

MEMORANDUM

To: Iowa Board of Medicine  
From: Kent Nebel, Director of Legal Affairs  
Date: August 7, 2013  
Subject: Out-of-State Disciplinary Actions - Inactive Iowa Medical License:

- A. **Minor Disciplinary Action:** Disciplinary action that does not involve serious patient harm, criminal conduct or a threat to public safety which results in a reprimand, fine, continuing medical education or minor remediation.

**Action:** Letter of Warning.

- B. **Intermediate Disciplinary Action:** Disciplinary action that involves minor patient harm, minor criminal conduct unrelated to the practice of medicine or a minor threat to public safety which results in reprimand, fine, continuing medical education or remediation that must be completed within two (2) years.

**Action:** Letter of Warning which requires written notice at least ninety (90) days prior to reinstatement of license and warning that the Board may initiate further action if the licensee seeks reinstatement in the future.

- C. **Serious Disciplinary Action:** Disciplinary action that involves serious patient harm, serious criminal conduct or a serious threat to public safety which results in revocation, suspension, probation or a significant license restriction.

**Action:** Combined Statement of Charges and Settlement Agreement that includes voluntary surrender or disciplinary action commensurate with action if Iowa license were active. File Statement of Charges if licensee declines Combined.

- D. **Geographic Location:** If the physician is practicing in a contiguous state and is likely treating Iowans, the Board shall treat the case as though the physician has an active Iowa medical license.

- E. **Other Factors:**

Retired or no longer practicing medicine  
Age of licensee  
Impairment  
How long ago the Iowa license went inactive

May 31, 2012

MEMORANDUM

TO: Board members

RE: Cases involving out-of-state discipline against physicians with inactive Iowa licenses

In the recent past, primarily due to resource issues, when the Iowa Board of Medicine was notified of out-of-state discipline of a physician with an **inactive** Iowa license, a case file was opened, a copy of the attached letter was sent to the physician and the case was closed administratively.

Now that Board's investigative staff is at full strength, notices of out-of-state disciplinary action involving physicians with **inactive** Iowa licenses will be handled differently:

- 1) A case file will be opened and the case will be sent to the Complaint Review Committee (CRC).
- 2) If the CRC determines that the out-of-state discipline does not rise to a level of concern, the attached letter will be sent to the physician and the case will be closed.
- 3) If the CRC determines that additional information is needed the case will be assigned to an investigator.
- 4) When the investigation is complete the case will be sent to the Board for review.

The agency receives approximately 15 out-of-state disciplinary cases per month involving physicians with **active** and **inactive** Iowa licenses. Those with active Iowa licenses are routinely investigated.

It is too soon to determine how many out-of-state cases involving **inactive** Iowa licenses will be investigated. Russell Bardin, chief investigator, will provide an update at the January 10-11, 2013, Board meeting.

**May 31, 2012**

**TO: Board members**

**FR: Mark Bowden, Executive Director**

**RE: This is a sample letter that is sent to a physician with an inactive Iowa license who was disciplined by a medical board in another state.**

Re: File #

Dear Dr.:

The Iowa Board of Medicine received information indicating the licensing authority of the State of XXXXX disciplined your medical license. Our records indicate your Iowa license is currently inactive. The Iowa Board has elected not to pursue disciplinary action in this matter at this time. Should you decide to reinstate your Iowa license, the Iowa Board will reconsider the out-of-state action and may choose to initiate discipline.

At least 60 days prior to seeking reinstatement of your Iowa medical license, please submit written notice to the Iowa Board. The notice should include a summary of the disciplinary action taken in other states, the current status of your state medical license(s), and the file number referenced above. Also include any other pertinent information that would help the Iowa Board in its determination of what, if any, action it should take.

Please note that you have a lawful obligation to notify the Iowa Board of any change your home address or the address of the place of your practice within one month of making a change.

Should you have questions or concerns about this letter, please contact Kent Nebel, Director of Legal Affairs, at (515) 281-7088.

Very truly yours,

Mark E. Bowden  
Executive Director  
Iowa Board of Medicine