

BEFORE THE BOARD OF DENTAL EXAMINERS  
OF THE STATE OF IOWA

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IN THE MATTER OF: )

RICHARD A. SCHUMACHER, D.D.S. )  
1953 1<sup>st</sup> Ave. SE )  
Cedar Rapids, IA 52402 )

STIPULATION AND  
CONSENT ORDER

License #7585 )

Respondent )

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On this 21<sup>st</sup> day of June, 2000, the Iowa Board of Dental Examiners and Richard A. Schumacher, D.D.S., each hereby agree with the other and stipulate as follows:

The licensee disciplinary hearing scheduled to commence before the Iowa Board of Dental Examiners on the 20th day of July, 2000, on the allegations specified in the Statement of Charges which is attached to the Notice of Hearing dated April 20, 2000, 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 1<sup>st</sup> day of July, 1992, as evidenced by License Number 7585 which is recorded in Book D, Page 59, of the permanent records in the office of the Iowa Board of Dental Examiners.
2. That Iowa Dental License Number 7585 is current and in full force until June 30, 2000.

3. That the Iowa Board of Dental Examiners 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, 2000, alleging Respondent is alcohol dependent.
5. Respondent has successfully completed an evaluation and subsequent inpatient/residential treatment program at a facility which was prior approved by the Board.
6. A complete written report of the findings and conclusions of the evaluation and treatment was provided directly to the Board by the evaluating/treatment facility indicating that Respondent made excellent progress in treatment and supports his return to the practice of dentistry.

THEREFORE IT IS HEREBY ORDERED that Respondent's license to practice dentistry in the State of Iowa is hereby placed on indefinite probation under the following terms and conditions:

**SECTION I.**

- 1) Respondent shall immediately comply and document successful compliance with all recommendations of the evaluating/treatment facility.
- 2) Respondent shall sign releases to allow for the free flow of information between the Board and Respondent's evaluators and counselors.
- 3) All costs associated with this program and compliance with any recommendations shall be the sole responsibility of Respondent.

- 4) Respondent shall completely abstain from the personal use and possession of alcohol and all controlled substances or drugs in any form unless prescribed by a duly licensed and treating health care provider. Respondent shall inform any treating health care provider of his chemical dependency prior to accepting any prescription drug. Respondent shall report to the Board in writing within fourteen (14) days any use of prescription drugs prescribed by his health care provider. The report shall include the name and phone number of the prescription, the prescribing health care provider, the reason for the prescription, and the name of the pharmacy where the prescription was filled.
- 5) Respondent shall obtain and work with a 12-step sponsor and attend meetings of Alcoholics Anonymous (AA) at least three (3) times each week. Respondent shall submit written verification of his attendance at AA in reports submitted to the Board in accordance with Section II.(1), below.
- 6) Respondent shall participate in counseling with a physician counselor who shall be submitted to the Board for prior approval within six (6) weeks of this Order. Respondent shall sign releases to allow the Board to fully communicate with his physician counselor.
- 7) Respondent is responsible for ensuring that the physician counselor submit written quarterly reports to the Board. The reports shall include, but are not limited to, a review of Respondent's progress, participation in treatment, and compliance with the physician counselor's recommendations. The counseling shall be at Respondent's expense.

- a. The Board's approval of the physician counselor may be rescinded by the Board for good cause.
  - b. If Respondent or physician counselor feel it is necessary to terminate their doctor/patient relationship, a written explanation by both parties must be submitted to the Board at least thirty (30) days before termination of the relationship.
  - c. In either case, Respondent shall submit other names of physician counselors for the Board's approval within fifteen (15) days from the date of the Board's rescission Order or date of doctor/patient relationship termination.
- 8) Respondent shall participate in individual therapy with a therapist who shall be prior approved by the Board. The Respondent shall submit to the Board names of therapists within thirty (30) days of the date of this Order. The therapist shall evaluate and assess Respondent and submit a proposed counseling plan for Respondent to the Board for approval within sixty (60) days of this Order. Respondent shall sign releases to allow the Board and physician counselor to fully communicate with his therapist. The Respondent shall attend sessions twice a month for a minimum of three (3) months. After three (3) months the schedule will be set by the therapist. The therapy shall be at Respondent's expense.
- a. The Board's approval of the therapist may be rescinded by the Board for good cause.
  - b. If the Respondent or therapist feel it is necessary to terminate their doctor/patient relationship, a written explanation by both parties must be

submitted to the Board at least thirty (30) days before termination of the relationship.

