

BEFORE THE BOARD OF DENTAL EXAMINERS OF THE STATE OF IOWA

IN THE MATTER OF THE NOTICE OF HEARING FOR

OLULEKE JEBODA, D.D.S., RESPONDENT

LENOX, IOWA

NOTICE OF HEARING, SETTLEMENT AGREEMENT AND FINAL ORDER

(combined)

COMES NOW the Iowa Board of Dental Examiners (the Board), and Oluleke Jeboda, D.D.S. (Respondent), on November 30, 2006, 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 license number 8310 by the Board to engage in the practice of dentistry, subject to the laws of the state of Iowa and the rules of the Board.
3. License number 8310 is current and active until June 30, 2008.

LEGAL AUTHORITY AND JURISDICTION

4. The Board has jurisdiction in this matter pursuant to Iowa Code Chapters 153 and 272C (2005).

SECTIONS OF STATUTES AND RULES INVOLVED

COUNT I

5. The Respondent is charged under Iowa Code Section 153.34(4) (2005) with willfully or repeatedly violating a rule of the Board, when he made improper sexual contact with a coworker and improper advances to patients in violation of 650 Iowa Administrative Code 30.4(7).

COUNT II

6. The Respondent is charged under Iowa Code Section 153.34(7) (2005) with unprofessional conduct in the practice of dentistry.

COUNT III

7. The Respondent is charged under Iowa Code Section 153.34(4) (2005) with willfully or repeatedly violating a rule of the Board, when he knowingly provided false information to an agent of the Board during the course of an investigation in violation of 650 Iowa Administrative Code 30.4(26).

STATEMENT OF MATTERS ASSERTED

8. The Board, following receipt of a complaint, investigated allegations that Respondent made improper and unsolicited advances toward patients.

9. Further investigation confirmed that Respondent had inappropriately made unsolicited advances toward patients, and that he had improper consensual sexual contact with a coworker who was also a patient in his dental office.
10. During the course of this investigation, Respondent provided false information to a Board investigator.
11. Respondent voluntarily underwent a comprehensive psychiatric evaluation for professional sexual misconduct at a Board approved facility.
12. The evaluating facility was supportive of Respondent's return to practice provided that numerous monitoring terms were in place.

SETTLEMENT AGREEMENT

13. Upon the Board's approval of this Settlement Agreement and Final Order, Respondent's dental license shall be immediately placed on probation for an indefinite period, subject to the following terms and conditions:
14. Respondent shall not engage in any sexually inappropriate behavior toward staff or patients.
15. Respondent shall successfully complete a Board approved course on sexual boundary issues within sixty (60) days of the date of this Order.
16. Respondent shall fully document compliance with all of the evaluating facilities recommendations within thirty (30) days of the date of this Order. Respondent

agrees to cease and desist from the practice of dentistry until further Order of the Board if this requirement is not met and successfully documented to the Board office within this time period.

17. Respondent shall fully comply with all recommendations made by his therapist or by the evaluating facility.
18. Respondent shall sign releases to allow for the free flow of information between the Board and all of Respondent's treatment providers and any other releases to ensure the free flow of information.
19. Respondent shall have an employee continuously present at any time that he provides treatment, or is present in a room with a female patient. This employee shall sign in the patient's chart that he/she was present throughout the entire time that Respondent was with the female patient.
20. The employees who serve as chaperones under paragraph 19, above, shall be prior approved by the Board.
21. Respondent shall attend therapy sessions with a Board approved therapist at a frequency rate determined by the therapist. Respondent shall ensure that the therapist submit quarterly reports to the Board regarding Respondent's treatment and progress. The therapist shall immediately report to the Board any problem that may cause a concern for patient safety. The Respondent may only be discharged from therapy after a written discharge summary is prepared by the therapist and approved by the Board.

22. Respondent shall have at least two staff members complete a Board approved Staff Surveillance Form on the 15th of each month. The staff members are responsible for ensuring that the Staff Surveillance Forms are sent directly to Respondent's approved therapist and to the Board office. Respondent shall not have access to the contents of these forms. The therapist shall review those forms and provide a general report about the information provided in those forms in the therapist's quarterly report to the Board.
23. On January 15th, March 15th, June 15th, and September 15th of each calendar year, Respondent shall have all patients that he treats in a one-week period complete a Board approved Patient Satisfaction Survey . Respondent shall designate a staff person(s) who is pre-approved by the Board to distribute the patient satisfaction surveys to all patients and to collect all completed surveys and send them to Respondent's approved therapist and to the Board office. Respondent shall not have access to the contents of these forms. The therapist shall review those forms and provide a general report about the information provided in those forms in the therapist's quarterly report to the Board.
24. Respondent shall post a copy of the Board approved Principles of Dental Practice in the reception area of his dental office(s) and in any operatory in which he sees patients.

