

IN THE IOWA DISTRICT COURT FOR HARRISON COUNTY

STATE OF IOWA, ex rel.,  
NORMAN PAWLEWSKI,

Plaintiffs,

vs.

JOHN HINZE,

Defendant.

EQUITY NO. 23723

FINAL ORDER AND JUDGMENT

This matter comes before the Court by Petition for Injunction. The parties pray for a Final Order and Judgment pursuant to a signed Settlement and Consent for Entry of Judgment and Decree. The terms of the attached Settlement and Consent for Entry of Judgment and Decree are hereby incorporated by reference. The parties consent to the entry of an Order by the Court permanently enjoining Defendant from practicing medicine and surgery, osteopathic medicine and surgery, osteopathy, chiropractic, psychology, nursing, physical therapy, podiatry, or optometry.

IT IS HEREBY ORDERED that the Defendant, John Hinze, is specifically enjoined from holding himself out as being able to diagnose, treat, operate or prescribe for any human disease, pain, injury, deformity or physical or mental condition and he shall neither offer nor undertake, by any means or method, to diagnose, treat, operate or prescribe for any human disease, pain, injury, deformity or physical or mental condition.

IT IS FURTHER ORDERED that the Defendant, John Hinze, shall relinquish any and all financial interest in the Woodbine Health Center within 90 days of the entry of this Order.

IT IS FURTHER ORDERED that the costs of this action shall be paid by the plaintiff.

FILED

O'CLOCK M

*Keith E. Burgett*  
JUDGE, FOURTH JUDICIAL DISTRICT

STATE OF IOWA, ex rel.  
NORMAN PAWLEWSKI,

Plaintiffs,

vs.

JOHN HINZE,

Defendant.

EQUITY NO. 23723

SETTLEMENT AGREEMENT  
AND CONSENT FOR ENTRY  
OF JUDGMENT AND DECREE

COME NOW the parties in the above-entitled matter, by and through their attorneys, and state as follows:

1. Plaintiff is a sovereign state with its seat of government in Des Moines, Polk County, Iowa.

2. Norman Pawlewski is the Iowa Commissioner of Health.

3. Defendant is a resident of rural Woodbine, Harrison County, Iowa.

4. Defendant is not licensed by the State of Iowa to practice medicine and surgery, osteopathic medicine and surgery, osteopathy, chiropractic, psychology, nursing, physical therapy, podiatry, or optometry.

5. Defendant owns and operates a place of business in Woodbine, Iowa, called the Woodbine Health Center for the practice of natural therapeutics.

6. Investigations conducted by representatives of Plaintiff indicate that the Defendant has:

- a. Professed to be able to diagnose human ailments by examining the iris of the eye.
- b. Examined eyes with a light and magnifying glass.
- c. Diagnosed human ailments associated with the following areas of the body:

- (1) Bowel
- (2) Pancreas
- (3) Mucous membrane
- (4) Ovary
- (5) Lung
- (6) Bladder
- (7) Adrenal glands

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*K. Dean R. ...*  
CLERK DISTRICT COURT

10-1-1983

d. Prescribed nutritional supplements including the following:

- (1) 'Aloe
- (2) Herbal pumpkin
- (3) B 125
- (4) Serogest
- (5) Bentonite
- (6) C 1000

e. Obtained and analyzed urine samples from humans.

f. Prescribed vitamin C granules, BHL bladder tablets, and Ruta grav. to relieve a burning sensation upon urination and an urge to urinate frequently.

g. Utilized the designations "Dr." and "H.M.D." in association with his name.

h. Completed insurance forms by signing on a line marked "Dr.," indicating a diagnosis had been made, and listing Rx numbers for nonprescription nutritional supplements.

7. For the purpose of settling the matter herein, Defendant admits performing the acts set forth in paragraph 6 above and agrees not to perform any such acts in the future.

8. Defendant agrees that he will not in the future, without a license, either engage in the practice of any profession listed in paragraph 4 or represent to the public any ability or authority to do so.

9. Defendant agrees to relinquish any and all financial interest in the Woodbine Health Center within 90 days of the entry of a final judgment in this matter.

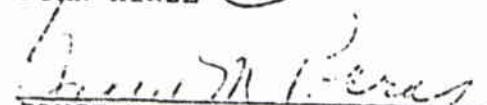
10. The parties consent to entry of an order by the court permanently enjoining Defendant from practicing any profession listed in paragraph 4 for which he does not hold a license. Defendant thereby is specifically enjoined from holding himself out as being able to diagnose, treat, operate, or prescribe for any human disease, pain, injury, deformity, or physical or mental condition and from undertaking, by any means or method, to diagnose, treat, operate, or prescribe for any human disease, pain, injury, deformity or physical or mental condition.

