

BEFORE THE BOARD IOWA BOARD OF MEDICINE

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

THEODORE J. ANFINSON, M.D., RESPONDENT

FILE No. 02-98-373

TERMINATION ORDER

Date: January 11, 2013.

1. Respondent was issued Iowa medical license number 28608 on April 27, 1992.
2. Respondent's Iowa medical license is active and will next expire on April 1, 2013.
3. The Board has jurisdiction over the parties and subject matter.
4. **Statement of Charges:** On April 3, 2003, the Board filed formal disciplinary charges against Respondent alleging that he engaged in unethical conduct or practice harmful or detrimental to the public when he violated appropriate physician-patient boundaries when he engaged in an inappropriate sexual relationship with a psychiatric patient.
5. **Sexual Misconduct Evaluation:** On March 15, 2004, Respondent completed a sexual misconduct evaluation at a Board-approved assessment program. Respondent subsequently participated in treatment at the assessment program. The assessment program concluded that Respondent was safe to return to the practice of psychiatry subject to certain monitoring requirements for sexual misconduct.

6. **Settlement Agreement:** On March 30, 2004, Respondent entered into a Settlement Agreement with the Board to resolve the pending disciplinary charges and the Board indefinitely suspended Respondent's Iowa medical license.

7. **Reinstatement Order:** On June 24, 2005, Respondent and the Board entered into a Reinstatement Order reinstating Respondent's Iowa medical license. Respondent paid a \$5,000 civil penalty and was placed on indefinite probation subject to Board monitoring.

8. **Termination Request:** Recently, Respondent requested termination of the terms and conditions his probation.

9. **Termination:** On January 11, 2013, the Board voted to terminate the terms of Respondent's probation.

THEREFORE IT IS HEREBY ORDERED: that the terms and conditions of Respondent's probation are terminated and Respondent's Iowa medical license is returned to its full privileges, free and clear of all restrictions.

This Order is issued by the Board on January 11, 2013.



Colleen K. Stockdale, M.D., M.S., Chairwoman
Iowa Board of Medicine
400 SW 8th Street, Suite C
Des Moines, Iowa 50309-4686

BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF IOWA

IN THE MATTER OF A CONFIDENTIAL INVESTIGATION CONCERNING

THEODORE J. ANFINSON, M.D., RESPONDENT

FILE No. 02-98-373

REINSTATEMENT ORDER

COMES NOW the Iowa Board of Medical Examiners, (the Board), and Theodore J. Anfinson, M.D., (Respondent), on June 24, 2005, and pursuant to Iowa Code sections 17A.10(2) and 272C.3(4) (2005), file this Reinstatement Order in the above matter.

1. Respondent was issued license number 28608 to practice medicine and surgery in Iowa on April 27, 1992.
2. Respondent's Iowa medical license expired due to non-renewal on April 1, 2001.
3. The Board has jurisdiction over the parties and subject matter.

CIRCUMSTANCES

4. The Board received information which indicates that Respondent, a practicing psychiatrist, engaged in an inappropriate sexual relationship with a patient. Respondent subsequently married the patient.

5. On April 3, 2003, the Board filed a charges against Respondent's Iowa medical license. The Board charged Respondent with engaging in unethical conduct or practice harmful or detrimental to the public when he violated appropriate professional physician/patient boundaries when he engaged in an inappropriate sexual relationship with a psychiatric patient.

6. On March 30, 2004, Respondent entered into a Settlement Agreement with the Board to resolve the pending disciplinary charges. Respondent's Iowa medical license was indefinitely suspended.

7. On March 15, 2004, Respondent completed a sexual misconduct evaluation at a Board-approved assessment program. Respondent subsequently participated in treatment at the assessment program. The assessment program concluded that Respondent is safe to return to the practice of psychiatry subject to certain monitoring requirements for sexual misconduct.

