

BEFORE THE BOARD OF MEDICAL EXAMINERS  
OF THE STATE OF IOWA

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IN THE MATTER OF THE COMPLAINT : SECOND  
AND STATEMENT OF CHARGES AGAINST : AMENDED ORDER  
DAVID HAIM, M.D. : 02-88-042  
RESPONDENT :

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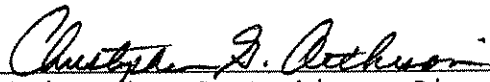
NOW on April 30, 1992, the above entitled matter having been filed with the Director of Public Health of the State of Iowa, for a second amendment to an Order issued by the Director of Public Health on December 19, 1988, and the said Director of Public Health having reviewed the file, and being fully advised in the premises FINDS:

1. That on April 16, 1992 the Iowa State Board of Medical Examiners, (hereafter the Board), considered an application made by the Respondent requesting a second amendment to an Order, issued by the Director of Public Health of the state of Iowa in the above entitled cause on December 19, 1988. The said application sought to have paragraph 1(A) of the Order amended to read: "The Respondent shall pass the SPEX or the Specialities Board of Psychiatric and Neurology examination during the period of probation. The Respondent's probation shall continue until he passes one of the said examinations."

2. That the Board, finding that the application was proper, voted to authorize a second amendment to the Order, issued December 19, 1988, as requested.

THEREFORE IT IS HEREBY ORDERED that paragraph 1(A) of the Order, issued by the Director of Public Health of the state of Iowa on December 19, 1988 in the above entitled cause, is deleted in its entirety and the following paragraph inserted in its place:

The Respondent shall pass the SPEX or the Specialities Board of Psychiatric and Neurology examination during the period of probation. The Respondent's probation shall continue until he passes one of the said examinations.



Christopher G. Atchison  
Christopher G. Atchison, Director  
Iowa Department of Public Health  
Lucas State Office Building  
Des Moines, Iowa 50319-0075

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 : AMENDED ORDER  
DAVID HAIM, M.D. : 02-88-042  
RESPONDENT :

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NOW on July 31, 1989, the above entitled matter having been filed with the Director of Public Health of the State of Iowa, for Amendment to an Order issued by the said Director of Public Health on December 19, 1988, and the said Director of Public Health having reviewed the file, and being fully advised in the premises FINDS;

1. That on July 20, 1989 an oral application made by the Respondent requesting an amendment to an Order issued by the Director of Public Health of the state of Iowa in the above entitled cause on December 19, 1988 was considered by the Iowa State Board of Medical Examiners. The said application requested that paragraph 1(A) of the said Order be amended by deleting the words "Component II of the FLEX" and inserting in lieu thereof the words "the SPEX".

2. That the Iowa State Board of Medical Examiners finding that the said application was proper, voted to authorize the amendment to the Order issued December 19, 1988 as requested.

THEREFORE IT HEREBY ORDERED that paragraph 1(A) of the Order issued by the Director of Public Health of the state of Iowa on December 29, 1988 in the above entitled cause, is hereby amended by striking the words "Component II of the FLEX" and inserting in lieu thereof the words "the Spex".

Paragraph 1(A) of the said Order as amended shall now read:

A. The Respondent shall pass the SPEX examination during the period of probation. The examination must be taken at least once during the first year of probation. If the Respondent has not passed the examination by the end of the probationary period, the probationary term shall continue indefinitely until the Respondent passes the examination.



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Mary L. Ellis, Director  
Iowa Department of Public Health  
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 : ORDER  
DAVID HAIM, M.D. : 02-88-044  
RESPONDENT :

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NOW on Dec. 19<sup>th</sup>, 1988, 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:

A. That the Respondent was issued a license to practice medicine and surgery, on January 16, 1970, as evidenced by certificate number 18066, which is recorded in the permanent records in the office of the Iowa State Board of Medical Examiners.

B. That a Complaint and Statement of Charges was filed against the Respondent, David Haim, M.D., on May 26, 1988 and was scheduled to be heard before the Iowa State Board of Medical Examiners.

C. That the Iowa State Board of Medical Examiners has jurisdiction of the parties and the subject matter herein.

D. That the Director of Public Health is authorized to enter an order herein under the provisions of Sections 148.6(1) and 148.7(7), of the 1987 Code of Iowa and rule 653-12.50(31), of the Iowa Administrative Code.

