

BEFORE THE DENTAL BOARD OF THE STATE OF IOWA

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

MIGUEL RAMIREZ, Q.D.A., RESPONDENT

DES MOINES, IOWA

#15-0029, #17-0054

STATEMENT OF CHARGES, SETTLEMENT AGREEMENT and FINAL ORDER

(combined)

COMES NOW the Iowa Dental Board (the Board), and Miguel Ramirez, Q.D.A., (Respondent), on January 25th, 2018, 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 assistant registration and qualification in dental radiography #12265 in the state of Iowa on November 4, 2014.
3. Respondent's dental assistant registration and qualification in dental radiography lapsed on November 1, 2017.

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 272C.3(2)(a) (2017) and 650 Iowa Administrative Code rule 30.4(23) with failing to comply with a decision of the Board imposing licensee discipline.

STATEMENT OF MATTERS ASSERTED

6. On July 24th, 2015, the Board accepted a Combined Statement of Charges, Settlement Agreement and Final Order, placing Respondent's registration and qualification on probation for a period of five (5) years with multiple terms and conditions, including abstinence from the use and possession of alcohol, attendance of at least three (3) weekly Alcoholics Anonymous (AA) or Narcotics Anonymous (NA) meetings and submission of quarterly reports to the Board and verification of attendance at AA or NA meetings.
7. Respondent failed to submit the required quarterly reports, and AA or NA logs for two quarters of 2017.
8. Respondent was contacted on May 3, 2017, and was asked to provide additional information regarding his compliance with the July 24, 2015 Order.

9. Respondent failed to respond to the request for further information.

SETTLEMENT AGREEMENT

10. Upon the Board's approval of this combined Statement of Charges, Settlement Agreement and Final Order, Respondent agrees to voluntarily surrender his registration and qualification to practice dental assisting in the state of Iowa effective the date of this Order.
11. Respondent understands that pursuant to 650 Iowa Administrative Code rule 51.34(2) a voluntary surrender, when accepted by the Board, shall have the same force and effect as an Order of Revocation.
12. This agreement shall constitute Respondent's written statement of intention to surrender his Iowa dental assistant registration and qualification pursuant to rule 51.34(2) effective the date of this Order.

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.


Miguel Ramirez, Q.D.A.
Respondent

This combined Statement of Charges, Settlement Agreement and Final Order is approved by the Board on January 25th, 2018.


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