

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF IOWA

IN THE MATTER OF THE COMPLAINT) AND STATEMENT OF CHARGES AGAINST) DALE K. BUCHE, M.D.,) RESPONDENT.)) INFORMAL SETTLEMENT)) 02-89-125)
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COME NOW the Iowa Board of Medical Examiners (the Board) and Dale K. Buche, M.D. (Respondent) and, pursuant to Iowa Code §§ 17A.10 and 258A.3(4) (1991), enter into the following Informal Settlement of the contested case currently on file:

1. The Respondent was issued license number 16332 to practice medicine and surgery in the state of Iowa on July 5, 1961, as recorded in the permanent records in the office of the Board.
2. A Complaint and Statement of Charges was filed against the Respondent on June 27, 1991.
3. The Board has jurisdiction of the parties and the subject matter.
4. The Director of Public Health shall take appropriate action to suspend the Respondent's license indefinitely.
5. Subsequent to the full reinstatement of Respondent's license to practice in the state of California without restriction, Respondent may apply for reinstatement pursuant to 653 Iowa Admin. Code 12.50(36), whereupon Respondent shall show that the basis for the suspension no longer exists and that it will be in the public interest for the license to be reinstated. Respondent shall submit copies of the quarterly reports filed with the California Board of Medical Quality Assurance as well as

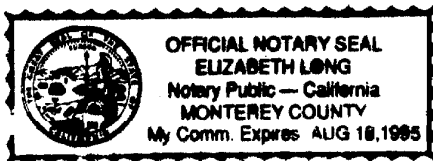
documentation certifying the restoration of his California license. Further, if Respondent has allowed his Iowa license to lapse, prior to reinstatement Respondent shall satisfy all other requirements necessary for the reinstatement of a lapsed license as provided in 653 Iowa Admin. Code 11.32.

6. This Informal Settlement is subject to approval of the Board. If the Board fails to approve this Informal Settlement, it shall be of no force or effect to either party.

7. This Informal Settlement is voluntarily submitted by the Respondent to the Board for its consideration.

Dale K Buche M.D.
DALE K. BUCHE, M.D.

Signed and sworn to before me this 25 day of October, 1991.



Elizabeth Long
NOTARY PUBLIC IN AND FOR THE STATE OF CALIFORNIA

8. This Informal Settlement is accepted by the Iowa Board of Medical Examiners on this 7th day of November, 1991.

*Sworn and subscribed to before me by C.L. Peterson, D.O., Chairman, Iowa Board of Medical Examiners, this 7th day of November, 1991.
Dennis Carr
Notary Public*

C. L. Peterson
C. L. Peterson, D.O., Chairman
Iowa Board of Medical Examiners

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF IOWA

IN THE MATTER OF THE COMPLAINT :
AND STATEMENT OF CHARGES AGAINST : ORDER
DALE K. BUCHE, M.D., : 02-89-125
RESPONDENT :

NOW ON November 14, 1991, the above
entitled matter having been filed with the Director of Public
Health of the State of Iowa, and the said Director of Public
Health having reviewed the file and being fully advised in the
premises FINDS:

1. That Dale K. Buche, M.D., (hereafter the Respondent) was issued an Iowa license to practice medicine and surgery on July 5, 1961, as evidenced by certificate number 16332, which is recorded in the permanent records in the office of the Iowa State Board of Medical Examiners (hereafter the Board).
2. That a Complaint and Statement of Charges was filed against the Respondent on June 27, 1991, and was scheduled to be heard before the Board.
3. That the Board has jurisdiction of the parties and the subject matter herein.
4. That the Director of Public Health is authorized to enter an Order under the provisions of sections 148.6(1) and 148.7(7) of the 1991 Code of Iowa and 653 I.A.C. 12.50(31).
5. That pursuant to the provisions of sections 17A.10 and

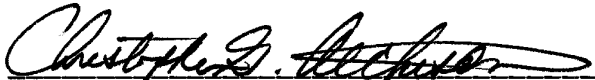
258A.3(4) of the 1991 Code of Iowa, the Respondent and the Board have entered into an Informal Settlement providing that the undersigned should enter the following Order.

THEREFORE IT IS HEREBY ORDERED:

A. That license number 16332 issued to the Respondent on July 5, 1961, to practice medicine and surgery in the State of Iowa is hereby indefinitely suspended.

B. That subsequent to the full reinstatement of Respondent's license to practice in the state of California without restriction, Respondent may apply for reinstatement pursuant to 653 I.A.C. 12.50(36), whereupon Respondent shall show that the basis for the suspension no longer exists and that it will be in the public interest for the license to be reinstated. Respondent shall submit copies of the quarterly reports filed with the California Board of Medical Quality Assurance as well as documentation certifying the restoration of his California license.

