

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

IN THE MATTER OF:)	
MASIH SAFABAKHSH, D.D.S.)	SETTLEMENT AGREEMENT
License #07660)	AND FINAL ORDER
Respondent)	

On this 25th day of October, 2012, the Iowa Dental Board and Masih Safabakhsh, D.D.S., each hereby agree as follows:

The licensee disciplinary hearing scheduled before the Iowa Dental Board on the 16th day of August, 2012, was continued until further Order of the Board on August 15, 2012. The allegations in the Emergency Adjudicative Order and Notice of Hearing and Statement of Charges dated July 13, 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 18th day of June, 1993, as evidenced by license number 07660 which is recorded in the permanent records in the office of the Iowa Dental Board.
2. Respondent's Iowa dental license number 07660 is currently suspended.
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 July 13, 2012.

THEREFORE, IT IS HEREBY ORDERED that Respondent's license to practice dentistry in the state of Iowa shall continue to be suspended until further Order of the Board. Respondent may request reinstatement of his license pursuant to 650 IAC 51.34. Respondent shall not apply

for reinstatement for at least six (6) months from the date of the Emergency Adjudicative Order, and until he has met all the requirements of Sections A, B, and C, below. The six month time period will be calculated from the date the Board filed its Emergency Adjudicative Order. Respondent is responsible for all costs incurred in meeting these requirements.

A. Professional competency.

1. Respondent shall successfully complete a comprehensive clinical skills assessment, including an orthodontic assessment at a college of dentistry prior approved by the Board to determine Respondent's level of competency. This assessment and any subsequent courses of study shall be taken at Respondent's expense. The Board shall forward to the evaluating college, prior to the assessment, the Board's file relating to the Respondent. The college shall report the results of the assessment directly to the Board, with a copy to Respondent.
 - a. Following this assessment, the college shall prepare a proposed course of study to address any concerns or deficiencies noted during Respondent's clinical assessment.
 - b. Respondent agrees to comply with any recommendations made by the college.
 - c. Respondent shall, within twelve (12) months of the completion of the assessment, successfully complete any course of study recommended by the assessing college, which shall be taken at an accredited college of dentistry prior approved by the Board. The course of study shall be prior approved by the Board.
 - d. Following completion of the course of study, Respondent shall advise the supervising faculty to contact the Board to verify that the Respondent has completed the course of study. The verification from the college shall include a written report relative to Respondent's successful completion of the program, a narrative evaluation of his participation in the program, and any other information relative to Respondent's

abilities in the practice of dentistry and any recommendations regarding Respondent's future practice.

- e. Respondent agrees to comply with any future practice recommendations or restrictions made by the college.
- f. The Board shall review the report from the college to determine if the Respondent has successfully completed the course of study.

- 2. Respondent shall submit to the Board a practice monitoring plan for Board approval.

That plan shall include a provision for a practice monitor, who is an Iowa-licensed dentist approved by the Board. The practice monitor shall be responsible for ensuring Respondent's compliance with record keeping and billing requirements, as well as for ensuring Respondent's clinical practice meets the standard of care.

B. Civil penalty.

- 1. Respondent shall, within ninety (90) days of the date his dental license is reinstated, submit a civil penalty to the Board office in a single payment in the amount of ten thousand dollars (\$10,000.00), payable to Treasurer, State of Iowa, and deposited in the general fund.

C. Reinstatement proceedings.

- 1. Following successful completion of all terms and conditions of Section A., above, Respondent may make application for reinstatement of his dental license pursuant to 650 Iowa Administrative Code Section 51.34.
- 2. The Board shall issue an Order granting or denying the Respondent's application for reinstatement. If Respondent's license is reinstated, the Reinstatement Order shall contain specific terms and conditions, pursuant to 650 Iowa Administrative Code Section 51.34(6).

E. General provisions.

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

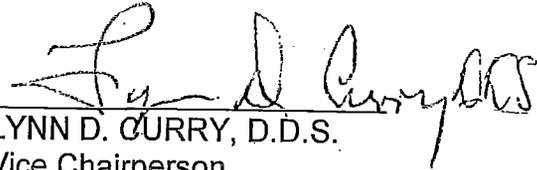
FINAL ORDER of the Board.

This Settlement Agreement and Final Order is voluntarily submitted on this 12th day of, October, 2012.



Masih Safabakhsh, D.D.S.
Respondent

This Settlement Agreement and Final Order is accepted by the Iowa Dental Board on this 25th day of October, 2012.



LYNN D. CURRY, D.D.S.
Vice Chairperson
Iowa Dental Board
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