8. The Board received information which raised concerns about Respondent's past alcohol and drug use. On April 14, 2005, Respondent completed a comprehensive substance abuse evaluation at a Board-approved substance abuse assessment program. The assessment program concluded that Respondent does not have a diagnosis of substance abuse and he is safe to return to the practice of medicine subject to certain monitoring requirements.

10. **CIVIL PENALTY:** Respondent recently paid a **\$5,000** civil penalty and filed an application for reinstatement of his Iowa medical license.

REINSTATEMENT

11. **INDEFINITE PROBATION:** Upon the Board's approval of this Order, Respondent's Iowa medical license shall be reinstated and placed on **indefinite probation** under the following terms and conditions:

- A. **Board Monitoring Program:** Respondent shall contact Deb Anglin, Coordinator, Monitoring Programs, Iowa Board of Medical Examiners, 400 SW 8th Street, Suite C, Des Moines, IA 50309-4686, Ph. #515-281-6491, to establish a monitoring program.
- B. **Compliance with Assessment Program Recommendations:** Respondent shall fully comply with all recommendations made by the sexual misconduct and substance abuse, assessment programs in this matter. Respondent shall utilize the Principles of Medical Ethics, Staff Surveillance Forms and Patient Satisfaction Surveys in his practice.
 - 1) **Principles of Medical Ethics:** Respondent shall ensure that a copy of this form is posted prominently in his examination room(s) and a copy is provided to each patient seen by Respondent.
 - 2) **Staff Surveillance Forms:** Respondent shall ensure that all staff who work closely with Respondent, complete the Staff Surveillance Form and submit it in a sealed envelope to the administrative director to be forwarded directly to Respondent's therapist at the end of each month.
 - 3) **Patient Satisfaction Surveys:** Respondent shall ensure that for a one-week period each quarter, all patients seen by the Respondent are

provided and asked to complete a Patient Satisfaction Survey. The form is to be distributed to and collected from patients by staff, not Respondent, and submitted to the office administrator who will mail the forms to his Board-approved therapist by the fifth day of the following month. The Board-approved therapist shall share any concerns raised as the result of the Patient Satisfaction Surveys with Respondent; Deb Anglin; the worksite monitor; and the administrative director and nursing director as discussed below.

4) **Polygraph Examinations:** Respondent shall submit to polygraph examinations every six months as recommended by BMI. The content of the examination questions shall be approved by BMI. The results shall be reported by the Board-approved polygrapher to the Board, BMI and Respondent's Board-approved therapist.

C. **Alcohol Consumption:** Respondent shall not consume alcohol.

D. **Drug Consumption:** Respondent shall not use any controlled or prescription drug in any form unless the drug has been prescribed for Respondent's use by another duly licensed treating physician or other qualified treating health care provider. Respondent shall provide the Board written notice within 72 hours of the use of any controlled or prescription drug. Respondent shall inform any treating physician or other treating health care provider of his history of substance use prior to receiving any prescription drug.

- E. **Drug Screening Program:** Respondent shall make arrangements to submit to the Board's drug screening program. Respondent shall provide random blood or urine specimens when required. Respondent agrees to comply with all requirements of the drug-screening program. Respondent shall also provide random blood or urine specimens on demand by an agent of the Board. The specimens shall be used for drug and alcohol screening, all costs of which shall be paid by Respondent.
- F. **Worksite Monitor:** Respondent shall submit to the Board for approval, the name of a physician who regularly observes and/or supervises Respondent in a practice setting to serve as Respondent's worksite monitor. The Board shall share a copy of all Board orders relating to this matter with the worksite monitor. The worksite monitor shall provide a written statement indicating the monitor has read and understands all reports and Board orders in this matter and agrees to act as the worksite monitor under the terms of this Order. The worksite monitor shall inform the Board immediately if there is any inappropriate behavior, questionable medical treatment, professional misconduct or a violation of the terms of this Order. As a condition of approval, the physician or counselor shall agree to submit written quarterly reports to the Board concerning Respondent's progress. The reports shall be filed with the Board not later than January 20, April 20, July 20 and October 20 of each year of Respondent's probation.

