

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

IN THE MATTER OF)	CASE NO. #15-0156
SARA A. ANDERSON, D.D.S.)	NOTICE OF HEARING AND STATEMENT OF CHARGES
RESPONDENT.)	

COMES NOW the Iowa Dental Board (Board) and files this Notice of Hearing and Statement of Charges pursuant to Iowa Code sections 17A.12(2), 17A.18(3), and 650 Iowa Administrative Code (IAC) 51.6. Respondent was issued Iowa dental license number 08336 on June 29, 2005. Respondent's license is current and will next expire on August 31, 2018. Respondent's address as reported to the Board is 1906 Edgington Avenue, Eldora, Iowa 50627.

A. TIME, PLACE AND NATURE OF HEARING

1. Hearing. A disciplinary contested case hearing shall be held on October 13, 2017, before the Iowa Dental Board. The hearing shall begin at 8:30 a.m. and shall be located in the conference room at the office of the Iowa Dental Board, 400 SW 8th Street, Ste. D, Des Moines, Iowa.

2. Answer. Within twenty (20) days of the date you are served this Notice of Hearing and Statement of Charges you are required by 650 IAC 51.12(2) to file an Answer. The Answer should specifically admit, deny, or otherwise answer all allegations contained in sections C and D of this Notice of Hearing and Statement of Charges. Pleadings shall be filed with the Board at the following address: Iowa Dental Board, 400 SW 8th Street, Ste. D, Des Moines, Iowa 50309.

3. Presiding Officer. The Board shall serve as presiding officer, but the Board may request an Administrative Law Judge make initial rulings on pre-hearing matters, and be present to assist and advise the Board at hearing.

4. Hearing Procedures. The procedural rules governing the conduct of the hearing are found at 650 IAC chapter 51. At hearing, you may appear personally or be represented by legal counsel at your own expense. You will be allowed the opportunity to respond to the charges against you, to produce evidence on your behalf on issues of material fact, cross-examine witnesses present at the hearing, and examine and respond to any documents introduced at hearing. If you need to request an alternative time or date for hearing, you must comply with the requirements of 650 IAC 51.18. The hearing may be open to the public or closed to the public at your discretion.

5. Pre-hearing Conference. Any party may request a pre-hearing conference to discuss evidentiary issues related to the hearing. The Board's rules regarding pre-hearing conferences are contained at 650 IAC 51.17.

6. Prosecution. The Office of the Attorney General is responsible for representing the public interest (the State) in this proceeding. Copies of pleadings should be provided to counsel for the State at the following address: Sara Scott, Assistant Attorney General, Iowa Attorney General's Office, 2nd Floor, Hoover State Office Building, Des Moines, Iowa 50319.

7. Communications. You may not contact Board members in any manner, including by phone, letter, or e-mail, about this Notice of Hearing and Statement of Charges. Board members may only receive information about the case when all parties

have notice and an opportunity to participate, such as at the hearing or in pleadings you file with the Board office and serve upon all parties in the case. You should direct any questions to Sara Scott, Assistant Attorney General, Iowa Attorney General's Office, 2nd Floor, Hoover State Office Building, Des Moines, Iowa 50319.

B. LEGAL AUTHORITY AND JURISDICTION

1. Jurisdiction. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 147, 153, and 272C.

2. Legal Authority. If any of the allegations against you are founded, the Board has authority to take disciplinary action against you under Iowa Code chapters 17A, 147, 153, and 272C and 650 IAC chapters 30 and 51.

3. Default. If you fail to appear at the hearing, the Board may enter a default decision or proceed with the hearing and render a decision in your absence, in accordance with Iowa Code section 17A.12(3) and 650 IAC 51.22.

C. SECTIONS OF STATUTES AND RULES INVOLVED

COUNT I

Respondent is charged under Iowa Code section 153.34(4) with willful or repeated violations of the rules of the Board by failing to comply with standard precautions for preventing and controlling infectious diseases and managing personnel health and safety concerns related to infection control, as required or recommended for dentistry by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services in violation of 650 Iowa Administrative Code rule 30.4(35).

COUNT II

Respondent is charged under Iowa Code section 153.34(4) with willful or repeated violations of the rules of the Board by failing to maintain adequate safety and sanitary conditions for a dental office in violation of 650 Iowa Administrative Code rule 30.4(17).

D. FACTUAL CIRCUMSTANCES

1. Respondent was previously charged by the Board in 2011 for infection control violations and placed on probation for a period of two (2) years.
2. Following an office inspection on November 19, 2015, for infection control practices the following major deficiencies were identified:
 - a. Respondent failed to heat sterilize hand pieces after each patient use.
 - b. Respondent removed instruments from the autoclave before the sterilization cycle was complete.
 - c. Respondent was re-using instruments on patients that were siblings without sterilizing them.
 - d. Respondent was re-using single use/disposable items.
 - e. Respondent failed to consistently change disposable exam gloves after patient care was given.
 - f. Respondent did not follow proper protocols for laundering of outer garments worn in the office.
3. Respondent advised the Board office on November 20, 2015, that hand pieces are now being sterilized on every patient.

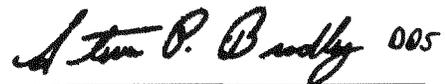
4. On December 8, 2015, a subsequent visit to Respondent's office confirmed that infection protocols had been changed to ensure compliance with minimum standards.
5. On September 30, 2016, an infection control inspection was conducted to ensure continued compliance and results of that inspection indicated no major deficiencies.
6. During the course of its investigation, the Board also received information indicating that Respondent is seeing an excessive number of patients per day which impacts staff's ability to follow infection control guidelines.

E. SETTLEMENT

This matter may be resolved by settlement agreement. The procedural rules governing the Board's settlement process are found at 650 IAC 51.19. If you are interested in pursuing settlement of this matter, please contact Jill Stuecker, Executive Director, at 515-281-6935.

F. PROBABLE CAUSE FINDING

On this 14th day of July, 2017, the Iowa Dental Board found probable cause to file this Notice of Hearing and Statement of Charges.

Handwritten signature of Steven P. Bradley in black ink, with the number 005 written to the right of the signature.

STEVEN P. BRADLEY, D.D.S.
Chairperson
Iowa Dental Board
400 SW 8th Street, Ste. D
Des Moines, IA 50309

cc: Sara Scott
Assistant Attorney General
Iowa Attorney General's Office
2nd Floor Hoover Bldg.
Des Moines, IA 50319

Kevin J. Driscoll
Connie L. Diekema
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