

BEFORE THE IOWA DENTAL BOARD OF THE STATE OF IOWA

IN THE MATTER OF THE NOTICE OF HEARING AGAINST

ASHLEY B. COLE, R.D.A., RESPONDENT

CEDAR RAPIDS, IOWA

NOTICE OF HEARING, SETTLEMENT AGREEMENT AND FINAL ORDER

(combined)

COMES NOW the Iowa Dental Board (the Board), and Ashley B. Cole, R.D.A. (Respondent), on October 15, 2010, and pursuant to Iowa Code Sections 17A.10(2) and 272C.3(4), enter into the following combined Notice of Hearing, Settlement Agreement and Final Order.

NOTICE OF HEARING

1. A hearing on this matter will not be held as the Board and Respondent have entered into the following combined Notice of Hearing, Settlement Agreement and Final Order.
2. Respondent was issued registration number Q09360 to practice dental assisting in the state of Iowa on November 7, 2006.
3. Respondent's Iowa dental assisting registration is current and will expire on August 31, 2011.

LEGAL AUTHORITY AND JURISDICTION

4. The Board has jurisdiction in this matter pursuant to Iowa Code Chapters 147, 153 and 272C.

SECTIONS OF STATUTES AND RULES INVOLVED

COUNT I

5. Respondent is charged under Iowa Code Section 153.34(4) and 650 Iowa Administrative Code 30.4(16) for unprofessional conduct for operating a motor vehicle while under the influence of alcohol.

STATEMENT OF MATTERS ASSERTED

6. On December 7th, 2008 Respondent was charged with operating while intoxicated second offense.
7. Respondent pled guilty to this crime and was subsequently ordered to complete a substance abuse evaluation at Mercy Sedlaceck, and complete all recommendations from that evaluating facility.
8. Respondent completed the substance abuse evaluation on February 12, 2009. The recommendations from the facility were to attend additional education courses, and enter extended outpatient programming.

SETTLEMENT AGREEMENT

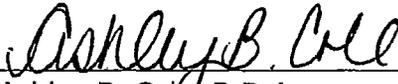
9. Respondent shall submit a civil penalty to the Board office in the amount of one hundred dollars (\$100.00) within sixty (60) days of the date of this Order made payable to Treasurer, State of Iowa, and deposited in the general fund.

10. Respondent shall immediately comply and document successful completion of all recommendations made by the evaluating facility.
11. Respondent shall disclose this Agreement to all current and future employers who employ her as a dental assistant. Respondent shall report back to the Board with signed statements from all current employers within fourteen (14) days of the date of this Agreement, and thereafter within fourteen (14) days of any new employment relationship, indicating the employer has read and understands this Agreement.

FINAL ORDER

12. This combined Notice of Hearing, Settlement Agreement and Final Order constitutes the resolution of a contested case proceeding.
13. By entering into this combined Notice of Hearing, Settlement Agreement and Final Order, Respondent voluntarily waives any rights to a contested case hearing on the allegations contained in the Statement of Matters Asserted, and waives any objections to the terms of this Settlement Agreement.
14. Respondent understands that by entering into this combined Notice of Hearing, Settlement Agreement and Final Order, she cannot obtain a copy of the investigative file. Under Section 272C.6(4), a copy of the investigative file may only be provided to a licensee after a Statement of Charges is filed but before the final resolution of those charges.
15. This combined Notice of Hearing, Settlement Agreement and Final Order, is voluntarily submitted by Respondent to the Board for consideration.

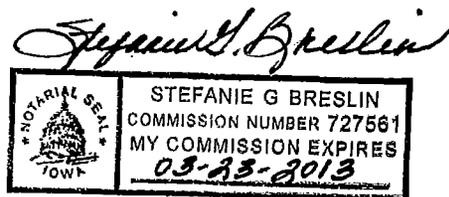
16. Respondent acknowledges that she has the right to be represented by counsel in this matter.
17. This combined Notice of Hearing, Settlement Agreement and Final Order becomes public record available for inspection and copying upon execution of this agreement in accordance with the requirements of Iowa Code Chapters 17A, 22 and 272C.
18. Respondent acknowledges that no member of the Board, nor any employee, nor attorney for the Board, has coerced, intimidated, or pressured her, in any way whatsoever, to execute this Order.
19. This combined Notice of Hearing, Settlement Agreement and Final Order, is subject to approval of the Board. If the Board fails to approve this combined Notice of Hearing, Settlement Agreement and Final Order, it shall be of no force or effect to either party.
20. The Board's approval of this Notice of Hearing, Settlement Agreement and Final Order shall constitute a **Final Order** of the Board.



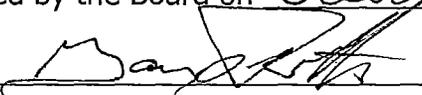
Ashley B. Cole, R.D.A.
Respondent

Subscribed and sworn to before me on 9-9-2010, 2010.

Notary Public, state of Iowa



This combined Notice of Hearing, Settlement Agreement and Final Order is
approved by the Board on October 15, 2010.


GARY D. ROTH, D.D.S.

Chairperson

Iowa Dental Board

400 SW 8th Street, Suite D

Des Moines, IA 50309-4687

CC: Theresa O'Connell Weeg
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