

PRESS RELEASE
IOWA BOARD OF MEDICINE
(July 3, 2013)

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

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

Jeffrey T. Dardinger, M.D., a 42-year-old Iowa-licensed physician who formerly practiced radiology in Union, Kentucky, entered into a combined Statement of Charges and Settlement Agreement with the Board on June 28, 2013. He has an active Iowa medical license. On January 4, 2013, Dr. Dardinger pleaded guilty to one Count of Illegal Use of a Minor in Nudity Oriented Material or Performance, a felony in the fifth degree, in Hamilton County, Ohio. He secretly and repeatedly videotaped a teenage child in his home using a hidden camera. He was ordered to perform 200 hours of community service, pay a \$2,500 fine and register as a sex offender. On February 6, 2013, the Commonwealth of Kentucky Board of Medical Licensure (Kentucky Board) suspended Dr. Dardinger's Kentucky medical license based on the criminal conviction in Ohio. Under the terms of the June 28, 2013, combined Statement of Charges and Settlement Agreement, Dr. Dardinger voluntarily surrendered his Iowa medical license.

Cassandra N. Garcia, M.D., a 42-year-old Iowa-licensed physician who currently practices family medicine in Santa Rosa, California, entered into a combined Statement of Charges and Settlement Agreement with the Board on June 28, 2013. Dr. Garcia's Iowa medical license went inactive due to nonrenewal on October 1, 2004. On May 25, 2012, Dr. Garcia was disciplined by the Medical Board of California (California Board). The California Board alleged that she prescribed excessive controlled substances to a single patient between August 2006 and May 2010. The California Board placed Dr. Garcia on probation for a period of three years subject to certain terms and conditions. Under the terms of the June 28, 2013, combined Statement of Charges and Settlement Agreement, Dr. Garcia voluntarily surrendered her Iowa medical license.

Frank L. Lamp, M.D., a 65-year-old Iowa-licensed physician who formerly practiced family medicine in Grundy Center, Iowa, entered into a Consent Agreement with the Board on June 28, 2013. On March 19, 1997, the Board suspended Dr. Lamp's Iowa medical license due to substance abuse. On August 23, 2000, the Board reinstated Dr. Lamp's license and placed him on probation for five years. On August 25, 2005, the Board terminated the probation. On November 15, 2012, the Board charged Dr. Lamp with inappropriately prescribing controlled substances and performing an inappropriate and/or medically unnecessary physical examination on a young female patient. A hearing was held on March 21, 2013, and the Board issued a Findings of Fact, Conclusions of Law, Decision and Order on April 18, 2013. The Board concluded that Dr. Lamp inappropriately prescribed controlled substances, particularly methadone, to patients with known substance abuse histories between 2009 and 2011. The Board also concluded that Dr. Lamp's physical examination of a young female patient in his clinic on August 10, 2011, was performed incompetently. The Board concluded that Dr. Lamp did not have sufficient medical justification for his decision to perform a breast examination. Under the terms of the April 18, 2013, Findings of Fact, Conclusions of Law, Decision and Order, the Board issued Dr. Lamp a Citation and Warning and ordered him to pay a \$2,500 civil penalty. The Board prohibited Dr. Lamp from purchasing, procuring, possessing, administering or dispensing controlled substances. The Board ordered Dr. Lamp to complete a Board-

approved clinical competency evaluation and professional boundaries evaluation. The Board ordered Dr. Lamp to have a Board-approved female healthcare professional chaperone continually present at all times while treating all patients under the age of 18 years old and while providing breast and/or pelvic examinations for any female patient. Finally, the Board placed Dr. Lamp on indefinite probation subject to a Board-approved practice monitoring plan and Board monitoring. Under the terms of the June 28, 2013, Consent Agreement, Dr. Lamp voluntarily surrendered his Iowa medical license effective June 1, 2013, in lieu of compliance with the terms and conditions of the April 18, 2013, Decision and Order.

Michael S. McCleary, M.D., a 43-year-old Iowa-licensed physician who currently practices internal medicine in Guthrie Center, Iowa, had a Termination Order issued by the Board on June 28, 2013. On October 12, 2007, Dr. McCleary entered into a Physician Health Contract with the Iowa Physician Health Program (IPHP) for substance abuse and mental health monitoring. On July 10, 2008, the Board charged Dr. McCleary with violating the terms of the IPHP contract when he failed to comply with the IPHP drug screening program, repeatedly used an abusable drug without IPHP approval, and practiced medicine after he had agreed not to. On September 17, 2008, Dr. McCleary entered into a Settlement Agreement with the Board to resolve the pending charges. Under the terms of the Settlement Agreement, Dr. McCleary was placed on probation for a period of five years subject to counseling and Board monitoring. The Board also ordered Dr. McCleary to pay a \$5,000 fine, issued him a Citation and Warning and ordered him to complete a Board-approved ethics program. On June 28, 2013, the Board voted to terminate the terms of Dr. McCleary's probation. Dr. McCleary's Iowa medical license is returned to its full privileges, free and clear of all restrictions.