- c. In either case, the Respondent shall submit other names of therapists for the Board's approval within fifteen (15) days from the date of the Board's rescission Order or date of doctor/patient relationship termination.
- 9) Respondent is responsible for ensuring that the therapist submit written quarterly reports to the Board concerning Respondent's treatment and progress. The report shall include, but is not limited to, the Respondent's progress, participation in therapy, and compliance with the therapist's recommendations.
- 10) Respondent shall complete a follow up visit at the treatment facility in approximately three (3) months from the date of treatment completion and shall meet with the treatment facility aftercare coordinator on a quarterly basis. The Respondent shall be responsible for reports being submitted to the Board from the treatment facility concerning aftercare progress and recommendations.
- 11) Any relapse of Respondent shall be immediately reported to the Board by the Respondent, the physician counselor or therapy counselor.
- 12) Respondent shall submit to unannounced random witnessed blood or urine samples on demand by any agent or designee of the Board. The samples shall be used for drug and alcohol screening and all costs associated with the drug and alcohol screening shall be promptly paid by Respondent.
- 13) The Respondent shall provide notice to all current and future licensees in his practice, employers, and staff, of this action against his license. The Respondent

shall report back to the Board with signed statements from all current and future licensees, employers, and employees within ten (10) days of the date of this Order and thereafter within ten (10) days of any new employment relationship, that they have read the Statement of Charges and this Order.

## **SECTION II.**

- 1) The Respondent shall submit monthly reports detailing his compliance with this Order for a period of six (6) months. After six (6) months the Respondent shall submit quarterly reports detailing his compliance with the terms of his Order during the remainder of his probationary period. These reports shall include, but not be limited to, verification of Alcoholics Anonymous attendance and participation with his physician counselor/aftercare provider(s).
- 2) The Respondent shall upon reasonable notice, and subject to the waiver provisions of Board rule 650 Iowa Administrative Code 31.6, appear before the Board at the time and place designated by the Board.
- 3) Respondent shall be responsible for all costs associated with compliance with this Order, and shall also be responsible for all costs, including mileage and expenses, incurred by the Board in the monitoring of this Order to determine compliance. Respondent shall promptly remit for such costs.
- 4) Periods of residency outside of the State of Iowa may be applied toward period of probation if prior approved by the Board. Any changes in residency must be provided to the Board within fourteen (14) days of his departure.

- 5) Respondent shall fully and promptly comply with all Orders of the Board and statutes and rules regulating the practice of dentistry in Iowa.

**SECTION III.**

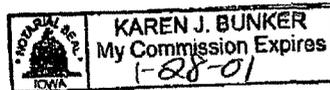
- 1) The Respondent acknowledges that he has read in its entirety the foregoing Stipulation and Consent Order and that he understands its content and that he executed the Order freely, voluntarily, and with no mental reservation whatsoever.
- 2) The Respondent acknowledges his right to a hearing as provided 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) The Respondent understands that this Order is a public record and is therefore subject to inspection and copying by members of the public.
- 5) The Respondent understands that the Board is required by Federal law to report this Order to the National Practitioner Data Bank and Healthcare Integrity and Protection Data Bank.
- 6) The 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) The 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 as 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) (1999).

This Stipulation and Consent Order is voluntarily submitted on this 19 day of JUNE, 2000.

  
Richard A. Schumacher, D.D.S.  
Respondent

Subscribed and Sworn to before me on this 19<sup>th</sup> day of June, 2000.



  
Notary Public in and for  
The State of Iowa

This Stipulation and Consent Order is accepted by the Iowa Board of Dental Examiners on this 21<sup>st</sup> day of June, 2000.

  
FRED A. RIDDLE, D.D.S.  
Chairperson  
Iowa Board of Dental Examiners  
400 SW 8<sup>th</sup> Street, Ste. D  
Des Moines, IA 50309

cc: Theresa O'Connell Weeg  
Assistant Attorney General  
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