

BEFORE THE DENTAL BOARD OF THE STATE OF IOWA

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

SARA A. ANDERSON, D.D.S., RESPONDENT

ELDORA, IOWA

#15-0156, #17-0128

SETTLEMENT AGREEMENT and FINAL ORDER

COME NOW the Iowa Dental Board (Board), and Sara A. Anderson, D.D.S. (Respondent), and pursuant to Iowa Code sections 17A.12(5) and 272C.3(4), enter into the following Settlement Agreement and Final Order (Order) to settle a contested case currently pending before the Board. The licensee disciplinary hearing scheduled before the Board on August 2, 2018, shall be resolved without proceeding to hearing, as the parties have agreed to the following:

1. On July 14, 2017, the Board issued a Notice of Hearing and Statement of Charges in case #15-0156.
2. On April 27, 2018, the Board issued an Amended Notice of Hearing and Statement of Charges, which included additional counts and factual circumstances in case #17-0128, as well as the original counts and factual circumstances in case #15-0156.

3. This Order resolves the Amended Notice of Hearing and Statement of Charges and any open complaints before the Board concerning Respondent's infection control practices and supervision of dental assistants.
4. Respondent does not admit the factual circumstances contained in the Amended Notice of Hearing and Statement of Charges. However, the Board asserts that the allegations, if proven in a contested case hearing, would constitute grounds for the discipline agreed to in this Order.
5. Respondent was issued dental license 08336 in the state of Iowa on June 29, 2005.
6. Respondent's dental license is current and will expire on August 31, 2018.
7. The Board has jurisdiction over the parties and subject matter of this proceeding.
8. This Order constitutes the resolution of a contested case proceeding.
9. By entering into this Order, Respondent voluntarily waives any rights to a contested case hearing and waives any objections to the terms of this Order.
10. This Order is voluntarily submitted by Respondent to the Board for consideration.
11. Respondent acknowledges that she has the right to be represented by counsel in this matter.
12. 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.
13. Upon approval by the Board, this Order becomes a permanent public record available for inspection and copying, in accordance with the requirements of Iowa Code chapters 22 and 272C.
14. Respondent understands that the Board is required by federal law to report this

Order to the National Practitioner Data Bank.

15. 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.
16. This Order is subject to approval by the Board. If the Board fails to approve this Order, it shall be of no force or effect to either party.
17. Upon approval by the Board, this Order shall constitute a FINAL ORDER of the Board.

THEREFORE IT IS HEREBY ORDERED that Respondent's dental license is hereby placed on PROBATION for a period of five (5) years from the date of this Order, subject to the following terms and conditions:

18. Respondent shall submit the name and curriculum vitae of a proposed infection control monitor within thirty (30) days of the date of this Order. The monitor shall be an Iowa licensed dentist who shall be approved by the Board. An infection control monitoring plan shall be developed and signed by the monitor and Respondent and submitted to the Board for approval. The monitoring plan shall include the following:
 - a. The monitor shall, on a monthly basis, conduct an infection control inspection at Respondent's office to ensure appropriate protocols for sterilizing are being performed and that all requirements for infection

control are being met. After one (1) year, the Board may, in its discretion, order these inspections to be done on a quarterly basis.

- b. Respondent shall ensure the infection control monitor submits a monthly report to the Board following each inspection for the first twelve (12) months, and quarterly thereafter. The infection control monitor shall immediately report to the Board any deficiencies in the infection control protocols, if any. The infection control monitor shall make recommendations for changes in protocols if necessary.
 - c. Respondent shall comply with any recommendation made by the infection control monitor regarding her infection control protocols.
 - d. Respondent shall be solely responsible for the costs associated with infection control monitoring. Respondent shall promptly reimburse the infection control monitor the usual and customary fee for the service.
19. Respondent shall submit an infection control plan to the Board for approval within thirty (30) days of the date of this Order. The plan shall provide details regarding office protocols for the sterilization of instruments, use of disposable items and the amount of time staff are provided for the sterilization of patient rooms. Each staff member responsible for infection control shall review and sign the plan. All signed plans should be submitted to the Board.
20. Respondent shall have at least two (2) staff members with responsibilities for infection control, and who have reviewed and signed the infection control plan,

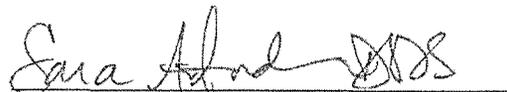
complete a Staff Surveillance Form (copy attached) on the 15th of each month. The staff members shall send the completed forms to Respondent's approved infection control monitor and to the Board. Respondent shall not have access to the completed forms.

21. Respondent shall submit a dental assistant supervision plan to the Board for approval within thirty (30) days of the date of this Order. The plan shall provide details regarding office protocols for proper supervision of dental assistants, including trainees, and appropriate delegation of procedures to dental assistants. Each staff member shall review and sign the plan. All signed plans shall be submitted to the Board.
22. Respondent shall have each dental assistant complete a Staff Surveillance Form (copy attached) on the 15th of each month. The dental assistants shall send the completed forms to the Board. Respondent shall not have access to the completed forms.
23. Respondent shall successfully complete a Board-approved infection control course within ninety (90) days of the date of this Order.
24. Respondent shall successfully complete the Board's infection control examination within ninety (90) days of the date of this Order.
25. Respondent shall successfully complete a Board-approved ethics course within ninety (90) days of the date of this Order.
26. Respondent shall successfully complete the Board's jurisprudence examination within ninety (90) days of the date of this Order.

27. Respondent shall ensure that all staff members who perform infection control duties in her office pass, or have passed within the last six (6) months, the Iowa dental assistant infection control examination within sixty (60) days of the date of this Order.
28. Respondent shall ensure that all dental assistants in her office pass, or have passed within the last six (6) months, the Board's jurisprudence examination within sixty (60) days of the date of this Order.
29. Respondent will submit a civil penalty in the amount of seven thousand five hundred dollars (\$7,500.00) to the Board within sixty (60) days of the date of this Order made payable to Treasurer, State of Iowa, to be deposited in the general fund.
30. Respondent shall submit quarterly reports to the Board detailing her compliance with the terms and conditions of this Order. Respondent shall ensure that the reports are submitted prior to the first day of January, April, July and October, of each calendar year.
31. Respondent shall be responsible for all costs associated with compliance with this Order, and shall also be responsible for all costs incurred by the Board in the monitoring of this Order to determine compliance. Respondent shall promptly remit three hundred dollars (\$300.00) on or before the first day of January, April, July and October, of each calendar year, for such costs while on probation.
32. Respondent shall fully disclose this Order to all current and future licensees, employees and/or employers at Respondent's place of employment. Respondent

shall report back to the Board with signed statements from all such licensees, employees and employers within fourteen (14) days of the date of this Order, and thereafter within fourteen (14) days of any new employment relationship, indicating that they have read the Amended Notice of Hearing and Statement of Charges dated April 27, 2018, and this Order, and understand the current terms and conditions placed on Respondent's dental license. all employees shall report any concerns directly to the Board without adverse employment consequences.

33. Respondent shall fully cooperate with random unannounced visits by agents of the Board and shall fully cooperate with random unaccounted reviews, inspections, and audits.
34. Respondent shall, upon reasonable notice and subject to the provisions of 650 IAC 31.6, appear before the Board at the time and place designated by the Board.
35. Respondent may request early release from probation after three (3) years. The Board retains sole discretion in deciding whether to grant or deny such a request.



Sara A. Anderson, D.D.S.
Respondent

This Settlement Agreement and Final Order is approved by the Board on

August 3, 2018.

Steven P. Bradley 005

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

Copies to:

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