Raphael N. Ngengwe, M.D., a 32-year-old Iowa-licensed physician who formerly practiced internal medicine in Iowa City, Iowa, entered into a combined Statement of Charges and Settlement Agreement with the Board on June 28, 2013. On November 29, 2011, Dr. Ngengwe entered into a Physician Health Contract with the Iowa Physician Health Program. Under the terms of the June 28, 2013, combined Statement of Charges and Settlement Agreement, the Board charged Dr. Ngengwe with violating the terms of his Physician Health Contract by failing to attend three required counseling sessions between May 9, 2012, and September 15, 2012. The Board issued Dr. Ngengwe a Citation and Warning and ordered him to pay a \$1,000 civil penalty.

Emmanuel Packianathan, M.D., a 67-year-old Iowa-licensed physician who currently practices family medicine in Getzville, New York, entered into a combined Statement of Charges and Settlement Agreement with the Board on June 28, 2013. Dr. Packianathan's Iowa medical license went inactive due to nonrenewal on April 1, 1998. On July 23, 2008, Dr. Packianathan was disciplined by the New York State Board for Professional Medical Conduct (New York Board). He admitted engaging in misconduct when he performed one or more inadequate examinations of a female patient's breasts in 2005. The New York Board placed Dr. Packianathan on probation for a period of three years subject to certain terms and conditions. Under the terms of the June 28, 2013, combined Statement of Charges and Settlement Agreement, Dr. Packianathan voluntarily surrendered his Iowa medical license.

Bakulkumar K. Patel, M.D., a 55-year-old Iowa-licensed physician who currently practices medicine in Foothill Ranch, California, entered into a combined Statement of Charges and Settlement Agreement with the Board on June 28, 2013. Dr. Patel's Iowa medical license went inactive due to nonrenewal on January 1, 1990. On February 6, 2002, the Medical Board of

California (California Board) issued Dr. Patel a public reprimand for maintaining inadequate medical records. On November 18, 2011, Dr. Patel was disciplined by the California Board. The California Board alleged that Dr. Patel perforated a patient's esophagus while performing surgery in November 2005. The California Board placed Dr. Patel on probation for a period of five years subject to certain terms and conditions. Under the terms of the June 28, 2013, combined Statement of Charges and Settlement Agreement, Dr. Patel voluntarily surrendered his Iowa medical license.

Jeffrey L. Piccirillo, D.O., a 50-year-old Iowa-licensed physician who formerly practiced orthopedic surgery in Grinnell, Iowa, and general medicine in Grinnell, Iowa, and Lake in the Hills, Illinois, entered into a Settlement Agreement with the Board on June 28, 2013. On January 28, 2008, the Board charged Dr. Piccirillo with 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. Dr. Piccirillo was prohibited from practicing surgery, required to complete a Board-approved mental health assessment and placed on indefinite probation subject to Board monitoring. The Board also issued Dr. Piccirillo a Citation and Warning and ordered him to pay a \$5,000 civil penalty. On September 21, 2012, the Board charged Dr. Piccirillo with engaging in professional incompetency, practice harmful to the public, sexual misconduct and unprofessional conduct. 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. Under the terms of the June 28, 2013, Settlement Agreement, Dr. Piccirillo is prohibited from treating Lyme disease under this Iowa medical license. The Board also issued Dr. Piccirillo a Citation and Warning and ordered him to pay a \$10,000 civil penalty. Dr. Piccirillo shall only practice medicine in a Board-approved practice setting. Prior to seeking approval of a practice setting, Dr. Piccirillo must successfully complete a Board-approved sexual misconduct evaluation, comprehensive clinical competency evaluation and professional ethics program. Dr. Piccirillo was also placed on indefinite probation subject to Board monitoring.

