

BEFORE THE IOWA BOARD OF PHYSICIAN ASSISTANTS

IN THE MATTER OF JAMES HAAG, RESPONDENT	CASE NO.: 2024-0265 COMBINED NOTICE OF HEARING, STATEMENT OF CHARGES, AND EMERGENCY ADJUDICATIVE ORDER
--	---

COMES NOW the Iowa Board of Physician Assistants (“Board”) and files this Notice of Hearing, Statement of Charges, and Emergency Adjudicative Order against James Haag (“Respondent”), pursuant to Iowa Code sections 17A.12(2), 17A.18(3), 17A.18A, and 272C.3(1)(e), and 481 Iowa Administrative Code.

A. TIME, PLACE AND NATURE OF HEARING

1. **Hearing.** A contested case hearing shall be held on February 7, 2025, before the Board. The hearing shall begin at 9:00 a.m. and shall be located in the Woods conference room at the office of the Iowa Board of Physician Assistants, 6200 Park Avenue, Ste. 100, Des Moines, Iowa 50321.
2. **Scheduling Conference.** The parties may request a scheduling conference. Board rules on prehearing conferences may be found at 481 Iowa Administrative Code (“IAC”) 506.17(1).
3. **Answer.** Within twenty (20) days of the date you are served this Notice of Hearing and Statement of Charges you may file an Answer. In that Answer, you should also state whether you will request a continuance of the date and time of the hearing.
4. **Filing of Pleadings.** Pleadings shall be filed with the Board at the following address: Iowa Board of Physician Assistants, 6200 Park Avenue, Ste. 100, Des Moines, Iowa 50321, by email to michele.royer@dia.iowa.gov, or electronically using the Administrative Electronic Document

Management System (adminhearings.iowa.gov/efile/).

5. **Presiding Officer.** The Board shall serve as presiding officer at the contested case hearing, but the Board hereby delegates to an Administrative Law Judge from the Department of Inspections, Appeals and Licensing, the authority to make initial rulings on prehearing matters, and requests the administrative law judge be present to assist and advise the Board at hearing.

6. **Prehearing Conference.** Any party may request a prehearing conference to discuss evidentiary issues related to the hearing in accordance with 481 IAC 10.16.

7. **Hearing Procedures.** The procedural rules governing the conduct of the hearing are found at 481 IAC 10. At the hearing, you may appear personally or be represented by legal counsel at your own expense. You will be allowed the opportunity to respond to the charges against you, to produce evidence on your behalf on issues of material fact, cross-examine witnesses present at the hearing, and examine and respond to any documents introduced at hearing. If you need to request an alternative time or date for hearing, you must comply with the requirements of 481 IAC 10.17. The hearing may be open to the public or closed to the public at the discretion of the Respondent.

8. **Prosecution.** The Office of the Attorney General is responsible for representing the public interest (the State) in this proceeding. Pleadings shall be filed with the Board and copies should be provided to counsel for the State at the following address: Lindsey L. Browning, Assistant Attorney General, Iowa Department of Justice, Office of the Iowa Attorney General, 1305 E. Walnut Street, 2nd Floor, Des Moines, Iowa 50309.

9. **Communications.** You may not contact Board members in any manner, including by phone, letter, facsimile, in person or e-mail, about this Notice of Hearing and Statement of Charges. Board members may only receive information about the case when all parties have notice and an opportunity to participate, such as at the hearing or in pleadings you file with the Board and serve

upon all parties in the case. You may contact Michele Royer, Executive Officer, Iowa Board of Physician Assistants at 515-229-3939, and michele.royer@dia.iowa.gov, or Assistant Attorney General David J. Merchan, 515-281-6662, and david.merchan@ag.iowa.gov.

B. LEGAL AUTHORITY AND JURISDICTION

10. **Iowa License.** Respondent maintains Iowa Physician Assistants license number 000899. Respondent's license is active and will next expire on September 30, 2025.
11. **Jurisdiction.** The Board has jurisdiction in this matter pursuant to Iowa Code chapters 147 and 148C.
12. **Legal Authority.** If any of the allegations against you are founded, the Board has authority to take disciplinary action against you under Iowa Code chapters 147 and 148C.
13. **Default.** The Board may enter a default decision or proceed with the hearing and render a decision in your absence, in accordance with Iowa Code § 17A.12(3) and 481 IAC 10.22.

C. STATEMENT OF CHARGES

COUNT I

14. Respondent is charged with knowingly engaging in unethical conduct or practice harmful or detrimental to the public, in violation of 481 IAC 783.2.

COUNT II

15. Respondent is charged with willful or repeated violations of the provisions of this chapter, 272C, and 148C, in violation of Iowa Code §147.55(7).

D. FINDINGS OF FACT

16. **Practice Setting.** Respondent is a licensed Physician Assistant operating in Cedar Falls, Iowa, during the time period relevant to these allegations.
17. **Factual Findings.** Respondent is a Physician Assistant who practices in Cedar Falls,

Iowa. In July 2024, Respondent practiced Occupational Medicine at MercyOne Bluebell Road Family Medicine. As a part of his practice, Respondent provided work physicals to individuals who worked at a business in Cedar Falls. In the summer of 2024, Respondent examined four patients for purposes of their employment.

18. Respondent examined all four patients in early July of 2024. All patients were instructed to disrobe. Respondent conducted these examinations, in whole or in part, without the presence of a nurse or other observer. During the course of examination with each patient, Respondent removed each patient's robe and made physical contact with each patient's genitals. In some instances, Respondent used his hands. In others, Respondent pressed his fully clothed pelvic area into the patient's genitals or backside. Respondent also made inappropriate contact with multiple patient's breasts during the course of examination. In multiple instances, where the patients attempted to cover themselves, Respondent swatted their hands away.

E. SETTLEMENT

19. This matter may be resolved by settlement agreement. The procedural rules governing the Board's settlement process are found at 481 IAC 506.33. If you are interested in pursuing settlement of this matter, please contact the Assistant Attorney General identified above.

F. PROBABLE CAUSE FINDING

20. On December 19, 2024, the Iowa Board of Physician Assistants found probable cause to file this Notice of Hearing and Statement of Charges.

G. CONCLUSIONS OF LAW

21. Pursuant to statute, the Board may take emergent action "as is necessary to prevent or avoid the immediate danger to the public health, safety, or welfare...". Iowa Code § 17A.18A(2).


22. Respondent's predatory actions towards his patients constitute a threat to public health

and safety and the mental and physical well-being of Iowa's patients.

H. ORDER

IT IS THEREFORE ORDERED:

- A. The Board finds that Respondent has sexually assaulted multiple patients in his care while acting in a professional capacity.
- B. Based on the foregoing, the Boards finds the Respondent is an immediate danger to the public health, safety and welfare.
- C. Accordingly, Respondents Iowa Physician Assistant license shall be INDEFINITELY SUSPENDED upon service of this order.



Laura Delaney, Board Chair
Iowa Board of Physician Assistants

Copy to:
Lindsey L. Browning
David J. Merchan
Assistant Attorneys General
Iowa Department of Justice
Office of the Iowa Attorney General
1305 E. Walnut Street, 2nd Floor
Des Moines, Iowa 50309
lindsey.browning@ag.iowa.gov
david.merchan@ag.iowa.gov

PLEASE NOTE: If you require the assistance of auxiliary aids or services to participate in this matter because of a disability, immediately call 515-281-0233. (If you are hearing impaired, call Relay Iowa TTY at 1-800-735-2942).