

BEFORE THE DENTAL BOARD OF THE STATE OF IOWA

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

AVIJIT GOEL, D.D.S., RESPONDENT

ANKENY, IOWA

#18-0149, #18-0150, #18-0151

STATEMENT OF CHARGES, SETTLEMENT AGREEMENT and FINAL ORDER

(combined)

COME NOW the Iowa Dental Board (Board), and Avijit Goel, 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 09066 in the state of Iowa on February 6, 2014.
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 (2018).

B. STATEMENT OF CHARGES

SECTIONS OF STATUTES AND RULES INVOLVED

AG
03/27/2019

COUNT I

4. Respondent is charged under Iowa Code section 153.34(4) and 650 IAC 30.4(7) with making suggestive, lewd, lascivious or improper remarks or advances to a patient or a coworker.

STATEMENT OF MATTERS ASSERTED

5. On multiple occasions, Respondent made sexual comments and advances to female staff members.

C. SETTLEMENT AGREEMENT AND FINAL ORDER

THEREFORE IT IS HEREBY ORDERED:

6. Respondent's license is placed on **PROBATION** for a period of two (2) years, subject to the following terms:
 - a. Respondent shall be engaged in the practice of dentistry in compliance with these probationary terms for two (2) years prior to being released from probation.
 - b. Respondent shall not engage in any inappropriate or unprofessional behavior or make any inappropriate comments towards his staff or patients. Respondent agrees to conduct himself in a professional manner at all times while engaged in the practice of dentistry.
 - c. Respondent shall comply with all recommendations made by his evaluator.
 - d. Respondent's sole staff member employed at his Waverly office shall directly submit a staff surveillance form to the Board on a quarterly

basis (four times a year). Quarterly reports and submissions are due by the 1st of January, April, July, and October of each year. If Respondent hires a second employee at his Waverly office, they shall be required to submit the form on a quarterly basis beginning with the first quarter following their hiring.

- e. Respondent shall not retaliate or take any adverse employment action against any licensee or registrant for submitting truthful information to the Board regarding Respondent's behavior.
- f. Within six (6) months of beginning probation, Respondent shall complete a Board-approved in-person professional boundaries course consisting of a minimum of sixteen (16) hours. These hours cannot be used to satisfy the continuing education required for the next renewal of Respondent's dental license.
- g. Respondent shall have drafted and implemented an employee handbook or other similar document that includes, but is not limited to, personnel policies and procedures that outline "Rules of Conduct - Staff Grievances - Prohibition of Sexual Harassment" for staff and other employees in his Waverly office. Respondent shall conduct a staff and employee orientation regarding the employee handbook or other similar document containing personnel policies and procedures. Respondent shall submit the employee handbook or other similar document containing personnel policies and procedures

to the Iowa Dental Board for its review within three (3) months of the date of the execution of this Agreement and Order.

- h. 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.
 - i. Respondent shall fully cooperate with unannounced visits by any agent of the Board to determine compliance with this Order.
 - j. Respondent shall notify the Board of any change of practice location or any change in contact information within ten (10) days.
 - k. Respondent shall be responsible for the costs incurred by the Board in monitoring Respondent's probationary period. Respondent shall promptly remit payment in the amount of three hundred dollars (\$300.00) on or before the 1st of January, April, July, and October of each year for such costs while on probation.
- 7. This Order constitutes the initiation and resolution of a contested case proceeding.
 - 8. This Order is voluntarily submitted by Respondent to the Board for consideration.
 - 9. 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.
 - 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, 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 the initiation of a contested case proceeding and prior to its resolution.

12. Respondent acknowledges that he has the right to be represented by counsel in this matter.
13. Respondent understands that the Board is required by federal law to report this Order to the National Practitioner Data Bank.
14. 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.
15. 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.
16. Upon approval by the Board, this Order shall constitute a FINAL ORDER of the Board.

Avijit Goel 03/27/2019
AVIJIT GOEL, D.D.S.
Respondent

This combined Statement of Charges, Settlement Agreement and Final Order is approved by the Board on April 5th, 2019.

Steven P. Bradley 005
STEVEN P. BRADLEY, D.D.S.
Chairperson, Iowa Dental Board