Dennis F. Rolek, D.O., a 72-year-old Iowa-licensed physician who formerly practiced family medicine in Des Moines, Iowa, and emergency medicine in several locations in Iowa, entered into a combined Statement of Charges and Settlement Agreement on June 28, 2013. The Board received information which indicates that Dr. Rolek suffers from a physical or neurological condition which impairs his ability to practice medicine with reasonable skill and safety. Under the terms of the June 28, 2013, combined Statement of Charges and Settlement Agreement, Dr. Rolek voluntarily surrendered his Iowa medical license.

Gilbert Shapiro, M.D., a 67-year-old Iowa-licensed physician who formerly practiced medicine in Key West, Florida, entered into a combined Statement of Charges and Settlement Agreement with the Board on June 28, 2013. Dr. Shapiro's Iowa medical license went inactive due to nonrenewal on July 1, 1989. On March 12, 2012, Dr. Shapiro was disciplined by the Florida Department of Health (Florida Board). The Florida Board alleged that Dr. Shapiro prescribed inappropriate or excessive quantities of controlled substances, failed to provide appropriate monitoring, and failed to maintain appropriate medical records in his treatment of five patients in Key West, Florida. The Florida Board prohibited Dr. Shapiro from prescribing any Schedule II-IV controlled substances and from practicing medicine in a pain management clinic. Under the terms of the June 28, 2013, combined Statement of Charges and Settlement Agreement, Dr. Shapiro voluntarily surrendered his Iowa medical license.

[Wendy R. Smoker, M.D.](#), a 65-year-old physician who practices diagnostic radiology in Iowa City, Iowa, had a Findings of Fact, Conclusions of Law, Decision and Order, Statement of Charges and Settlement Agreement withdrawn by the Board on June 28, 2013. On June 21, 2010, the Board charged Dr. Smoker with excessive use of alcohol which may impair her ability to practice medicine with reasonable skill and safety. A hearing was held on December 21, 2010. On January 24, 2011, the Board issued a Findings of Fact, Conclusions of Law, Decision and Order. The Board concluded that Dr. Smoker engaged in the excessive use of alcohol which may impair her ability to practice medicine with reasonable skill and safety. The Board issued Dr. Smoker a Citation and Warning and ordered her to pay a \$5,000 civil penalty. The Board placed Dr. Smoker on probation for a period of five years subject to substance abuse counseling and Board monitoring. Dr. Smoker was prohibited from consuming alcohol. On July 26, 2012, the Board filed new charges against Dr. Smoker alleging that she violated the terms of the January 24, 2011, Decision and Order when she consumed alcohol and failed to pay the \$5,000 civil penalty in a timely manner. Dr. Smoker paid the \$5,000 civil penalty on July 16, 2012, almost 16 months after the civil penalty was due. On February 14, 2013, Dr. Smoker entered into a Settlement Agreement with the Board to resolve the pending disciplinary charges. The Board issued Dr. Smoker a Citation and Warning and ordered her to pay a \$5,000 civil penalty. The Board placed Dr. Smoker on probation for a period of five years subject to substance abuse counseling and Board monitoring. On April 24, 2013, the Iowa Court of Appeals issued an Order remanding the matter to the Board for entry of an order dismissing the disciplinary action taken against Dr. Smoker. On June 28, 2013, the Board voted to withdraw the Findings of Fact, Conclusions of Law, Decision and Order, filed on January 24, 2011, the Statement of Charges filed on July 26, 2012, and Settlement Agreement filed on February 14, 2013. Please click on Dr. Smoker's name at the beginning of this summary to access the public documents pertaining to the Findings of Fact, Conclusions of Law, Decision and Order, filed on January 24, 2011. Please click on this link for [Wendy R. Smoker, M.D.](#), to access the public documents pertaining to the Statement of Charges filed on July 26, 2012, and the Settlement Agreement filed on February 14, 2013.

[George D. Soncrant, D.O.](#), a 63-year-old Iowa-licensed physician who currently practices psychiatry in Green Bay, Wisconsin, entered into a combined Statement of Charges and Settlement Agreement with the Board on June 28, 2013. Dr. Soncrant's Iowa medical license went inactive due to nonrenewal on December 1, 1997. On October 20, 2010, Dr. Soncrant was disciplined by the Wisconsin Medical Examining Board (Wisconsin Board). The Wisconsin Board alleged that Dr. Soncrant engaged in a pattern of inappropriate prescribing in his treatment of three patients between September 2005 and June 2009. The Wisconsin Board issued Dr. Soncrant a public reprimand, ordered him to pay \$3,575 in costs, and restricted his ability to prescribe opiates. Under the terms of the June 28, 2013, combined Statement of Charges and Settlement Agreement, the Board issued Dr. Soncrant a Citation and Warning and ordered him to fully comply with the terms established by the Wisconsin Board. The Board also prohibited him from prescribing, administering or dispensing any controlled substance for any patient for more than 30 days in any 12 month period under his Iowa medical license until he demonstrates that he is safe to do so. Dr. Soncrant must also provide the Board written notice at least ninety (90) days prior to seeking reinstatement of his Iowa medical license.

