

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

**In the Matter of the
Certificate of Licensure
as a Licentiate in Pharmacy
of William R. Darrah**

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**STIPULATION
FOR ENTRY OF
CONSENT ORDER**

THE IOWA BOARD OF PHARMACY EXAMINERS (BOARD) AND
WILLIAM R. DARRAH (DARRAH) STIPULATE TO THE FOLLOWING:

1. That Darrah is not currently licensed as a Licentiate in Pharmacy by any State Board of Pharmacy; and
2. That Darrah has applied to the Board for a Certificate of Licensure by submission of an application for original licensure by examination; and
3. That on or about September 7, 1993, Darrah entered a plea of guilty to driving under the influence of alcohol (DUI) in the state of South Dakota; that on or about March 6, 1995, Darrah entered a plea of guilty to a second offense of driving under the influence of alcohol (DUI) in the state of South Dakota; and that on or about February 6, 1995, Darrah was diagnosed with alcohol dependence.
4. That upon issuance of a Certificate of Licensure by the Board, Darrah consents to having his license to practice pharmacy in Iowa placed on probation for a period of five (5) years; and
5. That during the probationary period, Darrah will satisfy the following conditions:

- a. Darrah shall not consume alcohol.
- b. Darrah shall not use any controlled substance or prescription drug in any form unless the controlled substance or prescription drug has been authorized and prescribed for Darrah by a licensed, treating physician or other qualified treating health care provider. Darrah shall inform any treating physician or other treating health care provider of his history of chemical dependency.
- c. Darrah shall provide witnessed blood or urine specimens on demand by an agent of the Board. The specimens shall be used for alcohol and drug screening, all costs of which shall be paid by Darrah.
- d. Darrah shall comply with the aftercare recommendations of his physician or counselor.
- e. Darrah shall file sworn quarterly reports with the Board attesting to his compliance with all the terms and conditions of this Consent Order. The reports shall be filed not later than September 5, December 5, March 5, and June 5 of each year of the Darrah's probation. The quarterly reports shall include the Darrah's place of employment, current address, and any further information deemed necessary by the Board from time to time.
- f. Darrah shall attend at least one (1) aftercare meeting weekly and/or one (1) Alcoholics Anonymous (AA) meeting weekly. Darrah's participation in other group sessions or meetings shall be pre-approved by the Board. Darrah shall append to each quarterly report referred to in subparagraph 5-e above, statements signed or initialed by another person in attendance at the meetings attesting to the Darrah's attendance and continuing participation. The statement shall include the time, date, and location of the meetings attended.
- g. Darrah shall obey all federal and state laws and regulations substantially related to the practice of pharmacy and the distribution of controlled substances.

h. Darrah shall provide evidence of efforts to maintain skill and knowledge as a pharmacist through continuing education (CE) as directed by the Board.

i. Darrah shall not supervise any registered intern and shall not perform any of the duties of a preceptor.

j. Darrah shall not be an owner of a pharmacy nor serve as the pharmacist in charge of a pharmacy.

k. Darrah shall actively participate in the Iowa Pharmacy Recovery Network (IPRN) program under the direct support of a pharmacist advocate.

l. Darrah shall notify all present and prospective employers of the resolution of this case and the terms, conditions, and restrictions imposed on Darrah by this document. Within thirty (30) days after approval of this Consent Order by the Board, and within fifteen (15) days of undertaking new employment as a pharmacist, Darrah shall cause his pharmacy employer to report to the Board in writing acknowledging that the employer has read this document and understands it.

6. In the event Darrah leaves Iowa to reside or to practice outside the state, Darrah shall notify the Board in writing of the dates of departure and return. Periods of residence or practice outside Iowa will not apply to the duration of this Consent Order. However, evidence that Darrah has failed to abide by the terms of subparagraphs 5-a or 5-b of this Consent Order while outside the state shall constitute a violation of this Consent Order.

