

**BEFORE THE IOWA BOARD OF PHARMACY**

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RE:  
Controlled Substances Act Registration of  
  
**ALAN BOLLINGER, DO**  
Registration No. 1304787  
Respondent

CASE NO. 2018-24  
  
**TERMINATION ORDER**

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On February 15, 2018, the Iowa Board of Medicine approved a Combined Statement of Charges and Settlement Agreement that imposed discipline on Respondent's medical license for improper pain management. Under the Agreement, Respondent was prohibited from prescribing, administering, or dispensing controlled substances for the treatment of chronic pain.

On September 18, 2018, the Iowa Board of Pharmacy approved a Settlement Agreement and Final Order, which restricted the Respondent from prescribing, administering, or dispensing controlled substances for the treatment of chronic pain.

On September 20, 2019, the Iowa Board of Medicine terminated the restriction of treating chronic pain on Respondent's license.

IT IS THEREFORE ORDERED that the restriction placed upon Respondent's Controlled Substances Act (CSA) registration is terminated and Respondent's CSA registration is returned to its full privileges, free and clear of all restrictions.

Dated this 27th day of September, 2019.



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

BEFORE THE IOWA BOARD OF PHARMACY

RE:  
Controlled Substances Act Registration of

**ALAN BOLLINGER, DO**  
Registration No. 1304787  
Respondent

CASE NO. 2018-24

**SETTLEMENT AGREEMENT AND  
FINAL ORDER**

Pursuant to Iowa Code sections 17A.12(5) and 272C.3(4) (2017), and 657 IAC 35.24, the Iowa Board of Pharmacy ("Board") and Alan Bollinger, DO ("Respondent") enter into the following Settlement Agreement and Final Order ("Order") to settle a contested case currently pending before the Board.

The allegations contained in the Statement of Charges against Respondent shall be resolved without proceeding to hearing, as the Board and Respondent stipulate as follows:

1. The Board filed a Notice of Hearing and Statement of Charges on July 24, 2018.
2. The Board has jurisdiction over the parties and the subject matter of these proceedings.
3. Respondent acknowledges that allegations contained in the Statement of Charges, if proven in a contested case proceeding, would constitute grounds for the discipline agreed to in this Order.
4. 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 actions, 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.
5. Respondent acknowledges that he has the right to be represented by counsel on this matter.
6. 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.
7. 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.

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8. 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.

9. This Order shall not be binding as to any new complaints received by the Board.

10. 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.

11. 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.

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

**IT IS THEREFORE ORDERED:**

13. Respondent CSA registration is hereby **RESTRICTED** to prohibit Respondent from prescribing, administering, or dispensing controlled substances for the treatment of chronic pain as defined by the Iowa Board of Medicine.

14. If the Iowa Board of Medicine permits Respondent to prescribe, administer, or dispense controlled substances for the treatment of chronic pain in the future, Respondent shall notify the Iowa Board of Pharmacy. Respondent's CSA registration shall remain restricted until such notification occurs.

15. Respondent shall comply with all terms and conditions of the Iowa Board of Medicine's probation. Respondent shall report any violations of his probation to the Iowa Board of Pharmacy immediately.

16. Respondent shall provide a copy of this Order to all employers.


17. Should Respondent violate the terms of this Order, the Board may initiate action to suspend or revoke Respondent's CSA registration as authorized by Iowa Code chapter 124 and 657 IAC chapters 10 and 36.



ALAN BOLLINGER, DO  
Respondent

This Settlement Agreement and Final Order is approved by the Iowa Board of Pharmacy on

September 18, 2018.



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Chairperson  
Iowa Board of Pharmacy

Copies to:

Laura Steffensmeier  
Assistant Attorney General  
Hoover State Office Building—2<sup>nd</sup> Floor  
1305 E Walnut St  
Des Moines IA 50319  
ATTORNEY FOR THE STATE

Connie Diekema  
Finley Law Firm, P.C.  
699 Walnut St, Ste 1700  
Des Moines IA 50309  
ATTORNEY FOR RESPONDENT

**BEFORE THE IOWA BOARD OF PHARMACY**

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RE:  
Controlled Substances Act Registration of

**ALAN BOLLINGER, DO**  
Registration No. 1304787  
Respondent

CASE NO. 2018-24

**NOTICE OF HEARING AND  
STATEMENT OF CHARGES**

**COMES NOW** the Iowa Board of Pharmacy (“Board”) and files this Notice of Hearing and Statement of Charges against Alan Bollinger, DO (“Respondent”), 3509 E 29<sup>th</sup> St, Des Moines IA 50317, pursuant to Iowa Code sections 17A.12(2), 17A.18(3), and 124.305, and 657 IAC 35.6 and 35.7. Respondent’s Iowa Controlled Substances Act (CSA) registration number 1304787 is currently active through July 31, 2018.

**A. TIME, PLACE, AND NATURE OF HEARING**

Hearing. A disciplinary contested case hearing shall be held on September 18, 2018, before the Board. The hearing shall begin at 1:00 p.m. and shall be located in the Board conference room located at the Iowa Board of Pharmacy Office, 400 SW 8<sup>th</sup> St, Ste E, Des Moines IA 50309.

