

BEFORE THE IOWA BOARD OF PHARMACY

Re:) Case No. 2008-80
Controlled Substance Registration of:)
CRAIG A. BURK, DVM) **ORDER TO SHOW CAUSE**
Registration No. 1501145)
Respondent)

TO: Craig A. Burk
1600 S. Lincoln Street,
Knoxville, Iowa 50138

NOTICE: Pursuant to the provisions of Iowa Code chapter 124.304-305 (2009) and 657 Iowa Administrative Code 10.12(5-8), you are hereby ordered to appear before the Iowa Board of Pharmacy Examiners to show cause why controlled substance registration number 1501145, issued to Craig A Burk, DVM, should not be revoked. IF YOU DESIRE A HEARING REGARDING REVOCATION OF THIS CONTROLLED SUBSTANCE REGISTRATION, YOU MUST FILE A REQUEST FOR A HEARING BEFORE THE BOARD WITHIN THIRTY (30) DAYS OF ISSUANCE OF THIS ORDER.

I. JURISDICTION

Pursuant to Iowa Code Chapter 124 (2009) and 657 Iowa Administrative Code § 10.12(5), the Iowa Board of Pharmacy Examiners (hereinafter, "Board") has jurisdiction over those who manufacture, distribute, and dispense controlled substances in Iowa. On June 6, 2008, the Board renewed the controlled substance registration number 5100247, issued to Craig A. Burk (hereinafter, "Respondent"), subject to the laws of the State of Iowa and the rules of the Board. Respondent is engaged in a veterinarian practice known as the Knoxville Veterinary Clinic, located at 1600 South Lincoln Street, Knoxville, Iowa 50138, at all times material to these proceedings.

II. BASIS FOR ORDER TO SHOW CAUSE

On August 5, 2008, the Board commenced an investigation which revealed the following:

1. Respondent and employees at the Knoxville Veterinary Clinic were dispensed (or allowed to self-dispense) prescription medications for themselves and their family members. Medications dispensed included antibiotics and controlled substances such as Tylenol with codeine, diazepam and valium.
2. The medications were dispensed for human use, but not pursuant to a prescription; thus, no prescription records were kept.
3. Respondent does not maintain a controlled substance inventory record at the Knoxville Veterinary Clinic, or a complete record of which drugs were dispensed to which staff members.
4. Some controlled substances were kept in a veterinary clinic cabinet accessible to all veterinary employees. Other controlled substances were stored at Respondent's residence.

Iowa Code § 124.304(d) (2009) provides, in part, that the Board may revoke a registration to manufacture, distribute, or dispense controlled substances upon finding that the registrant has committed such acts as would render the registration inconsistent with the public interest.

Respondent's continued possession of a controlled substance registration is not in the public interest because veterinary medicines, including controlled substances, are being dispensed for human use, without a prescription, and without records of the medications being dispensed.

III. ORDER

Respondent Craig A. Burk, DVM, is hereby ordered to appear before the Iowa Board of Pharmacy Examiners and show cause why controlled substance registration number 1501145, issued in his name, should not be revoked for the reason that the registrant has committed such acts as would render the registration inconsistent with the public interest.

If Respondent wishes to have a hearing before the Board in response to this Order, Respondent must notify the Board within thirty (30) days of the date of this Order. Respondent's request for a hearing should be directed to Lloyd Jessen, Executive Secretary/Director, Iowa Board of Pharmacy Examiners, 400 S.W. Eighth Street, Suite E, Des Moines, Iowa 50309-4688. The Board office telephone number is (515) 281-5944. If Respondent requests a hearing, the hearing will be held at 400 S.W. Eighth Street, Suite E, Des Moines, Iowa, on the date of the next regularly scheduled meeting of the Board.

IT IS SO ORDERED THIS 17th day of ^{Aug} July 2009.


VERNON H. BENJAMIN, Chairperson
Iowa Board of Pharmacy Examiners


cc: Scott Galenbeck, Assistant Iowa Attorney General
Drug Enforcement Administration, Des Moines

BEFORE THE IOWA BOARD OF PHARMACY

Re:)	Case No. 2008-80
Controlled Substances Registration of)	
CRAIG A. BURK, DVM)	STIPULATION
Registration No. 1501145)	AND
Respondent)	CONSENT ORDER

Pursuant to Iowa Code §§ 17A.10, 124.304-305, and 272C.3(4) (2009), the Iowa Pharmacy Board (hereinafter, "Board") and Craig A. Burk (hereinafter, "Respondent") enter into the following Stipulation and Consent Order settling a disciplinary proceeding currently pending before the Board.

The Order to Show Cause filed herein shall be resolved without proceeding to hearing, due to the Board and Respondent stipulating as follows:

1. Respondent renewed his controlled substance registration number 5101145 on June 6, 2008.
2. The controlled substance registration issued to and held by Respondent is active and current until July 31, 2010.
3. Respondent was, at all times material to these disciplinary proceedings, engaged in a veterinary practice known as the Knoxville Veterinary Clinic, located at 1600 South Lincoln Street, Knoxville, Iowa 50138.
4. An Order to Show Cause was issued to Respondent by the Board on August 17, 2009.
5. The Board has jurisdiction over the Respondent and jurisdiction over the subject matter of these proceedings.

