

**BEFORE THE BOARD OF MEDICAL EXAMINERS
STATE OF IOWA**

**IN THE MATTER OF THE COMPLAINT AND STATEMENT OF CHARGES
AGAINST**

MARY P. ROSMAN, D.O., RESPONDENT

PO-93-177

TERMINATION ORDER


NOW ON 12 Aug, 1995 BE IT REMEMBERED:

1. That on September 14, 1994, an Order was issued by the Iowa State Board of Medical Examiners (hereafter the Board), placing the license to practice osteopathic medicine and surgery, number 02054 issued to Mary P. Rosman, D.O. (hereafter the Respondent) on July 24, 1984, on probation under certain terms and conditions; and,
2. That on June 6, 1995 Respondent filed an application with the Board seeking termination of her probation and:
3. That on August 10, 1995 the Board considered the Respondent's application and voted to authorize the termination of the probation placed upon the Respondent's license to practice osteopathic medicine and surgery should be terminated:

MARY P. ROSMAN, D.O.
August 10, 1995
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THEREFORE IT IS ORDERED:

That the probation placed upon the Respondent's license to practice medicine and surgery is terminated, and the license is returned to its full privileges free and clear of all restrictions.


James D. Collins, Jr., M.D., Chairperson
IOWA STATE BOARD OF MEDICAL EXAMINERS
1209 East Court Avenue
Des Moines, Iowa 50319-0180

**BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF IOWA**

IN THE MATTER OF THE COMPLAINT *
*
AND STATEMENT OF CHARGES AGAINST * **ORDER**
*
MARY P. ROSMAN, D.O., * **03-91-544**
*
RESPONDENT *
*

NOW ON 14 Sept 94, BE IT REMEMBERED:

1. That Mary P. Rosman, D.O. (hereafter the Respondent), was issued a license to practice osteopathic medicine and surgery in the state of Iowa, on July 24, 1984, as evidenced by certificate number 02054, which is recorded in the permanent records in the office of the Iowa State Board of Medical Examiners (hereafter the Board).
2. That a Complaint and Statement of Charges was filed against the Respondent, on November 18, 1993, and was scheduled to be heard before the Board.
3. That the Board has jurisdiction of the parties and the subject matter herein.
4. That the undersigned is authorized to issue an Order herein on the behalf of the Board, under the provisions of sections 148.6(1), 148.6(2), and 148.7(7), of the 1993 Code of Iowa.
5. That pursuant to the provisions of sections 17A.10 and 272C.3(4) of the 1993 Code of Iowa, the Respondent and the Board have entered into an Informal Settlement providing

that the undersigned should enter an Order relating to the Respondent's license to practice osteopathic medicine and surgery in the state of Iowa.

THEREFORE IT IS ORDERED that the Respondent's license to practice osteopathic medicine and surgery in the state of Iowa is hereby placed on probation for a period of one (1) year. At the end of the one (1) year, the Board shall determine whether to extend the probation a second year based on compliance with the terms and the information submitted by the supervisor and any record review by the Board. The probation includes the following terms and conditions:

- A. The Respondent's license to practice shall be restricted to Allen Memorial, Covenant, Waverly Municipal Palmer Lutheran Health Center, Inc and Sumner Community Hospitals for the duration of probation.
- B. The Respondent shall practice in the areas of obstetrics and emergency room medicine only under the direct supervision of a Board Certified Family Practitioner.
 - (1) The supervisor must be a Board Certified Family Practitioner and shall be approved by the Board. The Respondent shall submit the name(s) of three (3) potential supervising physicians to the Board within two (2) weeks of signing the Informal Settlement.
 - (2) The supervising physician must be available to Respondent either in person or by telephone at all times Respondent is treating any obstetric patient or while working in the emergency room.
 - (3) The Respondent and the supervising physician shall prepare a supervision plan to specify:
 - (i) Conditions/situations under which Respondent must consult with the supervising physician prior to treating patients;

- (ii) Conditions/situations under which the Respondent will consult with the supervising physician after treating patients;
- (iii) The plan must be prepared and submitted to the Board for approval within two weeks of signing the Informal Settlement;
- (iv) The supervising physician shall report to the Board on a monthly basis regarding the Respondent's practice in a form specified by the Board.