- G. **Quarterly Reports:** Respondent shall file sworn quarterly reports with the Board attesting to his compliance with all the terms and conditions of this Settlement Agreement. The reports shall be filed not later than January 10, April 10, July 10 and October 10 of each year of Respondent's probation.
- H. **Board Appearances:** Respondent shall make an appearance before the Board or a Board committee annually or upon request. Respondent shall be given written notice of the date, time and location for the appearances.
- I. **Monitoring Fee:** Respondent shall make a payment of \$100 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 no later than the 15th of the month three months after the date of this order and every quarter thereafter. The Monitoring Fee shall be sent to: Coordinator of Monitoring Programs, Iowa Board of Medical Examiners, 400 SW 8th Street, Suite C, Des Moines, IA 50309-4686. The check shall be made payable to the Iowa Board of Medical Examiners. The Monitoring Fee shall be considered repayment receipts as defined in Iowa Code section 8.2.

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

13. In the event Respondent violates or fails to comply with any of the terms or conditions of this Reinstatement Order, the Board may initiate action to suspend or revoke Respondent's Iowa medical license or to impose other license discipline as authorized in Iowa Code Chapters 148 and 272 and 653 IAC 12.2 (2005).

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

15. By entering into this Reinstatement Order, Respondent voluntarily waives any rights to a reinstatement hearing pursuant to Iowa Code chapters 17A, 147, 148 and 272C and 653 IAC 12.40 and waives any objections to the terms of this Reinstatement Order.

16. This Reinstatement Order is voluntarily submitted by Respondent to the Board for consideration.

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

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



Theodore Anfinson, M.D., Respondent

Subscribed and sworn to before me on June 22, 2005.

Notary Public, State of Georgia

This Reinstatement Order is approved by the Board on June 24, 2005.



Bruce L. Hughes, M.D., Chair
Iowa Board of Medical Examiners
400 SW 8th Street, Suite C
Des Moines, Iowa 50309-4686



Notary Public, Dekalb County, Georgia
My Commission Expires February 5, 2006

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF IOWA

IN THE MATTER OF THE)	NO. 02-98-373
COMPLAINT AND STATEMENT)	
OF CHARGES AGAINST)	
)	
THEODORE J. ANFINSON, M.D.,)	SETTLEMENT AGREEMENT
)	AND FINAL ORDER
RESPONDENT.)	

COMES NOW the Iowa Board of Medical Examiners (Board) and Theodore J. Anfinson, M.D. (Respondent), and pursuant to Iowa Code sections 17A.10(2) and 272C.3(4) (2003), enter into the following Settlement Agreement and Final Order to resolve the contested case currently on file.

(1) Respondent was issued license number 28608 to practice medicine and surgery in the State of Iowa on April 27, 1992 .

(2) Respondent's medical license expired due to non-renewal on April 1, 2001.

(3) A Statement of Charges was filed against Respondent on April 3, 2003, and is awaiting hearing.

(4) The Board has jurisdiction over the parties and subject matter herein.

(5) Respondent admits the allegations contained in the Statement of Charges.

(6) Respondent is hereby **CITED** for engaging in unethical or unprofessional conduct when he engaged in a romantic and/or sexual relationship with a patient to whom he had provided psychiatric care and treatment. Respondent is hereby **WARNED** that engaging in unethical or unprofessional conduct in the future may result

in further disciplinary action, including revocation of his Iowa medical license.

(7) Immediately upon the Board's approval of this Settlement Agreement and Final Order, Respondent's medical license shall be indefinitely suspended. In order to reinstate his medical license, Respondent shall be subject to the license reinstatement provisions of 148.9 and 653 IAC 12.40.

(8) Prior to filing a petition seeking reinstatement of licensure, Respondent shall:

(a) Pay a five thousand dollar (\$5,000.00) civil penalty. A check made payable to the Treasurer of Iowa shall be delivered to the Executive Director of the Board and shall be deposited into the general fund.

