

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 :           INFORMAL SETTLEMENT  
THEODORE R. LIAUTAUD, D.O. :           03-92-094  
RESPONDENT. :  
:

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COME NOW the Iowa Board of Medical Examiners (hereafter the Board) and Theodore R. Liautaud, D.O. (hereafter the Respondent), and pursuant to Iowa Code Section 17A.10 and 272C3(4), enter into the following informal settlement of the contested case currently on file.

1) The Respondent was issued license number 01790 to practice osteopathic medicine and surgery in Iowa on March 13, 1980, as recorded in the permanent record in the office of the Board. The Respondent's license is current and will next expire on January 1, 1997.

2) A Complaint and Statement of Charges was filed against the Respondent on October 12, 1994 and is awaiting a hearing.

3) The Board has jurisdiction over the parties and the subject matter.

4) Respondent denies all allegations as set forth in the Complaint and Statement of Charges, and this Informal Settlement is executed as a compromise settlement of disputed claims.

5) In order to prevent any possible complaints in the future, Respondent shall not perform cardiac auscultation examinations of female patients unless another qualified health professional is present.

6) Respondent shall successfully complete a Board approved continuing medical education program on professionalism issues by December 30, 1996.

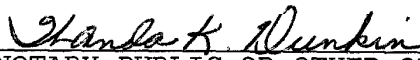
7) This Informal Settlement is the resolution of a contested case and must be approved by the Board. If the Board fails to approve this Informal Settlement, it shall be of no force and effect to either party.

8) The Board's approval of this Informal Settlement shall constitute a FINAL ORDER of the Board.


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

  
THEODORE R. LIAUTAUD, D.O.  
Respondent

Subscribed and sworn to before me this 26<sup>th</sup> day of September, 1996.

  
NOTARY PUBLIC OR OTHER OFFICIAL  
EMPOWERED TO ADMINISTER OATHS IN  
AND FOR THE STATE OR COUNTY OF  
Carroll

This Informal Settlement is approved by the Board on the 31<sup>st</sup> day of October, 1996.

  
Laura Stensrud, Vice Chairperson  
Iowa Board of Medical Examiners

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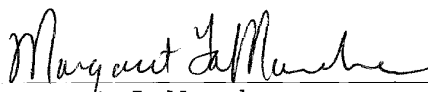
IN THE MATTER OF	)	DIA NO: 94DPHMB-28
THE COMPLAINT AND STATEMENT	)	CASE NO: 03-92-094
OF CHARGES AGAINST	)	
	)	
THEODORE R. LIAUTAUD, D.O.	)	ORDER ESTABLISHING
	)	DISCOVERY DEADLINES
Respondent	)	

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I.A. BOARD OF MED. EXAMINERS

Pursuant to the agreement of the parties, all discovery in the above-captioned case shall be completed by June 30, 1995. The attorneys have requested that the Board office contact them before setting a hearing date.

Dated this <sup>16<sup>th</sup></sup> day of February, 1995

  
\_\_\_\_\_  
Margaret LaMarche  
Administrative Law Judge

cc: Theresa O'Connell Weeg  
Assistant Attorney General  
Hoover Building  
(LOCAL)

David L. Brown  
8th Floor, Fleming Building  
218 Sixth Avenue  
Des Moines, Iowa 50309

Dennis Carr  
Iowa Board of Medical Examiners  
(LOCAL)

BEFORE THE BOARD OF MEDICAL EXAMINERS  
OF THE STATE OF IOWA

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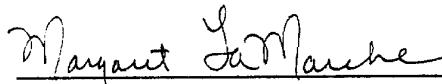
IN THE MATTER OF	)	DIA NO: 94DPHMB-28
THE COMPLAINT AND STATEMENT	)	CASE NO: 03-92-094
OF CHARGES AGAINST	)	
THEODORE R. LIAUTAUD, D.O.	)	ORDER FOR PREHEARING
	)	CONFERENCE
Respondent	)	

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I.A. BOARD OF MED. EXAMINERS

A prehearing conference will be held by telephone conference call in the above-captioned case on Wednesday, February 15, 1995, at 1:00 p.m. The administrative law judge will place the conference call. The attorneys shall call in their phone numbers to 281-6350.

