

BEFORE THE DENTAL BOARD OF THE STATE OF IOWA

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

JON MUNOZ, D.D.S., RESPONDENT

WEST DES MOINES, IOWA

#17-0083

STATEMENT OF CHARGES, SETTLEMENT AGREEMENT and FINAL ORDER

(combined)

COME NOW the Iowa Dental Board (Board), and Jon Munoz, D.D.S. (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 license 06509 in the state of Iowa on November 29, 1979.
2. Respondent's dental license is current and will expire on August 31, 2020.
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

5. Respondent is charged under Iowa Code section 153.34(4) and 650 IAC 30.4(44) with delegating acts to a licensee or registrant that are beyond the training or education of the licensee or registrant, or that are otherwise prohibited by rule.

COUNT II

6. Respondent is charged under Iowa Code section 153.34(12) and 650 IAC 30.4(19) with encouraging, assisting or enabling the unauthorized practice of dentistry.

STATEMENT OF MATTERS ASSERTED

7. A dental assistant has a limited scope of practice, pursuant to 650 IAC 20.4.
8. On multiple occasions, Respondent allowed dental assistants to perform final adjustments of dentures, which is outside of the scope of practice of dental assistants.
9. Only a licensed dentist can administer prescription drugs pursuant to 650 IAC 16.2.
10. On multiple occasions, Respondent allowed dental assistants and trainees to administer triazolam to patients while he was not present in the treatment facility.

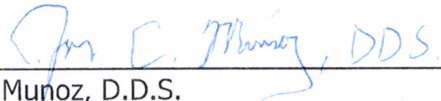
C. SETTLEMENT AGREEMENT AND FINAL ORDER

THEREFORE IT IS HEREBY ORDERED:

11. Respondent is hereby **CITED** for improperly delegating duties to dental assistants and trainees and **WARNED** that future violations may result in further disciplinary action.
12. Respondent agrees not to allow dental assistants to perform procedures which are not in their scope of practice. Respondent agrees not to allow the administration of triazolam when he is not present in the treatment facility.
13. Respondent agrees to submit a civil penalty in the amount of two thousand dollars (\$2,000.00) to the Board within sixty (60) days of the date of this Order made payable to Treasurer, State of Iowa.
14. Respondent shall successfully complete the dental jurisprudence examination within sixty (60) days of the date of this Order.
15. This Order constitutes the resolution of a contested case proceeding.
16. 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.
17. Respondent understands that by entering into this Order, he 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.
18. This Order is voluntarily submitted by Respondent to the Board for consideration.
19. Respondent acknowledges that he has the right to be represented by counsel in

this matter.

20. 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.
21. Respondent understands that the Board is required by federal law to report this Order to the National Practitioner Data Bank.
22. Respondent acknowledges that no member of the Board, nor any employee, nor attorney for the Board, has coerced, intimidated, or pressured him, in any way whatsoever, to execute this Order.
23. 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.
24. The Board's approval of this Order shall constitute a **Final Order** of the Board.



Jon Munoz, D.D.S.
Respondent

This combined Statement of Charges, Settlement Agreement and Final Order is approved by the Board on January 25th, 2018.⁹



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