

**BEFORE THE BOARD OF PHARMACY EXAMINERS
OF THE STATE OF IOWA**

Re:)	Case No. 2005-32
Pharmacist License of)	
CORY L. COCKBURN)	STATEMENT OF CHARGES
License No. 18143,)	
Respondent.)	

COMES NOW, the Complainant, Lloyd K. Jessen, and states:

1. He is the Executive Secretary/Director for the Iowa Board of Pharmacy Examiners and files this Statement of Charges solely in his official capacity.
2. The Board has jurisdiction in this matter pursuant to Iowa Code Chapters 147, 155A and 272C (2005).
3. On February 25, 1994, the Board issued Respondent, after examination, a license to engage in the practice of pharmacy as evidenced by license number 18143, subject to the laws of the State of Iowa and the rules of the Board.
4. Respondent's pharmacist license is current and active until June 30, 2005.
5. Respondent's current address is 210 N. Main Street, Clarion, Iowa 50525.
6. Respondent was, at all times material, employed as the pharmacist in charge at the Clarion Pharmacy and Nation-Med Pharmacy, Inc., 210 N. Main Street, Clarion, Iowa 50525, and Clarion Compounding Pharmacy Inc., 212 N. Main Street, Clarion, Iowa 50525.

A. CHARGES

COUNT I – VIOLATION OF PHARMACY COMPOUNDING RULES

The Respondent is charged with failure to comply with Board rules for pharmacy compounding in violation of Iowa Code §§ 155A.12(1) (2005), 155A.12(4) (2005), and 657 Iowa Administrative Code §§ 8.30, 20.4(2), 20.5, 20.6(1), 20.8, 20.9, 20.10, 20.11, 20.12, 36.1(4)(j), and 36.1(4)(cc).

COUNT II – PROFESSIONAL INCOMPETENCY

The Respondent is charged with an inability to practice pharmacy compounding with reasonable skill and safety by reason of professional incompetency in violation of Iowa Code § 155A.12(1) (2005) and 155A.12(4) (2005) and 657 Iowa Administrative Code § 36.1(4)(b).

B. CIRCUMSTANCES

On or about April 4, 2005 an investigation was commenced, revealing the following:

1. Respondent is compounding inhalation/nebulizer medications for dispensing to patients, pursuant to prescriptions. Respondent is also compounding special strengths or dosages of other medications.
2. One of the inhalation medications compounded by Respondent is a product consisting of two active ingredients, formoterol and budesonide. This combination product is not approved for use by the FDA in the U.S. Although the product is the subject of Phase III clinical trials in the U.S. and has been approved for use in Europe, it is not commercially available in the U.S. at this time.
3. FDA regulations require that inhalation solutions be sterile (21 CFR § 200.51).
4. Preparation of the formoterol and budesonide combination product by Respondent begins with non-sterile ingredients that are mixed in an area that is not aseptic. The final product is not sterilized before it is dispensed to customers.
5. Respondent does not comply with administrative rules relating to sterile product compounding. Among other things, Respondent does not:
 - a. Maintain complete and proper compounding records and documentation.
 - b. Utilize proper aseptic technique.
 - c. Assign lot numbers.
 - d. Affix complete and accurate labeling.
 - e. Follow duly established policies and procedures.
 - f. Conduct adequate testing of products.
 - g. Utilize appropriate recall procedures.
6. As a compounding pharmacist, Respondent does not comply with FDA good manufacturing practices.

6. As a compounding pharmacist, Respondent does not comply with FDA good manufacturing practices.
7. Due to lack of sterility, inhalation/nebulizer medications prepared by Respondent may be contaminated with life-threatening pathogens. Respondent has demonstrated a lack of professional knowledge and understanding in the area of sterile compounding to such a degree that he has placed patients who have received these products at high risk for injury or disease.

WHEREFORE, the Complainant prays that a hearing be held in this matter and that the Board take such action as it may deem to be appropriate under the law.



Lloyd K. Jessen
Executive Secretary/Director

On this 26th day of April 2005, the Iowa Board of Pharmacy Examiners found probable cause to file this Statement of Charges and to order a hearing in this case.



Michael J. Seifer, Chairperson
Iowa Board of Pharmacy Examiners
400 SW Eighth Street, Suite E
Des Moines, Iowa 50309-4688

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

**BEFORE THE BOARD OF PHARMACY EXAMINERS
OF THE STATE OF IOWA**

Re:)	Case No. 2005-32
Pharmacist License of)	
CORY L. COCKBURN,)	STIPULATION
License No. 18143,)	AND
Respondent.)	CONSENT ORDER
)	

Pursuant to Iowa Code §§ 17A.10 and 272C.3(4) (2003), the Iowa Board of Pharmacy Examiners (hereinafter, "Board") and Cory L. Cockburn, R.Ph. (hereinafter, "Respondent"), enter into this Stipulation and Consent Order settling a pending contested case. The pending contested case is a licensee disciplinary proceeding before the Iowa Board of Pharmacy Examiners based on allegations specified in a Statement of Charges filed April 26, 2005. The Board and Respondent, who hereby agree that the contested case shall be resolved without proceeding to hearing, stipulate to the following:

1. Respondent was issued a license to practice pharmacy in Iowa on February 25, 1994, by examination, as evidenced by Pharmacist License Number 18143, which is recorded in the permanent records of the Iowa Board of Pharmacy Examiners.
2. Iowa Pharmacist License Number 18143, issued to and held by Respondent is active and current until June 30, 2005.
3. Respondent is currently self-employed as the owner and pharmacist in charge of Clarion Pharmacy, Inc., in Clarion, Iowa.
4. A Statement of Charges was filed against Respondent on April 26, 2005.
5. The Board has jurisdiction over Respondent and the subject matter herein.