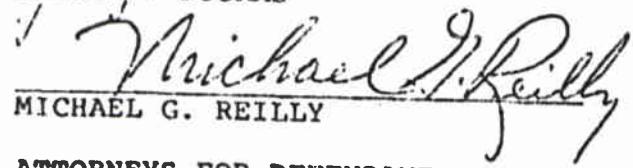
11. The parties herein agree that this Settlement and Consent for Entry of Judgment and Decree shall be presented to the court for incorporation into a Final Order and Judgment and that the terms thereof shall be binding upon the parties as if fully set in such Order and Judgment.

12. The parties agree that the costs of this action shall be taxed to plaintiff.

WHEREFORE, the parties herein, by and through their attorneys, pray for a Final Order and Judgment pursuant to the provisions set forth above.

  
\_\_\_\_\_  
JOHN HINZE

  
\_\_\_\_\_  
JOYCE M. POCRAS

  
\_\_\_\_\_  
MICHAEL G. REILLY

ATTORNEYS FOR DEFENDANT

THOMAS J. MILLER  
Attorney General of Iowa

By   
\_\_\_\_\_  
JULIE F. POTTORFF

ATTORNEYS FOR PLAINTIFFS



- c. John Hinze examined the investigator's eyes with a light and a magnifying glass.
- d. John Hinze noted on a separate sheet of paper the following areas of the body:
  - 1) Bowel
  - 2) Panc
  - 3) Mucous
  - 4) Ovarian
  - 5) Lung
  - 6) Bladder
  - 7) Adrenal

At the same time, John Hinze listed nutritional supplements including but not limited to:

- 1) Aloe
  - 2) Herbal pumpkin
  - 3) B 125
  - 4) Lick conc.
  - 5) Serogest
  - 6) Bentonite
  - 7) C 1000
- e. John Hinze directed the investigator to Wayne Ball who performed a series of reflex tests to determine whether the investigator needed nutritional supplements.
  - f. Wayne Ball directed the investigator to a nutritionist.
  - g. The nutritionist repeated some of the reflex tests and compiled the nutritional supplements indicated by the reflex testing.
  - h. The nutritionist requested a urine sample from the investigator. The investigator supplied the urine sample.
  - i. The nutritionist ultimately sold the investigator a variety of nutritional supplements which included items originally listed by John Hinze.
  - j. On May 21, 1982, the investigator returned to the "Natural Therapeutics" office for her second appointment.
  - k. The investigator complained to John Hinze that she felt the urge to urinate frequently, was unable to expel more than a small amount of urine, and felt a burning sensation during urination.
  - l. John Hinze attributed the symptoms to a bladder irritation and recommended that the investigator change from vitamin C tablets to vitamin C granules to ease the burning sensation, take BHL bladder tablets to help the irritation, and take one dose of Ruta Grav to relieve the urge to urinate.
  - m. John Hinze informed the investigator that the results of her prior urine test "looked good."

- n. John Hinze provided the investigator with an insurance claim form.
- o. The insurance claim form indicates a diagnosis of "glandular imbalance."
- p. The insurance claim form is signed by John Hinze at a line marked "Dr. sig."
- q. The insurance claim form shows an RX prescription number for three nutritional supplements.
- r. The business cards and stationery of John Hinze identify him as "J. Hinze, H.M.D." and "Dr. J. Hinze."

7. That John Hinze is not licensed by the State of Iowa to perform medicine and surgery, osteopathic medicine and surgery, or chiropractic.

8. That John Hinze is publicly professing to assume duties incident to the practice of medicine and surgery by examining irises to diagnose health disorders.

9. That John Hinze is publicly professing to assume duties incident to the practice of medicine and surgery by diagnosing a bladder irritation.

10. That John Hinze is publicly professing to assume duties incident to the practice of medicine and surgery by providing the results of a urine test.

11. That John Hinze is publicly professing to be a physician or surgeon by utilizing prescription numbers for non-prescription nutritional supplements.

12. That John Hinze is publicly professing to be a physician or surgeon by signing insurance forms as "Dr."

13. That John Hinze is publicly professing to be a physician or surgeon by providing diagnostic information in insurance forms.

14. That John Hinze is publicly professing to be a physician or surgeon by utilizing the prefix "Dr." and the letters "H.M.D."

15. That John Hinze is prescribing and furnishing nutritional supplements as medicine for human ailments.

16. That the Plaintiff has reason to believe John Hinze is continuing to practice medicine without a license and will continue to do so in the future.

17. That no petition for the same relief, or part thereof, has previously been presented to and refused by any court of justice.

WHEREFORE Plaintiff, the State of Iowa, ex rel. Norman Pawlewski, respectfully requests that this Court issue an order permanently restraining Defendant, John Hinze, from the practice of medicine and surgery or osteopathic medicine and surgery.

Plaintiff further requests this Court to order such other relief as the Court may deem just and equitable and to order judgment for costs in this action.

Respectfully submitted,

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