

BEFORE THE IOWA BOARD OF MEDICINE

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

RICHARD L. HAUSER, M.D., RESPONDENT

File No. 02-2016-617

**STATEMENT OF CHARGES AND SETTLEMENT AGREEMENT
(Combined)**

COMES NOW the Iowa Board of Medicine (Board) and Richard L. Hauser, M.D., (Respondent), on November 9, 2017, and pursuant to Iowa Code sections 17A.10(2) and 272C.3(4), enter into this combined Statement of Charges and Settlement Agreement.

STATEMENT OF CHARGES

1. **Iowa Medical License:** Respondent was issued Iowa medical license MD-28230 on July 1, 1991. Respondent's Iowa medical license is active and will next expire on October 1, 2017.
2. **Jurisdiction:** The Board has jurisdiction in this matter pursuant to Iowa Code chapters 147, 148 and 272C.

COUNT I

3. **Felony Conviction:** Respondent is charged pursuant to Iowa Code section 148.6(2) and 653 IAC 23.1(9) for being convicted of a felony in the courts of this state, another state or the United States as defined in Iowa Code section 148.6(2) "b".

COUNT II

4. **Unethical or Unprofessional Conduct:** Respondent is charged pursuant to Iowa Code sections 147.55(3) and 272C.10(3) and 653 IAC 23.1(4) with engaging in unethical or unprofessional conduct. Engaging in unethical or unprofessional conduct includes, but is not limited to, the committing by a licensee of an act contrary to honesty, justice or good morals, whether the same is committed in the course of the licensee's practice or otherwise and whether committed within this state or elsewhere; or a violation of the 13.20(147,148) as interpreted by the board.

STATEMENT OF MATTERS ASSERTED

5. **Practice Setting:** Respondent is an Iowa-licensed physician who formerly practiced psychiatry in Iowa City and Grinnell, Iowa.

6. **Felony Conviction/Unethical or Unprofessional Conduct:** Respondent submitted false claims to Iowa Medicaid and Wellmark Blue Cross Blue Shield for a more expensive service than was actually provided in order to receive a profit "up coding" while practicing psychiatry in Grinnell, Iowa, between November 2011 and December 2012. On October 19, 2016, Respondent pleaded guilty to two (2) counts of health care fraud in the United States District Court, Southern District of Iowa, and he was sentenced to sixty (60) days in federal prison.

SETTLEMENT AGREEMENT

7. **CITATION AND WARNING:** Respondent is hereby **CITED** for engaging in unethical or unprofessional conduct and for being convicted of felony in violation of the laws and rules governing the practice of medicine in Iowa when he submitted false claims to Iowa Medicaid and Wellmark Blue Cross Blue Shield for a more expensive service than was actually provided in order to receive a profit “up coding” while practicing psychiatry in Grinnell, Iowa, between November 2011 and December 2012. Respondent is hereby **WARNED** that engaging in such conduct will not be tolerated by the Board.

8. **VOLUNTARY SURRENDER:** Respondent **voluntarily surrenders** his Iowa medical license to resolve this matter.

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

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

11. This Order constitutes the resolution of a contested case proceeding. The parties agree that this combined Statement of Charges and Settlement Agreement resolves all allegations and investigative issues relating to Respondent.

12. Respondent understands that by entering into this Order, he 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.


13. Respondent understands that by entering into this combined Statement of Charges and Settlement Agreement, he 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.

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

15. 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.

16. 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.

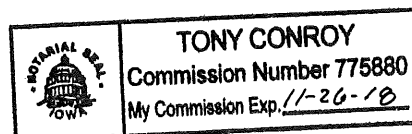
17. The Board's approval of this Order shall constitute a **Final Order** of the Board.


Richard L. Hauser, M.D., Respondent

Subscribed and sworn to before me on October 19th, 2017.

Notary Public, State of Iowa.
County of: Cerro Gordo





This Order is approved by the Board on November 9, 2017.

A handwritten signature in black ink, appearing to read "K. Ulveling". The signature is fluid and cursive, with a large initial "K" and a stylized "U".

Kyle G. Ulveling, M.D., Chair
Iowa Board of Medicine
400 SW 8th Street, Suite C
Des Moines, Iowa 50309-4686