

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

Re:)
Pharmacist License of)
PATRICIA M. DOUCET-BOBINO) **STATEMENT OF CHARGES**
License No. 15827)
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 November 18, 1980, the Board issued Respondent, Patricia M. Doucet-Bobino, a license to engage in the practice of pharmacy by examination as evidenced by license number 15827, subject to the laws of the State of Iowa and the rules of the Board.
4. License number 15827 is current and active until June 30, 1999.
5. Respondent's current address is 6224 Forest Avenue, Des Moines, Iowa 50311.
6. Respondent is not currently employed as a pharmacist. She was previously employed as a pharmacist at Mercy Franklin Apothecary, 1750 48th Street, Des Moines, Iowa 50310 was employed as such during all times relevant to the circumstances that form the basis of this statement of charges.

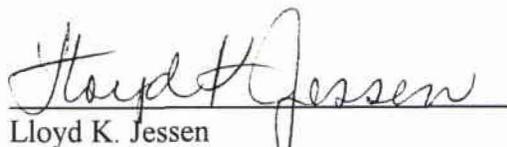
COUNT I

The Respondent is charged with the inability to practice pharmacy with reasonable skill and safety by reason of mental impairment and/or chemical abuse in violation of Iowa Code §§ 147.55(4) and 155A.12(1) (1997) and 657 Iowa Administrative Code §§ 9.1(4)(d), 9.1(4)(m) and 9.1(4)(u).

THE CIRCUMSTANCES

On August 4, 1998, the Board received investigative information which alleges that Respondent was admitted to Mercy Hospital for a drug overdose on August 3, 1998. Urine specimens taken from Respondent at the time of her August 3, 1998 admission to Mercy Hospital were positive for several controlled substances, including benzodiazepines, opiates, and propoxyphene. Investigative information received by the Board also suggests that Respondent suffers from a major depressive disorder and that it is probable that she has a physiological dependence on narcotics. The Respondent's mental impairment and substance abuse make her unable to practice pharmacy with reasonable skill and safety.

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 7nd day of March, 1999, the Iowa Board of Pharmacy Examiners found probable cause to file this Statement of Charges and to order a hearing in this case.


Arlan D. Van Norman, Chairperson
Iowa Board of Pharmacy Examiners
1209 East Court Avenue
Des Moines, Iowa 50319

cc: Shauna Russell Shields
Assistant 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)	
PATRICIA M. DOUCET-BOBINO)	STIPULATION
License No. 15827)	AND
Respondent)	CONSENT ORDER
)	

COME NOW the Iowa Board of Pharmacy Examiners ("the Board") and Patricia M. Doucet-Bobino, R.Ph. ("Respondent") and, pursuant to Iowa Code §§ 17A.10 and 272C.3(4) (1997), enter into the following Stipulation and Consent Order settling the contested case currently on file:

The licensee disciplinary hearing pending before the Iowa Board of Pharmacy Examiners, on the allegations specified in the Statement of Charges filed against Respondent on March 2, 1999, shall be resolved without proceeding to hearing, as the parties have agreed to the following Stipulation and Consent Order:

1. That Respondent was issued a license to practice pharmacy in Iowa on the 18th day of November, 1980, by examination as evidenced by Pharmacist License Number 15827, which is recorded in the permanent records of the Iowa Board of Pharmacy Examiners.
2. That Iowa Pharmacist License Number 15827, issued to and held by Respondent is active and current until June 30, 1999.
3. Respondent is not currently employed as a pharmacist.

4. A Statement of Charges was filed against Respondent on March 2, 1999.
5. That the Iowa Board of Pharmacy Examiners has jurisdiction over the parties and the subject matter herein.
6. Respondent does not contest the allegations set forth in the Statement of Charges and acknowledges that the allegations constitute grounds for the suspension of her 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 suspended for one year. Suspension of Respondent's license to practice pharmacy shall be stayed and Respondent's license shall be placed on probation pursuant to paragraph 9 of this Stipulation. Failure to comply with the terms of probation as set forth in this Stipulation is grounds to remove the stay and to institute the entire probationary period.
8. During Respondent's probation, she shall report to the Board in writing once every three (3) months. The reports shall be filed no later than September 5, December 5, March 5, and June 5 of each year. The reports shall include the Respondent's current status, including home address and telephone number; Respondent's progress in medical treatment and the status of any substance abuse rehabilitation -- including whether her treating physician has recommended substance abuse rehabilitation, and, in the event her physician recommends it, her progress in rehabilitation -- and Respondent's compliance with all applicable federal and state drug laws and criminal laws. Respondents' first report shall be filed with the Board not later than June 5, 1999.

