

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

Re:)
Pharmacist License of)
DOUGLAS DELPERDANG) **STATEMENT OF CHARGES**
License No. 14210)
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 124, 155A, and 272C (1997).
3. On July 1, 1973, Douglas Delperdang, the Respondent, was issued license number 14210 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 14210 is current and active until June 30, 1998.
5. Respondent's current address is Rural Route 2, Box 110, Keokuk, Iowa 52632.
6. Respondent is currently self-employed as the owner and pharmacist in charge of Delperdang Pharmacy, 1626 Morgan Street, Keokuk, Iowa 52632.

COUNT I

The Respondent is charged under Iowa Code Sections 124.308, 155A.12(1), 155A.12(2), and 155A.12(3) (1997) and 657 Iowa Administrative Code Sections 8.5(1), 9.1(4)(b), 9.1(4)(h), 9.1(4)(j), and 9.1(4)(u) with dispensing prescription drugs, including controlled substances, without prescriber authorization.

COUNT II

The Respondent is charged under Iowa Code §§ 124.306, 124.308(3), 124.402(1)(a), 124.403(1)(c), 155A.12(1), 155A.12(4), and 155A.12(5) (1997) and 657 Iowa Administrative Code §§ 6.8, 9.1(4)(j), and 9.1(4)(u) with failing to provide accountability for controlled substances and with failing to maintain controlled substance records at Delperdang Pharmacy.

COUNT III

The Respondent is charged under Iowa Code § 155A.12(1) and 657 Iowa Administrative Code § 8.18 with failing to maintain complete and accurate patient records at Delperdang Pharmacy.

COUNT IV

The Respondent is charged under Iowa Code § 155A.12(1) and 657 Iowa Administrative Code § 8.19 with failing to conduct appropriate and effective prospective drug utilization review at Delperdang Pharmacy.

COUNT V

The Respondent is charged under Iowa Code § 155A.12(1) and 657 Iowa Administrative Code § 8.20 with failing to conduct appropriate and effective patient counseling at Delperdang Pharmacy.

COUNT VI

The Respondent is charged under Iowa Code §§ 155A.12(1) and 155A.32 (1997) and 657 Iowa Administrative Code §§ 8.15, 9.1(4)(j), and 9.1(4)(u) with failing to comply with the requirements for drug product selection at Delperdang Pharmacy.

COUNT VII

The Respondent is charged under Iowa Code § 155A.12(1) (1997) and 657 Iowa Administrative Code §§ 8.14, 9.1(4)(j), and 9.1(4)(u) with failing to provide complete labeling for dispensing containers of prescription medication dispensed by Delperdang Pharmacy pursuant to prescription drug orders.

COUNT VIII

The Respondent is charged with failure to remove and quarantine outdated, misbranded, and mislabeled drugs from dispensing stock at Delperdang Pharmacy in violation of 1997 Iowa Code § 155A.12(1) and 657 Iowa Administrative Code Section 6.7(4).

COUNT IX

The Respondent is charged with maintaining misbranded prescription drugs in the prescription department of Delperdang Pharmacy in violation of 1997 Iowa Code § 126.3.

COUNT X

The Respondent is charged with obtaining fees by fraud or misrepresentation in violation of 1997 Iowa Code § 155A.12(1) and 657 Iowa Administrative Code Sections 8.5(1) and 9.1(4)(t).

COUNT XI

The Respondent is charged under Iowa Code § 155A.12(1) (1997) and 657 Iowa Administrative Code §§ 8.5(4), 9.1(4)(b), 9.1(4)(j), and 9.1(4)(u) with serving in a pharmacy which is not operated in conformance with law.

THE CIRCUMSTANCES

1. On August 11, 1997, the board received a complaint which alleged that Respondent had repeatedly dispensed propoxyphene, a Schedule IV controlled substance, to a patient without prescriber authorization. As a result of dispensing the propoxyphene, the patient underwent treatment for chemical dependency.
2. An investigation and audit by board investigators revealed many serious infractions of Iowa pharmacy law and board administrative rules, including failure to keep and maintain controlled substance records, delivery of mislabeled/ misbranded/ adulterated prescription drugs, failure to conduct effective prospective drug utilization review, failure to conduct effective patient counseling, fraudulent billing of prescriptions, incomplete and inaccurate prescription records, and unlawful dispensing of prescription drugs. The results of the investigation also indicated that Respondent may be suffering from a mental condition and that he has recently contemplated suicide.

