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

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**IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST**

**MICHAEL HIPP, D.D.S., RESPONDENT**

**INDIANOLA AND DES MOINES, IOWA**

**#19-0111**

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# STATEMENT OF CHARGES, SETTLEMENT AGREEMENT and FINAL ORDER

# (Combined)

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**COME NOW** the Iowa Dental Board (Board), and Michael Hipp, 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 06654 in the state of Iowa on June 22, 1981.
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.

## B. STATEMENT OF CHARGES

## SECTIONS OF STATUTES AND RULES INVOLVED

## COUNT I

4. Respondent is charged pursuant to Iowa Code section 153.34(4) and 650 IAC 30.4(6)"b" with failing to comply with the standard precautions for preventing and controlling infectious disease and managing personnel health and safety concerns related to infection control, as required or recommended for dentistry by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services and the Iowa occupational safety and health administration.

## STATEMENT OF MATTERS ASSERTED

5. On September 17, 2019, a Board investigator noted the following infection control deficiencies at Respondent's Indianola dental office: failure to monitor sterilizers at least weekly using a biological indicator with a matching control.

6. In addition, there was a lapse in monitoring sterilizers at least weekly using a biological indicator with a matching control at Respondent's Des Moines dental office.

## C. SETTLEMENT AGREEMENT AND FINAL ORDER

**THEREFORE IT IS HEREBY ORDERED:**

Respondent is hereby **CITED** for failing to meet the standard precautions for preventing and controlling infectious disease and **WARNED** that future violations may result in further disciplinary action.

7. Within ninety (90) days of the date of this Order, Respondent shall successfully complete Board-approved coursework in the area of infection control that cannot

be counted toward continuing education hours. The course, or combination of courses, must be comprehensive, consist of a minimum of six (6) hours, and be taken in-person or online. If taken online, Respondent shall also submit a letter to the Board explaining what Respondent learned from the coursework and describing any changes that will be made to Respondent's practice in light of the coursework. Evidence of course completion must be provided to the Board.

8. Within ninety (90) days of the date of this Order, Respondent shall submit a civil penalty in the amount of two thousand dollars ($2,000.00) to the Board made payable to Treasurer, State of Iowa.

9. This Order constitutes the initiation and 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, 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.

12. This Order is voluntarily submitted by Respondent to the Board for consideration.

13. Respondent acknowledges that he 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 him, 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.

Michael Hipp D.D.S.

MICHAEL HIPP, D.D.S.
Respondent

This combined Statement of Charges, Settlement Agreement and Final Order is approved by the Board on April 3rd, 2020.

WILLIAM MCBRIDE, D.D.S.
Chairperson, Iowa Dental Board