

BEFORE THE IOWA DEPARTMENT OF PUBLIC HEALTH

IN THE MATTER OF:)	DIA Case No. 17DPHES003
)	DPH Case No. 16-11-08
)	
DES MOINES AREA)	CONSENT AGREEMENT
COMMUNITY COLLEGE)	
2006 South Ankeny Boulevard)	
Ankeny, IA 50021)	
Training Program # 11)	
)	
Appellant.)	

COMES NOW the Iowa Department of Public Health ("Department") and Des Moines Area Community College ("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 15, 2017, the Department issued a Notice of Proposed Action: Citation and Warning, directed to Appellant.
2. On April 3, 2017, Appellant requested a hearing regarding the proposed action.
3. The case was scheduled for hearing on May 25, 2017. The hearing was continued upon request of both parties
4. Appellant hereby withdraws its 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.

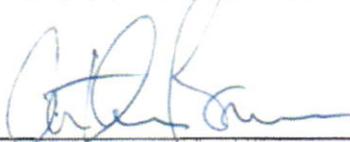
8. The Department's approval of this Consent Agreement shall constitute a FINAL ORDER of the Department and constitutes final agency action in this matter.

IT IS THEREFORE ORDERED:

9. The Letter of Warning issued August 1, 2016, to Appellant and referenced in the Notice of Proposed Action: Citation and Warning is hereby withdrawn. Appellant provided additional facts to the Department which establish mitigating circumstances related to the student registration referenced in that Letter of Warning.

10. Appellant admits the allegations in the Notice of Proposed Action: Citation and Warning regarding the student who was allowed to complete a class that ended May 31, 2016, and to complete clinical and field time without registering with the Department. The parties agree to resolve these allegations through a letter of warning. A letter of warning is an informal communication between the Department and the Appellant and is not formal disciplinary action or a public document.

AGREED AND ACCEPTED:



Arthur Brown, DBA, MPH
APPELLANT



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

Dated this 30 day of
June, 2017.

Dated this 7th day of
~~June~~, 2017.
July

Copies mailed to:

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

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

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