

BEFORE THE IOWA BOARD OF MEDICINE

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

SCOTT A. EASTIN, M.D., RESPONDENT

FILE NOS. 02-2021-257, 02-2021-560 & 02-2022-093

**COMBINED STATEMENT OF CHARGES, SETTLEMENT
AGREEMENT & FINAL ORDER**

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

A STATEMENT OF CHARGES

1. **Iowa Medical License:** Respondent was issued Iowa medical license MD-35508 on March 11, 2004. Respondent's Iowa medical license is active and will next expire on March 1, 2023.

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

B. SECTIONS OF STATUTES AND RULES INVOLVED

COUNT I

3. **Substance Abuse:** Respondent is charged pursuant to Iowa Code sections 147.55(4) and (8) and 148.6(2)(g) and (h), and Iowa Administrative Code

rule 653—23.1(6), for engaging in substance abuse. Pursuant to rule 653—1(6), “substance abuse” includes, but is not limited to, the excessive use of alcohol, drugs, narcotics, chemicals, or other substances in a manner which may impair a licensee’s ability to practice the profession with reasonable skill and safety.

COUNT II

4. **Improper Management of Medical Records:** Respondent is charged pursuant to Iowa Code sections 147.55(8) and 148.6(2)(h), and Iowa Administrative Code rule 653—23.1(36), with improper management of medical records. Improper management of medical records includes, but is not limited to, failure to maintain timely, accurate, and complete medical records.

COUNT III

5. **Practice Harmful or Detrimental to the Public:** Respondent is charged pursuant to Iowa Code sections 147.55(3) and 148.6(2)(h), and Iowa Administrative Code rule 653—23.1(3), with engaging in the practice of medicine that is harmful or detrimental to the public. Pursuant to rule 653—23.1(3), practice harmful or detrimental to the public includes, but is not limited to, the failure of a physician to possess and exercise that degree of skill, learning and care expected of a reasonable, prudent physician acting in the same or similar circumstances in this state, or when a physician is unable to practice medicine with reasonable skill and safety as a result of a mental or physical impairment or chemical abuse.

C. STATEMENT OF THE MATTERS ASSERTED

6. **Practice Setting:** Respondent is an Iowa licensed physician who practices psychiatric medicine in Urbandale, Iowa.

7. **Allegations:** The Board alleges that Respondent engaged in the excessive use of alcohol and on at least one occasion was intoxicated while at work, engaged in a pattern of failing to timely and accurately complete medical records, and demonstrated deficiencies in his practice of controlled substances prescribing.

D. SETTLEMENT AGREEMENT

8. **CITATION AND WARNING:** Respondent is hereby **CITED** for engaging in substance abuse and improper management of medical records 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 against Respondent's Iowa medical license.

9. **CIVIL PENALTY:** Respondent shall pay a **\$2,500 civil penalty**. The civil penalty shall be paid within **twenty (20) days** of the date of this Order. The civil penalty shall be payable to the Treasurer of Iowa, shall be mailed to the Monitoring Coordinator of the Board at Iowa Board of Medicine, 400 S.W. 8th Street, Suite C, Des Moines, IA 50309, and shall be deposited into the State General Fund. The civil penalty may be paid pursuant to an installment plan established with the Board.

10. **PROBATION:** Respondent is placed on **probation for a period of five (5) years** subject to the following terms and conditions:

A. **Board Monitoring Program:** Within **thirty (30) days** of the date of

this Order, Respondent shall establish a monitoring program with Marvin Firch, Monitoring Coordinator, Iowa Board of Medicine, 400 S.W. 8th Street, Suite C, Des Moines, IA 50309. Marvin may be reached by phone at (515) 281-5525 or by e-mail at marvin.firch@iowa.gov. Respondent shall fully comply with all requirements of the monitoring program.

- B. **CPEP Recommendations:** Respondent shall fully comply with all recommendations made by CPEP as stated in the October 31-November 1, 2022, Assessment Report, including but not limited to the development of an individualized educational intervention with CPEP to address areas of educational need as determined by CPEP.
- C. **Worksite Monitoring Program:** Within **thirty (30) days** of the date of this Order, Respondent shall establish a worksite monitoring program under the following conditions:
- 1) Respondent shall submit for Board approval the name of a physician who regularly observes and/or supervises Respondent in the practice of medicine.
 - 2) The Board shall provide a copy of all Board orders relating to this matter to the worksite monitor.
 - 3) The worksite monitor shall provide a written statement indicating that they have read and understand this Order and agrees to serve under the terms of this Order.

- 4) The worksite monitor shall inform the Board immediately if there is evidence of substance abuse, improper management of medical records, practice harmful or detrimental to the public, or a violation of the terms of this Order.
- 5) The worksite monitor may be asked to appear before the Board in-person, or by telephone or video conferencing. Such appearances shall be subject to the waiver provisions of Iowa Administrative Code rule 653—24.2(5)(e)(3).
- 6) Respondent shall ensure that the worksite monitor submits quarterly reports to the Board not later than 1/20, 4/20, 7/20, and 10/20 of each year of this Order.

D. **Quarterly Reports:** Respondent shall file sworn quarterly reports attesting to their compliance with all the terms and conditions of this Order. The reports shall be filed not later than 1/20, 4/20, 7/20, and 10/20 of each year of Respondent's probation.

E. **Board Appearances:** Respondent shall make an appearance before the Board upon request. Respondent shall be given written notice of the date, time and location for the appearances. Such appearances shall be subject to the waiver provisions of Iowa Administrative Code rule 653—24.2(5)(e)(3).

F. **Monitoring Fee:** Respondent shall make a payment of \$200 to the Board each quarter for the duration of this Order to cover the Board's

monitoring expenses in this matter. The monitoring fee shall be received by the Board with each quarterly report required under this Order. The monitoring fee shall be sent to the Board Monitoring Coordinator and shall be made payable to the Iowa Board of Medicine.

- G. **Board Approval of Termination:** Termination of probation within the time period specified in paragraph 10 is subject to approval of the Board upon the Board's finding that Respondent has complied with the terms of this Order to the Board's satisfaction.

11. **BOARD MONITORING.** All terms of this agreement shall be monitored by the Monitoring Coordinator, Marvin Firch, who may be reached by phone at (515) 281-5525 or by email at marvin.firch@iowa.gov.

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

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

14. This Order constitutes the resolution of a contested case proceeding.

15. Respondent shall submit a written statement to the Board, which demonstrates that Respondent 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 Board approval of this Order.

16. Respondent shall submit a written statement to the Board, which demonstrates that Respondent has shared a copy of this Order with all hospitals,

clinics and/or agencies where Respondent is employed as a physician, within **thirty (30) days** of the date of Board approval of this Order.

17. Respondent understands that by entering into this Order Respondent 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.


18. 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.

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

20. 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.


21. 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.

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



Scott A. Eastin, M.D., Respondent

This Order is approved by the Board on 03/24/2023.



Warren E. Gall, M.D., Chair
Iowa Board of Medicine
400 S.W. 8th Street, Suite C
Des Moines, Iowa 50309