25. Respondent shall submit to a polygraph test every six (6) months of probation, utilizing the questions recommended by the evaluating facility. Respondent's therapist may make the necessary arrangements for the administration of the polygraph examination and shall communicate the results to the Board in quarterly reports.
26. In the event Respondent either fails to submit to a polygraph, or the results of the polygraph indicate Respondent is not truthful, this shall be immediately reported to the Board.
27. Respondent shall attend marital counseling with a counselor prior approved by the Board. The frequency of the counseling shall be determined by the counselor.
28. Respondent shall fully cooperate with random unannounced visits by agents of the Board.
29. Respondent shall be responsible for all costs associated with compliance with this Order, and shall also be responsible for all costs incurred by the Board in the monitoring of this Order to determine compliance. Respondent shall promptly remit one hundred (\$100.00) dollars on or before the first day of January, April, July, and October, of each calendar year for such costs.
30. Respondent shall upon reasonable notice, and subject to the provisions of 650 Iowa Administrative Code 31.6, appear before the Board at the time and place designated by the Board.

31. Periods of residence outside of the state of Iowa may be applied toward period of probation if approved by the Board prior to the commencement of the out of state residency. Notice of any change of residence must be provided to the Board within fourteen (14) days of the change.
32. Respondent shall submit quarterly reports on a form provided by the Board detailing his compliance with the terms and conditions of this Order. Respondent shall ensure that the reports are submitted prior to the first day of January, April, July, and October, of each calendar year.
33. During the probationary period Respondent shall disclose to all licensees, employees, and employers who work in his place of practice this Order. The Respondent shall report back to the Board with signed statements from all licensees, employees, and employers with whom he currently practices and any future licensees, employees, and employers within fourteen (14) days of the date of this Order, and thereafter within fourteen (14) days of any new employment relationship, indicating that they have read this action, and understand the current terms and conditions placed on Respondent's dental license.
34. If the Respondent or treatment provider feels it is necessary to terminate their professional relationship, a written explanation by both parties must be submitted to the Board at least thirty (30) days before any scheduled report is due. The Board will consider the explanations and determine whether or not

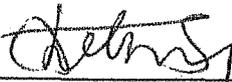
another licensed treatment provider shall be appointed. If so determined, the Board will then approve another treatment provider to continue treatment with the Respondent.

35. Respondent agrees that all current and future employees and treatment providers shall be authorized to immediately report to the Board any incidents that they believe violate this Order or the Dental Practice Act.

FINAL ORDER

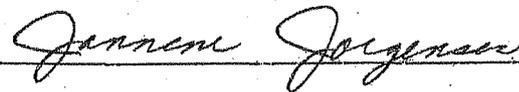
36. This combined Notice of Hearing, Settlement Agreement and Final Order constitutes the resolution of a contested case proceeding.
37. By entering into this combined Notice of Hearing, Settlement Agreement and Final Order, Respondent voluntarily waives any rights to a contested case hearing on the allegations contained in the Statement of Matters Asserted, and waives any objections to the terms of this Settlement Agreement.
38. This combined Notice of Hearing, Settlement Agreement and Final Order, is voluntarily submitted by Respondent to the Board for consideration.
39. Respondent acknowledges that he has the right to be represented by counsel in this matter.
40. This combined Notice of Hearing, Settlement Agreement, Final Order and Statement of Matters Asserted become public records available for inspection and copying upon execution of this agreement in accordance with the requirements of Iowa Code Chapters 17A, 22 and 272C.

41. Respondent understands that the Board is required by Federal law to report this Order to the National Practitioner Data Bank and Healthcare Integrity and Protection Data Bank.
42. 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.
43. 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.
44. The Board's approval of this combined Notice of Hearing, Settlement Agreement and Final Order shall constitute a **Final Order** of the Board.

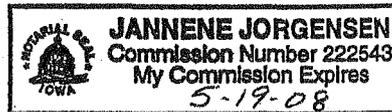


Oluleke Jeboda, D.D.S.
Respondent

Subscribed and sworn to before me on November 7, 2006.



Notary Public, state of Iowa



This combined Notice of Hearing, Settlement Agreement and Final Order is approved by the Board on November 30, 2006.

Deena R. Kuempel, DDS

DEENA R. KUEMPEL, D.D.S., Chairperson
Iowa Board of Dental Examiners
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cc: Theresa O'Connell Weeg
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