

BEFORE THE IOWA DENTAL BOARD OF THE STATE OF IOWA

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

SHELBI R. CARNAHAN, R.D.A., RESPONDENT

OTTUMWA, IOWA

#17-0139

STATEMENT OF CHARGES , SETTLEMENT AGREEMENT and FINAL ORDER

(combined)

COMES NOW the Iowa Dental Board (the Board), and Shelbi R. Carnahan, R.D.A. (Respondent), on April 6th, 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 in to the following combined Statement of Charges, Settlement Agreement and Final Order.
2. Respondent was issued registration number DA 13104 to practice dental assisting in the state of Iowa on October 31, 2017.

3. Respondent's Iowa dental assistant registration is current and will expire on August 31, 2019.

LEGAL AUTHORITY AND JURISDICTION

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

SECTIONS OF STATUTES AND RULES INVOLVED

COUNT I

5. Respondent is charged under Iowa Code section 153.34(4) for practicing dental assisting without a certificate of registration, in violation of Iowa Code section 153.39(1) and 650 IAC rule 20.1.

STATEMENT OF MATTERS ASSERTED

6. Iowa law requires that a person engaged in the practice of dental assisting to register with the Board pursuant to Iowa Code section 153.39(1), and 650 IAC rule 20.1.
7. Respondent was issued dental assistant trainee status on September 14, 2016 and her trainee status expired September 14, 2017.
8. Respondent performed dental assisting duties in a dental office after her trainee status expired and prior to registering with the Board.
9. Respondent was issued her Iowa dental assistant registration on October 31, 2017.

SETTLEMENT AGREEMENT

THEREFORE, IT IS HEREBY ORDERED that Respondent is hereby **CITED** for practicing dental assisting without a certificate of registration and **WARNED** that future violations may result in further disciplinary action.

10. Respondent agrees to submit a civil penalty in the amount of one hundred dollars (\$100.00) to the Iowa Dental Board within sixty (60) days of the date of this Order made payable to Treasurer, State of Iowa.

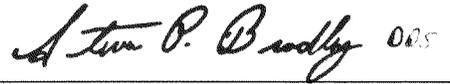
FINAL ORDER

11. This combined Statement of Charges, Settlement Agreement and Final Order constitutes the resolution of a contested case proceeding.
12. By entering into this combined Statement of Charges, Settlement Agreement and Final Order, Respondent voluntarily waives any rights to a contested case hearing on the allegations contained in the Statement of Matters Asserted, and waives any objections to the terms of this Settlement Agreement.
13. This combined Statement of Charges, Settlement Agreement and Final Order, is voluntarily submitted by Respondent to the Board for consideration.
14. Respondent understands that by entering into this combined Statement of Charges, Settlement Agreement and Final Order, she 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.
15. Respondent acknowledges that she has the right to be represented by counsel in this matter.
 16. 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.
 17. 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 17A, 22 and 272C.
 18. Respondent acknowledges that no member of the Board, nor any employee, nor attorney for the Board, has coerced, intimidated, or pressured her, in any way whatsoever, to execute this Order.
 19. 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.
 20. The Board's approval of this Statement of Charges, Settlement Agreement and Final Order shall constitute a **Final Order** of the Board.


Shelbi R. Carnahan, R.D.A.
Respondent

This combined Statement of Charges, Settlement Agreement and Final Order is approved by the Board on April 6th, 2018.

Handwritten signature of Steven P. Bradley in cursive, with the initials "D.D.S." written to the right of the signature.

STEVEN P. BRADLEY, D.D.S.
Chairperson
Iowa Dental Board
400 SW 8th Street, Suite D
Des Moines, IA 50309-4687

cc: Sara Scott
Assistant Attorney General
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