[Robert C. Turner, M.D.](#), a 59-year-old Iowa-licensed physician who currently practices internal medicine in Indianapolis, Indiana, entered into a combined Statement of Charges and Settlement Agreement with the Board on June 28, 2013. Dr. Turner's Iowa medical license went inactive due to nonrenewal on September 1, 1989. On June 20, 2012, Dr. Turner was disciplined by the

Wisconsin Medical Examining Board (Wisconsin Board). The Wisconsin Board alleged that Dr. Turner prescribed excessive amounts of opioids; failed to perform frequent urine drug screens; failed to perform frequent pill counts; failed to consult collateral sources; misinformed a patient regarding the long-term effects of opioids; and failed to reduce or stop the medications he prescribed to three patients between 2006 and 2011. The Wisconsin Board also expressed concerns that Dr. Turner failed to adequately safeguard prescription pads used in his clinic resulting in theft. The Wisconsin Board issued Dr. Turner a public reprimand and ordered him to pay \$3,600 in costs. The Wisconsin Board also restricted Dr. Turner's ability to prescribe opiates. He must practice under the oversight of a Professional Mentor approved by the Wisconsin Board. Under the terms of the June 28, 2013, combined Statement of Charges and Settlement Agreement, the Board issued Dr. Turner a Citation and Warning and ordered him to fully comply with the terms established by the Wisconsin Board. The Board also prohibited him from prescribing, administering or dispensing any controlled substance for any patient for more than 30 days in any 12 month period under his Iowa medical license until he demonstrates that he is safe to do so. The Board also ordered Dr. Turner to successfully complete a Board-approved prescribing course for the appropriate treatment of chronic pain within ninety (90) days.

Thomas L. Warren, Jr., M.D., a 45-year-old Iowa-licensed physician who practices oncology in Cedar Rapids, Iowa, had formal disciplinary charges dismissed by the Board on June 28, 2013. On July 15, 2012, Dr. Warren was arrested and charged with Indecent Contact with a Child, an Aggravated Misdemeanor, in Johnson County, Iowa. On January 11, 2013, the Board filed formal disciplinary charges against Dr. Warren. The Board alleged that Dr. Warren touched the breast of a twelve year-old female houseguest and attempted to remove her tank top while she was attempting to sleep on March 10, 2012. The criminal charges were dismissed on May 11, 2013. On May 21, 2013, the State filed a Motion to Dismiss the disciplinary charges. The State indicated that since the filing of the disciplinary charges, the child's parents have decided that she is not able to participate in the prosecution of this case. On June 28, 2013, the Board voted to dismiss the disciplinary charges.

Ely D. Zaslow, M.D., a 59-year-old Iowa-licensed physician who currently practices family medicine in Silver City, New Mexico, entered into a combined Statement of Charges and Settlement Agreement with the Board on June 28, 2013. Dr. Zaslow's Iowa medical license went inactive due to nonrenewal on February 1, 2010. On July 18, 2008, Dr. Zaslow was disciplined by the North Carolina Medical Board (North Carolina Board). The North Carolina Board alleged that Zaslow engaged in unprofessional conduct when he prescribed controlled substances to patients via telephone conference without performing a physical examination and without any prior physician-patient relationship, assisted two telemedicine companies in the unauthorized practice of medicine in North Carolina, and engaged in inappropriate fee splitting with the two telemedicine companies. The North Carolina Board placed Dr. Zaslow on probation and ordered him to successfully complete a Board-approved prescribing course, prohibited him from prescribing medication for any person without first physically examining that person, and prohibited him from splitting fees with any business corporation. Under the terms of the June 28, 2013, combined Statement of Charges and Settlement Agreement, the Board issued Dr. Zaslow a Citation and Warning, ordered him to fully comply with the terms established by the North Carolina Board, and ordered him to provide the Board written notice at least ninety (90) days prior to seeking reinstatement of his Iowa medical license.

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, by calling (515) 281-5847, or by mail at 400 SW 8th Street, Suite C, Des Moines, IA 50309-4686.