## BEFORE THE BOARD OF SPEECH PATHOLOGY & AUDIOLOGY OF THE STATE OF IOWA

IN THE MATTER OF : No. 09-002

JANET GUTHRIE HOFFMAN : SETTLEMENT AGREEMENT

AND FINAL ORDER

Respondent. :

COMES NOW the Iowa Board of Speech Pathology & Audiology (Board) and Janet Guthrie Hoffman (Respondent), and pursuant to Iowa Code §§17A.10 and 272C.3(4), hereby enter into the following Settlement Agreement and Final Order of the contested case currently on file against the Respondent:

- Respondent was issued Iowa license number #00436 on July 1, 1981.
  Respondent's license is current and will next expire on December 31, 2011.
- 2. The Board filed a Notice of Hearing and Statement of Charges against the Respondent on October 26, 2010, charging Respondent with falsification of client records in violation of Iowa Code §147.55 and 645 IAC §304.2(8).
- 3. The Board has jurisdiction over the parties and subject matter of the Notice of Hearing and Statement of Charges.
  - 4. Respondent admits that she falsified client records.
- 5. Execution of this Settlement Agreement and Final Order constitutes the resolution of a 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 seek judicial review, 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 a contested case hearing.

- 6. Respondent is freely and voluntarily entering into this Settlement Agreement and Final Order. Respondent agrees that the State's counsel may present this agreement to the Board and may have *ex parte* communications with the Board while presenting it.
- 7. This Settlement Agreement and Final Order is subject to approval by the Board. If the Board approves this Settlement Agreement and Final Order, it becomes the final disposition of this matter. If the Board fails to approve this Settlement Agreement and Final Order, it shall be of no force or effect to either party.
- 8. This Settlement Agreement and Final Order shall be part of Respondent's permanent record and shall be considered by the Board in determining the nature and severity of any disciplinary action to be imposed in the event of any future violations.
- 9. In the event Respondent violates or fails to comply with any of the terms of this Settlement Agreement and Final Order, the Board may initiate appropriate action to revoke or suspend Respondent's license or to impose other licensee discipline in accordance with Iowa Code §272C.3(2)(a).
- 10. This Settlement Agreement and Final Order is a public record available for inspection and copying upon execution of this Settlement Agreement and Final Order in accordance with the requirements of Iowa Code Chapters 22 and 272C. The Notice of Hearing is also a public record which became available for inspection and copying the date it was filed in accordance with the requirements of Iowa Code Chapters 17A, 22 and 272C.

11. The Board's approval of this Settlement Agreement and Final Order shall constitute a **FINAL ORDER** of the Board.

## **IT IS THEREFORE ORDERED:**

- 12. Respondent shall be assessed a civil penalty in the amount of \$500. This civil penalty shall be paid within thirty (30) days after the Board's approval of this Settlement Agreement and Final Order, and shall be made payable to the Treasurer of Iowa and mailed to the Board. All civil penalty payments shall be deposited into the State of Iowa general fund.
- 13. Respondent's license shall be SUSPENDED for a period of seven (7) consecutive days from noon on January 24, 2011 to noon on January 31, 2011. During the period of suspension, Respondent shall not utilize any designation, abbreviation, or title which implies the Respondent is licensed to practice speech pathology or otherwise hold herself out to be a provider of speech pathology services. During the suspension period, Respondent shall not engage in any activity or practice of speech pathology in the State of Iowa for which a license is required.
- 14. Respondent shall complete a total of six hours of Board-approved continuing education in the areas of ethics and record keeping within three months of the entry of this order. Respondent shall provide the Board with documentation showing that she has completed said continuing education. These six hours of continuing education are in addition to the continuing education hours Respondent would need for maintaining her license and cannot be used for future continuing education requirements.

This Settlement Agreement and Final Order is accepted by the Iowa Board of Speech Pathology and Audiology on the 14th day of December, 2010.