

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

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<b>IN THE MATTER OF:</b>	)	
<b>JAY R. BUCKLEY, D.D.S.</b>	)	
<b>6768 Douglas Avenue</b>	)	<b>STIPULATION AND</b>
<b>Des Moines, IA 50322</b>	)	<b>CONSENT ORDER</b>
<b>Iowa Dental License #6782</b>	)	
<b>Respondent</b>	)	

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On this 15<sup>th</sup> day of April, 2009, the Iowa Dental Board and Jay R. Buckley, D.D.S., each hereby agree with the other and stipulate as follows:

The licensee disciplinary hearing was originally scheduled to commence before the Iowa Dental Board on the 16th day of January, 2009, and was continued to commence on the 4<sup>th</sup> day of March, 2009, on the allegations specified in the Notice of Hearing and Statement of Charges dated August 28, 2008, 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, 1982, as evidenced by License Number 6782 which is recorded in Book D, Page 31, of the permanent records in the office of the Iowa Dental Board.
2. Respondent was charged by the Board on December 1, 1999, with failing to maintain a reasonably satisfactory standard of competency in the practice of dentistry, and for unprofessional conduct. To resolve those pending charges, Respondent entered into a Stipulation and Consent Order with the Board dated February 16, 2000, placing Respondent's dental license on probation for a period of five (5) years, subject to numerous terms of probation.

3. That Iowa Dental License Number 6782 is current and in full force until August 31, 2010.
4. That the Iowa Dental Board has jurisdiction over the parties and subject matter herein.
5. A Notice of Hearing and Statement of Charges was filed against Respondent on August 28, 2008.

**THEREFORE, IT IS HEREBY ORDERED** that Respondent's Iowa Dental License shall immediately be placed on probation for a period of two (2) years from the date of this Order. The probation shall be subject to the following terms and conditions:

**SECTION I.**

1. Respondent has submitted information to the Board which satisfies the Board that Count I should be dismissed.
2. To address allegations in Count II, Respondent shall submit his written office protocol for infection control to the Board for approval which shall detail his procedures for infection control that will ensure he fully complies with infection control requirements in the future. The written protocol must establish how Respondent will incorporate his in-office infection control standards while he is providing dental services in nursing homes and other out-of-office settings.
3. Respondent shall remit a civil penalty in the amount of one thousand dollars (\$1,000.00) within six (6) months of the date of this Order.
4. Respondent agrees to submit to random practice reviews by Board consultants to ensure that Respondent is complying with the approved written protocol for infection control. Respondent shall cover all costs associated with these reviews.

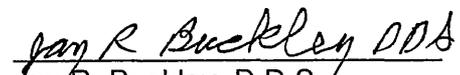
5. Respondent shall submit quarterly reports to the Board detailing his compliance with the terms and conditions of this Order. Respondent shall ensure that the reports are submitted prior to the first day of January, April, July, and October, of each calendar year during the probationary period.
6. Respondent shall fully cooperate with random unannounced visits by agents of the Board.
7. Respondent shall be responsible for all costs associated with compliance with this Order, and shall also be responsible for all costs incurred by the Board in the monitoring of this Order to determine compliance. Respondent shall promptly remit one hundred dollars (\$100.00) on or before the first day of January, April, July, and October, of each calendar year for monitoring costs.
8. Respondent shall upon reasonable notice, and subject to the provisions of 650 Iowa Administrative Code 31.6, appear before the Board at a time and place designated by the Board in the event it is determined that Respondent has not complied with the terms of this Stipulation and Consent Order.
9. 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 of the change.

## **SECTION II.**

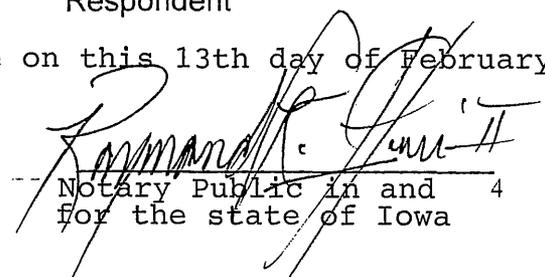
1. Respondent acknowledges that he has read in its entirety the foregoing Stipulation and Consent Order and that he understands its content and that he executed the Order freely, voluntarily, and with no mental reservation whatsoever.
2. Respondent acknowledges his right to a hearing as provided for 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 on 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)(2007).
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 13th day of February, 2009.

  
Jay R. Buckley, D.D.S.  
Respondent

Subscribed and Sworn to before me on this 13th day of February, 2009.

  
Notary Public in and for the state of Iowa 4

This Stipulation and Consent Order is accepted by the Iowa Dental Board on this

15<sup>th</sup> day of April, 2009.



DEENA R. KUEMPEL, D.D.S.

Chairperson

Iowa Dental Board

400 S.W. 8<sup>th</sup>, Suite 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

Raymond R. Stefani II  
Attorney for Respondent  
Gray, Stefani & Mitvalsky, P.L.C.  
200 American Bldg.  
P. O. Box 456  
Cedar Rapids, IA 52406