

BEFORE THE IOWA BOARD OF MEDICINE

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

SCOTT T. ROETHLE, M.D., RESPONDENT

FILE No. 02-2018-481

**STATEMENT OF CHARGES AND SETTLEMENT AGREEMENT
(Combined)**

COMES NOW the Iowa Board of Medicine (Board), and Scott T. Roethle, M.D., (Respondent), on December 20, 2019, and pursuant to Iowa Code sections 17A.10(2) and 272C.3(4), enter into this combined Statement of Charges and Settlement Agreement.

STATEMENT OF CHARGES

1. **Iowa Medical License:** Respondent was issued Iowa medical license No. MD-45471 on July 18, 2018. Respondent's Iowa medical license is active and will next expire on October 1, 2021.

2. **Jurisdiction:** The Board has jurisdiction in this matter pursuant to Iowa Code Chapters 147, 148, and 272C.

SECTIONS OF STATUTES AND RULES INVOLVED

COUNT I

3. **Failure to Conform to the Minimal Standard of Acceptable and Prevailing Practice of Medicine:** Respondent is charged pursuant to Iowa Code sections 147.55(2), 148.6(2)(g) and 272C.10(2), and 653 IAC 23.1(2)(f) and 13.11(7), (8), (9) and (21) with failing to conform to the minimal standard of acceptable and prevailing practice of medicine in violation of the laws and rules governing the practice of medicine in Iowa

STATEMENT OF MATTERS ASSERTED

4. **Practice Setting:** Respondent is an Iowa-licensed physician who practices medicine in Overland Park, Kansas, and via telemedicine in multiple states.

5. **Failure to Conform to the Minimal Standard of Acceptable and Prevailing Practice of Medicine:** The Board alleges that Respondent failed to conform to the minimal standard of acceptable and prevailing practice of medicine when he prescribed medications to a patient via telemedicine using electronic means, without establishing an appropriate physician-patient relationship sufficient to establish an informed diagnosis and provide appropriate medical care. The Board alleges that Respondent failed to perform an adequate interview of the patient to collect the relevant medical history and/or perform a physical examination sufficient for the diagnosis and treatment of the patient in Iowa.

6. **Respondent's Answer:** Respondent filed an Answer concurrently with this Order denying the allegations set forth above. However, to avoid substantial delay, uncertainty, inconvenience, and the expenses of investigation and litigation, and in consideration of the common interest of the Board and Respondent in resolving this matter, Respondent hereby

agrees to enter into this Settlement Agreement. Respondent also provided documentation to the Board demonstrating that he will fully comply with the standards of practice for the practice of telemedicine in Iowa in the future.

SETTLEMENT AGREEMENT

7. **CITATION AND WARNING:** Respondent is hereby **CITED** for failing to conform to the minimal standard of acceptable and prevailing practice of medicine when he prescribed medications to a patient in Iowa via telemedicine using electronic means, without establishing an appropriate physician-patient relationship sufficient to establish an informed diagnosis and provide appropriate medical care in violation of the laws and rules governing the practice of medicine in Iowa. Respondent is hereby **WARNED** that engaging in such conduct in the future may result in further disciplinary action, including suspension or revocation of his Iowa medical license.

8. **CIVIL PENALTY:** Respondent shall pay a **\$5,000** civil penalty. The civil penalty shall be paid within twenty days of the date of this Order and shall be paid by delivery of a check or money order, payable to the Treasurer of Iowa, to the executive director of the Board. The civil penalty shall be deposited into the State General Fund.

9. Respondent voluntarily submits this Order to the Board for consideration.

10. Respondent agrees that the State's counsel may present this Order to the Board for consideration.

11. This Order constitutes the negotiated resolution of a contested case proceeding.

12. Respondent shall demonstrate to the Board that he has shared a copy of this order with all medical licensing boards where Respondent holds a license, whether active or not, within thirty (30) days of the date of this order.

13. Respondent shall demonstrate to the Board that he has shared a copy of this order with all facilities and/or employers where Respondent practices medicine within thirty (30) days of the date of this order.

14. By entering into this Order, Respondent understands that he has a right to legal counsel in this matter, voluntarily waives any rights to a contested case hearing on the allegations in the Statement of Charges, and waives any objections to the terms of this Order.

15. Respondent understands that by entering into this combined Statement of Charges and Settlement Agreement, Respondent cannot obtain a copy of the investigative file. Pursuant to Iowa Code 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.

16. In the event Respondent fails to comply with any of the terms of this Order, the Board may initiate action to suspend or revoke Respondent's license or to impose other license discipline as authorized in Iowa Code chapters 148 and 272 and 653 IAC 25.


17. Respondent shall obey all federal, state and local laws, and all rules governing the practice of medicine in Iowa.

18. Respondent understands that the Board is required by Federal law to report this Order to the National Practitioner Data Bank.

19. This Order becomes a public record available for inspection and copying upon execution in accordance with the requirements of Iowa Code Chapters 17A, 22 and 272C.

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

21. The Board's approval of this Order shall constitute a **Final Order** of the Board.




Scott T. Roethle, M.D., Respondent

Subscribed and sworn to before me on 1st November, 2019.

Notary Public, State of Missouri.

This Order is approved by the Board on December 20, 2019.



Kyle G. Ulveling, M.D., Chair
Iowa Board of Medicine
400 SW 8th Street, Suite C
Des Moines, Iowa 50309-4686