C. The Respondent will take the SPEX (Special Purpose Examination) administered by the Federation of State Medical Boards the next time the test is offered, September 13, 1994.

- (1) Respondent shall contact the staff of the Board for application to take the examination.
- (2) Should Respondent not pass the examination with a minimum score of 75, as recommended by the Federation's Examination Board, this Order is of no further effect and the Statement of Charges will be reinstated and a hearing scheduled.

D. The Respondent will attend and successfully complete the following programs before the end of the probation period:

- (1) Obstetric fellowship with Dr. Herbert F. Sandmire, M.D., in Green Bay, Wisconsin, subject to his approval;
- (2) "Obstetrics for the Family Physician: Family Centered Perinatal Care" sponsored by the American Academy of Family Physicians;
- (3) Emergency Medicine Conference sponsored by the University of Iowa Hospitals and Clinics; and
- (4) If the Board deems necessary, a personalized program in continuing medical education, of limited duration at an institution/facility of the Board's

choosing, which will focus on any practice deficiencies identified by the Board or any supervising physician.

E. The Respondent will arrange with a Board Certified Radiologist to review abnormal thoracic x-rays, x-rays of the spine and extremities.

- (1) The review shall be no less than two (2) hours weekly for the year of probation.
- (2) The radiologist shall report quarterly to the Board on Respondent's practice.

F. The Respondent will maintain her provider or instruction certification, in:

- (1) Neonatal Resuscitation co-sponsored by the American Heart Association and the American Academy of Pediatrics;
- (2) Advanced Life Support in Obstetrics sponsored by the American Academy of Family Physicians;
- (3) Pediatric Advanced Life Support co-sponsored by the American Heart Association and the American Academy of Pediatrics;
- (4) Advanced Cardiac Life Support sponsored by the American Heart Association;
- (5) Advanced Trauma Life Support sponsored by the Committee on Trauma of the American College of Surgeons.

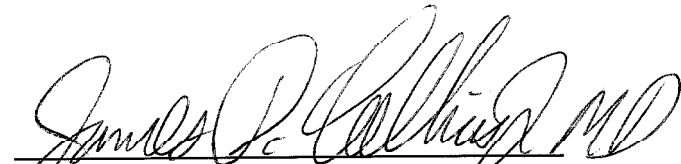
6. The Respondent will provide any and all medical records to the Board as requested to review for determination of treatment provided by Respondent.

7. In the event the Respondent leaves Iowa to reside or to practice outside the state, the Respondent shall notify the Board in writing of the dates of departure and return. Periods of residence or practice outside Iowa will not apply to the duration of this Order.

8. In the event the Respondent violates or fails to comply with any of the terms or provisions of this Order, the Board may initiate appropriate action to revoke or suspend the Respondent's license or to impose other licensee discipline as authorized in Iowa Code Chapters 148 and 272C and 653 I.A.C. 12.2.

9. Any costs incurred in the compliance with this Order are the responsibility of the Respondent.

10. Upon full compliance with the terms and conditions set forth in this Order and upon expiration of the period of probation, Respondent's license shall be restored to its full privileges free and clear of the terms of the probation.



James D. Collins, Jr., M.D., Chairperson
IOWA STATE BOARD OF MEDICAL EXAMINERS
1209 East Court Avenue
Des Moines, IA 50319-0180

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF IOWA

IN THE MATTER OF THE)	NO. 03-91-544
)	
COMPLAINT AND STATEMENT)	
)	
OF CHARGES AGAINST)	
)	INFORMAL SETTLEMENT
MARY P. ROSMAN, D.O.,)	
)	
RESPONDENT.)	

COME NOW the Iowa Board of Medical Examiners [the Board] and Mary P. Rosman, D.O. [the Respondent] and, pursuant to Iowa Code §§ 17A.10 and 272C.3(4), enter into the following Informal Settlement of the contested case currently on file:

1. The Respondent was issued license no. 02054 to practice osteopathic medicine and surgery in Iowa on July 24, 1984.

2. A Complaint and Statement of Charges was filed against the Respondent on November 18, 1993.

3. The Board has jurisdiction of the parties and the subject matter.

4. The Board shall place the Respondent's license on probation for a period of one (1) year. At the end of the one (1) year, the Board shall determine whether to extend the probation a second year based on compliance with the terms and the information submitted by the supervisor and any record review by the Board.

