

**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 SETTLEMENT AGREEMENT AND FINAL ORDER
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COME NOW the Iowa Dental Board (“Board”) and Zavash Zarei-M, D.D.S. (“Respondent”), and pursuant to Iowa Code sections 17A.12(5) and 272C.3(4) and 650 Iowa Administrative Code (IAC) 51.19, enter into the following Settlement Agreement and Final Order (“Order”) to settle a contested case currently pending before the Board. The disciplinary charges shall be resolved without proceeding to hearing as the parties have agreed to the following:

1. The Board filed a Notice of Hearing and Statement of Charges in the above-captioned cases on October 1, 2021.
2. The Board has jurisdiction over Respondent and the subject matter of this proceeding.
3. Respondent acknowledges that these factual circumstances, if proven in a contested case hearing, would constitute grounds for the discipline agreed to in this Order. The following factual circumstances are incorporated into this Order:
 - a. Respondent is a general dentist engaged in the practice of dentistry in Coralville, Iowa.
 - b. A sample of Respondent’s patient records for patients who received endodontic treatment showed a lack of appropriate documentation, lack of diagnostic quality radiographs, and failure to meet the standard of care in endodontic diagnosis and treatment in some cases.
 - c. Respondent publicly responded to an online review by addressing a patient

by name, and while refuting the online review, discussing treatment that was performed.

d. Respondent texted a patient in a less than professional manner that violated Iowa regulations for dentists.

4. Execution of this Order constitutes the resolution of a contested case. Respondent has a right to hearing before the Board on the charges, but Respondent waives the right to hearing and all attendant rights, including the right to appeal or seek judicial review of the Board's actions, by freely and voluntarily entering into this Order. Once entered, this Order shall have the force and effect of a disciplinary order entered following a contested case hearing.

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

6. Respondent denies the allegations, and in particular, states that due to a computer failure, he was unable to access and provide complete records to the Board, but in order to avoid the expense and uncertainties of a hearing, wishes to resolve the matter as set forth herein.

7. 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.

8. Respondent acknowledges that he has the right to be represented by counsel in this matter.

9. Respondent understands that the Board is required by federal law to report this Order to the National Practitioner Data Bank.

10. 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.

11. 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.

12. Upon approval by the Board, this Order shall constitute a FINAL ORDER of the Board.

THEREFORE IT IS HEREBY ORDERED:

13. Respondent is hereby CITED for failing to maintain a reasonably satisfactory standard of competency in the practice of endodontics; failing to maintain patient records in accordance with the requirements set forth in 650 IAC 27.11; failing to preserve the confidentiality of a patient's information; and for actions which are intimidating in the practice of dentistry, and WARNED that future violations of the laws and rules governing the practice of dentistry may result in further disciplinary action, including license revocation.

14. Within thirty (30) days, Respondent agrees to submit a civil penalty in the amount of one thousand dollars (\$1,000.00) to the Board, made payable to Treasurer, State of Iowa, to be deposited in the general fund.

15. The parties agree that Respondent has completed three (3) hours of continuing education related to HIPAA and patient confidentiality and has submitted certificates of completion to the Board.

16. Respondent agrees not to respond to online reviews in a way that violates patient confidentiality in the future.

17. The parties agree that Respondent has completed the course entitled "Elevating Civility and Communication in Health Care (Essential)" offered by PBI Education and has submitted a certificate of completion to the Board.


18. Respondent agrees not to provide endodontic treatment in the future, unless Respondent receives Board approval to provide such treatment in the future and complies with the Board's requirements. Respondent shall refer any current patients who are scheduled to receive an endodontic procedure to an endodontist. All patient records shall be transferred at no cost.

19. Respondent shall notify the Board of any change of practice location or any change in contact information within fourteen (14) days.

20. Should Respondent violate the terms of this Order, the Board may initiate action to impose other licensee discipline as authorized by Iowa Code chapters 153 and 272C, and 650 IAC chapter 30.


ZAVASH ZAREI-M, D.D.S.
Respondent

This Settlement Agreement and Final Order is approved by the Board on
June 3rd, 2022.


Chairperson, Iowa Dental Board