

**PRESS RELEASE**  
**IOWA BOARD OF MEDICINE**  
**(September 26, 2012)**

**PUBLIC DOCUMENTS: Please click on the physician's name to access a link to a copy of the public documents for each physician.**

Recently, the Iowa Board of Medicine took the following actions:

[Daniel J. Baldi, D.O.](#), a 50-year-old Iowa-licensed anesthesiologist who practiced pain management in Des Moines, Iowa, entered into a Stipulated Order with the Board on September 21, 2012. On August 23, 2012, the Board charged Dr. Baldi with failing to provide appropriate pain care to numerous patients in Des Moines, Iowa, between 2004 and 2012. On September 5, 2012, Dr. Baldi was charged in Polk County, Iowa, with eight counts of involuntary manslaughter for allegedly prescribing large amounts of narcotic painkillers to patients who later died of drug overdoses. Under the terms of the Stipulated Order, Dr. Baldi agreed not to engage in the practice of medicine until the pending disciplinary charges have been resolved and the Board agreed to postpone the hearing before the Board until the criminal charges have been resolved.

[Frank Butera, D.O.](#), a 44-year-old Iowa-licensed physician who practices orthopedic surgery in Des Moines, Iowa, entered into a Settlement Agreement with the Board on September 21, 2012. On March 1, 2012, the Board charged Dr. Butera with engaging in sexual misconduct, unethical or unprofessional conduct and professional incompetency. The Board alleged that Dr. Butera performed inappropriate physical examinations on four female patients between September 2008 and March 2010. Under the terms of the Settlement Agreement, the Board issued Dr. Butera a public reprimand and ordered him to pay a \$10,000 fine. The Board also ordered Dr. Butera to complete a professional boundaries program, sexual misconduct treatment and a neuropsychological evaluation. Dr. Butera is also required to have a Board-approved chaperone present when treating female patients in the future. Finally, the Board placed Dr. Butera on probation for a period of five years subject to Board monitoring.

[Donna J.B. Delouis, D.O.](#), a 62-year-old Iowa-licensed physician who practices family medicine in Runnells, Iowa, entered into a combined Statement of Charges and Settlement Agreement with the Board on September 21, 2012. The Board charged Dr. Delouis with prescribing Phentermine, a Schedule IV controlled narcotic, to a family member on multiple occasions between April 2009 and February 2012, in violation of the laws and rules governing the practice of medicine in Iowa. Under the terms of the Settlement Agreement, the Board issued Dr. Delouis a public reprimand and ordered her to pay a \$2,500 fine. The Board also ordered Dr. Delouis to complete a Board-approved professional ethics program.

[Richard M. Fleming, M.D.](#), a 56-year-old Iowa-licensed cardiologist from Reno, Nevada, had a Findings of Fact, Conclusions of Law, Decision and Order issued by the Board on September 17, 2012. On January 18, 2007, Dr. Fleming was indicted in the United States District Court for the District of Nebraska on ten (10) counts of health care fraud, two (2) counts of wire fraud and one (1) count of mail fraud. On August 21, 2009, Dr. Fleming pleaded guilty to one count each of health care fraud and mail fraud. Dr. Fleming was placed on probation for a period of five years and ordered to pay \$107,244.24 in restitution. Dr. Fleming was permanently excluded from participation in all Federal health care programs. On February 4, 2010, the Board charged Dr. Fleming with being convicted of a felony related to the practice of medicine and engaging in

unethical or unprofessional conduct in the practice of medicine. A hearing was held before the Board on August 26, 2011. On February 9, 2012, the Board issued Dr. Fleming a public reprimand and ordered him to pay a \$10,000 fine. The Board also ordered Dr. Fleming to complete a Board-approved professional ethics program and billing course. The Board also placed Dr. Fleming on probation for a period of five years subject to Board monitoring. On June 8, 2012, the Board filed new charges against Dr. Fleming for violating the terms of the February 9, 2012, Order. The Board alleged that Dr. Fleming failed to pay the \$10,000 civil penalty, failed to complete the Board-approved professional ethics program and billing course and failed to pay the \$75 hearing fee. A hearing was held on August 16, 2012. Under the terms of the September 17, 2012, Order, the Board concluded that Dr. Fleming repeatedly violated the terms of the Board's earlier order. The Board suspended Dr. Fleming's Iowa Medical license indefinitely. Prior to seeking reinstatement, Dr. Fleming must pay the \$10,000 fine and the \$75 hearing fee. He must also complete the Board-approved professional ethics program and billing course.

**David V. Gierlus, D.O.**, a 59-year-old Iowa-licensed physician who practiced family medicine in Muscatine, Iowa, entered into a Stipulated Order with the Board on September 21, 2012. On August 31, 2012, Dr. Gierlus was charged with three counts of Distributing - Controlled Substances in the U.S. District Court for the Southern District of Iowa, in Davenport, Iowa. A Board investigation is pending. Under the terms of the Stipulated Order, Dr. Gierlus agreed not to engage in the practice of medicine until the Board approves his return to the practice of medicine.