6. The stated basis for the Order to Show Cause, if proven in a contested case proceeding, would constitute grounds for the discipline described herein.

7. On the date of the Board's approval of this Stipulation and Consent Order, Respondent's controlled substance registration shall be restricted by being placed on probation for a period of five years. The terms of the probation shall include, but not be limited to, the following:

- a. Respondent agrees to comply with the terms of probation.
- b. The period of probation shall be five (5) years.
- c. Respondent shall maintain a perpetual inventory of all controlled substances in his possession pursuant to his controlled substance registration, which inventory shall be reconciled each week.
- d. Respondent shall complete a continuing education course of not less than two (2) hours, approved by the Board in advance of his attendance. The subject matter of the course shall be controlled substance recordkeeping, accountability and security.
- e. Respondent shall inform the Board, in writing, of any change of home address, place of employment, home telephone number, or work telephone number, within ten (10) days of such a change.
- f. Respondent hereby consents to inspection and audit of his controlled substance inventory, and controlled substance records, during his probation, which inspections and audits shall occur approximately every six months.
- g. During probation, Respondent shall report to the Board quarterly, in

writing. The report shall include Respondent's place of employment, current address, *Respondent's most recent efforts to implement the provisions of this Stipulation and Consent Order, by date*, and any further information deemed necessary by the Board from time to time.

h. Respondent shall appear informally before the Board, upon the request of the Board, for the purpose of reviewing his performance under this Stipulation and Consent Order and as the holder of a controlled substance registration, during his probationary period. Respondent shall be given reasonable notice of the date, time, and place for such appearances.

i. Respondent shall obey all federal and state laws, rules, and regulations related to the handling of controlled substances.

8. Upon the Board's approval of this Stipulation and Consent Order, Respondent shall be assessed a civil penalty in the amount of \$1000. This civil penalty shall be paid promptly after the Board's approval of this Stipulation and Consent Order, and shall be made payable to the Treasurer of Iowa and mailed to the executive director of the Board. All civil penalty payments shall be deposited into the State of Iowa general fund.

9. This Stipulation and Consent Order is the resolution of a contested case. By entering into this Stipulation and Consent Order, Respondent waives all rights to a contested case hearing relating to the Order to Show Cause and waives any objections to this Stipulation and Consent Order.

10. The State's legal counsel may present this Stipulation and Consent Order to the Board.

11. This proposed settlement is subject to approval by a majority of the full Board. If the Board fails to approve this settlement, it shall be of no force or effect to either the Board or Respondent. If the Board approves this Stipulation and Consent Order, it shall be the full and final resolution of this matter.

12. Should Respondent violate or fail to comply with any of the terms and conditions of this Stipulation and Consent Order, the Board may initiate action to suspend or revoke Respondent's controlled substance registration or to impose other discipline as authorized by Iowa Code chapter 124C (2009) and 657 IAC chapter 10.

13. The Board's approval of this Stipulation and Consent Order shall constitute a FINAL ORDER.

This Stipulation and Consent Order is voluntarily submitted by Respondent to the Board for its consideration on the 11 day of Feb 2010.

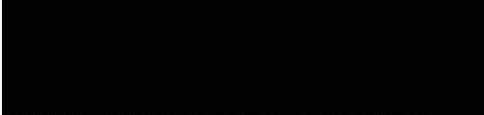

CRAIG A. BURK, DVM
Respondent

Subscribed and sworn to before me by Craig A. Burk on this 11th day of Feb 2010.




NOTARY PUBLIC IN AND FOR
THE STATE OF IOWA

This Stipulation and Consent Order is accepted by the Iowa Pharmacy Board on the 10th day of March 2010.


VERNON H. BENJAMIN, Chairperson
Iowa Pharmacy Board
400 SW Eighth Street, Suite E
Des Moines, Iowa 50309-4688

**cc: Scott M. Galenbeck
Assistant Attorney General
Office of the Attorney General
Hoover State Office Building
Des Moines, Iowa 50319**

**Nick Mauro
1701 Ruan Center, 666 Grand Avenue
Des Moines, IA 50309**

Burk CSR settle 1-10.doc

BEFORE THE BOARD OF PHARMACY STATE OF IOWA

**IN THE MATTER OF THE STIPULATION AND CONSENT ORDER AGAINST
CRAIG A. BURK, DVM, RESPONDENT**

2008-80

TERMINATION ORDER

DATE: March 13, 2015

1. On March 10, 2010, a Stipulation and Consent Order was issued by the Iowa Board of Pharmacy placing the controlled substance registration, number 1501145 issued to Craig A. Burk, DVM, on probation for a period of five years under certain terms and conditions.

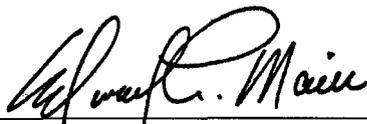
2. Respondent has successfully completed the probation as directed.

3. The Board directed that the probation placed upon the Respondent's controlled substance registration shall be terminated.

IT IS HEREBY ORDERED:

That the probation placed upon the Respondent's controlled substance registration is terminated, and the license is returned to its full privileges free and clear of all restrictions.

IOWA BOARD OF PHARMACY



Edward L. Maier, Board Chairperson
400 SW 8th Street, Suite E
Des Moines, Iowa 50309-4688