C. That if Respondent has allowed his Iowa license to lapse, prior to reinstatement Respondent shall satisfy all other requirements necessary for the reinstatement of a lapsed license as provided in 653 I.A.C. 11.32.



Christopher G. Atchison
Director
Iowa Department of Public Health
Robert Lucas State Office Building
Des Moines, Iowa 50319

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF IOWA

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IN THE MATTER OF THE COMPLAINT :
AND STATEMENT OF CHARGES AGAINST : COMPLAINT AND STATEMENT
DALE K. BUCHE, M.D. : OF CHARGES
RESPONDENT : 02-89-125

* * * * *

COMES NOW William S. Vanderpool, Executive Director of the Iowa State Board of Medical Examiners (hereafter the Board), on June 27, 1991, and at the direction of the Board, files this Complaint and Statement of Charges against Dale K. Buche, M.D. (hereafter the Respondent), a physician licensed pursuant to Chapter 147, Code of Iowa and alleges:

1. That Christopher G. Atchison is the duly appointed and qualified Director of Public Health of the State of Iowa.
2. That C. L. Peterson, D.O., Chairman; John Olds, M.D., Vice Chairman; Edra Broich, Secretary; Charlotte Cleavenger, D.O.; Donna Drees, M.D.; Ann O'Neill; Emmett Mathiasen, M.D.; George Spellman, M.D. and Robert B. Stickler, M.D., are the duly appointed and qualified officers and members of the Iowa State Board of Medical Examiners.
3. That the Respondent is a resident of Salinas, California, and was issued license number 16332 to practice medicine and surgery in the State of Iowa on July 5, 1961, as recorded in the permanent records in the office of the Board.

4. That the Respondent's license is current until August 1, 1991.

5. That on or about December 7, 1988, the Respondent and the California Board of Medical Quality Assurance entered into a Stipulation and Waiver as a resolution to an accusation which the California Board had filed against the Respondent in April 1987. The said accusation as filed alleged that the Respondent was subject to a license disciplinary action based upon his violation of various California statutes and professional regulations. The Stipulation and Waiver entered into between the Respondent and the California Board was adopted by the agency on or about January 3, 1989. The adoption of the Stipulation and Waiver by the agency constituted the imposition of disciplinary sanctions against the Respondent's California medical license.

6. That the Respondent did not notify the Board of the disciplinary action taken by the California medical licensing authorities within 30 of the action.

7. That the Board is authorized to take disciplinary action against the Respondent pursuant to the provisions of sections 148.6(1), and 148.6(1)(d) of the 1991 Code of Iowa which state in whole or part:

148.6(1) - "The medical examiners, after due notice and hearing in accordance with chapter 17A, may issue an order to discipline a licensee for any of the grounds set forth in section 147.55, chapter 258A, or this subsection...

"Pursuant to this section, the board of medical examiners may discipline a licensee who is guilty of any of the following acts or offenses:"

148.6(1)(d) - "Having the license to practice medicine and surgery...revoked or suspended, or having other disciplinary action taken by a licensing authority of another state..."

8. That the Board is authorized to take disciplinary action against the Respondent pursuant to rules 653-12.4, 653-12.4(10) and 653-12.4(28) of the Iowa Administrative Code which state in whole or in part:

653-12.4 - "Grounds for discipline. The Board may impose any of the disciplinary sanctions set forth in rule 12.2, including civil penalties in an amount not to exceed \$10,000, when the Board determines that the licensee is guilty of any of the following acts or offenses:"

653-12.4(10) - "Failure to report a license revocation, suspension or other disciplinary action taken by a licensing authority of another state...within 30 days of the final action by such licensing authority..."

653-12.4(28) - "Violating any of the grounds for revocation or suspension of a license listed in Iowa Code sections...148.6."

9. That paragraphs 7 and 8 constitute grounds for the Board to revoke, suspend or otherwise discipline the license to practice medicine and surgery issued to the Respondent, on July 5, 1961.

WHEREFORE the undersigned charges that the Respondent is subject to a disciplinary action pursuant to the provisions of section 148.6(1) and 148.6(1)(d) of the 1991 Iowa Code and rules

653-12.4, 653-12.4(10) and 653-12.4(28) of the Iowa Administrative Code. The undersigned prays that the Board enter an order fixing a time and place of hearing for the Complaint and Statement of Charges. The undersigned further prays that upon final hearing, the Board enter its findings of fact and decision to revoke, suspend or otherwise discipline the license to practice medicine and surgery issued to the Respondent on July 5, 1961, and for such other relief as the Board deems just in the premises.

IOWA BOARD OF MEDICAL EXAMINERS



William S. Vanderpool, Executive Director
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