3. An accountability audit of certain Schedule II controlled substances at Delperdang Pharmacy for the time period beginning October 5, 1995, and ending September 30, 1997, revealed the following shortages:

- (a) a shortage of 1,231 tablets of Demerol 100mg
- (b) a shortage of 206 tablets of Demerol 50mg
- (c) a shortage of 231 tablets of Methylphenidate 10mg
- (d) a shortage of 3,282 tablets of Oxycodone 5mg / APAP 325mg

4. An accountability audit of Hydrocodone 5mg / APAP 500mg, a Schedule III controlled substance, at Delperdang Pharmacy for the time period beginning September 16, 1997, and ending September 30, 1997, revealed a shortage of 456 tablets during the 14-day period.

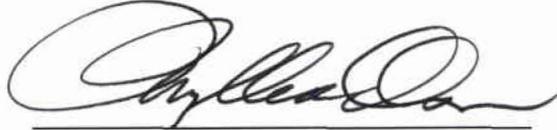
5. On October 6, 1997, Respondent admitted to the board's executive secretary/director that he had been routinely dispensing Schedule IV and V controlled substances without prescriber authorization to six different patients (five female patients, one male patient) for about the past two years.

6. On October 9, 1997, Respondent was arrested and charged with three (3) counts of prohibited acts, all class "C" felonies, by the Keokuk Police Department, Keokuk, Iowa. The criminal charges resulted from a police investigation which involved false statements on prescriptions, illegal dispensing of controlled substances, and affixing false labels to a package or receptacle containing prescription drugs.

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 14th day of October, 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
Executive Hills West
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

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

Re:)	
Pharmacist License of)	ORDER
DOUGLAS DELPERDANG)	ACCEPTING
License No. 14210)	SURRENDER OF LICENSE
Respondent)	TO PRACTICE PHARMACY

COMES NOW, Phyllis A. Olson, Chairperson of the Iowa Board of Pharmacy Examiners, on the 14th day of October, 1997, and declares that:

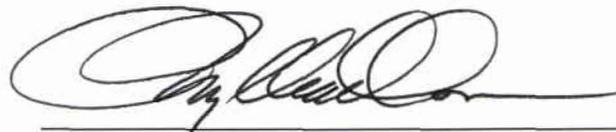
1. On October 8, 1997, Respondent executed a voluntary surrender of his pharmacist license number 14210 pursuant to 657 Iowa Administrative Code § 9.25. In so doing, Respondent waived his right to a formal hearing before the Iowa Board of Pharmacy Examiners.

2. On October 14, 1997, the Board issued a Statement of Charges to the Respondent.

3. On October 14, 1997, the Board reviewed Respondent's voluntary surrender of his license to practice pharmacy and agreed to accept it.

WHEREFORE, it is hereby ordered that Respondent's voluntary surrender of his Iowa pharmacist license number 14210 is hereby accepted and, pursuant to 657 Iowa Administrative Code § 9.25, said surrender shall be considered a revocation of license with respect to any future request for reinstatement.

IOWA BOARD OF PHARMACY EXAMINERS



Phyllis A. Olson, Chairperson

V O L U N T A R Y S U R R E N D E R O F
L I C E N S E T O P R A C T I C E P H A R M A C Y

I, Douglas Delperdang, of Rural Route 2, Box 10, Keokuk, Iowa, of my own free will and without any mental reservation and not as a result of any inducement, promise, or threat on the part of anyone, do hereby voluntarily surrender my license to practice pharmacy in the State of Iowa, number 14210, to the Iowa Board of Pharmacy Examiners, for an indefinite period of time. This surrender of license shall become effective upon the notarized signature of the licensee, Douglas Delperdang, being affixed to this voluntary surrender document.

I, Douglas Delperdang, of my own free will and without any mental reservation and not as the result of any inducement, promise, or threat given or made by any representative, officer, or employee of the Iowa Board of Pharmacy Examiners, or of any other state official, do hereby further acknowledge that by voluntarily signing this surrender statement that I am knowingly and willingly giving up the exercise of the following legal rights:

- (1) My right to a formal hearing before the Iowa Board of Pharmacy Examiners on the matter of my continued licensure pursuant to Chapter 155A, Code of Iowa 1997.
- (2) My right to be represented by an attorney in preparation for and during such formal hearing before the Iowa Board of Pharmacy Examiners.
- (3) My right to submit evidence and to have witnesses called on my own behalf at such formal hearing.
- (4) My right to be represented by an attorney in this matter at this time.

