

BEFORE THE DENTAL BOARD OF THE STATE OF IOWA

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

CASSANDRA K. UPSHAW, R.D.A., RESPONDENT

MANLY, IOWA

#18-0013

STATEMENT OF CHARGES, SETTLEMENT AGREEMENT and FINAL ORDER

(combined)

COMES NOW the Iowa Dental Board (the Board), and Cassandra K. Upshaw, R.D.A. (Respondent), and pursuant to Iowa Code sections 17A.10 and 272C.3(4), enter into the following combined Statement of Charges, Settlement Agreement and Final Order (Order).

A. LEGAL AUTHORITY AND JURISDICTION

1. Respondent was issued dental assisting registration number 11583 in the state of Iowa on October 21, 2015.
2. Respondent's dental assisting registration is current and will expire on August 31, 2019.
3. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 147, 153 and 272C (2017).

B. STATEMENT OF CHARGES

SECTIONS OF STATUTES AND RULES INVOLVED

COUNT I

4. Respondent is charged under Iowa Code section 153.34(4) and 650 IAC 22.6(1) for performing dental radiography without a radiography qualification issued by the Board.

STATEMENT OF MATTERS ASSERTED

5. A person who is not otherwise actively licensed by the Board shall not participate in dental radiography unless the person holds a current radiography qualification issued by the Board in accordance with 650 IAC 22.1.
6. Respondent performed dental radiography prior to obtaining a radiography qualification from the Board.

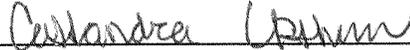
A. SETTLEMENT AGREEMENT AND FINAL ORDER

THEREFORE IT IS HEREBY ORDERED:

7. Respondent is **CITED** for performing dental radiography without a radiography qualification and **WARNED** that future violations may result in further disciplinary action.
8. Respondent agrees to submit a civil penalty in the amount of two hundred fifty dollars (\$250.00) 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.
9. This Order constitutes the resolution of a contested case proceeding.
10. 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.

11. Respondent understands that by entering into this 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.
12. This Order is voluntarily submitted by Respondent to the Board for consideration.
13. Respondent acknowledges that she has the right to be represented by counsel in this matter.
14. This Order becomes public record available for inspection and copying upon execution by the Board, in accordance with the requirements of Iowa Code chapters 22 and 272C.
15. Respondent understands that the Board is required by federal law to report this Order to the National Practitioner Data Bank.
16. 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.
17. This Order is subject to approval of the Board. If the Board fails to approve this Order, it shall be of no force or effect to either party.
18. The Board's approval of this Order shall constitute a **Final Order** of the Board.



Cassandra K. Upshaw, R.D.A.
Respondent

This combined Statement of Charges, Settlement Agreement and Final Order is approved by the Board on November 16th, 2018.

Steven P. Bradley 005

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