

I did not realize until recently how frustrating and unfair it is to deal with the Iowa Board of Medicine.

My experience began with a complaint of not refilling a prescription in August of 2015. As a result of the complaint, I fully cooperated and provided records to the Board of Medicine, as requested.

A few months later, an investigator for the Board made an unannounced visit to my office and told me that there were no issues with my practice. Remarkably, the next step in dealing with the Board was when I received a subpoena requesting 20 records, chosen from the Prescription Monitoring Program (PMP), for five years from 2010 to 2015.

I provided the records. Almost a year went by with no action by the Board until I received a statement of the review and a demand of my explanation within two weeks.

Again, I fully complied by mid May 2017, and provided a narrative and explanation of my treatment of the patients, only to receive a list of purported allegations and a proposed settlement regarding these allegations less than one week later. Any reasonable person would conclude that the Board did not carefully consider my explanation or narrative, given the time frame between the allegations and proposed settlement.

Because the Board allegations were unfounded and the proposed settlement was unreasonable, I declined to agree and requested a direct meeting with the Board. I was granted 15 minutes to speak to the Board in September of 2017. I made a presentation to the Board regarding the doctoring of my patients and answered all questions that the Board members had.

As a consequence of my presentation to the Board, there were additional discussions which led to lesser and lesser "charges" and a proposed "settlement." Among the phrases used in the proposed "settlement" were, however, "improper chronic pain management" and "professional incompetency."

The phrases were offensive to me and completely unfounded. I requested the Board remove these phrases. The Board declined, and instead, published their allegations on their website.

Thereafter, my attorney requested the Board file in preparation for a future hearing on the allegations. Upon review, it appeared that the engagement letter which was sent, around January or February of 2017, to the appointed reviewers by the Board was a duplicate of the statement of charges which was conceived by the Board, rather than giving the reviewers a chance to reflect and form their own opinion. Incidentally, it appeared that the reviewers were urged to arrive to certain conclusions.

While there has been significant delay in bringing this matter to a hearing, it has not been on my behalf. Rather, the delay has only been to accommodate my counsel and attempt to reach resolution. The consequence of the Board failing to set this matter for hearing has allowed these false allegations, published on the Board's website and by statements made by the executive director to the media, to continue to hang over my practice and reputation, causing irreparable harm.

Previously, I was hopeful a fair resolution could be reached when the executive director of the Iowa Board of Medicine was placed on administrative leave and subsequently resigned. The previous legal counsel for the Board was chosen to replace the executive director. Unfortunately, the new executive director made comments to the Telegraph Herald that were false and prejudicial, namely, “While this case is pending, state regulators are keeping an eye on Isaac’s practice” and “It is being monitored most definitely and it is my understanding that [Dr. Isaac] is not practicing medicine at this time.”

These statements are untrue. I was and still am fully engaged in the practice of medicine and providing superior care and treatment for my patients every day.

Indeed, during examination under oath of the Board reviewers, they admitted I was “an excellent rheumatologist;” I “did what any good doctor would do;” I “prescribed narcotics for [my] patients responsibly;” and, I “managed to decrease the dose for a patient who came to [me] on large doses, and monitored narcotic use carefully.” The reviewers also said they were stunned when they saw the Board allegations and the proposed settlement which was unreasonable.

Given these admissions by the Board reviewers, my legal counsel proposed a resolution adopting the reviewers’ suggestions that I complete some continuing medical education hours and, in return, the Board dismisses the charges. Legal counsel for the Board rejected the proposal and indicated that they were not bound by the sworn testimony of the reviewers. Thereafter, I received a document showing the reviewers were now changing their opinions or statements made under oath.

Why these reviewers would now change their testimony is troubling.

Seven years passed and just two months before the scheduled hearing, I was presented with a proposed Settlement Agreement which, after some requested changes were made, my counsel was content with what we achieved and advised me to agree to the settlement. I am not pleased with the outcome; however, I decided to sign it. Considering worse outcome if we proceed with the hearing that would need to be challenged with an appeal, which I no longer have the emotional or financial means to do.

Respectfully,

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