

BEFORE IOWA BOARD OF PODIATRY

IN THE MATTER OF) NO. 10-012
)
John Redenius, DPM) **NOTICE OF HEARING**
) **AND STATEMENT OF CHARGES**
 Respondent.)

COMES NOW the Iowa Board of Podiatry (Board) and hereby files this Notice of Hearing and Statement of Charges pursuant to Iowa Code sections 17A.12(2), 17A.18(3), and 645 Iowa Administrative Code (IAC) 11.6. Respondent was issued license number 00322 to practice podiatric medicine in the state of Iowa on July 2, 1973. Respondent's license is active, and will expire on June 30, 2012. Respondent's address as reported to the Board is 123 Plaza Circle, Waterloo, IA 50701-5138.

A. TIME, PLACE AND NATURE OF HEARING

Hearing. A disciplinary contested case hearing shall be held on **April 13, 2012** before the Board of Podiatry. The hearing shall begin at 9:00 a.m. and shall be located in the Lucas State Office Building, 321 E 12th Street, 5th Floor Conference Room #526, Des Moines, Iowa.

Answer. Within twenty (20) days of the date you are served this Notice of Hearing and Statement of Charges you are required by 645 IAC 11.12 to file an Answer. The Answer should specifically admit, deny, or otherwise answer all allegations contained in sections C and D of this Notice of Hearing and Statement of Charges. Pleadings shall be filed with the Board at the following address: Board of Podiatry, 5th Floor, Lucas State Office Building, 321 East 12th Street, Des Moines, Iowa, 50319.

Presiding Officer. The Board shall serve as presiding officer, but the Board may request an Administrative Law Judge make initial rulings on pre-hearing matters, and

be present to assist and advise the board at hearing.

Hearing Procedures. The procedural rules governing the conduct of the hearing are found at 641 IAC chapter 11. At hearing, you may appear personally or be represented by legal counsel at your own expense. You will be allowed the opportunity to respond to the charges against you, to produce evidence on your behalf on issues of material fact, cross-examine witnesses present at the hearing, and examine and respond to any documents introduced at hearing. If you need to request an alternative time or date for hearing, you must comply with the requirements of 645 IAC 11.18. The hearing may be open to the public or closed to the public at your discretion.

Pre-hearing Conference. Any party may request a pre-hearing conference to discuss evidentiary issues related to the hearing. The Board's rules regarding pre-hearing conferences are contained at 645 IAC 11.17.

Prosecution. The Office of the Attorney General is responsible for representing the public interest (the State) in this proceeding. Copies of pleadings should be provided to counsel for the State at the following address: September Lau, Assistant Attorney General, Iowa Attorney General's Office, 2nd Floor, Hoover State Office Building, Des Moines, Iowa 50319.

Communications. You may not contact board members in any manner, including by phone, letter, or e-mail, about this Notice of Hearing and Statement of Charges. 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.

B. LEGAL AUTHORITY AND JURISDICTION

Jurisdiction. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 147, 149, and 272C.

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, 149, and 272C and 645 IAC chapter 224.

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 IAC 11.21.

C. SECTIONS OF STATUTES AND RULES INVOLVED

Count I

Respondent is charged pursuant to Iowa Code section 272C.10, and 645 IAC 224.2(20) and 645 IAC 15.7 with failure to comply with the terms of a Board order.

D. FACTUAL CIRCUMSTANCES

1. Respondent is the sole proprietor of Black Hawk Podiatry. He operates an office at 123 Plaza Circle, Waterloo, Iowa 50701 (Waterloo Office). He operates another office at 210 Main Street, Iowa Falls, Iowa 50126 (Iowa Falls Office).

2. On September 30, 2011, the Board issued a Statement of Charges against Respondent. That Statement of Charges was resolved through a hearing, with a Decision and Order dated November 1, 2011 (hereinafter "Order"). The Order is incorporated herein by reference.

3. The Order, among other stipulations, required Respondent to obtain a Practice Monitor within sixty (60) days. Respondent was thus required to obtain a Practice

Monitor by January 1, 2012.

4. As of this date, Respondent has not obtained such Practice Monitor. Respondent is therefore not in compliance with the terms of the Order relating to the Practice Monitor.

E. SETTLEMENT

This matter may be resolved by settlement agreement. The procedural rules governing the Board's settlement process are found at 645 IAC chapter 12. If you are interested in pursuing settlement of this matter, please contact September Lau, Assistant Attorney General, at (515) 281-7175.

F. PROBABLE CAUSE FINDING

On this 16th day of February, 2012 the Iowa Board of Podiatry found probable cause to file this Notice of Hearing and Statement of Charges.