

BEFORE THE DENTAL BOARD
OF THE STATE OF IOWA

IN THE MATTER OF:)	
JOHN R. STRIEF, D.D.S.)	STIPULATION AND
Iowa Dental License #05998)	CONSENT ORDER
Respondent)	

On this 27th day of September, 2011, the Iowa Dental Board and John R. Strief, D.D.S., each hereby agree with the other and stipulate as follows:

The licensee disciplinary hearing originally scheduled to commence before the Iowa Dental Board on the 21st day of July, 2011, and continued until the 28th day of October, 2011, on the allegations specified in the Notice of Hearing and Statement of Charges dated April 20, 2011, shall be resolved without proceeding to hearing, as the parties have agreed to the following Stipulation and Consent Order:

1. That Respondent was issued a license to practice dentistry on the 1st day of July, 1974, as evidenced by license number 05998 which is recorded in the permanent records in the office of the Iowa Dental Board.
2. That Iowa Dental License Number 05998 is current and in full force until August 31, 2012.
3. That the Iowa Dental Board has jurisdiction over the parties and subject matter herein.
4. A Notice of Hearing and Statement of Charges was filed against Respondent on April 20, 2011.
5. Respondent filed an Answer on May 12, 2011, to the Statement of Charges denying the charges as stated by the Board.

6. The parties enter into this Stipulation and Consent Order for the purposes of resolving the pending contested case.

THEREFORE, IT IS HEREBY ORDERED that Respondent's license to practice dentistry in the state of Iowa shall be placed on probation for a period of four (4) years effective the date of this Order subject to the following terms and conditions set forth below.

SECTION I.

TERMS AND CONDITIONS

1. Respondent agrees that, for the next five (5) years, he will repair or replace without charge any defective dental work provided for the patients identified in the investigative file in this case. "Defective" dental work shall mean dental work that was expected to perform without need for maintenance, repair, or replacement for at least five years, and which fails within that time through no fault of the patient.
2. Respondent shall within thirty (30) days of the date of this Order submit a written practice monitoring plan for Board approval. The plan shall provide that Respondent's clinical and billing practices be reviewed by a practice monitor. The plan shall include the following:
 - a. The practice monitor shall be an Iowa licensed dentist approved by the Board.
 - b. The practice monitor shall on a monthly basis randomly select a designated number of Respondent's patient records to review Respondent's billing and record keeping practices to ensure they are appropriate. After six (6) months, the Board may, at its discretion, order these reviews to be done on a quarterly basis.
 - c. Respondent shall ensure the practice monitor submits a monthly report to the Board following each records review for the first six (6) months, and quarterly

thereafter. The practice monitor shall immediately report to the Board any discrepancies in billing or record keeping, or any concerns with clinical competency, if any. The practice monitor shall make recommendations for changes in Respondent's billing, record keeping, and/or clinical practices, if necessary.

- d. Respondent shall comply with any recommendations made by any practice monitor regarding his billing, record keeping, or clinical practices.
 - e. Respondent shall be solely responsible for the costs associated with practice monitoring. Respondent shall promptly reimburse the practice monitor the usual and customary fee for the services.
3. 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.
 4. Respondent shall within ninety (90) days of the date of this Order successfully complete the Professional/Problem-Based Ethics Program (PROBE), a Board approved course on ethics.
 5. Respondent shall successfully complete the Iowa dental jurisprudence examination within sixty (60) days of the date of this Order.
 6. Respondent shall remit a civil penalty in the amount of ten thousand dollars (\$10,000.00) to the Iowa Dental Board within seven (7) months of the date of this Order made payable to Treasurer, State of Iowa, and deposited in the State's general fund.

SECTION II.

1. Respondent shall ensure that all submissions for reimbursement of dental services contain evidence that clearly establishes that such services are necessary and

appropriate.

2. Respondent shall fully comply with all practice monitoring plans.
3. In the event Respondent is unable to meet any of the specified timeframes in this Order because of the inability of the facility/program to schedule within the terms of this Order, Respondent shall submit in writing an explanation and request for consideration of an extension and the Board shall reasonably consent to the extension.
4. Respondent shall make monthly 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.
5. Monthly reports from Respondent and the practice monitor are due by the 1st of each month. Quarterly reports are due by the 1st of January, April, July, and October of each calendar year.
6. Respondent shall fully cooperate with random unannounced visits by agents of the Board and shall fully cooperate with random unannounced reviews and audits.
7. The Board shall periodically conduct record reviews to ensure that Respondent's practice is in accordance with the standard of care. Respondent shall fully cooperate with these reviews.
8. Respondent shall fully disclose the Notice of Hearing and Statement of Charges and this Order to all current and future licensees, employees and/or employers. 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 the Notice of Hearing and Statement of Charges, and this Stipulation and Consent 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.

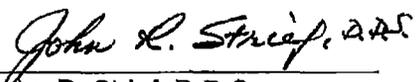
9. Respondent shall be responsible for all costs associated with compliance with this Order, and shall also be responsible for costs incurred by the Board in the monitoring of this Order to determine compliance. Respondent shall promptly remit three hundred dollars (\$300.00) on or before the first day of January, April, July, and October, of each calendar year for such costs while on probation.
10. 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.
11. Periods of residence outside of the state of Iowa may be applied toward period of 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.
12. Notice of any change of practice location must be provided to the Board within fourteen (14) days.

SECTION III.

1. Respondent acknowledges that he has read in its entirety the foregoing Stipulation and Consent Order and that he understands its content and that he executed the Order freely, and voluntarily.
2. Respondent acknowledges his right to a hearing as provided for by law and waives his right to a hearing in this matter.
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 and Healthcare Integrity and Protection 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)(2011).
9. The Board's approval of this Stipulation and Consent Order shall constitute a FINAL ORDER of the Board.

This Stipulation and Consent Order is voluntarily submitted on this 22 day of September, 2011.



John R. Strief, D.D.S.
Respondent

This Stipulation and Consent Order is accepted by the Iowa Dental Board on this 27th day of September, 2011.



Gary D. Roth, D.D.S.
Chairperson

cc: Theresa O'Connell Weeg
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