

BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF IOWA

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

FRANCIS J. WHELAN, M.D., RESPONDENT

Nos. 02-00-469

STATEMENT OF CHARGES,

**SETTLEMENT AGREEMENT and FINAL ORDER
(combined)**

COMES NOW the Iowa Board of Medical Examiners (the Board), and Francis J. Whelan, M.D., (Respondent), on January 11, 200~~0~~¹, and pursuant to Iowa Code sections 17A.10(2) and 272C.3(4), file this combined Statement of Charges, Settlement Agreement and Final Order.

STATEMENT OF CHARGES

1. Respondent was issued license number 17516 to practice medicine and surgery in Iowa on July 1, 1967. Respondent's Iowa medical license is in lapsed status and has not been renewed since February 1, 1986.

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

COUNT I

3. Respondent is charged under section 148.6(2)(d) of the 1999 Code of Iowa with being disciplined by the medical licensing authority of another state.

CIRCUMSTANCES

4. On or about November 19, 1998, the Alaska State Medical Board issued an Order adopting a Memorandum of Agreement and Proposed Decision and Order disciplining Respondent for failure to obtain the required continuing medical education hours between January 1, 1995 and December 31, 1996. Respondent was issued a Reprimand. West Virginia and Hawaii have also initiated disciplinary action based on the Alaska action.

SETTLEMENT AGREEMENT

5. The Board has jurisdiction over the parties and subject matter herein.

6. Respondent admits the allegations contained in the Statement of Charges.

7. Respondent is hereby **CITED** for being disciplined by the medical licensing authority of another state. Respondent is hereby **WARNED** that being disciplined by the medical licensing authority of another state may result in further formal disciplinary action against your Iowa medical license.

8. This combined Statement of Charges, Settlement Agreement and Final Order constitutes the resolution of a contested case proceeding.

9. By entering into this combined Statement of Charges, Settlement Agreement and Final Order, the Respondent voluntarily waives any rights to a contested case hearing on the allegations contained in the Statement of Charges, and waives any objections to the terms of this Settlement Agreement.

10. This combined Statement of Charges, Settlement Agreement and Final Order, is voluntarily submitted by Respondent to the Board for consideration.

11. This combined Statement of Charges, Settlement Agreement and Final Order, is subject to approval of 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.

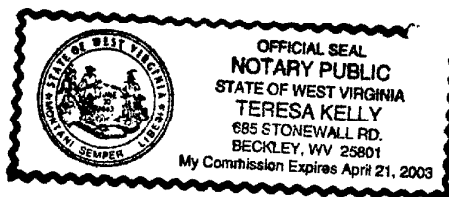
12. The Board's approval of this Statement of Charges and Settlement agreement shall constitute a **FINAL ORDER** of the Board.



Francis J. Whelan, M.D., Respondent

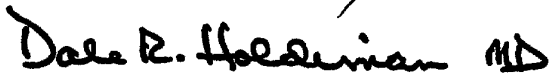
Subscribed and sworn to before me on Nov-14, 2000.

Notary Public, State of West Virginia



This combined Statement of Charges, Settlement Agreement and Final Order is approved by

the Board on January 11, 2000.



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