BEFORE THE IOWA DENTAL BOARD OF THE STATE OF IOWA

****

IN THE MATTER OF THE NOTICE OF HEARING AGAINST

CHARLES BOSWELL, D.D.S., RESPONDENT

FORT DODGE, IOWA

****

NOTICE OF HEARING, SETTLEMENT AGREEMENT and FINAL ORDER

(combined)

****

COMES NOW the Iowa Dental Board (the Board), and Charles Boswell, D.D.S. (Respondent), on October 28, 2008, and pursuant to Iowa Code Sections 17A.10(2) and 272C.3(4), enter into the following combined Notice of Hearing, 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 Notice of Hearing, Settlement Agreement and Final Order.
2. Respondent was issued license number 7547 to practice dentistry in the state of Iowa on October 18, 1991.
3. Respondent's Iowa dental license is current and will expire on August 31, 2010.

LEGAL AUTHORITY AND JURISDICTION

4. The Board has jurisdiction in this matter pursuant to Iowa Code Chapters 147, 153 and 272C.

SECTIONS OF STATUTES AND RULES INVOLVED

COUNT I

5. Respondent is charged with enabling the unauthorized practice of dental assisting in violation of 650 Iowa Administrative Code Section 30.4(19) when he allowed a dental assistant to practice dental assisting on a lapsed registration.

STATEMENT OF MATTERS ASSERTED

6. A registration to practice dental assisting must be renewed biennially.

7. Failure of a registrant to renew a registration following its expiration causes the registration to lapse and become invalid. A registrant whose registration has lapsed and becomes invalid is prohibited from practice.

8. Respondent unknowingly employed a dental assistant who performed dental assisting services with an invalid registration. The dental assistant's employment was suspended by Respondent until reinstatement of her registration.

SETTLEMENT AGREEMENT

9. Respondent agrees to submit a civil penalty in the amount of five hundred dollars ($500.00) to the Iowa Dental Board within sixty (60) days of the date of this Order.

FINAL ORDER

10. This combined Notice of Hearing, Settlement Agreement and Final Order constitutes the resolution of a contested case proceeding.

11. By entering into this combined Notice of Hearing, 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. This combined Notice of Hearing, Settlement Agreement and Final Order, is voluntarily submitted by Respondent to the Board for consideration.

13. Respondent acknowledges that he has the right to be represented by counsel in this matter.

14. This combined Notice of Hearing, 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.

15. 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.

16. This combined Notice of Hearing, Settlement Agreement and Final Order, is subject to approval of the Board. If the Board fails to approve this combined Notice of Hearing, Settlement Agreement and Final Order, it shall be of no force or effect to either party.

17. The Board's approval of this Notice of Hearing, Settlement Agreement and Final Order shall constitute a **Final Order** of the Board.

Charles Boswell

Charles Boswell, D.D.S.
Respondent

Subscribed and sworn to before me on Oct. 20, 2008.

Notary Public, State of IL. COUNTY OF COOK

OFFICIAL SEAL
RUSSELL L. EDIDIN
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 9-8-2009

This combined Notice of Hearing, Settlement Agreement and Final Order is approved by the Board on October 28, 2008.

Deena R. Kuempel, DDS

DEENA R. KUEMPEL, D.D.S.
Chairperson
Iowa Dental Board
400 SW 8th Street, Suite D
Des Moines, IA 50309-4687

cc: Theresa O'Connell Weeg
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