E. That pursuant to the provisions of Sections 17A.10 and 258A.3(4) of the 1987 Code of Iowa, the Respondent and the Iowa State Board of Medical Examiners have entered into an Informal Settlement providing that the undersigned should enter an order imposing discipline against the Respondent's license to practice medicine and surgery in the state of Iowa.

THEREFORE, IT IS HEREBY ORDERED:

1. That license number 18066 issued to the Respondent, David Haim, M.D., on January 16, 1970 to practice medicine and surgery in the state of Iowa, is hereby placed on probation for a period of three (3) years under the following terms and conditions:

- A. The Respondent shall pass Component II of the FLEX examination during the period of probation. The examination must be taken at least once during the first year of probation. If the Respondent has not passed the examination by the end of the probationary period, the probationary term shall continue indefinitely until the Respondent passes the examination.
- B. The Respondent shall provide access to medical records to the Board or its designee on request. The Board may conduct a random evaluation of these medical records to monitor the Respondent's competency.

- C. The Respondent shall provide to the Board copies of all performance evaluations conducted during his employment with the State of Iowa.
- D. The Respondent shall submit quarterly reports under penalty of perjury stating that there has been compliance with all the conditions of the Informal Settlement and this Order.
- E. The Respondent shall make appearances annually or upon request before the Board or a committee. The Respondent shall be given reasonable notice of the date, time and place for the appearances.
- F. The Respondent shall obey all federal, state, and local laws, and all rules governing the practice of medicine in Iowa.

2. In the event the Respondent leaves Iowa to reside or to practice outside the state, the Respondent shall notify the Board in writing of the dates of departure and return. Periods of residence or practice outside Iowa will not apply to the duration of the Informal Settlement or this Order.

3. In the event the Respondent violates or fails to comply with any of the terms or provisions of the Informal Settlement or this Order, the Board may initiate appropriate action to revoke or suspend the Respondent's license or to impose other licensee discipline as authorized in Section 258A.3(2) of the Iowa Code and rule 653-12.2 of the Iowa Administrative Code.

4. Upon full compliance with the terms and conditions set forth in the Informal Settlement and this Order and upon expiration

of the period of probation, Respondent's license shall be restored to its full privileges free and clear of the terms of the probation.

*Mary L. Ellis*

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Mary L. Ellis, Director  
Iowa Department of Public Health  
Lucas State Office Building  
Des Moines, IA 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	)	NO. 02-88-044
DAVID HAIM, M.D.,	)	
RESPONDENT	)	INFORMAL SETTLEMENT

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COMES NOW the Iowa Board of Medical Examiners (the Board) and David Haim, M.D., (the Respondent) and, pursuant to Iowa Code Sections 17A.10 and 258A.3(4), enter into the following Informal Settlement of the contested case currently on file:

1. The Respondent was issued license no. 18066 to practice medicine and surgery in Iowa on January 16, 1970, as recorded in Book 3, page 691 of the permanent records in the office of the Board.

2. A Complaint and Statement of Charges was filed against the Respondent on May 26, 1988.

3. The Board has jurisdiction of the parties and the subject matter.

4. The Director of Public Health shall take appropriate action to place the Respondent's license on probation for a period of three (3) years under the following terms and conditions:

A. The Respondent shall pass Component II of the FLEX examination during the period of probation. The examination must be taken

at least once during the first year of probation. If the Respondent has not passed the examination by the end of the probationary period, the probationary term shall continue indefinitely until the Respondent passes the examination.

- B. The Respondent shall provide access to medical records to the Board or its designee on request. The Board may conduct a random evaluation of these medical records to monitor the Respondent's competency.
- C. The Respondent shall provide to the Board copies of all performance evaluations conducted during his employment with the State of Iowa.

5. The Respondent shall submit quarterly reports under penalty of perjury stating that there has been compliance with all the conditions of this Informal Settlement.

6. The Respondent shall make appearances annually or upon request before the Board or a committee. The Respondent shall be given reasonable notice of the date, time and place for the appearances.

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

8. In the event the Respondent leaves Iowa to reside or to practice outside the state, the Respondent shall notify the Board in writing of the dates of departure and return. Periods of

residence or practice outside Iowa will not apply to the duration of the Informal Settlement.

9. In the event the Respondent violates or fails to comply with any of the terms of provisions of this Informal Settlement, the Board may initiate appropriate action to revoke or suspend the Respondent's license or to impose other licensee discipline as authorized in Section 258A.3(2) of the Iowa Code and rule 653-12.2 of the Iowa Administrative Code.

10. Upon full compliance with the terms and conditions set forth in this Informal Settlement and upon expiration of the period of probation, Respondent's license shall be restored to its full privileges free and clear of the terms of the probation.

