

BEFORE THE DENTAL BOARD
OF THE STATE OF IOWA

IN THE MATTER OF:)	Case Nos. 15-0156 and 17-0128
)	
SARA A. ANDERSON, D.D.S.)	ORDER GRANTING MOTION TO
)	AMEND STATEMENT OF CHARGES
RESPONDENT)	

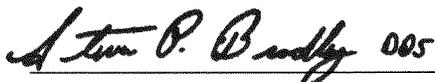
On July 14, 2017, the Iowa Dental Board (Board) issued a Notice of Hearing and Statement of Charges against Sara A. Anderson, D.D.S. (Respondent), which charged her with two counts (Counts I and II) that alleged violations of infection control standards in her dental practice. The hearing was initially scheduled for October 13, 2017 but has been continued at Respondent's request to allow time for discovery. A new hearing date has not yet been set. On April 12, 2018, the state filed a Motion to Amend Notice of Hearing and Statement of Charges and asked to add two additional counts (Counts III and IV) and additional factual circumstances that alleged improper supervision of dental assistants and improper delegation to dental assistants. The state attached the proposed Amended Notice of Hearing and Statement of Charges to its Motion to Amend (Exhibit B).

Respondent has not filed a resistance to the Motion to Amend. On April 27, 2018, a quorum of the Board met by telephone conference call and convened in closed session, pursuant to Iowa Code sections 21.5(1)(a) and 21.5(1)(d), to consider the pending Motion to Amend. Following its discussion in closed session, the Board returned to open session and unanimously approved a motion granting the Motion to Amend.

ORDER

IT IS THEREFORE ORDERED that the Motion to Amend Statement of Charges filed against Respondent Sara A. Anderson, D.D.S., is hereby GRANTED.

Dated this 27th day of April, 2018.

 005

Steven P. Bradley, D.D.S.

Chairperson

Iowa Dental Board

cc: Sara Scott
Assistant Attorney General
Hoover State Office Building-2nd Floor
Des Moines, Iowa 50319

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699 Walnut Street, Ste. 1700
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**BEFORE THE DENTAL BOARD
OF THE STATE OF IOWA**

IN THE MATTER OF)	CASE NO. #15-0156 and 17-0128
SARA A. ANDERSON, D.D.S.)	AMENDED 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 August 2nd, 2018, 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).

COUNT III

Respondent is charged under Iowa Code section 153.34(4) with willful or repeated violations of the rules of the Board for encouraging, assisting or enabling the unauthorized practice of dental assisting in any manner in violation of 650 Iowa Administrative Code rule 30.4(19).

COUNT IV

Respondent is charged under Iowa Code section 153.34(4) with willful or repeated violations of the rules of the Board for delegating any acts to any licensee or registrant that are beyond the training or education of the licensee or registrant, or that are otherwise prohibited by rule in violation of 650 Iowa Administrative Code rule 30.4(44).

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.
 7. In 2017, Respondent failed to provide supervision to dental assistant trainees in her office as required by administrative rule.

8. In 2017, Respondent delegated procedures to her dental assistants which legally cannot be delegated to them. These procedures included adjusting dentures and partials and adjusting fillings with a slow speed motor.

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 27th day of April, 2018, the Iowa Dental Board found probable cause to file this Amended Notice of Hearing and Statement of Charges.


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

cc: Sara Scott
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