BEFORE THE BOARD OF INTERPRETERS FOR THE HEARING IMPAIRED EXAMINERS OF THE STATE OF IOWA

IN THE MATTER OF THE APPLICATION

FOR INTERPRETER FOR THE HEARING IMPAIRED LICENSURE OF

JASON DARIN FIGG, APPLICANT

PRELIMINARY NOTICE OF INTENT TO DENY LICENSURE

TO: Jason Darin Figg

YOU ARE HEREBY NOTIFIED that pursuant to Iowa Code section 147.4 (2005), the Board may refuse to grant a license to practice as an interpreter for the hearing impaired upon any of the grounds for which a license may be revoked or suspended. On November 21, 2005, the Iowa Board of Interpreters for the Hearing Impaired Examiners voted to issue this preliminary notice of intent to deny your application for an Iowa license to practice as an interpreter for the hearing impaired. The intent to deny licensure is based upon the following:

STATUTORY VIOLATIONS

- I. Iowa Code sections 147.55(3) and 272C.10(3) provide that the Board may revoke or suspend a license for unethical conduct.
- II. Iowa Code section 147.55(5) provides that the Board may revoke or suspend a license for conviction of a felony related to the profession or occupation of the licensee or the conviction of any felony that would affect the licensee's ability to practice a profession.
- III. Iowa Code sections 147.55(4) and 272C.10(4) provide that the Board may revoke or suspend a license for habitual intoxication.
- IV. Iowa Code sections 147.55(1) and 272C.10(1) provide that the Board may revoke or suspend a license for fraud in procuring a license.

FACTUAL CIRCUMSTANCES

- 1. On July 27, 2005, the Iowa Board of Interpreters for the Hearing Impaired Examiners (Board) received an application for licensure from Jason Darin Figg (Applicant).
 - 2. The Applicant has been convicted of the following criminal offenses:
 - On March 12, 1993, Applicant was convicted of sexual abuse in the third degree, a class C felony, for engaging in sex acts with a twelve year old child.

- On April 23, 1993, Applicant was convicted of assault causing injury domestic assault.
- On May 27, 1993, Applicant was convicted of assault causing injury assault with a dangerous weapon.
- On November 3, 1999, Applicant was convicted of operating a motor vehicle while under the influence of alcohol (OWI) first offense.
- On April 12, 2000, Applicant was convicted of driving while his license was suspended.
- On May 5, 2003, Applicant was convicted of open container.
- On January 16, 2004, Applicant was charged with OWI second offense. On April 30, 2004, Applicant was convicted of public intoxication.
- On April 12, 2004, Applicant was convicted of contempt of district court.
- On May 25, 2005, Applicant was charged with failure to have valid license/permit while operating a motor vehicle.
- On May 25, 2005, Applicant was charged with OWI second offense.
- 3. The Application requires Applicant to "attach a signed letter of explanation and provide the details" of each felony or misdemeanor criminal conviction, other than minor traffic violations with fines under \$ 500, "including the court or legal documents related to each incident." (Application).

In his letter of explanation, Applicant failed to provide any explanation or details of the following convictions:

- April 23, 1993, conviction of assault causing injury domestic assault
- May 27, 1993, conviction of assault causing injury assault with a dangerous weapon
- May 5, 2003, conviction of open container
- April 30, 2004, conviction of public intoxication
- April 12, 2004, conviction of contempt of district court

In addition, the Applicant failed to provide any information in his letter of explanation or any court or legal documents regarding the conviction for open container on May 5, 2003, or the conviction for contempt of district court on April 12, 2005.

The Application certification signed by Applicant provides that "I certify that I have carefully read the questions on this application and have answered them completely and truthfully. I declare under penalty of perjury that my answers, and all other statements or information submitted by me in this application process, are true and correct. If it is determined at any time that I have provided misleading or false information on or in support of this application, I understand that my application may be denied[.]"

NOTICE OF APPEAL RIGHTS

Pursuant to the provisions of 645 IAC 11.32, you may appeal the Board's denial of license by serving a notice of appeal and request for hearing on the Board's administrator not more than thirty days from the date of this notice. A photocopy of this rule is attached. If an appeal is not filed within this time period, this preliminary notice of intent to deny licensure will become final and will be a matter of public record.

This preliminary notice of intent to deny licensure is approved by the board on December 12, 2005.