IN THE MATTER OF) NO. 08-007
)
JEREMY DAVID LOHMANN,) SETTLEMENT AGREEMENT AND
) FINAL ORDER
Respondent)

COME NOW the Parties, the Board of Physical and Occupational Therapy (hereinafter "the Board") and Respondent Jeremy David Lohmann and hereby enter into this Settlement Agreement and Final Order pursuant to Iowa Code sections 17A.10(2) (2007), 272C.3(4) and 645 IAC 12.1.

- Lohmann is licensed to practice physical therapy in the state of Iowa and holds license number 003960. His license is current through June 15, 2010.
 - Lohmann currently resides at 131 South Grant, Manly, Iowa 50456.
 - The Board has jurisdiction over the parties and subject matter.
- 4. The Board filed a Statement of Charges on September 5, 2008, charging Lohmann under Iowa Code sections 147.55(4) and 272C.10(4) and 645 IAC 202.2(6) with habitual intoxication, including the inability to practice with reasonable skills and safety by reason of the excessive use of alcohol on a continuing basis. A contested case hearing is scheduled for November 21, 2008.
- Lohmann does not contest the allegations contained in the Statement of Charges
 filed in this matter and agrees not to contest the Statement of Charges.
- 6. Execution of this Settlement Agreement and Final Order constitutes the resolution of this contested case. By entering into this Settlement Agreement and Final Order, Lohmann voluntarily waives any rights to a contested hearing and all attendant rights, including the right to

judicial review. Once entered, this Order shall have the force and effect of a disciplinary order entered following a contested case hearing.

- This Settlement Agreement and Final Order is voluntarily submitted by Lohmann to the Board for consideration.
- Lohmann acknowledges he has the right to be represented by counsel in this
 matter.
- Lohmann agrees that the State's counsel may present this Settlement Agreement and Final Order to the Board.
- 10. This Settlement Agreement and Final Order must be approved by the Board. If the Board fails to approve this Settlement Agreement and Final Order it shall be of no force or effect to either party.
- Lohmann understands that this Settlement Agreement and Final Order is a public record and is therefore, subject to inspection and copying by members of the public.
- 12. This Settlement Agreement and Final Order shall be part of Lohmann's permanent record and shall be considered by the Board in determining the nature and severity of any disciplinary action to be imposed in the event of future violations.
- 13. Any failure by Lohmann to comply with the terms and conditions of this Settlement Agreement and Final Order may subject Lohmann to further licensee disciplinary action by the Board.
- The Board's approval of this Settlement Agreement and Final Order shall constitute a FINAL ORDER of the Board.

IT IS THEREFORE ORDERED:

- 15. Lohmann is CITED for being convicted of operating a motor vehicle while intoxicated, third offense, a Class D felony, and is further WARNED that any similar failure in the future may result in additional discipline, including suspension of his license.
- 16. Lohmann agrees to self-refer to the Impaired Practitioner Review Committee (hereinafter "IPRC") within thirty days of the signing of this Settlement Agreement and Final Order, by contacting the Bureau of Professional Licensure at (515) 281-0254.
 - Lohmann agrees to comply with all requirements of the IPRC.
- Lohmann agrees to obey all federal, state, and local laws, rules and regulations governing the practice of physical therapy.
- 19. Lohmann shall remit to the Board a civil penalty in the amount of five hundred dollars (\$500) within ninety days of the date of the execution of this Settlement Agreement and Final Order.

This settlement agreement and final order is approved by the board on November 21, 2008.