

BEFORE THE IOWA DEPARTMENT OF PUBLIC HEALTH

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IN THE MATTER OF:	)	DIA Case No. 18DPH0014
	)	
	)	
DAKOTA WILLIAMS	)	<b>CONSENT AGREEMENT</b>
904 SE 15 <sup>th</sup> Street	)	
Bondurant, Iowa 50035	)	
Certification EMT-11-1044-26	)	
	)	
Appellant.	)	

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COMES NOW the Iowa Department of Public Health ("Department") and Dakota Williams ("Appellant"), and pursuant to Iowa Code section 17A.10 and 641 Iowa Administrative Code 131.12(7) enter into the following settlement of this matter:

1. On March 22, 2018, the Department issued a Notice of Proposed Action: Probation, directed to Appellant.
2. On April 4, 2018, Appellant requested a hearing regarding the proposed probation.
3. The case is currently scheduled for hearing August 3, 2018.
4. Appellant hereby withdraws her request for appeal in the above-captioned matter. Execution of this Consent Agreement by all parties constitutes the resolution of this contested case. Appellant waives the right to hearing and all attendant rights, including the right to appeal, by freely and voluntarily agreeing to this Consent Agreement.
5. This Consent Agreement is subject to approval of the Department. If the Department approves this Agreement, it becomes the final disposition of this matter. If

the Department fails to approve this Agreement, it shall be of no force or effect to either party.

6. This Consent Agreement shall be part of the permanent record of Appellant and shall be considered by the Department in determining the nature and severity of any disciplinary action to be imposed in the event of any future violations.

7. This Consent Agreement and the Notice of Proposed Action are public records available for inspection and copying in accordance with the requirements of Iowa Code chapters 22 and 272C.

8. The Department's approval of this Consent Agreement shall constitute a FINAL ORDER of the Department and constitutes final agency action in this matter.

IT IS THEREFORE ORDERED:

9. The Notice of Proposed Action: Probation, issued March 22, 2018, page one, is hereby amended as follows:

The Department may place an EMS provider on probation when it finds that the applicant or certificate holder has committed any of the following acts or offenses:

*Professional incompetency. Professional incompetency includes, but is not limited to:*

- ~~(1) A substantial lack of knowledge or ability to discharge professional obligations within the scope of practice.~~
- ~~(2) A substantial deviation from the standards of learning or skill ordinarily possessed and applied by other emergency medical care providers in the state of Iowa acting in the same or similar circumstances.~~
- (3) A failure to exercise the degree of care which is ordinarily exercised by the average emergency medical care provider acting in the same or similar circumstances.
- (4) Failure to conform to the minimal standard of acceptable and prevailing practice of certified emergency medical care providers in this state. IAC 641-131.7(3)e(1-4).

*Knowingly making misleading, deceptive, untrue, or fraudulent representations in the practice of the profession or engaging in unethical conduct or practice harmful or detrimental to the public. Proof of actual injury need not be established. Acts which may constitute unethical conduct include, but are not limited to:*

(5) *Falsification of medical records. IAC 641-131.7(3)f(5).*

10. All other language, terms, and conditions in the Notice of Proposed Action: Probation, remain intact and in full force and effect, and Appellant agrees to comply with the terms and conditions of Probation contained in the Notice.

11. In the event Appellant violates or fail to comply with any of the terms of this Consent Agreement, the Department may initiate appropriate action to revoke or suspend Appellant's certification or to impose other appropriate discipline.

AGREED AND ACCEPTED:



Dakota Williams  
APPELLANT



Rebecca Curtiss  
CHIEF, BUREAU OF EMERGENCY AND  
TRAUMA SERVICES  
IOWA DEPARTMENT OF PUBLIC HEALTH

Dated this 30 day of  
July, 2018.

Dated this 30 day of  
July, 2018.

Copies mailed to:

Iowa Department of Inspections and Appeals  
Administrative Law Judge Carla Hamborg  
Division of Administrative Hearings  
Wallace State Office Building  
LOCAL

Heather L. Adams  
Assistant Attorney General  
Hoover State Office Building  
LOCAL

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