

BEFORE THE IOWA BOARD OF PHARMACY

RE: Pharmacist License of JENNIFER HUGHES License No. 19563 Respondent	CASE NO. 2022-0113 COMBINED STATEMENT OF CHARGES, SETTLEMENT AGREEMENT, AND FINAL ORDER
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COME NOW the Iowa Board of Pharmacy (“Board”) and Jennifer Hughes (“Respondent”), 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 Iowa Administrative Code (IAC) 35.5. The Board has the authority to take disciplinary action pursuant to Iowa Code sections 147.55, 155A.12, and 272C.3, and 657 IAC 36.

A. STATEMENT OF CHARGES

COUNT I

1. Respondent is charged under 657 IAC 36.6(21) with violating a rule of the Board, specifically 657 IAC 20.15(1), which only authorizes FDA-registered outsourcing facilities to distribute human compounded preparations to a practitioner for office use.

B. FACTUAL CIRCUMSTANCES

2. Respondent’s pharmacist license number 19563 is currently active through June 30, 2023.
3. Respondent is the pharmacist in charge at Greenwood Compounding Pharmacy in Waterloo.
4. On multiple occasions, Respondent dispensed a compounded numbing cream to a nurse practitioner for office use despite knowing that the pharmacy was not authorized to compound human preparations for office use.

C. SETTLEMENT AGREEMENT AND FINAL ORDER

5. The Board has jurisdiction over Respondent and the subject matter of this proceeding.
6. 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.
7. 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.

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

9. 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.

10. 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.

11. 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.

12. 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.

13. 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.

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

IT IS THEREFORE ORDERED:

15. Respondent is hereby **CITED** for unlawfully dispensing compounded preparations for office use and **WARNED** that future violations of the laws and rules governing pharmacists may result in further disciplinary action.

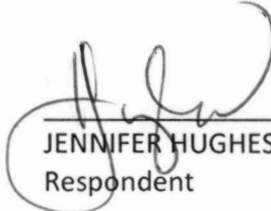
16. Within thirty (30) days, Respondent shall pay a **CIVIL PENALTY** in the amount of one thousand dollars (\$1,000). The check shall be made payable to the "Treasurer of Iowa" and shall be deposited in the general fund. The civil penalty should be mailed to the Iowa Board of Pharmacy, Attn: Amanda Woltz, 400 SW 8th St, Ste E, Des Moines IA 50309.

17. Within sixty (60) days, Respondent must complete three (3) hours of **CONTINUING EDUCATION** pertaining to pharmacy law and ethics and submit certificates of completion to the Board via email to amanda.woltz@iowa.gov. The hours used to fulfill this requirement cannot be used to satisfy the continuing education hours required for the renewal of Respondent's pharmacist license.


18. Respondent agrees not to dispense human compounded preparations for office use in the future.

19. Should Respondent violate the terms of this Order, the Board may initiate action to impose other licensee discipline as authorized by Iowa Code chapters 147, 155A, and 272C and 657 IAC 36.

8/11/22
Date


JENNIFER HUGHES
Respondent

This Combined Statement of Charges, Settlement Agreement, and Final Order is approved by the Iowa Board of Pharmacy on August 24, 2022.


Chairperson
Iowa Board of Pharmacy