5. The probation includes the following terms and conditions:

A. The Respondent's license to practice shall be restricted to Allen Memorial, Covenant, Waverly

Palmer Lutheran Health Center, Inc
Municipal and Sumner Community Hospitals for the
duration of probation.

B. Respondent shall practice in the areas of
obstetrics and emergency room medicine only under
the direct supervision of a Board Certified Family
Practitioner.

- (1) The supervisor must be a Board Certified
Family Practitioner and shall be approved by
the Board. The Respondent shall submit the
name(s) of three (3) potential supervising
physicians to the Board within two (2) weeks
of signing this Settlement.
- (2) The supervising physician must be available
to Respondent either in person or by
telephone at all times Respondent is treating
any obstetric patient or while working in the
emergency room.
- (3) The Respondent and the supervising physician
shall prepare a supervision plan to specify:
 - (i) Conditions/situations under which
Respondent must consult with the
supervising physician prior to treating
patients;
 - (ii) Conditions/situations under which the
Respondent will consult with the
supervising physician after treating patients;

(iii) The plan must be prepared and submitted to the Board for approval within two (2) weeks of signing this Settlement;

(iv) The supervising physician shall report to the Board on a monthly basis regarding the Respondent's practice in a form specified by the Board.

C. Respondent will take the SPEX (Special Purpose Examination) administered by the Federation of State Medical Boards the next time the test is offered, September 13, 1994.

(1) Respondent shall contact the staff of the Board for application to take the examination.

(2) Should Respondent not pass the examination with a minimum score of 75, as recommended by the Federation's Examination Board, this Informal Settlement is of no further effect and the Statement of Charges will be reinstated and a hearing scheduled.

D. Respondent will attend and successfully complete the following programs before the end of the probation period:

(1) Obstetric fellowship with Dr. Herbert F. Sandmire, M.D., in Green Bay, Wisconsin, subject to his approval;

- (2) "Obstetrics for the Family Physician: Family Centered Perinatal Care" sponsored by the American Academy of Family Physicians;
- (3) Emergency Medicine Conference sponsored by the University of Iowa Hospitals and Clinics; and
- (4) If the Board deems necessary, a personalized program in continuing medical education, of limited duration at an institution/facility of the Board's choosing, which will focus on any practice deficiencies identified by the Board or any supervising physician.

E. Respondent will arrange with a Board Certified Radiologist to review abnormal thoracic X-rays, X-rays of the spine and extremities.

- (1) The review shall be no less than two (2) hours weekly for the year of probation.
- (2) The radiologist shall report quarterly to the Board on Respondent's practice.

F. Respondent will maintain her provider or instruction certification, in:

- (1) Neonatal Resuscitation co-sponsored by the American Heart Association and the American Academy of Pediatrics;
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- (4) Advanced Cardiac Life Support sponsored by the American Heart Association;
- (5) Advanced Trauma Life Support sponsored by the Committee on Trauma of the American College of Surgeons.

6. Respondent will provide any and all medical records to the Board as requested to review for determination of treatment provided by Respondent.

7. In the event the Respondent leaves Iowa to reside or to practice outside the state, the Respondent shall notify the Board in writing of the dates of departure and return. Periods of residence or practice outside Iowa will not apply to the duration of the Informal Settlement.

8. In the event the Respondent violates or fails to comply with any of the terms or provisions of this Informal Settlement, the Board may initiate appropriate action to revoke or suspend the Respondent's license or to impose other licensee discipline as authorized in Iowa Code §§ 148.6, 258A.3(2) and 653 Iowa Admin. Code § 12.2 et seq.

9. Any costs incurred in the compliance with this Settlement are the responsibility of Respondent.

10. Upon full compliance with the terms and conditions set forth in this Informal Settlement and upon expiration of the

period of probation, Respondent's license shall be restored to its full privileges free and clear of the terms of the probation.

