

BEFORE THE DENTAL BOARD OF THE STATE OF IOWA

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

STEVEN C. FULLER, D.D.S., RESPONDENT

DES MOINES, IOWA

STATEMENT OF CHARGES, SETTLEMENT AGREEMENT and FINAL ORDER

(combined)

COMES NOW the Iowa Dental Board (the Board), and Steven C. Fuller, D.D.S. (Respondent), on February 1, 2013, and pursuant to Iowa Code Sections 17A.10(2) and 272C.3(4), enter into the following combined Statement of Charges, 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 Statement of Charges, Settlement Agreement and Final Order.
2. Respondent was issued license number 07485 to practice dentistry in the state of Iowa on January 14th, 1991.
3. Respondent's Iowa dental license is current and will expire on August 31, 2014.

LEGAL AUTHORITY AND JURISDICTION

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

STATEMENT OF CHARGES

SECTIONS OF STATUTES AND RULES INVOLVED

COUNT I

5. Respondent is charged under Iowa Code Section 153.34(4) (2011) for permitting a person with a lapsed registration to practice dental assisting in violation of 650 Iowa Administrative Code 30.4(22).

COUNT II

6. Respondent is charged under Iowa Code Section 153.34(4) (2011) for permitting a person to engage in dental radiography without an active radiography qualification in violation of 650 Iowa Administrative Code 22.8(2).

STATEMENT OF MATTERS ASSERTED

7. Iowa law requires that a person engaged in the practice of dental assisting to register with the Board pursuant to Iowa Code Section 153.39(1) and 650 Iowa Administrative Code rule 20.1.
8. Board rules require dental assistants who participate in dental radiography to hold an active radiography qualification issued by the Board pursuant to 650 Iowa Administrative Code chapter 22.

9. Failure of an assistant to renew a registration within sixty (60) days of its expiration causes the registration to lapse and become invalid. An assistant whose registration has lapsed and becomes invalid is prohibited from practice.
10. Respondent employed a dental assistant whose registration had lapsed on September 1, 2007, and continued to perform dental assistant duties as described in Iowa Code Section 153.38 and 650 Iowa Administrative Code 20.3 until January 2012.
11. Respondent allowed a dental assistant to engage in dental radiography without an active radiography qualification.

SETTLEMENT AGREEMENT

THEREFORE, IT IS HEREBY ORDERED that Respondent is hereby **CITED** for permitting a person with a lapsed registration to practice dental assisting and for permitting an assistant to engage in dental radiography without an active radiography qualification and **WARNED** that future violations may result in further disciplinary action.

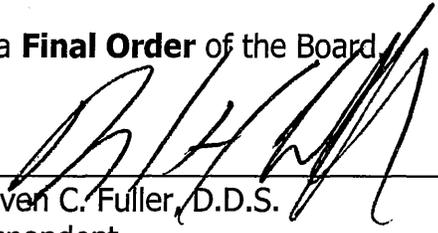
12. Respondent agrees to submit a civil penalty in the amount of seven hundred fifty dollars (\$750.00) to the Iowa Dental Board within sixty (60) days of the date of this Order made payable to Treasurer, State of Iowa, and deposited in the general fund.

FINAL ORDER

13. This combined Statement of Charges, Settlement Agreement and Final Order constitutes the resolution of a contested case proceeding.

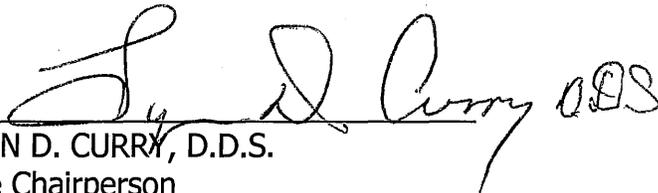
14. By entering into this combined Statement of Charges, Settlement Agreement and Final Order, Respondent voluntarily waives any rights to a contested case hearing and waives any objections to the terms of this Settlement Agreement.
15. Respondent understands that by entering into this combined Statement of Charges, Settlement Agreement and Final Order, he 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.
16. This combined Statement of Charges, Settlement Agreement and Final Order, is voluntarily submitted by Respondent to the Board for consideration.
17. Respondent acknowledges that he has the right to be represented by counsel in this matter.
18. Respondent understands that the Board will report this Order to the National Practitioner Data Bank and Healthcare Integrity and Protection Data Bank.
19. This combined Statement of Charges, 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 17, 22 and 272C.
20. 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.

21. This combined Statement of Charges, Settlement Agreement and Final Order is subject to approval of the Board. If the Board fails to approve this combined Statement of Charges, Settlement Agreement and Final Order, it shall be of no force or effect to approval of either party.
22. The Board's approval of this combined Statement of Charges, Settlement Agreement and Final Order shall constitute a **Final Order** of the Board.



Steven C. Fuller, D.D.S.
Respondent

This combined Statement of Charges, Settlement Agreement and Final Order is approved by the Board on February 1, 2013.



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