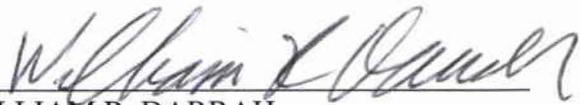
7. Should Darrah violate or fail to comply with any of the terms of conditions of this Consent Order, the Board may initiate action to revoke or suspend the Darrah's Iowa pharmacist license or to impose other licensee discipline as authorized in Iowa Code chapters 272C and 155A and 657 IAC 9.1.

8. Upon full compliance with the terms and conditions of this Consent Order and upon expiration of the period of probation, the Darrah's Iowa pharmacist license shall be restored to its full privileges free and clear of the terms of probation.

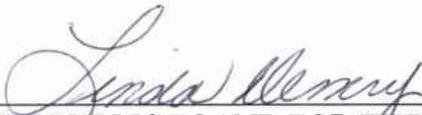
9. This Consent Order is subject to approval of a majority of the full Board. If the Board fails to approve this Consent Order, it shall be of no force or effect to either party.

10. The Board's approval of this Consent Order shall constitute a **FINAL ORDER** of the Board in a disciplinary action.

11. This Stipulation for Entry of Consent Order is voluntarily submitted by Darrah to the Board for its consideration on the 22 day of July, 1996.


WILLIAM R. DARRAH

Subscribed and Sworn to before me on this 22 day of July, 1996.


NOTARY PUBLIC IN AND FOR THE
STATE OF IOWA



12. This Stipulation for Entry of Consent Order is accepted by the Iowa Board of Pharmacy Examiners on the 26 day of July, 1996.


ARLAN VAN NORMAN, Vice Chairperson
Iowa Board of Pharmacy Examiners
Executive Hills West
1209 East Court Avenue
Des Moines, Iowa 50319

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

Re:)
Pharmacist License of)
WILLIAM R. DARRAH) **STATEMENT OF CHARGES**
License No. 18661)
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 155A and 272C (1997).

3. On July 24, 1996, William R. Darrah, the Respondent, was issued license number 18661 by the Board to engage in the practice of pharmacy, subject to the laws of the State of Iowa and the rules of the Board.

4. License number 18661 is current and active until June 30, 1998.

5. Respondent currently resides at 303 North Street, Creston, Iowa 50801.

6. Respondent is currently employed at Easter Family Center Pharmacy, Town Line Road, Creston, Iowa 50801.

7. Respondent's license to practice pharmacy was previously disciplined by the Board in 1996. Respondent has a history of chemical dependency.

In the 1996 disciplinary action, Respondent and the Board reached an informal settlement on July 26, 1996, in which Respondent's license was placed on probation with conditions for five years beginning July 26, 1996.

COUNT I

The Respondent is charged with failing to comply with a decision of the Board imposing licensee discipline, in violation of 1997 Iowa Code § 272C.3(2)(a).

COUNT II

The Respondent is charged with the inability to practice pharmacy with reasonable skill and safety by reason of his use of alcohol and marijuana, in violation of 1997 Iowa Code § 155A.12(1) and 657 Iowa Administrative Code Sections 9.1(4)(d), 9.1(4)(h), 9.1(4)(j), 9.1(4)(m), and 9.1(4)(u).

THE CIRCUMSTANCES

1. On July 26, 1996, Respondent consented to having his Iowa pharmacist license placed on probation for a period of five (5) years. In his Stipulation For Entry of Consent Order, Respondent agreed to conditions during his probationary period, including the following:

(5)(a). Darrah shall not consume alcohol.

(5)(b). Darrah shall not use any controlled substance or prescription drug in any form unless the controlled substance or prescription drug has been authorized and prescribed for Darrah by a licensed, treating physician or other qualified treating health care provider. Darrah shall inform any treating physician or other treating health care provider of his history of chemical dependency.

....

(5)(f). Darrah shall attend at least one (1) aftercare meeting weekly and/or one (1) Alcoholics Anonymous (AA) meeting weekly. Darrah's participation in other group sessions or meetings shall be pre-approved by the Board. Darrah shall append to each quarterly report referred to in subparagraph 5-e above, statements signed or initialed by another person in attendance at the meetings attesting to the Darrah's attendance and continuing participation. The statement shall include the time, date, and location of the meetings attended.

