

BEFORE THE IOWA BOARD OF PHYSICIAN ASSISTANTS

OCT 08 2015

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IN THE MATTER OF	)	CASE NO. 15-0049
	)	
	)	
KENNETH LAMB,	)	<b>STATEMENT OF CHARGES,</b>
	)	<b>SETTLEMENT AGREEMENT, AND</b>
	)	<b>FINAL ORDER</b>
RESPONDENT.	)	

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**COMES NOW** the Iowa Board of Physician Assistants (Board) and Kenneth Lamb (Respondent), and hereby enter into this combined Statement of Charges, Settlement Agreement, and Final Order (Agreement and Order) pursuant to Iowa Code sections 17A.10, 272C.3(4), and 645 Iowa Administrative Code (IAC) 12.1.

**A. STATEMENT OF CHARGES**

1. Respondent was issued Iowa license # 002220 on July 28, 2011. Respondent's license is current and will next expire on September 30, 2015.
2. The Board has jurisdiction over the parties and the matter pursuant to Iowa Code chapters 17A, 147, 148C, and 272C.

**Count I**

3. Respondent is charged with violating the prescription requirements contained in 645 Iowa Administrative Code section 327.6 and prescribing a controlled substance without lawful authority in violation of 645 Iowa Administrative Code section 329.2(7).

**Count II**

4. Respondent is charged with unethical conduct in violation of 645 IAC 329.2(28).

## **B. FACTUAL CIRCUMSTANCES**

5. On or about January 7, 2015, Respondent wrote prescriptions for a nurse working in the Emergency Department of the Mercy Medical Center in Clinton, Iowa.

6. The nurse was not a patient of Respondents' and had not been seen in the Emergency Department of the hospital in approximately two years when the prescriptions were written.

7. Respondent did not identify his supervising physician on the prescription.

## **C. SETTLEMENT AGREEMENT AND FINAL ORDER**

8. Respondent agrees to pay to the Board a civil monetary penalty of \$1,000.00 total. The funds shall be by check made payable to the State of Iowa. Respondent shall remit full payment of the civil monetary penalty within 30 days of the date this Order is executed.

9. Respondent shall complete at his own expense a minimum of 3 hours of in-person continuing education in ethics. The course(s) meant to satisfy this requirement shall be submitted to the Board for pre-approval prior to attending. Proof of completion shall be provided to the Board within 90 days of the date the course is approved by the Board. The course hours shall be in addition to the required continuing education requirements for any licensing period.

10. Respondent's license shall not be renewed until the requirements outlined in this Agreement and Order are met.

11. This combined Statement of Charges, Settlement Agreement and Final

Order constitutes the resolution of a contested case proceeding.

12. By entering into this Agreement and Order, Respondent voluntarily waives any rights to a contested case hearing on the allegations contained in the Agreement and Order and voluntarily waives any objections to the terms of the Agreement and Order, including the right to appeal.

13. This combined Agreement and Order, is voluntarily submitted by Respondent to the Board for consideration.

14. Respondent acknowledges he has a right to be represented by counsel in this matter.

15. Respondent agrees that counsel for the State may present this Agreement and Order ex parte to the Board.

16. This Agreement and Order is subject to approval of the Board. If the Board fails to approve this Agreement and Order it shall be of no force or effect to either party.

17. This Agreement and Order shall be part of the Respondent's permanent record and shall be considered by the Board in determining the nature and severity of any disciplinary action to be imposed in the event of any future violation.

18. In the event Respondent violates or fails to comply with any of the terms of this Settlement Agreement and Final Order, the Board may initiate appropriate action to revoke or suspend Respondent's licenses or to impose other licensee discipline in accordance with Iowa Code section 272C.3(2)(a).

19. This Agreement and Order is a public record available for inspection and copying upon execution of the Agreement and Order in accordance with the

requirements of Iowa Code chapter 22 and 272C.

20. The Board's approval of this Agreement and Order shall constitute a FINAL ORDER of the Board.

**Wherefore**, the terms and conditions of this combined Statement of Charges, Settlement Agreement, and Consent Order are agreed to and accepted by the Iowa Board of Physician Assistants and the Respondent.

**Respondent(s)**

**Iowa Board of Physician Assistants**

By:  PA-C

By:  PAC  
By: Chairperson

Date 29, Sept 2015

Date 10-21-2015

Copies to:

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Iowa Attorney General's Office  
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