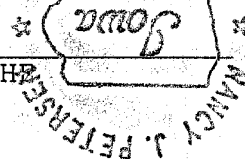
11. This Informal Settlement is subject to approval of the Board. If the Board fails to approve this Informal Settlement, it shall be of no force or effect to either party.

12. This Informal Settlement is voluntarily submitted on the 15th day of August, 1994.

Mary P. Rosman
DR. MARY P. ROSMAN, D.O.

Subscribed and sworn to before me on this 15th day of August, 1994.

Nancy J. Petersen
NOTARY PUBLIC IN AND FOR THE STATE OF IOWA



This Informal Settlement is accepted by the Iowa Board of Medical Examiners on the 8th day of Sept, 1994.

James D. Collins M.D.
DR. JAMES D. COLLINS, M.D., Chairperson
Iowa Board of Medical Examiners

Subscribed and sworn to before me on this 8th day of Sept, 1994.

James Carr
NOTARY PUBLIC IN AND FOR THE STATE OF IOWA

**BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF IOWA**

IN THE MATTER OF THE COMPLAINT	*	
AND STATEMENT OF CHARGES AGAINST	*	COMPLAINT AND STATEMENT
MARY P. ROSMAN, D.O.	*	OF CHARGES
RESPONDENT	*	03-91-544

COMES NOW Ann M. Martino, Ph.D., Executive Director of the Iowa State Board of Medical Examiners (hereafter the Board), on November 18, 1993 and at the direction of the Board, files this Complaint and Statement of Charges against Mary P. Rosman, D.O. (hereafter the Respondent), a physician licensed pursuant to Chapter 147 of the Code of Iowa and alleges:

1. That Charlotte Cleavenger, D.O., Chairperson; George G. Spellman, Sr., M.D., Vice Chairperson; Laura Stensrud, Secretary; Edra Broich; James Caterine, M.D.; James D. Collins, Jr., M.D.; Eddie D. DeHaan, M.D.; Mary C. Hodges; Roger F. Senty, D.O.; and Johanna Whalen, M.D., are the duly appointed and qualified officers and members of the Board.
2. That the Respondent was issued license number 02054 to practice osteopathic medicine and surgery in the State of Iowa on July 24, 1984, as recorded in the permanent records in the office of the Board.
3. That the Respondent's license is current and valid until July 1, 1994.

4. That during the time period from July 1990 through April 1991 the Respondent demonstrated a lack of learning or skill in treating patients 1 through 11 by violating the standard of care in the following manner:

- A: Patient #1; By failing to examine and evaluate the patient prior to ordering epinephrine, a potentially dangerous drug.
- B: Patient #2; By failing to diagnose a pneumothorax.
- C: Patient #3; By failing to concentrate on fluid resuscitation, failing to place the patient in the Trendelenburg position, and through the use of an inappropriate Isuprel drip.
- D: Patient #4; By inappropriate administration of Pitocin, unnecessary use of the Mity-Vac and failure to acknowledge a high risk pregnancy which should have been transferred to a Level II hospital.
- E: Patient #5; By inappropriate use of Pitocin over a prolonged period with out progress and a delay in obtaining a C-Section.
- F: Patient #6; By failing to diagnose a breech by dangerously rupturing membranes without knowing the position or station of the baby and by using Pitocin incorrectly.
- G: Patient #7; By failing to order a skull or C-Spine x-ray and failing to order a cervical collar and IV.
- H: Patient #8; By failing to lift or clean a flap laceration and failing to examine underneath the flap or do a neurovascular assessment.

- I: Patient #9; By inappropriate use of Pitocin while the patient was making reasonable progress and by inappropriate use of the Mity-Vac.
- J: Patient #10; By failing to properly assess the patient's condition and unjustified and early use of the Mity-Vac.
- K: Patient #11; By demonstrating poor judgement by performing a circumcision late at night.

5. That the Board is authorized to take disciplinary action against the Respondent pursuant to the provisions of section 147.55, 147.55(2), 147.55(3), 147.55(8), 148.6(1), 148.6(2), 148.6(2)(g), and 148.6(2)(i) of the 1993 Code of Iowa, which state in whole or in part:

147.55 - "Grounds. A license to practice a profession shall be revoked or suspended when the licensee is guilty of any of the following acts or offenses:"

147.55(2) - "Professional incompetency."