(5)(g). Darrah shall obey all federal and state laws and regulations substantially related to the practice of pharmacy and the distribution of controlled substances.

....

2. Respondent has violated subparagraphs (5)(a), (5)(b), (5)(f) and (5)(g) of his Stipulation For Entry of Consent Order approved by the Board on July 26, 1996, as follows:

a. On July 22, 1997, the Board received information which alleged that the Respondent was using alcohol in violation of subparagraph (5)(a) of his Stipulation For Entry of Consent Order. It was also alleged that Respondent's continued use of alcohol has impaired his ability to practice pharmacy with reasonable skill and safety.

b. On July 24, 1997, Respondent's physician obtained a urine specimen from Respondent. This specimen was analyzed by a clinical laboratory. The laboratory analysis detected the presence of cannabinoid (marijuana), a Schedule I controlled substance, in Respondent's urine. Respondent has used marijuana in violation of subparagraph (5)(b) of Respondent's Stipulation For Entry of Consent Order.

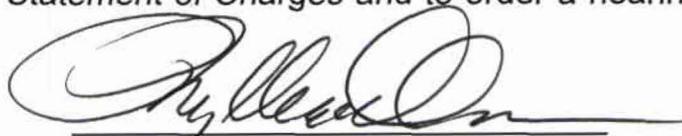
c. Respondent has failed to attend at least one aftercare meeting weekly and/or one Alcoholics Anonymous (AA) meeting weekly since July 26, 1996, in violation of subparagraph (5)(f) of Respondent's Stipulation For Entry of Consent Order.

d. Respondent has failed to obey all federal and state laws and regulations substantially related to the practice of pharmacy during his probation in violation of subparagraph (5)(g) of Respondent's Stipulation For Entry of Consent Order.

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 31st day of July, 1997, the Iowa Board of Pharmacy Examiners found probable cause to file this Statement of Charges and to order a hearing in this case.


Phyllis A. Olson, Chairperson
Iowa Board of Pharmacy Examiners
1209 East Court Avenue
Des Moines, Iowa 50319

cc: Linny Emrich
Assistant Attorney General
Office of the Attorney General
Hoover State Office Building
Des Moines, Iowa 50319

6. Upon the date of the Board's approval of this Stipulation and Informal Settlement, Respondent's license to practice pharmacy is suspended for a period of one (1) year. Eleven months of the suspension is stayed, however. During the period of the one (1) month actual suspension, Respondent shall comply with the following restrictions, limitations and conditions:

a. Respondent shall not function or serve as a pharmacist, pharmacy technician, pharmacy assistant, or pharmacy clerk in any pharmacy or any other location.

b. Respondent shall not represent himself to be a pharmacist nor in any way cause other persons to view him as a pharmacist.

c. Respondent shall not provide drug or medical information to the public or to other health professionals and shall not provide any other cognitive service related to or involving patient care.

7. Following completion of the one (1) month actual suspension, Respondent's license shall be placed on probation for a period of five (5) years. During the period of license suspension and the period of probation, the following terms, conditions, and restrictions shall apply:

a. Respondent shall not consume alcohol.

b. Respondent shall not use any controlled substance or prescription drug in any form unless the controlled substance or prescription drug has been authorized and prescribed for Respondent by a licensed, treating physician or other qualified treating health care provider. The Respondent shall inform any treating physician or other treating health care provider of his history of chemical dependency.

c. Respondent shall provide witnessed blood or urine specimens on demand by an agent of the Board. The specimens shall be used for alcohol and drug screening and to verify Respondent's compliance with any drug therapy ordered by Respondent's physician, all costs of which shall be paid by the Respondent.

d. Respondent shall comply with all treatment recommendations of his treatment program and his physician, addictionist, and counselor. The treatment program shall submit quarterly reports to the board documenting the Respondent's compliance with the program.

e. Respondent shall file sworn quarterly reports with the Board attesting to his compliance with all the terms and conditions of this Stipulation and Informal Settlement. The reports shall be filed not later than September 5, December 5, March 5, and June 5 of each year of the Respondent's probation. The quarterly reports shall include the Respondent's place of employment, current address, and any further information deemed necessary by the Board from time to time. Respondent's next quarterly report shall be filed with the Board not later than December 5, 1997.

