

BEFORE THE DENTAL BOARD OF THE STATE OF IOWA

IN THE MATTER OF THE NOTICE OF HEARING FOR

JAMES A. KNIGHT, D.D.S., RESPONDENT

CEDAR RAPIDS, IOWA

NOTICE OF HEARING, SETTLEMENT AGREEMENT AND FINAL ORDER

(combined)

COMES NOW the Iowa Dental Board (the Board), and James A. Knight, D.D.S. (Respondent), on April 20th, 2011, 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 07117 on October 11, 1985 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 07117 is current and expires August 31, 2012.

LEGAL AUTHORITY AND JURISDICTION

4. The Board has jurisdiction in this matter pursuant to Iowa Code Chapter 153 and 272C (2011).

SECTIONS OF STATUTES AND RULES INVOLVED

COUNT I

5. Respondent is charged under Iowa Code Section 153.34(14) (2011) with the inability to practice dentistry with reasonable skill and safety by reason of habitual or excessive use of drugs, intoxicants, narcotics, chemicals, or other types of materials.

STATEMENT OF MATTERS ASSERTED

6. Respondent voluntarily submitted for multiple substance abuse evaluations in 2010 and 2011. The reports from the evaluating facilities indicate that Respondent has alcohol and multiple substance and chemical dependences.
7. The Board has information that Respondent has on multiple occasions relapsed during his treatment and following release.
8. The Board has evidence that Respondent is regularly engaging in the excessive use of alcohol and other drugs, intoxicants, narcotics, chemicals, or other types of materials.
9. Respondent has stated to a Board investigator that he continues to abuse chemicals.
10. The Board has received information that Respondent was recently cited and released by the Marion Police Department for failure to maintain control of his

vehicle due to the fact he was under the influence of an intoxicant, chemical, or other types of materials.

SETTLEMENT AGREEMENT

11. Effective the date of this Agreement, Respondent's license to practice dentistry in the state of Iowa shall be immediately suspended until further Order of the Board.
12. Respondent may make application for reinstatement of his dental license in accordance with 650 Iowa Administrative Code 51.34. However, Respondent shall not make application for reinstatement until he has successfully provided documentation of the following:
 - a. That he has obtained a recommendation from a Board approved substance abuse treatment facility indicating that he is safe to return to practice.
 - b. That he has remained abstinent from all drugs and mood altering chemicals for at least a six (6) month period.
13. At such time that Respondent's dental license is reinstated, the Board shall issue an Order in which Respondent shall be subject to additional probationary terms and conditions.

FINAL ORDER

14. This combined Notice of Hearing, Settlement Agreement and Final Order constitutes the resolution of a contested case proceeding.

15. By entering into this combined Notice of Hearing, Settlement Agreement and Final Order, Respondent voluntarily waives any rights to a contested case hearing and waives any objections to the terms of this Settlement Agreement.
16. Respondent understands that by entering into this combined Notice of Hearing, Settlement Agreement and Final Order, he cannot obtain a copy of the investigative file. Under Section 272C.6(4), a copy of the investigative file may only be provided to a licensee after a Statement of Charges is filed but before the final resolution of those charges.
17. This combined Notice of Hearing, Settlement Agreement and Final Order, is voluntarily submitted by Respondent to the Board for consideration.
18. Respondent acknowledges that he has the right to be represented by counsel in this matter.
19. This combined Notice of Hearing, Settlement Agreement and Final Order becomes public record available for inspection and copying upon execution of this agreement in accordance with the requirements of Iowa Code Chapters 17, 22 and 272C.
20. Respondent understands that the Board will report this Order to the National Practitioner Data Bank and Healthcare Integrity and Protection Data Bank.
21. 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.

22. 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 approval of either party.

23. The Board's approval of this Notice of Hearing, Settlement Agreement and Final Order shall constitute a **Final Order** of the Board.



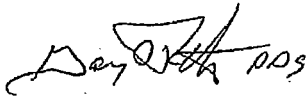
James A. Knight, D.D.S.
Respondent

Subscribed and sworn to before me on April 15th, 2011.



Notary Public, state of Iowa

This combined Notice of Hearing, Settlement Agreement and Final Order is approved by the Board on April 20th, 2011.



GARY D. ROTH, D.D.S.
Chairperson
Iowa Dental Board
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