

BEFORE THE DENTAL BOARD OF THE STATE OF IOWA

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

CHARLES K. LEE, D.D.S., RESPONDENT

FAYETTE, IOWA

#17-0006

STATEMENT OF CHARGES, SETTLEMENT AGREEMENT and FINAL ORDER

(combined)

COMES NOW the Iowa Dental Board (the Board), and Charles K. Lee, D.D.S., (Respondent), on October 13th, 2017, 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 dental license 08790 in the state of Iowa on December 3, 2010.
3. Respondent's dental license is current and will expire on Aug 31, 2018.

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(7) and 650 Iowa Administrative Code rule 30.4(13) with unprofessional conduct in the practice of dentistry by failing to provide notice to patients regarding discontinuation of practice of dentistry, or upon leaving or moving from a community, as required by 650 Iowa Administrative Code rule 27.10(1).

COUNT II

6. Respondent is charged under Iowa Code section 153.34(4) with willful or repeated violations of the rules of the Board by failing to notify the Board of a change of address within sixty (60) days, pursuant to 650 Iowa Administrative Code rule 30.4(31).

STATEMENT OF MATTERS ASSERTED

7. Respondent discontinued practice in Fayette and Postville, Iowa on or about August 16, 2016.
8. Respondent failed to notify patients that he was leaving his practice in writing, or by publication in a newspaper of general circulation in the community.

9. Respondent failed to make arrangements for the transfer of patient records.
10. Respondent subsequently moved to Nevada and failed to provide an updated address to the Board within sixty (60) days.

SETTLEMENT AGREEMENT

THEREFORE, IT IS HEREBY ORDERED that Respondent is hereby **CITED** for failing to provide notice to patients regarding discontinuation of the practice of dentistry, or upon leaving or moving from a community and for failing to notify the Board of a change of address within sixty (60) days, and **WARNED** that future violations may result in further disciplinary action.

11. Respondent shall notify patients in writing that he has left his practice in Iowa and inform them how they may obtain copies of their patient records or have copies transferred within thirty (30) days of the date of this Order.
12. Respondent agrees to submit a civil penalty in the amount of five thousand dollars (\$5000.00) to the Iowa Dental Board within sixty (60) days of the date of this Order made payable to Treasurer, State of Iowa.

FINAL ORDER

13. This combined Statement of Charges, Settlement Agreement and Final Order constitutes the resolution of a contested case proceeding.
14. By entering into this combined Statement of Charges, Settlement Agreement and Final Order, Respondent voluntarily waives any rights to a contested case hearing and waives any objections to the terms of this Settlement Agreement.
15. 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.

16. This combined Statement of Charges, Settlement Agreement and Final Order, is voluntarily submitted by Respondent to the Board for consideration.
17. Respondent acknowledges that he has the right to be represented by counsel in this matter.
18. Respondent agrees that the State's counsel may present this Order to the Board and may have *ex parte* communications with the Board while presenting it.
19. 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 17, 22 and 272C.
20. Respondent understands that the Board will report this Order to the National Practitioner Data Bank.
21. 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.
22. 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

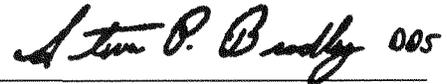
Statement of Charges, Settlement Agreement and Final Order, it shall be of no force or effect to either party.

23. The Board's approval of this combined Statement of Charges, Settlement Agreement and Final Order shall constitute a **Final Order** of the Board.



Charles K. Lee, D.D.S.
Respondent

This combined Statement of Charges, Settlement Agreement and Final Order is approved by the Board on October 13th, 2017.



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