

BEFORE THE MORTUARY SCIENCE BOARD OF THE STATE OF IOWA

IN THE MATTER OF

**RYAN FREDREGILL
PO BOX 86
BAXTER, IOWA 50028**

RESPONDENT

CASE NO.: 23-0398

**SETTLEMENT AGREEMENT AND
FINAL ORDER**

COMES NOW the Iowa Board of Mortuary Science ("Board") and Ryan Fredregill ("Respondent"), pursuant to Iowa Code sections 17A.10(2), 272C.3(4), and 645 IAC 12.1, enter into this Settlement Agreement and Final Order.

1. **Iowa License.** Respondent was issued Iowa funeral director license 02932 on April 12, 2006. Respondent's Iowa license is active and will next expire on September 15, 2024.
2. **Jurisdiction.** The Board has jurisdiction in this matter pursuant to Iowa Code § 156.15.

A. STIPULATIONS

3. **Practice Setting:** Respondent is an Iowa licensed funeral director who practiced in Baxter, Iowa, during the period of time relevant to these allegations.
4. **Statement of Charges:** The Iowa Board of Mortuary Science authorized a Statement of Charges alleging Respondent engaged in unethical conduct for failing to disclose prior discipline on his preceptor application.
5. **Factual Allegations:** On or about the date of March 7, 2019, this Board approved a Settlement Agreement and Final Order disciplining the Respondent. On or about the date of October 13, 2022, the Respondent submitted an application to serve as a preceptor to the Iowa Board of Mortuary Science. On that application, the Respondent answered "No" to the question "has there been any disciplinary action against your funeral director's license within the past five years?".

B. SETTLEMENT AGREEMENT

6. Without admission of intentional wrongdoing or guilt, the Respondent does not contest the violations alleged in the stipulations above.
7. Respondent acknowledges that the allegations in the Statement of Charges, if proven in a contested case hearing, would constitute grounds for the discipline agreed to in this Order.
8. In order to resolve this matter without proceeding to hearing, Respondent agrees to the following conditions:
 - a. Respondent is cited for violation of 645 IAC 103.3(3)(e) and warned that subsequent violation of the Board's administrative rules will result in further discipline to his funeral director's license.
 - b. Respondent shall pay a civil penalty in the amount of \$350.00.
 - c. Respondent is restricted from serving as a preceptor for a period of four years from the date of approval of this Final Order. At that time, Respondent will need to apply to the Board, pursuant to the process outlined in 645 IAC 103 to serve as a preceptor. Respondent shall be required to complete the requirements for preceptorship again at that time including the required education on Iowa law.
9. In accepting this Settlement Agreement, Respondent acknowledges the following:
 - a. This Settlement Agreement is subject to the approval of the Board and will have no force or effect if it is not accepted by the Board.
 - b. Counsel for the State will present this Settlement Agreement to the Board *ex parte*.
 - c. I was aware of my ability to have an attorney at my own expense in this matter. I was represented by Brick Gentry P.C. in the negotiation of this Settlement Agreement.
 - d. I understand I have an opportunity to be heard and to contest the allegations against me in a formal hearing before the Board and that by waiving the formal hearing, I waive my

right to challenge the allegations against me and all attendant rights, including the right to seek judicial review of the Board's actions.

e. I waive my ability to review the investigative file in this case.

f. I understand this Settlement Agreement will be part of my permanent licensure file and may 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.

g. I am voluntarily entering into this Settlement Agreement.

h. Failure to comply with the provisions of this Settlement Agreement shall be grounds for further disciplinary action pursuant to Iowa Code § 272C.3(2)(a).

i. Respondent understands the Board will report this Order to the National Practitioner Databank. The report to the database will reflect the language included in this Order.

10. This Settlement Agreement constitutes discipline against Respondent and is the final agency action in a contested case pursuant to Iowa Code section 17A.10.

11. Failure to comply with the provisions of this Settlement Agreement shall be grounds for further disciplinary action pursuant to Iowa Code section 272C.3(2)(a).

12. This Settlement Agreement shall not preclude the Board from taking additional action against Respondent should Respondent violate laws, rules, or standards of practice administered by the Board in the future.

13. Periods in which Respondent does not practice, practices in another state, or fails to comply with the terms established in this Settlement Agreement shall not apply to the duration of this Settlement Agreement unless Respondent obtains written approval from the Board.

14. This Settlement Agreement and Final Order becomes a public record available for inspection and copying upon execution in accordance with the requirements of Iowa Code Chapters 17A, 22, and 272C.

15. This Settlement Agreement and Final Order is subject to approval of the Board. If the Board fails to approve this Settlement Agreement, it shall be of no force or effect to either party.

16. The Board's approval of this Settlement Agreement shall constitute a **Final Order** of the Board.

C. FINAL ORDER

WHEREFORE, the terms of this Settlement Agreement are agreed to by the Iowa Board of Mortuary Science and the Respondent.

IT IS THEREFORE ORDERED,

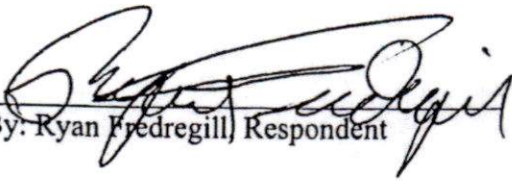
A. Respondent is hereby **CITED** for violating 645 IAC 103.3(4). Respondent is hereby **WARNED** that engaging in such conduct in the future may result in further disciplinary action against Respondent's Iowa funeral director license.

B. Respondent shall pay a **CIVIL PENALTY** in the amount of \$350.00.

C. Respondent is restricted from serving as a preceptor for a period of four (4) years from the date of approval of this Final Order. At that time, Respondent will need to apply to the Board, pursuant to the process outlined in 645 IAC 103, to serve as a preceptor. Respondent shall be required to complete the requirements for preceptorship again at that time including the required education on Iowa law.

FOR THE RESPONDENT:

Voluntarily agreed to and accepted by Ryan Fredregill on this 12 day of July, 2024.


By: Ryan Fredregill, Respondent

FOR THE IOWA BOARD OF MORTUARY SCIENCE:

Voluntarily agreed to and accepted by the **IOWA BOARD OF MORTUARY SCIENCE**
on this 5 day of September, 2024.


Chair

Iowa Board of Mortuary Science

Copy to:

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