6. Respondent does not contest the allegations set forth in the Statement of Charges and acknowledges that the allegations, if proven in a contested case proceeding, constitute grounds for discipline of his license to practice pharmacy in Iowa.
7. Upon the date of the Board's approval of this Stipulation and Consent Order, Respondent's license to practice pharmacy shall be placed on probation for a period of two years, under the following terms and conditions:
 - a. Respondent shall file written, sworn quarterly reports with the Board attesting to his compliance with all the terms and conditions of this Stipulation and Consent Order. The reports shall be filed not later than March 5, June 5, September 5 and December 5 of each year of Respondent's probation. The quarterly reports shall include Respondent's place of employment, current home address, home telephone number or work telephone number, and any further information deemed necessary by the Board from time to time.
 - b. Respondent shall make personal appearances before the Board or a Board committee upon request. The Board shall give Respondent reasonable notice of the date, time, and location for such appearances.
 - c. Respondent shall obey all federal and state laws and regulations related to the practice of pharmacy and the distribution of controlled substances.
 - d. Respondent shall provide evidence of efforts to maintain skill and knowledge as a pharmacist through continuing education (CE) as directed by the Board.

- e. Respondent shall inform the Board in writing within ten (10) days of any change of home address, employer, home telephone number or work telephone number.
8. Respondent agrees to not engage in any sterile compounding in any practice setting for the duration of his pharmacist license unless and until he can demonstrate to the Board that he has successfully completed additional formal training in sterile compounding and that he has adopted and implemented appropriate policies and procedures to ensure that all requirements for sterile compounding have been met. If Board approval is obtained, this restriction on his pharmacist license shall be lifted.
9. The Board and Respondent agree that the above-described two (2) year probationary period may be modified by the Board, upon Respondent's request, after presentation of evidence of Respondent's ongoing compliance with all regulations and statutes relating to the practice of pharmacy. In no event, however, shall Respondent's probationary period be less than one year.
10. If Respondent ceases to be self-employed during the probationary period or performs additional work as an employee pharmacist, Respondent shall notify all prospective employers of the resolution of this case and the terms, conditions, and restrictions imposed on Respondent by this Stipulation and Consent Order. The notification requirement contained in this paragraph shall only apply where Respondent's pharmacist license is or will be utilized in the course of his

employment. Within fifteen (15) days of undertaking new employment as a pharmacist, Respondent shall cause his employer to report to the Board in writing, acknowledging that the employer has read this Stipulation and Consent Order and understands it.

11. Should the Respondent violate or fail to comply with any of the terms or conditions of this Stipulation and Consent Order, the Board may initiate action to revoke or further suspend the Respondent's Iowa pharmacist license, or to impose other licensee discipline as authorized by Iowa Code chapters 272C and 155A (2003), and 657 IAC 36.
12. This Stipulation and Consent Order is the resolution of a contested case. By entering into this Stipulation and Consent Order, the Respondent waives all rights to a contested case hearing on the allegations contained in the Statement of Charges, and waives any objections to this Stipulation and Consent Order.
13. 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 party. If the Board approves this Stipulation and Consent Order, it shall be the full and final resolution of this matter.
14. The Board's approval of this Stipulation and Consent Order shall constitute a FINAL ORDER of the Board in a disciplinary action.

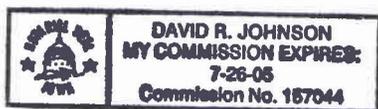
This Stipulation and Consent Order is voluntarily submitted by Respondent to the Board for its consideration on the 6th day of June 2005.

Cory L. Cockburn

Cory L. Cockburn, R.Ph.
Respondent

Subscribed and sworn to before me by Cory L. Cockburn on this 6th day of June 2005.

David R. Johnson



NOTARY PUBLIC IN AND FOR THE STATE OF IOWA

This Stipulation and Consent Order is accepted by the Iowa Board of Pharmacy Examiners on the 7th day of June 2005.

Michael J. Seifert

MICHAEL J. SEIFERT, Chairperson
Iowa Board of Pharmacy Examiners
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

BEFORE THE BOARD OF PHARMACY EXAMINERS STATE OF IOWA

**IN THE MATTER OF THE STIPULATION AND CONSENT ORDER AGAINST
CORY L. COCKBURN, R.Ph., RESPONDENT**

2005-32

TERMINATION ORDER

DATE: July 17, 2006

1. On June 7, 2005, a Stipulation and Consent Order was issued by the Iowa Board of Pharmacy Examiners placing the license to practice pharmacy, number 18143 issued to Cory L. Cockburn on February 25, 1994, on probation for a period of two years under certain terms and conditions.

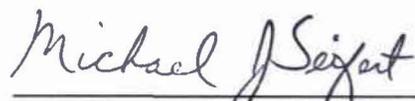
2. Respondent has requested early release from the probation.

3. The Board directed that the probation placed upon the Respondent's license to practice pharmacy should be terminated.

IT IS HEREBY ORDERED:

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

IOWA BOARD OF PHARAMCY EXAMINERS



Michael J. Seifert, Board Chairperson
400 SW 8th Street, Suite E
Des Moines, Iowa 50309-4688