

BEFORE THE BOARD OF DENTAL EXAMINERS OF THE STATE OF IOWA

IN THE MATTER OF THE NOTICE OF HEARING FOR

DONALD G. JOHNSON, D.D.S., RESPONDENT

Buffalo Center, Iowa

NOTICE OF HEARING, SETTLEMENT AGREEMENT AND FINAL ORDER

(combined)

COMES NOW the Iowa Board of Dental Examiners (the Board), and Donald G. Johnson, D.D.S. (Respondent), on June 16, 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 5125 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 5125 is current and active until June 30, 2006.

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. Respondent is charged with failure to maintain a satisfactory standard of competency in the practice of dentistry, in violation of Iowa Code Section 153.34 (8) (2005) and 650 Iowa Administrative Code Section 30.4(16).

STATEMENT OF MATTERS ASSERTED

6. On October 20, 1995, the Board found probable cause to file a Statement of Charges against Respondent for failure to maintain a reasonably satisfactory standard of competency in the practice of dentistry; for failure to seek consultation whenever the welfare of patients would be safeguarded or advanced by utilizing those practitioners who have special skills, knowledge, and experience; and for willful and gross malpractice of dentistry.
7. On March 28, 1996, Respondent entered into a Stipulation and Consent Order with the Board resolving all charges without proceeding to hearing. Respondent pursuant to that Order was required to comply with numerous terms and conditions which included being permanently prohibited from providing any and all orthodontic treatment to patients, successfully completing a course of study

prior approved by the Board, and was required to modify his record keeping practices.

8. On January 15, 2004, Respondent's dental license was removed from probationary status.
9. The Board has recently received multiple complaints concerning the level of care that Respondent is providing to patients.
10. Multiple patient records have been reviewed from Respondent's dental office which indicate that Respondent is not practicing to the standard of care.

SETTLEMENT AGREEMENT

11. **THEREFORE, IT IS HEREBY ORDERED** that Respondent shall voluntarily surrender his dental license effective the date of this Order.

FINAL ORDER

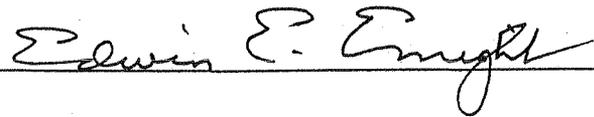
12. This combined Notice of Hearing, Settlement Agreement and Final Order constitutes the resolution of a contested case proceeding.
13. By entering into this combined Notice of Hearing, Settlement Agreement and Final Order, Respondent voluntarily waives any rights to a contested case hearing on the allegations contained in the Statement of Matters Asserted, and waives any objections to the terms of this Settlement Agreement.
14. This combined Notice of Hearing, Settlement Agreement and Final Order, is voluntarily submitted by Respondent to the Board for consideration.

15. Respondent acknowledges that he has the right to be represented by counsel in this matter.
16. The Respondent understands that this Order is a public record and is therefore subject to inspection and copying by members of the public.
17. 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.
18. The 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.
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 combined Notice of Hearing, Settlement Agreement and Final Order shall constitute a **Final Order** of the Board.

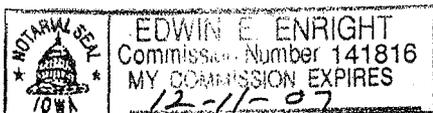


Donald G. Johnson, D.D.S.
Respondent

Subscribed and sworn to before me on May 5, 2006.



Notary Public, state of



This combined Notice of Hearing, Settlement Agreement and Final Order is approved by the Board on June 16, 2006.

Deena R. Kuempel, DDS
DEENA R. KUEMPEL, D.D.S., Chairperson
Iowa Board of Dental Examiners
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Des Moines, IA 50309-4687

cc: Theresa O'Connell Weeg
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