I, Douglas Delperdang, do hereby acknowledge that pursuant to 657 Iowa Administrative Code section 9.25, a license to practice pharmacy which has been voluntarily surrendered shall be considered a revocation of license with respect to a request for reinstatement, which will be handled under the terms established by 657 Iowa Administrative Code section 9.23, which provides as follows:

Any person whose license to practice pharmacy...has been revoked...must meet the following eligibility requirements:

1. Must have satisfied all the terms of the order of revocation or suspension or court proceedings as they apply to that revocation or suspension. If the order of revocation or suspension did not establish terms and conditions upon which reinstatement might occur, or if the license or permit was voluntarily surrendered, an initial application for reinstatement may not be made until one year has elapsed from the date of the board's order or the date of voluntary surrender.

2. A person whose license to practice pharmacy was revoked must successfully pass NABPLEX or an equivalent examination as determined by NABP, the Federal Drug Law Examination (FDLE), and the Iowa Drug Law Examination.
3. All proceedings for reinstatement shall be initiated by the respondent who shall file with the board an application for reinstatement of the license. Such application shall be docketed in the original case in which the license was revoked, suspended, or relinquished. All proceedings upon petition for reinstatement, including all matters preliminary and ancillary thereto, shall be subject to the same rules of procedure as other cases before the board. The board and the respondent may informally settle the issue of reinstatement. The respondent may choose to have an informal reinstatement conference before the board, as provided in rule 657-9.24(17A,147,155A,204B,258A).
4. An application for reinstatement shall allege facts which, if established, will be sufficient to enable the board to determine that the basis for the revocation or suspension no longer exists and that it will be in the public interest for the license or permit to be reinstated. The burden of proof to establish such facts shall be on the respondent.
5. An order for reinstatement shall be based upon a decision which incorporates findings of facts and conclusions of law and must be based upon the affirmative vote of a quorum of the board. This order shall be available to the public as provided in 657-Chapter 14.

I, Doulgas Delperdang, hereby further acknowledge that I shall not engage in any of the practices or aspects thereof of the practice of pharmacy in the State of Iowa for which such a license is required.

10/8/97

Date of Signature



Douglas Delperdang

Subscribed and Sworn to before me on this 9th day of

October

_____, 1997.



NOTARY PUBLIC IN AND FOR THE

STATE OF Iowa

BEFORE THE BOARD OF PHARMACY EXAMINERS
OF THE STATE OF IOWA

RE:) DIA NO: 99PHB002
Pharmacist License of)
DOUGLAS DELPERDANG) FINDINGS OF FACT,
License No. 14210) CONCLUSIONS OF LAW,
Respondent) DECISION AND ORDER

TO: DOUGLAS DELPERDANG

On October 14, 1997, the Iowa Board of Pharmacy Examiners (Board) issued an Order Accepting the Surrender of License to Practice Pharmacy signed by Douglas Delperdang (Respondent). On June 22, 1999, the Board scheduled a formal reinstatement conference, at the Respondent's request, for July 15, 1999.

The hearing was held on July 15, 1999 at 1:30 p.m., in the second floor conference room, 1209 East Court Avenue, Executive Hills West, Des Moines, Iowa. The following members of the Board were present: Arlan D. Van Norman, Chairperson; Phyllis A. Olson; Matthew C. Osterhaus; Katherine A. Linder; Michael J. Seifert; and G. Kay Bolton. The Respondent appeared pro se. The state was represented by Shauna Russell Shields, Assistant Attorney General. The hearing was recorded by a certified court reporter. Margaret LaMarche, Administrative Law Judge from the Iowa Department of Inspections and Appeals, presided. The hearing was open to the public, at the request of the Respondent, pursuant to Iowa Code Section 272C.6(1)(1993).

After hearing the testimony and examining the exhibits, the Board convened in closed executive session, pursuant to Iowa Code section 21.5(1)(f), to deliberate its decision. The administrative law judge was instructed to prepare the Board's Findings of Fact, Conclusions of Law, Decision and Order, in conformance with the Board's deliberations.

