

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

\*\*\*\*\*

**IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST**

**MARY J. JAQUITH, R.D.A, RESPONDENT**

**LAPORTE CITY, IOWA**

\*\*\*\*\*

**STATEMENT OF CHARGES,**

**SETTLEMENT AGREEMENT and FINAL ORDER  
(combined)**

\*\*\*\*\*

**COMES NOW** the Iowa Board of Dental Examiners (the Board), and Mary J. Jaquith, R.D.A., (Respondent), on August 25, 2005, 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.

**STATEMENT OF CHARGES**

1. Respondent was issued registration Q03159 to practice dental assisting in Iowa on October 1, 1987.
2. Respondent has attended and graduated from dental hygiene school and has taken the dental hygiene jurisprudence exam. Once her dental hygiene license is issued, her dental assistant registration will no longer be in effect.
3. The Board has jurisdiction in this matter pursuant to Iowa Code Chapters 147, 153 and 272C.

## **COUNT I**

4. The Respondent is charged under Iowa Code Section 153.38(2005) with performing unauthorized services in violation of Iowa Administrative Code 650-20.3(2)(e.).

## **CIRCUMSTANCES**

5. Iowa Code Section 153.38 (2005) allows dental assistants to perform only those services as determined by the board of dentistry by rule, and prohibits a dental assistant from practicing dentistry or dental hygiene.
6. Iowa Administrative Code 650 Chapter 20.3(2)(e.) states that a dental assistant may not be delegated the act of removing of any plaque, stain, or hard natural or synthetic material except by toothbrush, floss, or rubber cup coronal polish, or removal of any calculus.
7. Iowa Administrative Code 650 Chapter 20.4 states that a dental assistant may only perform duties consistent with board rules under the supervision of a dentist.
8. Respondent removes supra-gingival plaque, stain, and calculus with scalers and explorers as part of her duties.

## **SETTLEMENT AGREEMENT**

9. **THEREFORE, IT IS HEREBY ORDERED** that Respondent is hereby **CITED** and **WARNED** for performing unauthorized services in violation of Iowa Administrative Code 650-20.3(2)(e.).
10. Respondent agrees to submit a civil penalty in the amount of one-hundred and fifty dollars (\$150.00) within sixty (60) days of the date of this Order.

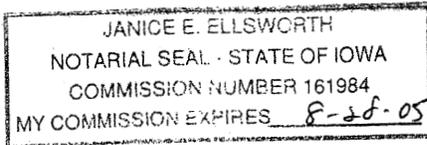
## FINAL ORDER

11. This combined Statement of Charges, Settlement Agreement and Final Order constitutes the resolution of a contested case proceeding.
12. By entering into this combined Statement of Charges, Settlement Agreement and Final Order, Respondent voluntarily waives any rights to a contested case hearing on the allegations contained in the Statement of Charges, and waives any objections to the terms of this Settlement Agreement.
13. This combined Statement of Charges, Settlement Agreement and Final Order, is voluntarily submitted by Respondent to the Board for consideration.
14. Respondent acknowledges that she has the right to be represented by counsel in this matter.
15. Respondent understands that this Order is a public record and is therefore subject to inspection and copying by members of the public.
16. 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.
17. 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 either party.
18. The Board's approval of this Settlement Agreement and Final Order shall constitute a **Final Order** of the Board.

  
Mary J. Jaquith, R.D.A.  
Respondent

Subscribed and sworn to before me on July 11, 2005.

Notary Public, State of <sup>Iowa</sup>



*Janice Ellsworth*

This combined Statement of Charges, Settlement Agreement and Final Order is approved by the Board on August 25, 2005.

*Deena R. Kuempel, D.D.S.*

Deena R. Kuempel, D.D.S., Chairperson  
Iowa Board of Dental Examiners  
400 SW 8<sup>th</sup> Street, Suite D  
Des Moines, IA 50309-4687

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