

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

IN THE MATTER OF)

AMY L. DeVRIES, R.D.H.)

RESPONDENT.)

**NOTICE OF HEARING
AND STATEMENT OF CHARGES**

COMES NOW the Iowa Dental Board (Board) and files this Notice of Hearing and Statement of Charges pursuant to Iowa Code sections 17A.12(2), 17A.18(3), and 650 Iowa Administrative Code (IAC) 51.6. Respondent was issued dental hygiene license number 02326 on June 16, 1993. Respondent's license is current and will expire on August 31, 2013. Respondent's address as reported to the Board is 11528 Leiser Lane, Dubuque, Iowa 52001.

A. TIME, PLACE AND NATURE OF HEARING

1. Hearing. A disciplinary contested case hearing shall be held on July 13, 2012, before the Iowa Dental Board. The hearing shall begin at 1:00 p.m. and shall be located in the conference room at the office of the Iowa Dental Board, 400 SW 8th Street, Ste. D, Des Moines, Iowa.

2. Answer. Within twenty (20) days of the date you are served this Notice of Hearing and Statement of Charges you are required by 650 IAC 51.12(2) to file an Answer. The Answer should specifically admit, deny, or otherwise answer all allegations contained in sections C and D of this Notice of Hearing and Statement of Charges. Pleadings shall be filed with the Board at the following address: Iowa Dental Board, 400 SW 8th Street, Ste. D, Des Moines, Iowa 50309.

3. Presiding Officer. The Board shall serve as presiding officer, but the Board may request an Administrative Law Judge make initial rulings on pre-hearing matters, and be present to assist and advise the Board at hearing.

4. Hearing Procedures. The procedural rules governing the conduct of the hearing are found at 650 IAC chapter 51. At hearing, you may appear personally or be represented by legal counsel at your own expense. You will be allowed the opportunity to respond to the charges against you, to produce evidence on your behalf on issues of material fact, cross-examine witnesses present at the hearing, and examine and respond to any documents introduced at hearing. If you need to request an alternative time or date for hearing, you must comply with the requirements of 650 IAC 51.18. The hearing may be open to the public or closed to the public at your discretion.

5. Pre-hearing Conference. Any party may request a pre-hearing conference to discuss evidentiary issues related to the hearing. The Board's rules regarding pre-hearing conferences are contained at 650 IAC chapter 51.17.

6. Prosecution. The Office of the Attorney General is responsible for representing the public interest (the State) in this proceeding. Copies of pleadings should be provided to counsel for the State at the following address: Theresa O'Connell Weeg, Assistant Attorney General, Iowa Attorney General's Office, 2nd Floor, Hoover State Office Building, Des Moines, Iowa 50319.

7. Communications. You may not contact Board members in any manner, including by phone, letter, or e-mail, about this Notice of Hearing and Statement of

Charges. Board members may only receive information about the case when all parties have notice and an opportunity to participate, such as at the hearing or in pleadings you file with the Board office and serve upon all parties in the case. You should direct any questions to Melanie Johnson, Executive Director at 515-281-5157.

B. LEGAL AUTHORITY AND JURISDICTION

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

2. Legal Authority. If any of the allegations against you are founded, the Board has authority to take disciplinary action against you under Iowa Code Chapters 17A, 147, 153, and 272C and 650 IAC chapters 30 and 51.

3. Default. If you fail to appear at the hearing, the Board may enter a default decision or proceed with the hearing and render a decision in your absence, in accordance with Iowa Code Section 17A.12(3) and 650 IAC 51.22.

C. SECTIONS OF STATUTES AND RULES INVOLVED

COUNT I

Respondent is charged under Iowa Code Section 272C.3(2)(a)(2011) and 650 Iowa Administrative Code Section 30.4(23) with failing to comply with a decision of the Board imposing licensee discipline.

D. FACTUAL CIRCUMSTANCES

1. On June 9th, 2011, the Board received information that Respondent had been arrested multiple times for operating a vehicle while intoxicated.

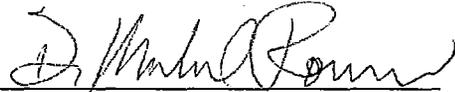
2. On June 14th, 2011, the Respondent was interviewed and the Board confirmed that Respondent had been arrested twice for OWI, most recently in May 2011. Respondent also confirmed that she was drinking alcohol multiple times a week.
3. On June 27th, 2011, Respondent was arrested for a third OWI and for driving while revoked.
4. Respondent subsequently submitted to a substance abuse evaluation.
5. Respondent entered inpatient treatment in July 2011 and was successfully discharged with a diagnosis of alcohol dependency on September 15, 2011.
6. Respondent entered into a combined Notice of Hearing, Settlement Agreement and Final Order with the Board on October 27, 2011. Pursuant to this Order the Respondent agreed to abstain from using alcohol and all other mood altering substances.
7. On February 26, 2012, the Board received information that the Respondent had relapsed multiple times using alcohol.
8. Following receipt of this information, the Respondent admitted she had relapsed by using alcohol after entering into the combined Notice of Hearing, Settlement Agreement, and Final Order with the Board.

E. SETTLEMENT

This matter may be resolved by settlement agreement. The procedural rules governing the Board's settlement process are found at 650 IAC chapter 51.19. If you are interested in pursuing settlement of this matter, please contact Melanie Johnson, Executive Director, at 515.281.5157.

F. PROBABLE CAUSE FINDING

On this 24th day of April, 2012, the Iowa Dental Board found probable cause to file this Notice of Hearing and Statement of Charges.



MICHAEL J. ROVNER, D.D.S.
Chairperson
Iowa Dental Board
400 SW 8th Street, Ste. D
Des Moines, IA 50309

Copies to: Theresa O'Connell Weeg
Sara Scott
Assistant Attorneys General
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