

BEFORE THE BOARD OF MEDICAL EXAMINERS OF THE STATE OF IOWA

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

NICASIA S. PEREZ, M.D., RESPONDENT


FILE No. 02-06-333

DISMISSAL ORDER

Date: May 25, 2007.

1. On March 29, 2007, the Iowa Board of Medical Examiners (Board) filed disciplinary charges against Respondent pursuant to Iowa Code section 148.6(2)(i) (2007) charging Respondent for failing to submit a completed fingerprint card within 30 days of a request made by the Board in violation of Iowa law.
2. The Board subsequently received information which indicates that Respondent did not receive the finger print cards sent by the Board because the Board had the wrong mailing address on file. The mailing address error was not the fault of Respondent.
3. Respondent has since provided the finger print card necessary to complete a criminal background check as required by Iowa law.
4. On May 24, 2007, the Board voted to **DISMISS** the charges against Respondent because she did not willfully fail to provide the fingerprint cards as required by Iowa law.

THEREFORE: The Board hereby **DISMISSES** the Statement of Charges filed by the Board in this matter on March 29, 2007.



Yasin Lee, M.D., Chairperson
Iowa Board of Medical Examiners
400 SW 8th Street, Suite C
Des Moines, Iowa 50309-4686

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STATEMENT OF THE MATTERS ASSERTED

(Confidential)

COMES NOW the Iowa Board of Medical Examiners on March 29, 2007, and in support of the Statement of Charges filed in this matter, sets forth the following summary of the facts to support the allegations contained in the Statement of Charges.

1. Respondent is a psychiatrist currently residing in Irving, Texas.
2. Respondent was issued a permanent Iowa medical license on February 11, 1981.
3. Respondent subsequently allowed her Iowa medical license to go inactive.
4. On October 27, 2005, Respondent filed an Application For Reinstatement of her permanent Iowa medical license.
5. On October 28, 2005, Board staff sent Respondent a fingerprint packet for a criminal background check.
6. On November 7, 2005, Respondent submitted a finger print card so that the Board could complete a criminal background check.
7. On November 7, 2005, the Board reinstated Respondent's permanent Iowa medical license.


8. On December 29, 2005, the Federal Bureau of Investigations (FBI) rejected Respondent's fingerprint card due to poor quality finger prints.

9. On December 29, 2005, Board staff sent Respondent a second finger print card and requested that she submit new finger prints within thirty days so that the Board could complete the criminal background check.

10. On February 6, and March 24, 2006, Board staff contacted Respondent and again requested that she submit a new finger print card so that the Board could complete the criminal background check.

11. On March 24, 2006, Board staff sent Respondent a third finger print card and again requested that she submit new finger prints so that the Board could complete the criminal background check.

12. To date, Respondent has failed to provide a new finger print card preventing the Board from completing the criminal background check as required by Iowa law and Board rules.


Yasyn Lee, M.D., Chairperson
Iowa Board of Medical Examiners
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