

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

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<b>IN THE MATTER OF</b>	)	<b>Case Nos. 19-0181, 20-0011,</b>
	)	<b>20-0143 &amp; 20-0198</b>
	)	
<b>THOMAS COONEY, D.D.S.</b>	)	
	)	<b>RULING ON MOTION FOR</b>
	)	<b>REQUEST FOR</b>
<b>RESPONDENT</b>	)	<b>RECONSIDERATION OF</b>
	)	<b>DECISION REVOKING LICENSE</b>

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On August 6, 2021, the Iowa Dental Board (the Board) issued the Findings of Fact, Conclusions of Law, Decision and Order, which revoked Dr. Cooney’s license for a period of no less than two years. On September 7, 2021, the Respondent filed a Motion for Reconsideration of Decision Revoking License for a Minimum of Two Years of the August 6, 2021 Order. The Respondent contends first that he has never injured a patient, nor has a patient become ill as a result of his office. Additionally, Dr. Cooney contends that he has made significant progress addressing the cleanliness violations, which the Board later acknowledged. Dr. Cooney has indicated that he would be willing to forgo ownership in a dental practice and would be willing to practice with another licensed dentist if he were allowed to continue practicing.

The State filed a resistance to the matter on September 10, 2021. Neither side requested oral argument, and the matter is considered fully submitted.

The Respondent’s Application is DENIED for the following reasons:

1. The Respondent failed to file an application for rehearing with the Board within 20 days after issuance of the final decision as required by 650 IAC 51.27. The deadline for a timely application for rehearing for consideration by the Board was August 26, 2021.
2. The Respondent himself conceded his office had been out of compliance with minimum infection control standards even prior to January 6, 2021—the date the Board imposed an emergency suspension. Contrary to the assertions raised in Respondent’s application, the record clearly establishes an immediate threat to public health, safety or welfare if the Respondent returns to his prior patterns of practice. Iowa Admin. Code r. 650-51.30.
3. The Respondent has been provided repeated opportunities to correct the deficiencies as noted. Despite these opportunities, infection control violations and safety issues remained as late as April 2021 when Ms. Annette Hayes conducted an infection control inspection of Dr. Cooney’s office.

4. As of the August 6, 2021 Order, the Respondent had not completed the four requirements outlined in the February 26, 2021 Order as a condition for reopening his office.
5. Persons who participate in the Iowa Medicaid Program are entitled to dental services provided under the same minimum standards as all other persons.

IT IS SO ORDERED.

Dated this 1<sup>st</sup> day of October, 2021.

A handwritten signature in black ink that reads "Monica Foley". The signature is written in a cursive style and is positioned above a horizontal line.

Monica Foley, D.D.S.  
Chairperson  
Iowa Dental Board

cc: Kevin Driscoll, Attorney for Respondent (by email and U.S. mail)  
James Blackburn, Attorney for Respondent (by email and U.S. mail)  
Laura Steffensmeier, Assistant Attorney General (by email)