THE RECORD

The record includes the Voluntary Surrender of License, dated 10/9/97; Notice of Hearing; the testimony of the witness; and the following exhibits:

- State Exhibit 1: Statement of Charges, filed 10/14/97
- State Exhibit 2: Order Accepting Surrender of License To Practice Pharmacy, issued 10/14/97
- State Exhibit 3: Letter dated 5/25/99 (Clair to Respondent)

FINDINGS OF FACT

1. On July 1, 1973, the Respondent was issued license number 14210 by the Board to engage in the practice pharmacy in Iowa, subject to the laws of the state of Iowa and the rules of the Board. (State Exhibit 1)

2. The Respondent was employed in a number of retail pharmacy positions from 1973 to 1987. In 1987, he purchased his own pharmacy in Keokuk, where he served as the pharmacist in charge. The Delperdang Pharmacy was a small pharmacy that averaged fifty prescriptions a day. The Respondent employed a pharmacy technician from time to time, but he was the only licensed pharmacist. (Testimony of Respondent)

3. After awhile, the Respondent's pharmacy began to draw customers who had drug problems and who pressured the Respondent to fill prescriptions that should not have been filled, e.g. for which there were no refills. When the Respondent was employed by other pharmacies, he had no difficulty referring this type of customer to the owner. When he was the owner, he had difficulty saying no to these customers. (Testimony of Respondent)

4. One of these customers was a personal friend, who filled duplicate prescriptions at the Respondent's pharmacy and at another pharmacy. The physician discovered this and cut the patient off. This person told the Respondent that he was going to enter a clinic for help with his drug problem. The Respondent told the friend that he did not think that the clinic would help him. Instead, the Respondent volunteered to help his friend through Addicts Victorious, a Bible based support group. The Respondent told the friend that if he complied with the Addicts Victorious program and attended church, the Respondent would supply him with hydrocodone to wean him from his drug habit. (Testimony of Respondent)

5. The Respondent's friend used him to get drugs. Eventually, there were approximately six people who were obtaining drugs illegally from the Respondent. The Respondent testified that the drugs he provided were primarily Schedule IV controlled substances. (Testimony of Respondent)

6. The Respondent testified that he was also using hydrocodone, although he did not feel that he was abusing it. He testified that he used hydrocodone approximately two to three times a week. Some of the drug shortage in the pharmacy was due to the Respondent's own use. In addition, the Respondent had problems with alcohol that began in the mid 1980's. The Respondent admitted that he would drink alcohol while he was working, starting in the late afternoon. The Respondent was also an occasional user of marijuana. (Testimony of Respondent)

7. On August 11, 1997, the Board received a complaint which alleged that the Respondent had dispensed propoxyphene, a Schedule IV controlled substance, to a patient without prescriber authorization. Following an investigation and audit of the Respondent's pharmacy, the board investigators found many serious infractions of Iowa pharmacy law and board administrative rules. The Board filed an eleven count Statement of Charges on October 14, 1997. The Respondent waived his right to a hearing and voluntarily surrendered his license. (Testimony of Respondent; State Exhibits 1, 2)

8. The charges included failure to keep and maintain controlled substance records; delivery of mislabeled/misbranded/adulterated prescription drugs; failure to conduct effective prospective drug utilization review; failure to conduct effective patient counseling, fraudulent billing of prescriptions, incomplete and inaccurate prescription records; and unlawful dispensing of prescription drugs. An accountability audit revealed significant shortages of Schedule II controlled substances for the time period from October 5, 1995 to September 30, 1997 and a shortage of 456 hydrocodone, a Schedule III controlled substance, over a 14 day time period in September 1997. (State Exhibit 1)

9. The Respondent denies that he illegally dispensed or used Schedule II controlled substances. He feels that the shortages discovered in the audit were due to record keeping deficiencies. He admitted that he did not keep separate invoices for controlled substances and did not realize that he was supposed to do this. The Respondent was unable to provide any further explanation for the shortages of Schedule II drugs. (Testimony of Respondent)

10. The Respondent was unable to describe for the Board the patient counseling requirements in Iowa. He admitted that he has not read the Board's rules on patient counseling. He obtained most of his information about his counseling requirements from speaking to other pharmacists and from the occasional visits of the Board's investigator. (Testimony of Respondent)

