

BEFORE THE DENTAL BOARD OF THE STATE OF IOWA

IN THE MATTER OF)	No. 17-0001
THE APPLICATION)	
FOR REINSTATEMENT OF)	
)	
JACK A. ELDER, D.D.S.)	NOTICE OF INTENT
300 East L Street)	TO DENY REINSTATEMENT
Benicia, CA 94510)	
)	
RESPONDENT.)	

TO: JACK A. ELDER, D.D.S.

YOU ARE HEREBY NOTIFIED that on October 13, 2017, the Iowa Dental Board ("Board") voted to deny your application for reinstatement of your Iowa license to practice dentistry. The intent to deny reinstatement is based upon the following:

LEGAL GROUNDS

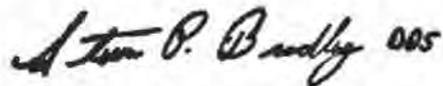
1. Iowa Code section 153.34(11) provides, in relevant part, that the board may discipline a licensee or registrant for the following reasons: revocation or suspension of a license to practice dentistry or other disciplinary action taken by a licensing authority of another state, territory, or country.
2. 650 Iowa Administrative Code rule 14.6(3) provides that the board may deny reinstatement of a license to practice dentistry when a practitioner applying for reinstatement has been the subject of disciplinary action by another state or territory and the violations which resulted in the disciplinary action would be grounds for discipline in Iowa in accordance with 650 Iowa Administrative Code rule 30.4.
3. 650 Iowa Administrative Code rule 30.4(10) provides that a ground for discipline includes obtaining any fee by fraud or misrepresentation.
4. 650 Iowa Administrative Code rule 30.4(13) provides that a ground for discipline includes unprofessional conduct, including any violation of 650—Chapter 27. 650 Iowa Administrative Code rule 27.7(5) prohibits a dentist from submitting a claim form to a third party reporting incorrect treatment dates.
5. 650 Iowa Administrative Code rule 30.4(1) provides that a ground for discipline includes fraud or deceit in procuring a license to include any false or misleading statement of a material fact or omission of information required to be disclosed.

FACTUAL CIRCUMSTANCES

1. Respondent was issued license number 05839 to practice dentistry in the state of Iowa on July 3, 1972. Respondent's license expired on June 30, 2008.
2. The Board received an application for reinstatement from Respondent on November 4, 2016. Respondent's application included information about a 2011 disciplinary action against his license in Wisconsin.
3. On September 28, 2011, the Wisconsin Dentistry Examining Board issued a Final Decision and Order revoking Respondent's license to practice dentistry in Wisconsin with no ability to seek reinstatement for a minimum period of two (2) years. Respondent sought judicial review and the matter was remanded to the Board for an explanation of the variance from the proposed decision. On February 28, 2013, the Board re-issued its September 28, 2011 Final Decision and Order with revisions to the explanation of variance.
4. The Wisconsin Dentistry Examining Board found that Respondent, while treating multiple patients in Wisconsin from 2003-2005, had misrepresented dates of service to third party payers and had submitted claims for reimbursement for treatment he had not provided. The Wisconsin Board also found that Respondent failed to disclose pending investigations in Wisconsin when he applied for licensure in California.

NOTICE OF APPEAL RIGHTS

You may appeal the Board's notice of denial of reinstatement by serving a notice of appeal and request for hearing upon the board not more than thirty days following the date of mailing of this notice. The request for hearing shall specifically describe the facts to be contested and determined at the hearing. The hearing shall be held pursuant to the process outlined at 650 IAC Chapter 51. If an appeal is not filed within this time period, this notice of intent to deny reinstatement will become final.

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

Dated: November 2, 2017

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

Copy to:

Sara Scott
Department of Justice
Licensing & Administrative Law Division
Hoover Building, 2nd Floor
1305 E. Walnut Street
Des Moines, IA 50319