

BEFORE THE IOWA BOARD OF PHARMACY

<p>RE: Pharmacy Technician Trainee Registration of</p> <p>TATUM CACEK Registration No. 26082 Respondent</p>	<p>CASE NO. 2018-0056</p> <p>COMBINED STATEMENT OF CHARGES, SETTLEMENT AGREEMENT, AND FINAL ORDER</p>
--	--

COME NOW the Iowa Board of Pharmacy ("Board") and Tatum Cacek ("Respondent"), 406 Park St, Marshalltown IA 50158, and enter into this Combined Statement of Charges, Settlement Agreement, and Final Order ("Order") pursuant to Iowa Code sections 17A.10 and 272C.3(4), and 657 IAC 35.5. The Board has jurisdiction over Respondent and the subject matter of this case pursuant to Iowa Code chapters 17A, 155A, and 272C (2018), and 657 IAC chapter 36.

A. STATEMENT OF CHARGES

**COUNT I
UNETHICAL BEHAVIOR**

1. Respondent is charged with unethical behavior in violation of 657 IAC 3.28(4), and may be disciplined pursuant to Iowa Code section 155A.6A(5) and 657 IAC 36.6(3).

B. FACTUAL CIRCUMSTANCES

2. Respondent's Iowa pharmacy technician trainee registration number 26082 is currently active through March 31, 2019.

3. In May 2018, Respondent stole money from other pharmacy employees.

4. When Respondent was arrested for theft, police found her in possession of cocaine.

5. On August 24, 2018, Respondent pled guilty to Possession of Cocaine in Marshall County, Iowa.

C. SETTLEMENT AGREEMENT AND FINAL ORDER

6. The Board has jurisdiction over the parties and the subject matter of these proceedings.

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. Execution of this Order constitutes the resolution of a contested case. Respondent has a right to hearing before the Board on the charges, but Respondent waives the right to hearing and

all attendant rights, including the right to appeal or seek judicial review of the Board's action, by freely and voluntarily entering into this Order. Once entered, this Order shall have the force and effect of a disciplinary order entered following a contested case hearing.

9. Respondent acknowledges that she has the right to be represented by counsel on this matter.

10. Respondent agrees that the State's counsel may present this Order to the Board and may have *ex parte* communications with the Board while presenting it.

11. This Order is subject to approval by a majority of the full Board. If the Board does not approve this Order, it shall be of no force or effect to either party, and shall not be admissible for any purpose in further proceedings in this matter. If the Board approves this Order, it shall be the full and final resolution of this matter.

12. This Order shall be part of Respondent's permanent record and shall 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.

13. Respondent understands the Board is required by federal law to report any adverse action to the National Association of Boards of Pharmacy's Disciplinary Clearinghouse and the National Practitioner Data Bank.

14. This Order, when fully executed, is a public record and is available for inspection and copying in accordance with the requirements of Iowa Code chapters 22 and 272C.

15. The Board's approval of this Order shall constitute a **FINAL ORDER** of the Board.

IT IS THEREFORE ORDERED:

16. Respondent agrees to **VOLUNTARILY SURRENDER** her pharmacy technician trainee registration to resolve this matter. This voluntary surrender is considered discipline and, when accepted by the Board, has the same force and effect as an order of revocation pursuant to 657 IAC 36.8.

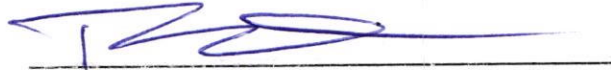
17. Respondent agrees not to work in a pharmacy in any capacity in Iowa unless her pharmacy technician trainee registration is reinstated. Any request for reinstatement will be governed by 657 IAC 35.36.

18. Should Respondent violate the terms of this Order, the Board may initiate action to impose other licensee discipline as authorized by Iowa Code chapters 155A and 272C and 657 IAC chapter 36.

12/26/18
Date

Tatum Cacek
TATUM CACEK
Respondent

This Combined Statement of Charges, Settlement Agreement, and Final Order is approved by the Iowa Board of Pharmacy on the 9th day of July, 2019.


Chairperson
Iowa Board of Pharmacy