BEFORE THE IOWA BOARD OF DIETETICS

IN THE MATTER OF:	)	CASE NUMBER: 11-001
	)	
Lori Graff,	)	**SETTLEMENT AGREEMENT AND FINAL ORDER**
	)	
Respondent.	)	

COME NOW the Iowa Board of Dietetics (Board) and Lori Graff (Respondent), and pursuant to Iowa Code sections 17A.10 and 272C.3(4), enter into the following Settlement Agreement and Final Order of the contested case currently on file against the Respondent:

1. The Respondent was originally licensed to practice as a dietitian on September 9, 1994, and holds license number 01105. That license is active and will expire on April 15, 2013.

2. A Notice of Hearing and Statement of Charges was filed against the Respondent on September 14, 2012. A contested case hearing in this matter is scheduled for December 7, 2012.

3. The Board has jurisdiction over the parties and subject matter of the Notice of Hearing and Statement of Charges.

4. Execution of this Settlement Agreement and Final Order constitutes the resolution of this contested case. Respondent has a right to a hearing on the charges, but waives her right to hearing and all attendant rights, including the right to appeal, by freely and voluntarily agreeing to this Settlement Agreement and Final Order. Once entered, this Order shall have the force and effect of a disciplinary order entered following contested case hearing.

5. Respondent is freely and voluntarily entering into this Settlement Agreement and Final Order, and she agrees that the State's counsel may present this agreement to the Board.

6. This agreement is subject to approval of the Board. If the Board approves this agreement, it becomes the final disposition of this matter. If the Board fails to approve this agreement, it shall be of no force or effect to either party.

7. This Settlement Agreement and Final Order as well as the Notice of Hearing and Statement of Charges are public records available for inspection and copying in accordance with the requirements of Iowa Code Chapter 22.

8. The Board's approval of this agreement shall constitute a FINAL ORDER of the Board.

IT IS THEREFORE ORDERED:

9. Respondent agrees to the following with respect to Mediator Release Tests (MRT) and the Lifestyle Eating and Performance (LEAP) Program:

a. All associated blood tests shall be ordered by a licensed health care practitioner with independent prescribing authority, who is authorized to care for patients in the State of Iowa; and

b. Respondent will send all related documentation that Respondent develops to the health care practitioner who ordered the blood test.

10. Respondent agrees to a one-year period of probation. Such probation shall begin on the date the Board approves Respondent's Practice Monitor, as required by paragraph 11(a) herein.

11. During the period of probation, Respondent's license shall be subject to the following conditions:

a. Respondent shall obtain a Board-approved Practice Monitor, who is a licensed, registered dietitian. Within thirty (30) days of the Effective Date of

this Agreement[1], Respondent shall submit to the Board the name of Respondent's proposed practice monitor for approval. Respondent shall indicate this person's qualifications and licensure status, and whether this person has any professional or personal relationship with Respondent. Respondent shall also provide documentation that the proposed Practice Monitor is willing and able to perform the duties required by sub-paragraph 11(b) below.

b. Respondent's Practice Monitor shall conduct a review of the client/patient records for 20% of Respondent's clients/patients, and for 100% of Respondent's client/patients for whom Respondent is utilizing an elimination diet. The Practice Monitor shall review such records 1) to determine whether Respondent is properly documenting client/patient encounters, counseling, and/or treatment, and 2) to ensure that Respondent is not practicing outside the scope of her license. The Practice Monitor shall submit reports to the Board, along with copies of the records he/she has reviewed, which shall be submitted to the Board on or by March 1, 2013, and every three months thereafter for the duration of Respondent's probation.

c. Respondent shall complete fifteen (15) hours of continuing education in the area of client counseling and/or documentation. Such continuing education shall be in addition that that otherwise required for license renewal.

d. Respondent shall submit reports attesting to her compliance with the conditions of this Agreement. Respondent shall submit these reports to the Board on or by March 1, 2013, and every three months thereafter for the duration of Respondent's probation.

12. Respondent shall submit a $500.00 civil penalty within sixty (60) days of the Effective Date of this Agreement.

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1 The Effective Date is the date the Board accepts this Agreement.

AGREED AND ACCEPTED:

LORI GRAFF,
RESPONDENT

Dated this 17th day of December, 2012.

CHAIRPERSON,
IOWA BOARD OF
DIETETICS

Dated this 1st day of February, 2013.

Copies to:

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