(b) Submit to evaluation for professional sexual misconduct at a program pre-approved by the Board. Respondent shall comply with any recommendations for treatment made by that program, and with any recommendations following treatment made by that program.

(9) In the event the Board determines Respondent's medical license shall be reinstated, the Board shall have discretion to impose appropriate restrictions, a term of probation, and conditions of probation.

(10) Respondent is responsible for timely payment of all costs incurred in complying with the terms of this Settlement Agreement and Final Order, and for all costs incurred in applying for reinstatement.

(11) In the event Respondent violates or fails to comply with any of the terms

or provisions of this Settlement Agreement and Final Order, the Board may initiate appropriate action to revoke or suspend Respondent's license or to impose other licensee discipline as authorized in Iowa Code Sections 148.6 and 272C.3(2)(a).

(12) This Settlement Agreement and Final Order is the resolution of a contested case. By entering into this Settlement Agreement, Respondent waives all rights to a contested case hearing, and waives any objection to this Settlement Agreement.

(13) This Settlement Agreement and Final Order is voluntarily submitted by Respondent to the Board for its consideration.

(14) This Settlement Agreement and Final Order must be approved by the Board. If the Board fails to approve this Combined Statement of Charges, Settlement Agreement and Final Order it shall be of no force or effect to either party.

(15) The Board's approval of this Settlement Agreement and Final Order shall constitute a **FINAL ORDER** of the Board.



THEODORE J. ANFINSON, M.D.

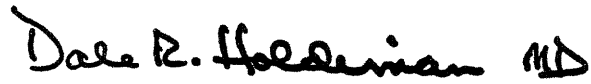
Subscribed and sworn to before me this 13th day of March, 2004.

Veneo DeOliveria

Notary Public in and for the state or county of Dekalb.

This Settlement Agreement and Final Order is approved by the Board on
March 30, 2004.

Settlement Agreement and Final Order
Theodore J. Anfinson, M.D.
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A handwritten signature in black ink that reads "Dale R. Holdiman MD". The signature is written in a cursive, slightly slanted style.

DALE HOLDIMAN, M.D., Chairperson
Iowa Board of Medical Examiners

copies to:

Theresa O'Connell Weeg
Attorney General's Office
2nd Floor Hoover Building
Des Moines, IA 50319

James Larew
504 E. Bloomington St.
Iowa City, IA 52245-2803

BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF IOWA

**IN THE MATTER OF A CONFIDENTIAL INVESTIGATION CONCERNING
THEODORE J. ANFINSON, M.D., RESPONDENT**

No. 02-98-373

STATEMENT OF CHARGES

COMES NOW the Iowa Board of Medical Examiners (the Board), on April 3, 2003, and files this Statement of Charges against Theodore J. Anfinson, M.D., (Respondent), a physician licensed pursuant to Chapter 147 of the 2003 Code of Iowa and alleges:

1. Respondent was issued license number 28608 to practice medicine and surgery in Iowa on April 27, 1992.
2. Respondent's Iowa medical license expired due to non-renewal on April 1, 2001.
3. The Board has jurisdiction in this matter pursuant to Iowa Code Chapters 147, 148 and 272C.

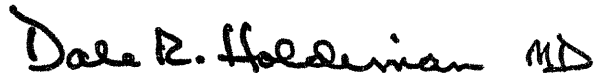
COUNT I

4. Respondent is charged under Iowa Code section 147.55(3) (2001) and 653 IAC section 12.4(3) with engaging in unethical conduct or practice harmful or detrimental to the public when he violated appropriate professional physician/patient boundaries.

CIRCUMSTANCES

5. Respondent, a practicing psychiatrist, engaged in an inappropriate personal and/or sexual relationship with a patient.

On this the 3rd day of April, 2003, the Iowa Board of Medical Examiners finds probable cause to file this Statement of Charges.



Dale R. Holdiman, M.D., Chairperson
Iowa Board of Medical Examiners
400 SW 8th Street, Suite C
Des Moines, IA 50309-4686