11. With respect to inadequate patient records and patient counseling, the Respondent admitted that he gave very large amounts of Percocet to one female customer, who had altered the prescriptions. The investigator told the Respondent that the acetaminophen that this customer was by itself a toxic level. The Respondent testified that this "completely escaped him." (Testimony of Respondent)

12. The Respondent was convicted of three federal counts of distributing controlled substances without a prescription as a result of filling the altered prescriptions of this customer. He was also convicted of one federal record keeping count. The Respondent was sentenced to one year and one day and served ten

months in federal prison. He was paroled on May 28, 1999.
(Testimony of Respondent)

13. While he was in prison, the Respondent requested assistance for his problems with alcohol and adjustment to incarceration. His adjustment was monitored by a Drug Treatment Specialist under the supervision of the psychologist. He was also referred to a consulting psychiatrist for a medical evaluation. He was diagnosed with Alcohol Abuse, In a Controlled Environment and Dysthymia, In Partial Remission. The Respondent made excellent progress on these issues. (Testimony of Respondent; State Exhibit 3)

14. Since his release from prison, the Respondent has been working on his house, but has not been employed. He has some savings which have supported him. The conditions of his parole include abstinence from alcohol and drugs and urine screenings every two weeks. He has not consumed alcohol or used any drugs since he entered prison. (Testimony of Respondent)

15. Another condition of parole is some type of "mental therapy." The Respondent continues to participate in the Addicts Victorious group, and his parole officer has been satisfied with this participation. The Respondent has been nominated to the board of Addicts Victorious. He attends meetings in Quincy, Illinois and Keokuk, Iowa on a weekly basis. The Respondent and another person started the group in Keokuk. (Testimony of Respondent)

16. The Respondent testified that he no longer associates with the same group of people that were his friends before prison. He feels that he is ready to return to the practice of pharmacy and can assure the Board that his problems would not recur. The Respondent testified that he now realizes the cost of his mistakes and would not repeat them. He feels that he is able to work around controlled substances without being tempted, although he assumes that he would have to work under the supervision of another pharmacist for awhile. (Testimony of Respondent)

CONCLUSIONS OF LAW

657 Iowa Administrative Code 36.13 provides, in relevant part:

657-36.13 (17A, 124B, 147, 155A, 272C) Reinstatement. Any person whose license to practice pharmacy...has been revoked...must meet the following eligibility requirements:

1. Must have satisfied all the terms of the order of revocation or suspension or court proceedings as they apply to that revocation or suspension. If the order of revocation or suspension did not establish terms or conditions upon which reinstatement might occur, or if

the license, registration, or permit was voluntarily surrendered, an initial application for reinstatement may not be made until one year has elapsed from the date of the board's order or the date of voluntary surrender.

2. A person whose license to practice pharmacy was revoked must successfully pass the North American Pharmacist Licensure Exam (NAPLEX) or an equivalent examination as determined by NABP and the Multistate Pharmacy Jurisprudence Examination (MPJE), Iowa Edition.

3. All proceedings for reinstatement shall be initiated by the respondent who shall file with the board an application for reinstatement of the license...Such application shall be docketed in the original case in which the license, registration, or permit was revoked, suspended, or relinquished. All proceedings upon petition for reinstatement, including all matters preliminary and ancillary thereto, shall be subject to the same rules of procedure as other cases before the board. The board and the respondent may informally settle the issue of reinstatement. The respondent may choose to have an informal settlement conference before the board...

4. An application for reinstatement shall allege facts which, if established, will be sufficient to enable the board to determine that the basis for the revocation... no longer exists and that it will be in the public interest for the license... to be reinstated. The burden of proof to establish such facts shall be on the respondent.

5. An order for reinstatement shall be based upon a decision which incorporates findings of fact and conclusions of law and must be based upon the affirmative vote of a quorum of the board. This order shall be available to the public as provided in 657-Chapter 14.

Based on the testimony and evidence in this record, the Board is not convinced that the reasons for the voluntary surrender of the Respondent's license to practice pharmacy have been sufficiently addressed or that it is in the public interest for his license to be reinstated.

The Respondent surrendered his license to practice pharmacy after the Board issued an eleven count Statement of Charges, which alleged violations and deficiencies in nearly every aspect of pharmacy practice. The Respondent was also criminally charged with violations of pharmacy statutes, and was released from federal prison less than two months prior to his hearing on reinstatement.

