

**IN THE SUPREME COURT OF IOWA**

No. 08 / 04-1349

Filed June 22, 2007

**JOHN DOE,**

Appellant,

vs.

**STATE OF IOWA,**

Appellee.

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Appeal from the Iowa District Court for Polk County, Karen A. Romano, Judge.

Plaintiff appeals from order dismissing his suit against the State based upon the State's alleged violation of the confidentiality provisions of Iowa Code section 272C.6(4) (1999). **AFFIRMED.**

Michael A. Dee and Rebecca A. Brommel of Brown, Winick, Graves, Gross, Baskerville and Schoenebaum, P.L.C., Des Moines, for appellant.

Thomas J. Miller, Attorney General, and Theresa O'Connell Weeg and Heather L. Adams, Assistant Attorneys General, for appellee.

**PER CURIAM.**

John Doe was licensed by Iowa's board of medical examiners to practice medicine in Iowa in 1979 and did so until December 2000, when he moved to Massachusetts to practice. Prior to his relocation to Massachusetts, Doe applied for a license to practice there, and the Massachusetts board inquired of Iowa's board about Doe's qualifications. The board disclosed to Massachusetts that there were three open complaints against Doe pending in Iowa, and at least partly on that basis, the Massachusetts board denied his application.

Doe filed a petition at law alleging the Iowa board violated Iowa Code section 272C.6(4) (1999) by disclosing the open complaints to the Massachusetts board, contending this statute impliedly authorized a private cause of action for its violation. In a separate appeal, *Doe v. Iowa Board of Medical Examiners*, \_\_\_ N.W.2d \_\_\_ (Iowa 2007) (filed today), we held the board did not violate section 272C.6(4). This renders this case moot, and on that basis, we affirm the district court's dismissal.

**AFFIRMED.**

All justices concur except Ternus, C.J., who takes no part.

This opinion shall not be published.