Answer. Within twenty (20) days of the date you are served this Notice of Hearing and Statement of Charges, you may file an Answer pursuant to 657 IAC 35.16. The Answer should specifically admit, deny, or otherwise answer all allegations contained in sections C and D of this Notice of Hearing and Statement of Charges.

Filing of Pleadings. Pleadings shall be filed with the Board either by e-mail, if done in compliance with 657 IAC 35.17(2), to [Amanda.Woltz@iowa.gov](mailto:Amanda.Woltz@iowa.gov), or by mail/delivery to the following address: Iowa Board of Pharmacy, 400 SW 8<sup>th</sup> St, Ste E, Des Moines IA 50309.

Presiding Officer. The Board shall serve as presiding officer, but the Board may request an Administrative Law Judge from the Department of Inspections and Appeals make initial rulings on prehearing matters, and be present to assist and advise the Board at hearing.

Hearing Procedures. The procedural rules governing the conduct of the contested case hearing, including prehearing matters, are found at 657 IAC chapter 35. At the hearing, you may appear personally or be represented by counsel at your own expense. You will be allowed the opportunity to respond to the charges against you, to produce evidence on your behalf on issues of material fact, cross-examine witnesses present at the hearing, and examine and respond to any documents introduced at the hearing. The hearing may be open to the public or closed to the public at your discretion, pursuant to Iowa Code section 272C.6(1) and 657 IAC 35.25(10).

Prosecution. The Office of Attorney General of Iowa is responsible for representing the public interest (the State) in this proceeding. Counsel for the State in this matter is Assistant Attorney General Laura Steffensmeier. Ms. Steffensmeier can be reached by phone at (515) 281-6690. Copies of pleadings should be provided to counsel for the State either by email to [Laura.Steffensmeier@ag.iowa.gov](mailto:Laura.Steffensmeier@ag.iowa.gov), or by mail/delivery to the following address:

Laura Steffensmeier  
Assistant Attorney General  
Hoover State Office Building—2<sup>nd</sup> Floor  
1305 E Walnut St  
Des Moines IA 50319

Communications. You may not contact individual Board members in any manner, including by phone, letter, or e-mail, regarding this Notice of Hearing and Statement of Charges. Board members may only receive information about the case when all parties have notice and the opportunity to participate, such as at the hearing or in pleadings you file and serve upon all parties in the case.

## **B. LEGAL AUTHORITY AND JURISDICTION**

Jurisdiction. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 17A, 124, and 272C (2018).

Legal Authority. If any of the allegations against you are founded, the Board has authority to take disciplinary action against you under Iowa Code chapter 124, and 657 IAC chapters 10 and 36.

Default. If you fail to appear at the hearing, the Board may enter a default decision or proceed with the hearing and render a decision in your absence, in accordance with Iowa Code section 17A.12(3) and 657 IAC 35.27.

## **C. STATEMENT OF CHARGES**

### **COUNT I**

#### **DISCIPLINARY ACTION AGAINST PROFESSIONAL LICENSE**

Respondent is charged with having his professional license disciplined in a way that restricts his ability to handle or prescribe controlled substances, pursuant to Iowa Code section 124.304(1)(e) and 657 IAC 10.10(1)"e".

## **D. FACTUAL CIRCUMSTANCES**

On February 15, 2018, the Iowa Board of Medicine approved a Combined Statement of Charges and Settlement Agreement that imposed discipline on Respondent's medical license for improper pain management. Under the Agreement, Respondent is prohibited from prescribing, administering, or dispensing controlled substances for the treatment of chronic pain. Respondent's medical license was also placed on probation for a period of 3 years.

**E. SETTLEMENT**

This matter may be resolved by settlement agreement. The procedural rules governing the Board's settlement process are found at 657 IAC 35.24. To cancel a scheduled hearing, an executed settlement agreement must be received by the Board at least three (3) business days prior to the scheduled hearing. If you are interested in pursuing settlement in this matter, please contact the Assistant Attorney General identified above.

**F. FINDING OF PROBABLE CAUSE**

On this 24<sup>th</sup> day of July, 2018, the Iowa Board of Pharmacy found probable cause to file this Notice of Hearing and Statement of Charges.



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Chairperson  
Iowa Board of Pharmacy

Copies to:

Laura Steffensmeier  
Assistant Attorney General  
Hoover State Office Building—2<sup>nd</sup> Floor  
1305 E Walnut St  
Des Moines IA 50319  
ATTORNEY FOR THE STATE

Connie Diekema  
Finley Law Firm, P.C.  
699 Walnut St, Ste 1700  
Des Moines IA 50309  
ATTORNEY FOR RESPONDENT

PLEASE NOTE: If you require the assistance of auxiliary aids or services to participate in this matter because of a disability, immediately call 515-281-5944. (If you are hearing impaired, call Relay Iowa TTY at 1-800-735-2942).