

**BEFORE THE IOWA BOARD OF PHARMACY**

<p>RE: Pharmacist License of</p> <p>GABRIEL PODRAZA License No. 23832 Respondent</p>	<p><b>REACTIVATION BY CONSENT AGREEMENT</b></p>
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**COME NOW** the Iowa Board of Pharmacy (“Board”) and Gabriel Podraza (“Respondent”), Urbandale, Iowa, and enter into this Reactivation by Consent Agreement (“Agreement”), pursuant to Iowa Code sections 17A.10 and 17A.18. The Board has jurisdiction over Respondent and the authority to take disciplinary action pursuant to Iowa Code chapters 147, 155A, and 272C, and 657 Iowa Administrative Code (IAC) chapters 2 and 36.

**A. LEGAL GROUNDS**

1. Pursuant to Iowa Code sections 147.4 and 155A.12(1), the Board has the authority to deny a pharmacist license if the applicant violated any Board rules that would constitute grounds for disciplinary action.
2. Pursuant to 657 IAC 36.6(42), the Board may impose discipline for failing to comply with the terms of an initial agreement or contract with the Iowa monitoring program for pharmacy professions committee (IMP3).

**B. FACTUAL CIRCUMSTANCES**

3. On Date, Respondent was issued pharmacist license number 23832.
4. In January 2023, Respondent was referred to the Board for noncompliance with his contract with the IMP3.
5. On January 5, 2023, Respondent’s pharmacist license was cancelled at his request.
6. On March 20, 2023, Respondent applied to reactivate his pharmacist license.

**C. REACTIVATION BY CONSENT**

7. Respondent acknowledges that the allegations in the Factual Circumstances, if proven in a contested case hearing, would constitute grounds for the discipline agreed to in this Agreement.
8. Execution of this Agreement constitutes the resolution of a contested case. Respondent has a right to a hearing before the Board regarding the legal grounds for license denial, but

Respondent waives the right to a 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 Agreement. Once entered, this Agreement shall have the force and effect of a disciplinary order entered following a contested case hearing.

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

10. This Agreement is subject to approval by a majority of the full Board. If the Board does not approve this Agreement, 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 Agreement, it shall be the full and final resolution of this matter.

11. This Agreement is disciplinary action and shall be reported as discipline.

12. This Agreement 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 Agreement, 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 Agreement shall constitute a **FINAL ORDER** of the Board.

**IT IS THEREFORE ORDERED:**

16. Respondent must self-report and sign an initial agreement with the IMP3.

17. 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.

18. Upon execution of an initial agreement, payment of the civil penalty, and completion of all administrative licensing requirements for reactivation, Respondent's Iowa pharmacist license shall be reactivated.

19. Upon license reactivation, Respondent is hereby **CITED** for failing to comply with the terms of a contract with the IMP3 and **WARNED** that Respondent's failure to comply with the IMP3 or the laws governing the practice of pharmacy in the future could result in further discipline, including license revocation.

20. Respondent shall fully cooperate with the IMP3. Respondent's failure to comply with the requirements of the IMP3 shall be considered a violation of this Agreement. Respondent's pharmacist license shall be immediately suspended if the Board receives notification of significant noncompliance from the IMP3 by name. Respondent understands and consents to any such suspension occurring automatically and without the opportunity for a hearing. If Respondent's pharmacist license is suspended in accordance with this paragraph, it will remain suspended until Respondent successfully petitions the Board to have his license reinstated in accordance with 657 IAC 35.36.

21. Respondent must notify any future prospective pharmacy employers in Iowa (at the time of employment interview) of this Agreement and maintain documentation of the notification.

22. Should Respondent violate the terms of this Agreement, the Board may initiate action to impose licensee discipline as authorized by Iowa Code chapters 147, 155A, and 272C and 657 IAC chapter 35.

5-4-2023

Date



GABRIEL PODRAZA  
Respondent

This Reactivation by Consent Agreement is approved by the Executive Director with authorization from Iowa Board of Pharmacy on \_\_\_\_\_ May 4, 2023.



Andrew Funk, Pharm.D., Executive Director  
Iowa Board of Pharmacy