11. 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.

12. This Informal Settlement is voluntarily submitted on this \_\_\_\_\_ day of December 7, 1988

David Haim  
DAVID HAIM, M.D.

1988 Subscribed and sworn to before me on this 7<sup>th</sup> day of December



Robert E. Danne  
Notary Public in and for the State of Iowa

This Informal Settlement is accepted by the Iowa Board of Medical Examiners on the 15<sup>th</sup> day of December 1988

John Anderson M.D.  
JOHN ANDERSON, M.D., Chairman  
Iowa Board of Medical Examiners

1988 Subscribed and sworn to before me on this 15<sup>th</sup> day of December

James Carr  
Notary Public in and for the State of Iowa

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  
DAVID HAIM, M.D. : OF CHARGES  
RESPONDENT : 02-88-044

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COMES NOW William S. Vanderpool, Executive Director of the Iowa State Board of Medical Examiners, on the 26th day of May 1988, and files this Complaint and Statement of Charges against David Haim, M.D., a physician licensed pursuant to Chapter 147, Code of Iowa and alleges:

1. That Mary Ellis is the duly appointed and qualified Director of Public Health of the State of Iowa.
2. That John Anderson M.D.; Marian Bourek; Charlotte Cleavenger, D.O.; Elizabeth Coyte, P.A.; Dorothy J. Gildea, M.D.; John W. Olds, M.D.; Ann O'Neill; C. L. Peterson, D.O.; Hormoz Rassekh, M.D.; and Robert B. Stickler, M.D., are the duly appointed and qualified members of the Iowa State Board of Medical Examiners.
3. That the Respondent is a resident of Buchanan County, Iowa, and was issued license number 18066 to practice medicine and surgery in the State of Iowa on January 16, 1970, as recorded

in Book 3 Page 691 of the permanent records in the office of the Iowa State Board of Medical Examiners.

4. That the Respondent's license is current until January 1, 1990.

5. That on or about October 7, 1987 the Composite State Board of Medical Examiners of the state of Georgia took a formal disciplinary action against the Respondent directing that the Respondent's license to practice medicine and surgery in the state of Georgia, be placed in inactive status, and directing that the Respondent "be precluded from practicing medicine in the state of Georgia" until such time as the Respondent applies for reinstatement of the active status of his license, and until such time as the said application has been approved by the Georgia Board.

6. That the Respondent has not notified the Iowa State Board of Medical Examiners of the disciplinary action taken by the Georgia Board of Medical Examiners.

7. That the Iowa State Board of Medical Examiners is authorized to take disciplinary action against the Respondent pursuant to the provisions of Sections 148.6(1) and 148.6(1)(g) of the Code of Iowa which state in whole or in part:

148.6(1) - "In addition to the provisions of Sections 147.58 to 147.71, the medical examiners after due notice and hearing may direct the director of public health to issue an order to revoke or suspend a license to practice medicine and surgery,...or to discipline a person licensed to practice medicine and

surgery,....if, after a hearing, the medical examiners determine that a physician licensed to practice medicine and surgery,....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 Iowa State Board of Medical Examiners is authorized to take disciplinary action against the Respondent pursuant to the provisions of 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 135.202, including civil penalties in an amount not to exceed \$1.000.00, when the board determines that the licensee is guilty of any of the following acts or offenses:"

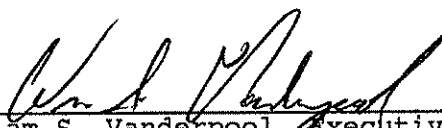
653-12.4(10) - "Failure to report a license revocation, suspension or other disciplinary action taken by a licensing authority of another state...."

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

9. That paragraphs 7 and 8 constitute grounds for the Iowa State Board of Medical Examiners to revoke, suspend or otherwise discipline the license to practice medicine and surgery issued to the Respondent on January 16, 1970.

WHEREFORE the undersigned charges that David Haim, M.D. is subject to disciplinary action pursuant to sections 148.6(1) and 148.6(1)(c) of the Code of Iowa and Rules 653-12.4, 653-12.4(10) and 653-12.4(28) of the Iowa Administrative Code and 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 David Haim, M.D. on January 16, 1970, and for such other relief as the Board deems just in the premises.

IOWA BOARD OF MEDICAL EXAMINERS

  
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William S. Vanderpool, Executive Director  
State Capitol Complex  
Executive Hills West  
Des Moines, Iowa 50319  
Telephone: (515) 281-5171