

STATE OF IOWA
BEFORE THE BOARD OF CHIROPRACTIC

IN THE MATTER OF:)	
Lance Mahoney, Applicant)	CONSENT AGREEMENT
1677 Hay Meadow Road)	AND ORDER
Waukon, IA 52172)	
)	

The Iowa Board of Chiropractic (Board) and Lance Mahoney (Applicant) enter into this Consent Agreement and Order (Agreement) pursuant to Iowa Code sections 17A.10(1) 147.3, 147.11, 272C.3, and 645 Iowa Administrative Code rules 41.15 and 11.31.

1. Applicant applied for Iowa licensure by reinstatement and meets the requirements for licensure in Iowa with the exception of the completion and documentation of the required sixty hours of continuing education as required for reactivation in 645—41.14(17A, 147, 272C) and 645—44.2(272C).

2. Applicant complied with the stipulations of the combined statement of charges, settlement agreement and final order approved by the Board on April 28, 2006, and is now eligible for reinstatement.

3. Upon approval of this Agreement by the Board, Applicant will be issued a chiropractic license following showing proof of completion of the continuing education as required in 645—41.14. Applicant's license to practice chiropractic will be placed on probation for two years from the date the Board approves this agreement, subject to the following conditions:
 - a. Applicant shall fully comply with all relevant statutes and administrative rules in the course of his practice as a licensed chiropractor including compliance with all license renewal and continuing education requirements;

 - b. The Applicant agrees to continue psychiatric counseling with frequency determined by psychiatric physician. If the psychiatric physician determines that such care can be discontinued or if the applicant determines to stop such counseling on his own then the Applicant shall submit documentation for board review and approval prior

to ending such counseling. If Applicant has to change counselor for any reason then the applicant shall obtain an alternate psychiatric physician within 30 days of ending sessions with the current provider and provide provider contact information in writing to the Board within 30 days of the change in providers.

c. The Applicant shall ensure that his psychiatric counselor provides quarterly reports to the Board by the first of April, July, October and January documenting his contacts and providing a summary of treatment and progress.

d. Mr. Mahoney will contract with his attending psychiatric physician to test for appropriate lithium and other prescribed drug levels and to report to the Board of each of the test results indicating whether such levels are appropriate or not for Mr. Mahoney's condition. Mr. Mahoney's attending psychiatric physician shall determine the appropriate frequency of such testing. In addition, Mr. Mahoney shall arrange for his attending psychiatric physician to send a letter agreeing to such testing and Board reporting within 30 days of signing the consent agreement.

e. Upon request of the Board, Applicant shall appear before the Board to report on the status of his practice as a chiropractor and to answer any questions or concerns the Board may have regarding his probation. The Board shall provide Applicant with reasonable notice of the date, time, and place for any requested appearance. Applicant agrees that any such appearance would be governed by 645 Iowa Administrative Code rule 9.7 and that he waives any and all objections to the members of the Board both participating in the appearance and later participating as decision makers in a contested case proceeding.

4. Any failure by Applicant to comply with the terms and conditions of this Agreement shall subject Applicant to license disciplinary action which could be initiated by the Board through the filing of a statement of charges with a hearing to be held on the merits.

5. Upon full compliance with all terms and conditions of the probation prescribed by this Agreement, Applicant's license to practice as a chiropractor in the state of Iowa shall be restored to its full privilege free and clear of all probationary restrictions.

6. This Agreement is subject to approval by the Board. If the Board fails to

approve this Agreement, it shall be of no force or effect on either party.

7. This Agreement is voluntarily submitted by Applicant to the Board for its consideration.

8. This Agreement is a public record available for inspection and copying in accordance with Iowa Code section 272C.3(4).

9. This Agreement shall be part of the permanent record of Applicant 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.

10. This Agreement shall not be binding as to any existing or new complaints received by the Board.

WHEREFORE, the terms of this Consent Agreement and Order are agreed to and accepted by the Iowa Board of Chiropractic and Applicant.

This consent agreement and order is approved by the board on December 14, 2009.