

BEFORE THE BOARD OF PHARMACY EXAMINERS  
OF THE STATE OF IOWA

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RE: PHARMACY LICENSE OF : LICENSE DISCIPLINARY  
JAMES E. DUBBELS, D-14123 : ACTION: DECISION AND  
: ORDER

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Statement of the Case:

A hearing was held May 9, 1978, in Des Moines, Iowa, before five members of the Iowa Board of Pharmacy Examiners. Those present were: Susan Lutz, presiding officer, Vennetta Fiedler, Max Eggleston, Angelo Palmer, and William E. Ewing. Board members Dennis Killion and Robert Osterhaus did not sit in the hearing room due to their earlier participation in the investigation of Mr. Dubbels' activities. Mr. Dubbels was present at the hearing in person and was represented by his legal counsel, Roger Hudson. Thomas McGrane, Assistant Attorney General, presented the case against Mr. Dubbels.

Mr. Dubbels and his attorney stipulated the hearing was to be held as a disciplinary license action under Chapter 95, Acts of 67th General Assembly, 1st Session. The licensee invoked his right to a closed hearing under Section 6 of that Act, and his right to appeal. He also waived any defects that might exist as to proper notice under that section.

FINDINGS OF FACT:

Evidence was presented by Thomas D. Hill, investigator, Iowa Board of Pharmacy Examiners, concerning an audit conducted by Mr. Hill. The audit of the Clinic Pharmacy, Osceola, Iowa, revealed large discrepancies in the records of cocaine flakes and solvets, receipts and dispersals. Clinic Pharmacy's business license was issued to James E. Dubbels, RPh., and he was the owner/manager. Shortages of cocaine were verified to the extent of over 281 Gm. of flakes (99.9%) and 2650 tablets (91% solvets). Alterations of several federal order forms were also noted.

Mr. Dubbels presented extensive testimony in an attempt to explain his actions. He did admit to dispensing the quantities of cocaine in question and also to falsifying the various federal order forms. Despite seemingly plausible explanations, the facts speak for themselves and the licensee stands in violation of Chapters of the Iowa Code regulating the practice of pharmacy.

DECISION:

The Board, after hearing the evidence and testimony presented, voted unanimously (under Chapter 95, Sec.6(5)) to revoke the pharmacy license of James E. Dubbels, #14123. It does so under the authority vested in it by Chapter 95, Sec. 3(2a) which grants the power to revoke a license under Chapter 147.55(3,8). This revocation is effective immediately upon receipt of this notice.

  
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Susan C. Lutz, Vice Chairperson  
Presiding Officer, Iowa Board of  
Pharmacy Examiners