9. Respondent's license shall be placed on probation for a period of 5 year(s), under the following terms and conditions:
- 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 her medical history, including her 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 her treatment program and her physician and/or counselor. The treatment program or physician/counselor shall submit quarterly reports to the Board documenting the Respondent's compliance with the treatment program.
 - e. Respondent shall file written, sworn quarterly reports with the Board attesting her compliance with all the terms and conditions of this Stipulation and Consent Order. 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 home address, home telephone number, or work telephone number, and any further information deemed necessary by the Board from time to time.

- f. Respondent shall attend aftercare meetings and Alcoholics Anonymous (AA) or Narcotics Anonymous (NA) meetings as recommended by Respondent's physician or treatment provider. The Respondent shall append to each quarterly report referred to in subparagraph 9(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 appearance before the Board or a Board committee upon request. The Respondent shall be given reasonable notice of the date, time, and location for 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 pharmacist-intern and shall not perform any of the duties of a pharmacy preceptor.
- k. Respondent shall not serve as the pharmacist in charge of a pharmacy.

- l. Respondent shall participate in the Iowa Pharmacy Recovery Network (IPRN) program under the direct support of a pharmacist advocate.
 - m. During probation, Respondent shall inform the Board in writing within ten (10) days of any change of home address, place of employment, home telephone number, or work telephone number.
 - n. Respondent agrees to release all her medical records to the Board, including all medical recordings pertaining to treatment for mental conditions and for alcohol and substance abuse, and agrees to allow the free flow of information between the Board and Respondent's physician(s) and treatment provider(s) and to ensure that the Board receives all necessary information if further evaluation or treatment of Respondent is requested or required. This release of medical records, including records pertaining to treatment for alcohol and substance abuse, is effective for six (6) years from the date of the Board's approval of this Stipulation and Consent Order.
 - o. Respondent may ask the Board to consider modifying or terminating her probation after she has successfully completed two years of probation.
15. The Respondent shall obey all federal and state laws, rules, and regulations substantially related to the practice of pharmacy.
16. Respondent shall notify all present and prospective employers, including the pharmacist-in-charge, 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 Consent Order by the Board, and within

fifteen (15) days of undertaking new employment as a pharmacist, Respondent shall cause her pharmacy employer and the pharmacist-in-charge that she works under to report to the Board in writing acknowledging that the employer and the pharmacist-in-charge have read this document and understand it.

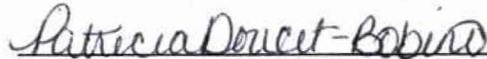
17. Should Respondent violate or fail to comply with any of the terms or conditions of this Stipulation and Consent Order, the Board may initiate action to revoke or suspend the Respondent's Iowa pharmacist license or to impose other licensee discipline as authorized by Iowa Code chapters 272C and 155A and 657 IAC 9.1.
18. 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 on the allegations contained in the Statement of Charges, and waives any objections to this Stipulation and Consent Order.
19. In the event the Respondent voluntarily participates in any appearance before the Board or a committee of the Board relating to the terms of this Stipulation and Consent Order, including matters relating to Respondent's probation, the Respondent's voluntary participation in any appearances before the Board or Committee of the Board constitutes a waiver of her right to seek disqualification of a board member from participating in or being present during the making of a contested case decision, or from acting as a presiding officer in a later contested case hearing.
20. 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.

21. 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.

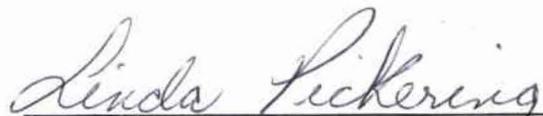
22. The Board's approval of this Stipulation and Consent Order shall constitute a **FINAL ORDER** of the Board in a disciplinary action.

23. This Stipulation and Consent Order is voluntarily submitted by Respondent to the Board for its consideration on the 13th day of April, 1999.



Patricia M. Doucet-Bobino, R.Ph.
Respondent

Subscribed and sworn to before me by Patricia M. Doucet-Bobino on this 13th day of April, 1999.



NOTARY PUBLIC IN AND FOR THE
STATE OF IOWA

24. This Stipulation and Consent Order is accepted by the Iowa Board of Pharmacy Examiners on the 14 day of April, 1999.



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

cc: Shauna Russell Shields
Assistant Attorney General
Office of the Attorney General
Hoover State Office Building
Des Moines, Iowa 50319