

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

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**IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST**

**AMANDA M. SMITHART, D.A., RESPONDENT**

**DES MOINES, IOWA**

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**STATEMENT OF CHARGES, SETTLEMENT AGREEMENT AND FINAL ORDER**

**(combined)**

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**COMES NOW** the Iowa Dental Board (the Board), and Amanda M. Smithart, D.A. (Respondent), on February 1, 201<sup>3</sup>, 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 trainee number T11364 to practice as a dental assistant in the state of Iowa on February 20, 2012.
3. Respondent's Iowa dental assistant trainee status is current and will expire on January 6, 2013.

**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 under Iowa Code Section 153.39(1) and 650 Iowa Administrative Code 20.1 with practicing dental assisting without a certificate of registration.

**STATEMENT OF MATTERS ASSERTED**

6. Iowa law requires that a person engaged in the practice of dental assisting to register with the Board pursuant to Iowa Code Section 153.39(1) and 650 Iowa Administrative Code Section 20.1.
7. Respondent successfully graduated from a dental assisting program.
8. Following graduation, but before becoming registered with the Board, the Respondent engaged in the practice of dental assisting.

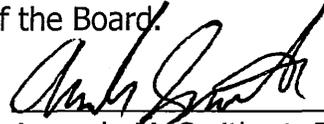
**SETTLEMENT AGREEMENT**

9. 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 general fund.

## **FINAL ORDER**

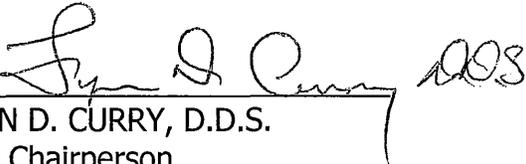
10. This combined Statement of Charges, Settlement Agreement and Final Order constitutes the resolution of a contested case proceeding.
11. By entering into this combined Statement of Charges, Settlement Agreement and Final Order, Respondent voluntarily waives any rights to a contested case hearing on 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, 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.
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 she 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 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.
17. 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.
18. The Board's approval of this combined Statement of Charges, Settlement Agreement and Final Order shall constitute a **Final Order** of the Board.



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Amanda M. Smithart, D.A.  
Respondent

This combined Statement of Charges, Settlement Agreement and Final Order is approved by the Board on February 1, 2013.



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LYNN D. CURRY, D.D.S.  
Vice Chairperson  
Iowa Dental Board  
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Des Moines, IA 50309-4687

cc: Theresa O'Connell Weeg  
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