

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

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

**ANDRIS V. KIRSIS, D.D.S., 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 Andris V. Kirsis, D.D.S. (Respondent), on October 31st, 2014, 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 license number 08329 to practice dentistry in the state of Iowa on June 29, 2005.
3. Respondent's Iowa dental license is on active status and will expire on August 31, 2016.

## **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 153.34(4)(2013) with repeatedly prescribing controlled substances without a valid registration from the Iowa Board of Pharmacy, in violation of 650 Iowa Administrative Code rules 16.2(1) and (5).

## **STATEMENT OF MATTERS ASSERTED**

6. Board rules require a licensed dentist who prescribes controlled substances to register under the state Controlled Substances Act (CSA) with the Iowa Board of Pharmacy in accordance with Iowa Administrative Code rule 16.2(1).
7. Respondent's CSA registration expired on December 31, 2013.
8. Respondent confirmed that he issued multiple prescriptions for controlled substances while he did not possess an active CSA registration during the month of January, 2014.
9. Respondent subsequently reinstated his CSA registration.

## **SETTLEMENT AGREEMENT**

**THEREFORE IT IS HEREBY ORDERED** that Respondent is hereby **CITED** for prescribing controlled substances without an active CSA registration and **WARNED** that future violations may result in further disciplinary action.

10. Respondent agrees to submit a civil penalty in the amount of one thousand dollars (\$1,000.00) 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**

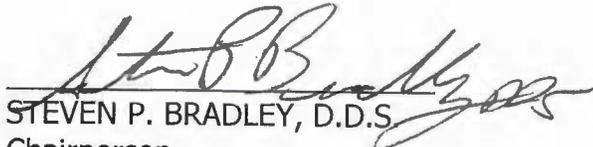
11. This combined Statement of Charges, Settlement Agreement and Final Order constitutes the resolution of a contested case proceeding.
12. By entering into this combined Statement of Charges, Settlement Agreement and Final Order, Respondent voluntarily waives any rights to a contested case hearing on the allegations contained in the Statement of Matters Asserted, and waives any objections to the terms of this Settlement Agreement.
13. 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 Iowa Code 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.
14. This combined Statement of Charges, Settlement Agreement and Final Order, is voluntarily submitted by Respondent to the Board for consideration.
15. Respondent acknowledges that he has the right to be represented by counsel in this matter.

16. 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.
17. Respondent understands that the Board will report this Order to the National Practitioner Data Bank.
18. 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.
19. 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.
20. The Board's approval of this combined Statement of Charges, Settlement Agreement and Final Order shall constitute a Final Order of the Board.



Andris V. Kirsis, D.D.S.  
Respondent

This combined Statement of Charges, Settlement Agreement and Final Order is approved by the Board on October 31, 2014.



STEVEN P. BRADLEY, D.D.S.  
Chairperson  
Iowa Dental Board  
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