Dated this 3<sup>rd</sup> day of February, 1995

  
\_\_\_\_\_  
Margaret LaMarche  
Administrative Law Judge

cc: Theresa O'Connell Weeg  
Assistant Attorney General  
Hoover Building  
(LOCAL)

David L. Brown  
Fleming Building, 8th Floor  
218 6th Avenue  
Des Moines, Iowa 50309

**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  
OF CHARGES**

**THEODORE R. LIAUTAUD, DO, :**

**RESPONDENT : 03-92-094**

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COMES NOW Ann M. Martino, PhD, Executive Director of the Iowa State Board of Medical Examiners (hereafter the Board), on OCTOBER 12, 1994 and at the direction of the Board, files this Complaint and Statement of Charges against Theodore R. Liautaud, DO (hereafter the Respondent), a physician licensed pursuant to Chapter 147 of the Code of Iowa and alleges:

1. That James D. Collins, Jr., MD, Chairman; George G. Spellman, Sr., MD, Vice-Chairman; Laura Stensrud, Secretary; Edra Broich; James Caterine, MD; Eddie D. DeHaan, MD; Mary C. Hodges; Teresa A. Mock, MD, Donna M. Norman, DO; and Roger F. Senty, DO, are the duly appointed and acting officers and members of the Board.

2. That the Respondent was issued license number 01790 to practice osteopathic medicine and surgery in the State of Iowa on March 13, 1980, as recorded in the permanent records in the office of the Board.

3. That the Respondent's license is current and will next expire on March 1, 1996.

**COMPLAINT AND STATEMENT OF CHARGES**  
**Theodore R. Liautaud, DO**

4. That beginning on or about January 17, 1992 and continuing through approximately June 23, 1992, while treating Patient #1, the Respondent made improper physical contacts with the patient.

5. That the Iowa State Board of Medical Examiners is authorized to take disciplinary action against the Respondent pursuant to the provisions of sections 147.55, 147.55(3), 147.55(8), 148.6(1), 148.6(2), 148.6(2)g, and 148.6(2)i of the 1993 Code of Iowa which state in whole or in part:

**147.55** - A license to practice a profession shall be revoked or suspended when the licensee is guilty of any of the following acts or offenses:

**147.55(3)** - ... [E]ngaging in unethical conduct ...

**147.55(8)** - Willful or repeated violations of the provisions of this Act.

**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 272C, or this subsection.

**148.6(2)** - 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(2)g** - ... [T]he committing by a physician of an act contrary to ... good morals ...

**148.6(2)i** - Willful or repeated violation of lawful rule or regulation adopted by the board ...

**COMPLAINT AND STATEMENT OF CHARGES**

**Theodore R. Liautaud, DO**

6. That the Board is authorized to take disciplinary action against the Respondent pursuant to 653 IAC 12.4, 12.4(3), 12.4(3)*b*, 12.4(13), 12.4(18), and 12.4(28), 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(3) - ... [E]ngaging in unethical conduct ...**

**653-12.4(3)*b* - Engaging in unethical conduct includes, but is not limited to a violation of the standards and principles of medical ethics and code of ethics as set out in rules ... 13.11 ... as interpreted by the board.**

**653-12.4(13) - ... [T]he committing by a physician of an act contrary to good morals ...**

**653-12.4(18) - Making suggestive, lewd lascivious or improper remarks or advances to a patient.**

**653-12.4(28) - Violating any of the grounds for revocation or suspension of a license listed in Iowa Code sections 147.55 and 148.6.**

7. That paragraphs 5 & 6 constitute grounds for the Board to revoke, suspend or otherwise discipline the license to practice osteopathic medicine and surgery issued to the Respondent, on March 13, 1980.

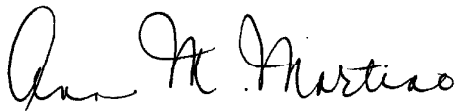
**WHEREFORE** the undersigned charges that the Respondent is subject to disciplinary action pursuant to the provisions of sections 147.55, 147.55(3), 147.55(8), 148.6(1), 148.6(2), 148.6(2)*g* and 148.6(2)*i* of the 1993 Code of Iowa and 653 IAC 12.4, 12.4(3),

**COMPLAINT AND STATEMENT OF CHARGES**

**Theodore R. Liautaud, DO**

12.4(3)b, 12.4(13), 12.4(18) and 12.4(28). 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 osteopathic medicine and surgery issued to the Respondent on March 13, 1980, and for such other relief as the Board deems just in the premises.

**IOWA STATE BOARD OF MEDICAL EXAMINERS**



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Ann M. Martino, PhD  
Executive Director  
1209 East Court Avenue  
Des Moines, Iowa 50319  
(515)-281-5171  
DMC/dc

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