While the Board appreciates the Respondent's honesty, his testimony demonstrated that he does not know or understand the laws and rules governing the practice of pharmacy in Iowa.

In addition, the Respondent has admitted to both alcohol and controlled substance use while working as a pharmacist. The Respondent has had some treatment for these problems while in prison and has apparently abstained from the use of drugs and alcohol since the time of his incarceration. However, the Board is not satisfied that the Respondent's recovery is stable enough, at this time, to enable him to safely reenter the practice. His participation in Addicts Victorious, while helpful to his recovery, is not a sufficient program to ensure his sobriety. The Board would like to see the Respondent also actively participating in both the Iowa Pharmacist Recovery Network (IPRN) and Alcoholics Anonymous (AA) or Narcotics Anonymous (NA). The Respondent has only been out of prison for a short period of time. A longer period of verified sobriety is necessary before the Respondent's license to practice pharmacy will be reinstated.

While he is not ready at this time to resume the full practice of pharmacy, the Board believes that with appropriate safeguards in place, the Respondent could begin the process of reentering the profession by serving as a pharmacy intern for a period of time, prior to another application for reinstatement.

DECISION AND ORDER

The Respondent has failed to establish, by a preponderance of the evidence, that the basis for the revocation of his license no longer exists or that it is in the public interest for his license to be reinstated. 657 IAC 36.13(4).

IT IS THEREFORE ORDERED that the Respondent's request for reinstatement of his license to practice pharmacy in the state of Iowa is DENIED.

IT IS FURTHER ORDERED, that before the Board will consider another request for reinstatement, the Respondent must wait a minimum of one (1) year from the date of this order and must successfully complete 1000 hours of internship, pre-approved by the board. The preceptor must provide the Board with a certification of competencies following completion of the internship.

IT IS FURTHER ORDERED, that upon proper application and payment of the required \$10.00 fee, the Board will issue the Respondent a pharmacist-intern registration, effective for a period of twelve (12) months, contingent upon the following conditions:

1. In order to obtain pre-approval for his internship, the Respondent's proposed preceptor must submit to the Board

office a written description of the qualifications of the preceptor and a description of the pharmacy practice and the duties of the intern.

2. During his registration as a pharmacist-intern, the Respondent shall complete a minimum of sixty (60) hours of continuing education, with a least eight (8) of the hours in the area of New Drugs; eight (8) hours in Counseling; eight (8) hours in Drug Utilization Review; and two (2) hours in Controlled Substance Record Keeping;

3. During his registration as a pharmacist-intern, the Respondent shall participate in the Iowa Pharmacy Recovery Network (IPRN) and shall participate weekly in either Alcoholics Anonymous (AA) or Narcotics Anonymous (NA). The Respondent shall obtain verification of his attendance at these meetings. This verification shall be submitted to the Board in monthly written reports.

4. The Respondent shall execute any necessary release of information to authorize his parole/probation officer to provide the Board with copies of the results of all drug screenings obtained as a condition of his parole/probation. The Respondent shall ensure that these drug screening results are provided to the Board on a monthly basis.

5. During his registration as a pharmacist-intern, the Respondent shall cooperate with the Board if it requests random urinalysis. The expense of any urinalysis requested by the Board shall be the responsibility of the Respondent.

6. The Respondent shall notify any prospective preceptor of the decision in this case and the terms, conditions and restrictions imposed upon the Respondent by this decision. Within fifteen (15) days of the Respondent undertaking new employment as a pharmacist-intern, the Respondent shall cause his preceptor to report to the Board in writing acknowledging that the preceptor has read this Order of the Board and understands it.

Prior to reinstatement of his license to practice pharmacy, the Respondent will be required to demonstrate, in a hearing, that he meets the requirements of 657 IAC 36.13(4), including that it is in the public interest for his license to be reinstated. Pursuant to 657 IAC 36.13(2), the Respondent will also be required by the Board to successfully complete the NAPLEX or an equivalent exam as determined by NABP and the MPJE, Iowa Edition.

DIA No. 99PHB002

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Dated this 15th day of Sept., 1999.



Arlan D. Van Norman, R.Ph.
Chairperson
Iowa Board of Pharmacy Examiners

cc: Shauna Russell Shields
Assistant Attorney General

Judicial review of the board's action may be sought in accordance with the terms of the Iowa administrative procedure Act (Iowa Code chapter 17A), from the date of the board's decision.