

BEFORE THE BOARD OF NURSING HOME ADMINISTRATORS
OF THE STATE OF IOWA

IN THE MATTER OF THE)	NO. 04-004; 04-005
STATEMENT OF CHARGES)	
AGAINST)	
)	
Kristene Lange,)	NOTICE OF HEARING
)	
RESPONDENT.)	

COMES NOW the Iowa Board of Nursing Home Administrators and files this Notice of Hearing pursuant to Iowa Code Section 17A.12(2). Respondent was issued Iowa Nursing Home Administrator license no. 01739 on January 14, 1993. That license is active and will next expire on December 31, 2007.

A. TIME, PLACE AND NATURE OF HEARING

1. Hearing. A disciplinary contested case hearing will be held on July 19, 2007, before the Board of Nursing Home Administrators. The hearing shall begin at 9:00 a.m. and shall be located in the Lucas State Office Building, Fifth Floor Board Conference Room #526, Des Moines, Iowa.
2. Answer. Within twenty (20) days of the date you are served this Notice of Hearing you are required by 645 Iowa Administrative Code 11.12 to file an Answer. In that Answer, you should also state whether you will require an adjustment of the date and time of the hearing.
3. Presiding Officer. The Board shall serve as presiding officer, but the Board may request an Administrative Law Judge make initial rulings on prehearing matters, and be present to assist and advise the board at hearing.
4. Hearing Procedures. The procedural rules governing the conduct of the hearing

are found at 645 Iowa Administrative Code Chapter 11. At hearing, you will be allowed the opportunity to respond to the charges against you, to produce evidence on your behalf, cross-examine witnesses, and examine any documents introduced at hearing. You may appear personally or be represented by counsel at your own expense. The hearing may be open to the public or closed to the public at the discretion of the Respondent.

5. Prosecution. The office of the Attorney General is responsible for representing the public interest (the State) in this proceeding. Pleadings shall be filed with the Board and copies should be provided to counsel for the State at the following address: Emily Kimes-Schwiesow, Assistant Attorney General, Iowa Attorney General's Office, 2nd Floor, Hoover State Office Building, Des Moines, Iowa 50319.

6. Communications. You may not contact board members by phone, letter, facsimile, e-mail, or in person about this Notice of Hearing. Board members may only receive information about the case when all parties have notice and an opportunity to participate, such as at the hearing or in pleadings you file with the Board office and serve upon all parties in the case. You should direct any questions to Sharon Dozier, the Board's Administrator at 515.281.6352, or to Assistant Attorney General Emily Kimes-Schwiesow at 515.281.5637.

B. LEGAL AUTHORITY AND JURISDICTION

7. Jurisdiction. The Board has jurisdiction in this matter pursuant to Iowa Code Chapters 17A, 147, 155, and 272C (2007).

8. Legal Authority. If any of the allegations against you are founded, the Board has authority to take disciplinary action against you under Iowa Code Chapters 17A, 147, 155, and 272C (2007) and 645 Iowa Administrative Code Chapter 144.

9. Default. If you fail to appear at the hearing, the Board may enter a default

decision or proceed with the hearing and render a decision in your absence, in accordance with Iowa Code Section 17A.12(3) and 645 Iowa Administrative Code 11.21.

C. SECTIONS OF STATUTES AND RULES INVOLVED

Count I

10. Respondent is charged pursuant to 645 Iowa Administrative Code 144.2(9) (2004) with falsification of client or patient records.

D. STATEMENT OF MATTERS ASSERTED

11. A short and plain Statement of the Matters Asserted was reviewed and approved by the Board at the time this Notice of Hearing was filed. A Statement of the Matters Asserted shall be furnished to Respondent as an attachment to this Notice, but is not a public record as of the date of issuance of the Notice of Hearing. Upon issuance of the Board's approval of a settlement agreement, the Statement of Matters Asserted is a public record.

E. SETTLEMENT

14. Settlement. This matter may be resolved by settlement agreement. The procedural rules governing the Board's settlement process are found at 645 Iowa Administrative Code chapter 12. If you are interested in pursuing settlement of this matter, please contact Assistant Attorney General Emily Kimes-Schwiesow, at 515.281.5637.

F. PROBABLE CAUSE FINDING

15. On this 12th day of April, 2007, the Iowa Board of Nursing Home Administrators found probable cause to file this Notice of Hearing.

This notice of hearing is approved by the board on April 12, 2007.