f. Respondent shall attend at least one (1) aftercare meeting weekly and/or one (1) Alcoholics Anonymous (AA) meeting weekly. Respondent's participation in other group sessions or meetings shall be pre-approved by the Board. The Respondent shall append to each quarterly report referred to in subparagraph 7-e above, statements signed or initialed by another person in attendance at the meetings attesting to the Respondent's attendance and continuing participation. The statement shall include the time, date, and location of the meetings attended.

g. Respondent shall make personal appearances before the Board or a Board committee upon request. The Respondent shall be given reasonable notice of the date, time, and location for any such appearances.

h. Respondent shall obey all federal and state laws and regulations substantially related to the practice of pharmacy and the distribution of controlled substances.

i. Respondent shall provide evidence of efforts to maintain skill and knowledge as a pharmacist through continuing education (CE) as directed by the Board.

j. Respondent shall not supervise any registered intern and shall not perform any of the duties of a preceptor.

k. Respondent shall not be an owner of a pharmacy nor serve as the pharmacist in charge of a pharmacy.

l. Respondent shall actively participate in the Iowa Pharmacy Recovery Network (IPRN) program under the direct support of a pharmacist advocate.

m. Respondent shall notify all present and prospective employers of the resolution of this case and the terms, conditions, and restrictions imposed on Respondent by this document. Within thirty (30) days after approval of this Stipulation and Informal Settlement by the Board, and within fifteen (15) days of undertaking new employment as a pharmacist, Respondent shall cause his pharmacy employer to report to the Board in writing acknowledging that the employer has read this document and understands it.

8. In the event the Respondent leaves Iowa to reside or to practice outside the state, the Respondent shall notify the Board in writing of the dates of departure and return. Periods of residence or practice outside Iowa will not apply to the duration of this Informal Settlement. However, evidence that the Respondent has failed to abide by the terms of subparagraphs 7-a or 7-b of this Informal Settlement while outside the state shall constitute a violation of this Informal Settlement.

9. Should Respondent violate or fail to comply with any of the terms of conditions of this Informal Settlement, the Board may initiate action to revoke or suspend the Respondent's Iowa pharmacist license or to impose other licensee discipline as authorized in Iowa Code chapters 272C and 155A and 657 IAC 9.1.

10. Upon full compliance with the terms and conditions of this Stipulation and Informal Settlement and upon expiration of the period of probation, the Respondent's Iowa pharmacist license shall be restored to its full privileges free and clear of the terms of probation.

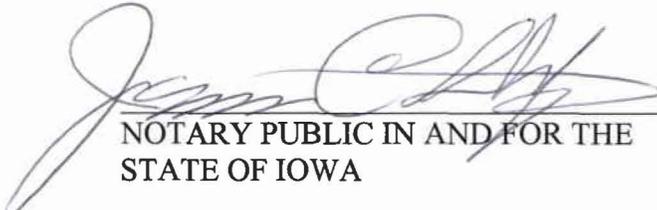
11. This Stipulation and Informal Settlement is subject to approval of a majority of the full Board. If the Board fails to approve this Stipulation and Informal Settlement, it shall be of no force or effect to either party.

12. The Board's approval of this Stipulation and Informal Settlement shall constitute a **FINAL ORDER** of the Board in a disciplinary action.

13. This Stipulation and Informal Settlement is voluntarily submitted by the Respondent to the Board for its consideration on the 7 day of October, 1997.


WILLIAM R. DARRAH, R.Ph.
Respondent

Subscribed and Sworn to before me on this 7th day of October, 1997.


NOTARY PUBLIC IN AND FOR THE
STATE OF IOWA

14. This Stipulation and Informal Settlement is accepted by the Iowa Board of Pharmacy Examiners on the 14th day of October, 1997.


PHYLLIS A. OLSON, Chairperson
Iowa Board of Pharmacy Examiners
Executive Hills West
1209 East Court Avenue
Des Moines, Iowa 50319