related to the practice of dentistry.

2. During further review of Respondent's prescribing practices, approximately nine patient records were selected for review. Following review, the following deficiencies were noted:
  - a. All of the patient records fail to conform to the record keeping requirements of Board rule 27.11(1).
  - b. Respondent on multiple occasions issued prescriptions for purposes not related to the practice of dentistry.
  - c. Respondent routinely issued prescriptions for controlled substances that were not recorded in the patient record.
  - d. Respondent routinely dispensed controlled substances that were not recorded in the patient record.
  - e. Respondent routinely purchased controlled substances and failed to maintain required records.
  - f. Respondent failed to perform an inventory of all controlled substances every two years as required.
  - g. Respondent failed to secure controlled substances in a securely locked, substantially constructed cabinet.
  - h. Respondent routinely billed patients for dental services and failed to support the services with clinical entries.
  - i. Respondent issued patient T.L. approximately 16 prescriptions for pain medications totaling approximately 1600 pills. He failed to document any of the prescriptions in the patient record and failed to document any clinical need for the prescriptions.

On this 22nd day of August, 2003, the Iowa Board of Dental Examiners found probable cause to file this Statement of Charges and to order a hearing in this case.



GEORGE F. NORTH, D.D.S.

Chairperson

Iowa Board of Dental Examiners

400 SW 8<sup>th</sup> Street, Ste. D

Des Moines, IA 50309

cc: Theresa O'Connell Weeg  
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