**Brian J. Hansen, D.O.**, a 39-year-old Iowa-licensed physician who practices family medicine in Hampton, Iowa, had his Iowa medical license suspended by the Board on September 25, 2012. The Board filed a Statement of Charges and an Emergency Adjudicative Order alleging that Dr. Hansen engaged in a pattern of sexual misconduct and/or unprofessional conduct in the practice of medicine. The Board alleged that Dr. Hansen engaged in a pattern of inappropriate sexual conduct, including nonconsensual sexual contact, with at least six female patients and/or co-workers in Hampton, Iowa, between 2008 and May 2012. Under the terms of the Emergency Adjudicative Order, Dr. Hansen's Iowa medical license is suspended until this matter is resolved. A hearing is scheduled on October 10-11, 2012.

**Malik E. Juweid, M.D.**, a 51-year-old Iowa-licensed physician who formerly practiced nuclear medicine at University of Iowa Hospitals and Clinics in Iowa City, Iowa, entered into a Stipulated Order with the Board on September 21, 2012. On November 18, 2011, the Board issued a Confidential Evaluation Order requiring Dr. Juweid to complete a comprehensive physical, neuropsychological, mental health, unprofessional conduct and/or disruptive behavior evaluation due to concerns that he engaged in a pattern of unprofessional conduct and/or disruptive behavior. Dr. Juweid filed an Objection contesting the allegations in the Confidential Evaluation Order. Dr. Juweid informed the Board that he has moved out of the country and does not intend to practice medicine under his Iowa medical license at this time. Dr. Juweid requested that the Board stay enforcement of the Confidential Evaluation Order if he agrees not to practice medicine under his Iowa medical license. Under the terms of the Stipulated Order, Dr. Juweid agreed not to engage in the practice medicine under his Iowa medical license until he completes a comprehensive physical, neuropsychological, mental health, unprofessional conduct and/or disruptive behavior evaluation at a Board-approved assessment program and the Board agreed to stay enforcement of the Confidential Evaluation Order as long as Dr. Juweid fully complies with the Stipulated Order.

**Stuart K. Lehr, M.D.**, a 61-year-old Iowa-licensed physician who practices radiology in Clive, Iowa, had the terms of his order terminated on September 21, 2012. Dr. Lehr entered into a combined Statement of Charges and Settlement Agreement with the Board on March 1, 2012. The Board charged Dr. Lehr with engaging in unprofessional conduct when he inappropriately accessed the medical records of an individual who was not under his care. Under the terms of the Settlement Agreement, the Board issued Dr. Lehr a public reprimand and ordered him to pay a \$2,500 fine and complete a Board-approved professional ethics program. Dr. Lehr paid the \$2,500 civil penalty and successfully completed the Board-approved professional ethics program.

**Kent F. Metcalf, D.O.**, a 41-year-old Iowa-licensed physician who practices family medicine in Mount Pleasant, Iowa, had the terms of his order terminated on September 21, 2012. Dr. Metcalf entered into a combined Statement of Charges and Settlement Agreement with the Board on April 19, 2012. The Board charged Dr. Metcalf with failing to provide appropriate obstetrical care to a female patient in Mount Pleasant, Iowa, in December 2007. The Board alleged that Dr. Metcalf failed to go to the hospital to examine the patient in a timely manner and failed to timely diagnose and manage the patient's pre-term labor. Under the terms of the Settlement Agreement, the Board issued Dr. Metcalf a public reprimand and ordered him to pay a \$2,500 fine. Dr. Metcalf also agreed to complete a Board-approved education program for advanced obstetrical care for family practice physicians and submit a written corrective action plan which describes what he has learned from this case and the steps he has taken to avoid similar concerns in the future. Dr. Metcalf paid the \$2,500 civil penalty, submitted a written corrective action plan and successfully completed a Board-approved advanced obstetrical care program.

**Jeffrey L. Piccirillo, D.O.**, a 49-year-old Iowa-licensed physician who formerly practiced orthopedic surgery in Grinnell, Iowa, and currently practices general medicine in Grinnell, Iowa, and Lake in the Hills, Illinois, had formal disciplinary charges filed against him by the Board on September 21, 2012. On January 28, 2008, the Board charged Dr. Piccirillo alleging that he demonstrated a pattern of professional incompetency and practice harmful or detrimental to the public in his orthopedic surgery practice. On February 12, 2009, Dr. Piccirillo entered into a Settlement Agreement with the Board to resolve the pending disciplinary charges. Under the terms to the Settlement Agreement, Dr. Piccirillo was issued a public reprimand and ordered to pay a \$5,000 fine. Dr. Piccirillo was also prohibited from practicing surgery, required to complete a Board-approved mental health assessment and placed on indefinite probation subject to Board monitoring. On September 21, 2012, the Board charged Dr. Piccirillo with engaging in professional incompetency, practice harmful to the public, sexual misconduct and professional misconduct. The Board alleged that Dr. Piccirillo failed to provide appropriate care to numerous patients who were diagnosed with Lyme disease and that he engaged in an inappropriate sexual relationship with a female patient. A hearing is scheduled on December 7, 2012.

**When appropriate, disciplinary actions are reported to the National Practitioner Data Bank, an electronic repository administered by the U.S. Health Resources and Services Administration to track adverse license actions.**

**CONSUMER COMPLAINTS: Consumers can submit complaints against physicians through the Board's Website at [www.medicalboard.iowa.gov](http://www.medicalboard.iowa.gov), by calling (515) 281-5847, or by mail at 400 SW 8<sup>th</sup> Street, Suite C, Des Moines, IA 50309-4686.**