

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

**IN THE MATTER OF
ZAVASH ZAREI-M, D.D.S.
RESPONDENT**

**CASE NOS. 19-0141 & 20-0182
NOTICE OF HEARING AND
STATEMENT OF CHARGES**

COMES NOW the Iowa Dental Board ("Board") and files this Notice of Hearing and Statement of Charges against Zavash Zarei-M, D.D.S. ("Respondent"), pursuant to Iowa Code sections 17A.12(2), 17A.18(3), and 272C.3(1)(e), and 650 Iowa Administrative Code (IAC) 51.6. Respondent was issued Iowa dental license number 07332 on July 1, 1988. Respondent's dental license is current with an expiration date of August 31, 2022. Respondent's practice location as reported to the Board is 850 22nd Avenue, Suite 1, Coralville, IA 52241.

A. TIME, PLACE AND NATURE OF HEARING

1. Hearing. A disciplinary contested case hearing shall be held on January 27, 2022 before the Board. The hearing shall begin at 8:30 a.m. and shall be located in the conference room at the office of the Iowa Dental Board, 400 SW 8th Street, Ste. D, Des Moines, Iowa or held electronically via Zoom meeting if necessary.

2. Answer. Within twenty (20) days of the date you are served this Notice of Hearing and Statement of Charges you are required by 650 IAC 51.12(2) to file an Answer. The Answer should specifically admit, deny, or otherwise answer all allegations contained in sections C and D of this Notice of Hearing and Statement of Charges. Pleadings shall be filed with the Board at the following address: Iowa Dental Board, 400 SW 8th Street, Ste.

D, Des Moines, Iowa 50309 or via email to deeann.argo@iowa.gov.

3. Presiding Officer. The Board shall serve as presiding officer at the contested case hearing, but the Board hereby delegates to an Administrative Law Judge from the Department of Inspections and Appeals the authority to make initial rulings on prehearing matters, and requests the administrative law judge be present to assist and advise the Board at hearing.

4. Hearing Procedures. The procedural rules governing the conduct of the hearing are found at 650 IAC 51. At the hearing, you may appear personally or be represented by legal counsel at your own expense. You will be allowed the opportunity to respond to the charges against you, to produce evidence on your behalf on issues of material fact, cross-examine witnesses present at the hearing, and examine and respond to any documents introduced at hearing. If you need to request an alternative time or date for hearing, you must comply with the requirements of 650 IAC 51.18. The hearing may be open to the public or closed to the public at your discretion.

5. Prehearing Conference. Any party may request a prehearing conference to discuss evidentiary issues related to the hearing in accordance with 650 IAC 51.17.

6. Prosecution. The Office of the Attorney General is responsible for representing the public interest (the State) in this proceeding. Copies of pleadings should be provided to counsel for the State at the following address: Laura Steffensmeier, Assistant Attorney General, Iowa Attorney General's Office, 2nd Floor, Hoover State Office Building, Des Moines, Iowa 50319 or via email to laura.steffensmeier@ag.iowa.gov.

7. Communications. You may not contact Board members in any manner, including by phone, letter, or e-mail, about this Notice of Hearing and Statement of Charges. Board members may only receive information about the case when all parties have notice and an opportunity to participate, such as at the hearing or in pleadings you file with Jill Stuecker, Executive Director at 515-330-8110.

B. LEGAL AUTHORITY AND JURISDICTION

1. Jurisdiction. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 17A, 147, 153, and 272C (2021).

2. Legal Authority. If any of the allegations against you are founded, the Board has authority to take disciplinary action against you under Iowa Code chapters 147, 153, and 272C, and 650 IAC 30 and 51.

3. Default. If you fail to appear at the hearing, the Board may enter a default decision or proceed with the hearing and render a decision in your absence, in accordance with Iowa Code Section 17A.12(3) and 650 IAC 51.22.

C. SECTIONS OF STATUTES AND RULES INVOLVED

COUNT I

Respondent is charged under Iowa Code section 153.34(8) and 650 IAC 30.4(4)"c" with failing to maintain a reasonably satisfactory standard of competency in the practice of endodontics.

COUNT II

Respondent is charged under Iowa Code section 153.34(4) and 650 IAC 30.4(2)"j" with failing to maintain patient records in accordance with the requirements set forth in

650 IAC 27.11.

COUNT III

Respondent is charged under Iowa Code section 153.34(4) and 650 IAC 30.4(4)"d" with failing to preserve the confidentiality of patient information.

COUNT IV

Respondent is charged under Iowa Code section 153.34(7) and 650 IAC 30.4(2)"f" with actions which are abusive, coercive, intimidating, harassing, untruthful, or threatening in the practice of dentistry.

D. FACTUAL CIRCUMSTANCES

1. Respondent is a general dentist engaged in the practice of dentistry in Coralville, Iowa.

[REDACTED]

E. SETTLEMENT

This matter may be resolved by settlement agreement. The procedural rules

governing the Board's settlement process are found at 650 IAC 51.19. If you are interested in pursuing settlement of this matter, please contact Jill Stuecker, Executive Director, at 515-330-8110.

F. PROBABLE CAUSE FINDING

On October 1, 2021, the Iowa Dental Board found probable cause to file this Notice of Hearing and Statement of Charges.

A handwritten signature in black ink that reads "Monica Foley". The signature is written in a cursive, flowing style.

MONICA FOLEY, D.D.S.
Chairperson
Iowa Dental Board