147.55(3) - "...practice harmful or detrimental to the public..."

147.55(8) - "...repeated violations of the provisions of this Act."

148.6(1) - "The medical examiners, after due notice and hearing in accordance with chapter 17A, may issue an order to discipline a licensee for any of the grounds set forth in section 147.55, chapter 272C, or this subsection."

148.6(2) - "Pursuant to this section, the Board of medical examiners may discipline a licensee who is guilty of any of the following acts or offenses:"

148.6(2)(g) - "Being guilty of a willful or repeated departure from, or the failure to conform to, the minimal standard of acceptable and prevailing practice of... osteopathic medicine and surgery..."

148.6(2)(i) - "Willful or repeated violation of lawful rule or regulation adopted by the board..."

6. That the Board is authorized to take disciplinary action against the Respondent pursuant to the provisions of 653 I.A.C. 12.4, 12.4(2), 12.4(2)(b), 12.4(2)(c), 12.4(2)(d), 12.4(3), 12.4(3)(c), 12.4(13), 12.4(15) and 12.4(28) which state in whole or in part:

653-12.4 - "Grounds for disciplinc. The board may impose any of the disciplinary sanctions set forth in rule 12.2, including civil penalties in an amount not to exceed \$10,000, when the board determines that the licensee is guilty of any of the following acts or offenses:"

653-12.4(2) - "Professional incompetency. Professional incompetency includes but is not limited to:"

653-12.4(2)(b) - "A substantial deviation by the physician from the standards of learning or skill ordinarily possessed and applied by other physicians or surgeons in the state of Iowa acting in the same or similar circumstances;"

653-12.4(2)(c) - "A failure by a physician or surgeon to exercise in a substantial respect that degree of care which is ordinarily exercised by the average physician or surgeon in the State of Iowa acting in the same or similar circumstances;"

653-12.4(2)(b) - "A...repeated departure from or the failure to conform to the minimal standard of acceptable and prevailing practice of...osteopathic medicine and surgery...in the State of Iowa."

653-12.4(3) - "...practice harmful or detrimental to the public..."

653-12.4(3)(c) - "Practice harmful or detrimental to the public includes, but is not limited to the failure of a physician to possess and exercise that degree of skill, learning and the care expected of a reasonable prudent physician acting in the same or similar circumstances in this state..."

653-12.4(13) - "Being guilty of a repeated departure from, or the failure to conform to, the minimal standard of acceptable and prevailing practice of...Osteopathic medicine and surgery..."

653-12.4(15) - "...repeated violation of lawful rule or regulation adopted by the board."

653-12.4(28) - "Violating any of the grounds for the revocation or suspension of a license listed in Iowa Code sections 147.55 and 148.6."

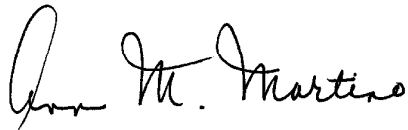
7. That paragraphs 5 and 6 constitute grounds for the Board to revoke, suspend or otherwise discipline the license to practice osteopathic medicine and surgery issued to the Respondent on July 24, 1984.

WHEREFORE the undersigned charges that the Respondent is subject to disciplinary action pursuant to the provisions of sections 147.55, 147.55(2), 147.55(3), 147.55(8), 148.6(1), 148.6(2), 148.6(2)(g), and 148.6(2)(i) of the 1993 Code of Iowa, and 653 I.A.C. 12.4, 12.4(2),

Mary P. Rosman, D.O.
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12.4(2)(b), 12.4(2)(c), 12.4(2)(d), 12.4(3), 12.4(3)(c), 12.4(13), 12.4(15) and 12.4(28). The undersigned prays that the Board enter an order fixing a time and place of hearing for the Complaint and Statement of Charges. The undersigned further prays that upon final hearing, the Board enter its findings of fact and decision to revoke, suspend or otherwise discipline the license to practice osteopathic medicine and surgery issued to the Respondent on July 24, 1984, and for such other relief as the Board deems just in the premises.

IOWA STATE BOARD OF MEDICAL EXAMINERS



ANN M. MARTINO, Ph.D.
Executive Director
1209 East Court Avenue
Des Moines, IA 50319
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