

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

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IN THE MATTER OF: )

PAMELA J. PENICK, R.D.A. )

5612 SW 5<sup>th</sup> Place )

Des Moines, IA 50315 )

**STIPULATION AND  
CONSENT ORDER**

Registration #Q4893 )

Respondent )

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On this 25<sup>th</sup> day of August, 2005, the Iowa Board of Dental Examiners and Pamela J. Penick, each hereby agree with the other and stipulate as follows:

The licensee disciplinary hearing scheduled to commence before the Iowa Board of Dental Examiners on the 25th day of August, 2005, on the allegations specified in the Statement of Charges which is attached to the Notice of Hearing dated April 15, 2005, shall be resolved without proceeding to hearing, as the parties have agreed to the following Stipulation and Consent Order:

1. That Respondent was issued a registration to practice dental assisting on the 1st day of April, 1995,
2. That Registration Number #4893 is current and in full force until June 30, 2005.
3. That the Iowa Board of Dental Examiners has jurisdiction over the parties and subject matter herein.
4. A Notice of Hearing and Statement of Charges was filed against Respondent on April 15, 2005.

**THEREFORE IT IS HEREBY ORDERED** that Respondent's registration to engage in dental assisting in Iowa shall immediately be placed on indefinite probation subject to the terms and conditions of this Order.

**SECTION I.**

1. Respondent agrees to immediately cease and desist from the practice of dental assisting until she receives written notice from the Board authorizing her to return to practice.
2. Prior to Respondent returning to the practice of dental assisting, Respondent shall:
  - a. Undergo a substance abuse evaluation at a Board approved facility.
  - b. Document successful compliance with all recommendations of the evaluating treatment facility.
  - c. Sign releases to allow for the free flow of information between the Board and all of Respondent's evaluators, counselors, and aftercare providers.
  - d. Be actively participating in the Board's random drug and alcohol screening program. Respondent agrees to submit to testing at the frequency rate determined by the Board. In addition, Respondent shall submit to unannounced random witnessed blood, urine, hair, or breathanalysis samples on demand by any agent or designee of the Board.
3. Respondent shall promptly pay all costs associated with all of the drug and alcohol screenings and shall ensure that her account with the program remains in good standing.
4. Respondent shall fully cooperate with random unannounced visits or audits by agents of the Board.

5. Respondent shall be responsible for all costs associated with compliance with this Order, and shall also be responsible for all costs, including mileage and expenses, incurred by the Board in the monitoring of this Order to determine compliance. Respondent shall promptly remit for such costs.
6. Respondent shall submit monthly reports detailing her compliance with this Order for a period of six (6) months. After six (6) months, the Respondent shall submit quarterly reports detailing her compliance with the terms of this Order during the remainder of the probationary period. These reports shall include, but not be limited to, signed verification of Alcoholics Anonymous/Narcotics Anonymous attendance, participation with physician counselors and/or aftercare providers.
7. Respondent shall upon reasonable notice, and subject to the waiver provisions of Board rule 650 Iowa Administrative Code 31.6, appear before the Board at the time and place designated by the Board.
8. Respondent shall provide notice to all current and future employers and licensees at any place of employment where Respondent is employed as a dental assistant of this action against her registration. Respondent shall report back to the Board with signed statements from all current and future employers and licensees within ten (10) days of the date of this Order and thereafter within ten (10) days of any new employment relationship, indicating that they have read this Order.
9. Respondent shall fully and promptly comply with all Orders of the Board and statutes and rules regulating the practice of dental assisting in Iowa.

10. Periods of residency outside of the State of Iowa may be applied toward Respondent's period of probation if prior approved by the Board. Any changes in residency must be provided to the Board in writing within fourteen (14) days of departure.

## **SECTION II.**

1. Respondent acknowledges that she has read in its entirety the foregoing Stipulation and Consent Order and that she understands its content and that she executed the Stipulation and Consent Order freely and voluntarily.
2. Respondent agrees this Stipulation and Consent Order constitutes the resolution of a pending contested case. By entering into this Stipulation and Consent Order, the Respondent voluntarily waives any right to a contested case hearing on allegations contained in the Statement of Charges, and waives any objections to the terms of this Stipulation and Consent Order.
3. Respondent acknowledges that she has the right to be represented by counsel in this matter.
4. Respondent understands that this Order is a public record and is therefore subject to inspection and copying by members of the public.
5. 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.
6. The Respondent acknowledges that this proposed settlement is subject to approval of a majority of the full Board. If the Board fails to approve this proposed settlement, it shall be of no force or effect to either party.

7. The Respondent shall fully and promptly comply with all Orders of the Board and the statutes and rules regulating the practice of dentistry in Iowa. Any violation of this Order is grounds for further disciplinary action, upon notice and opportunity for hearing, for failure to comply with an Order of the Board, in accordance with Iowa Code Section 272C.3(2)(a) (2005).

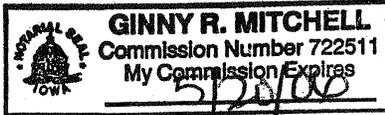
8. The Board's approval of this Stipulation and Consent Order shall constitute a **FINAL**

**ORDER** of the Board.

This Stipulation and Consent Order is voluntarily submitted on this 8<sup>th</sup> day of Aug, 2005.

Pamela J. Penick R.D.A.  
Pamela J. Penick R.D.A.  
Respondent

Subscribed and sworn to before me on this 8<sup>th</sup> day of Aug, 2005.



Ginny R. Mitchell  
Notary Public in and for  
the state of Iowa

This Stipulation and Consent Order is accepted by the Iowa Board of Dental Examiners on this 25<sup>th</sup> day of August, 2005.



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

cc: Theresa O'Connell Weeg  
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