

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

IN THE MATTER OF:)	
ROBERT A. BENSON, D.D.S.)	SETTLEMENT AGREEMENT
LICENSE #06116)	AND FINAL ORDER
RESPONDENT.)	

On this 1st day of February, 2013, the Iowa Dental Board and Robert A. Benson, D.D.S., each hereby agree as follows:

The licensee disciplinary hearing scheduled before the Iowa Dental Board on the 13th day of July, 2012, was continued until further Order of the Board on June 21, 2012. The allegations in the Notice of Hearing and Statement of Charges dated April 25, 2012, shall be resolved without proceeding to hearing, as the parties have agreed to the following Settlement Agreement and Final Order:

1. Respondent was issued a license to practice dentistry on the 14th day of June, 1976, as evidenced by license number 06116 which is recorded in the permanent records in the office of the Iowa Dental Board.
2. Iowa license number 06116 is current and will expire August 31st, 2012.
3. The Iowa Dental Board has jurisdiction over the parties and subject matter herein.
4. A Notice of Hearing and Statement of Charges was filed against Respondent on April 25, 2012.
5. Respondent filed an Answer on June 20, 2012, denying the charges as stated by the Board.

6. Respondent and the Board enter into this Settlement Agreement and Final Order for the purpose of resolving the pending contested case.

THEREFORE, IT IS HEREBY ORDERED that Respondent's Iowa dental license shall be placed on **probation** for a period of two (2) years effective the date of this Order. The probation shall be subject to the following terms and conditions:

SECTION I.

1. Respondent shall fully cooperate with random unannounced visits by agents of the Board to determine compliance with this Order, and to ensure that all staff members in his dental office are only practicing in the areas which they are legally allowed to.
2. Respondent shall successfully complete the dental jurisprudence examination within sixty (60) days of the date of this Order.
3. Respondent shall, within six (6) months of the date of this Settlement Agreement and Final Order, submit a civil penalty to the Board office in a single payment in the amount of two thousand five hundred dollars (\$2,500.00), made payable to Treasurer, State of Iowa, and deposited in the general fund.
4. Respondent shall report to the Board with signed statements from all current and future licensees, employees and employers within fourteen (14) days of the date of this Order, and thereafter within fourteen (14) days of any new employment relationship, indicating that they have read and understand this Order and the Board's Notice of Hearing and Statement of Charges related to this Order.
5. Respondent shall allow all employees to report directly to the Board any violation of this Order, or any violations of the rules of the Board or state statutes related to the practice of dentistry, dental hygiene, or dental assisting in Iowa. Such reporting

employee(s) shall not be subject to adverse action by Respondent as a result of making such a report.

6. Respondent shall be responsible for all costs associated with compliance with this Order, and shall also be responsible for all costs incurred by the Board in the monitoring of this Order to determine compliance. Respondent shall also promptly remit two hundred dollars (\$200.00) to the Board on or before the first day of January, April, July, and October, of each calendar year of probation for monitoring costs.
7. Respondent shall upon reasonable notice, and subject to the provisions of 650 Iowa Administrative Code 31.6, appear before the Board at the time and place designated by the Board.
8. Periods of residence or practice outside of the state of Iowa shall not apply to the duration of this Order unless Respondent obtains prior written approval from the Board. Periods in which Respondent does not practice dentistry and/or he fails to comply with the terms established in this Order shall not apply to the duration of this Order unless Respondent obtains prior written approval from the Board. Notice of any change of residence must be provided to the Board within fourteen (14) days of the change. Notice of any change of practice location must be provided to the Board within fourteen (14) days.
9. All costs associated with this Order are the sole responsibility of Respondent.

SECTION II.

1. Respondent acknowledges that he has read in its entirety the foregoing Settlement Agreement and Final Order and that he understands its content and that he executed the Order freely, voluntarily, and with no mental reservation whatsoever.
2. Respondent acknowledges he has a right to a hearing in this matter, and he hereby waives that right.

3. Respondent acknowledges that he has the right to be represented by counsel in this matter.
4. Respondent understands that this Order is a public record and is therefore subject to inspection and copying by members of the public.
5. Respondent understands that the Board will report this Order to the National Practitioner Data Bank and Healthcare Integrity and Protection Data Bank.
6. 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.
7. Respondent acknowledges that this proposed settlement is subject to approval of a majority of the full Board. If the Board fails to approve this proposed settlement, it shall be of no force or effect to either party.
8. Respondent shall fully and promptly comply with all Orders of the Board and the statutes and rules regulating the practice of dentistry in Iowa. Any violation of the terms of this Order is grounds for further disciplinary action, upon notice and opportunity for hearing, for failure to comply with an Order of the Board, in accordance with Iowa Code Section 272C.3(2)(a)(2011).
9. The Board's approval of this Settlement Agreement and Final Order shall constitute a FINAL ORDER of the Board.

This Settlement Agreement and Final Order is voluntarily submitted on this 5th day of December, 2012.



Robert A. Benson, D.D.S.
Respondent

This Settlement Agreement and Final Order is accepted by the Iowa Dental Board on this

1st day of February, 2013.



LYNN D. CURRY, D.D.S.
Vice Chairperson
Iowa Dental Board
400 S.W. 8th, Suite D
Des Moines, IA 50309

cc: Theresa O'Connell Weeg
Assistant Attorney General
Office of the Attorney General
Hoover State Office Building
Des Moines, IA 50319

Raymond R. Stefani, II.
Attorney for Respondent
GRAY, STEFANI & MITVALSKY, P.L.C.
200 American Building
P. O. Box 456
Cedar Rapids, IA 52406