

**BEFORE THE DENTAL BOARD
OF THE STATE OF IOWA**

IN THE MATTER OF)	CASE NO. #17-0104
JAMES A. KNIGHT, D.D.S.)	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 chapters 17A.12(2), 17A.18(3), and 650 Iowa Administrative Code (IAC) 51.6. Respondent was issued Iowa dental license number 07117 on October 11, 1985. Respondent's license is currently suspended pursuant to an Agreement to Not Practice dated September 26, 2017 and will next expire on August 31, 2018. Respondent's address as reported to the Board is 2035 Cottage Glen Road SE, Cedar Rapids, Iowa 52403.

A. TIME, PLACE AND NATURE OF HEARING

1. Hearing. A disciplinary contested case hearing shall be held on June 8th, 2018 before the Iowa Dental Board. The hearing shall begin at 9:30 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 chapter 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 chapter 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 Jill Stuecker, Executive Director at 515-281-5157.

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 chapter 17A.12(3) and 650 IAC 51.22.

C. SECTIONS OF STATUTES AND RULES INVOLVED

COUNT I

Respondent is charged pursuant to Iowa Code section 153.34(14) with the inability to practice dentistry with reasonable skill and safety by reason of habitual or excessive use of drugs, intoxicants, narcotics, chemicals, or other types of materials.

D. FACTUAL CIRCUMSTANCES

1. On April 20, 2011, the Board approved a Notice of Hearing, Settlement Agreement and Final Order (combined) in which Respondent's license was indefinitely suspended due to substance abuse issues.
2. On July 16, 2012, Respondent's license was reinstated and placed on indefinite probation. On April 24, 2015, Respondent's license was removed from probationary status.
3. In August of 2017, on more than one occasion during Respondent's lunch hour, co-workers observed behavior consistent with impairment, including erratic driving, difficulty getting out of his vehicle, and stumbling.
4. On August 29, 2017, Respondent was stopped by police and cited for driving left of center and glue sniffing.
5. Respondent admits to using inhalants on multiple occasions from June to August, 2017, including during his lunch hour.
6. On August 31, 2017 Respondent voluntarily signed an Agreement to Not Practice and his license was placed on suspension.
7. The Board has received information that Respondent is dependent on inhalants and alcohol.

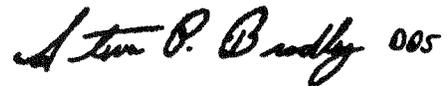
E. SETTLEMENT

This matter may be resolved by settlement agreement. The procedural rules governing the Board's settlement process are found at 650 IAC Chapter 51.19. If you

are interested in pursuing settlement of this matter, please contact Jill Stuecker, Executive Director at 515-281-5157.

F. PROBABLE CAUSE FINDING

On this 6th day of April, 2018, the Iowa Dental Board found probable cause to file this Notice of Hearing and Statement of Charges.

Handwritten signature of Steven P. Bradley in black ink, with the number '005' 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

cc: Sara Scott
Assistant Attorney General
Iowa Attorney General's Office
2nd Floor Hoover Bldg.
Des Moines, IA 50319