

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

Re:)	Case No. <u>99-13232</u>
Pharmacist License of)	
DALE K. EADS)	STATEMENT OF CHARGES
License No. 13232)	
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 September 7, 1966, the Board issued Respondent, Dale K. Eads, a license to engage in the practice of pharmacy by examination as evidenced by license number 13232, subject to the laws of the State of Iowa and the rules of the Board.
4. License number 13232 is current and active until June 30, 2000.
5. Respondent's current address is 1948 Dorathea Blvd., Worthington, Minnesota 56187.
6. Respondent is currently is not currently employed as a pharmacist.

COUNT I

The Respondent is charged under Iowa Code § 155A.12(1) (1999) and 657 Iowa Administrative Code § 36.1(4)(k) with failure to report a license revocation, suspension or other disciplinary action taken by another state, territory or country.

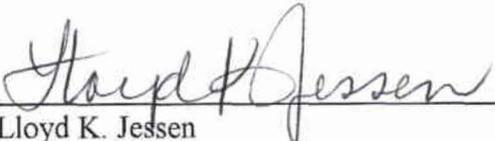
COUNT II

The Respondent is charged under Iowa Code § 155A.12(10) (1999) and 657 Iowa Administrative Code § 36.1(4) with having had a license to practice pharmacy issued by another state canceled, revoked, or suspended for conduct substantially equivalent to conduct described in Iowa Code subsections 155A.12(1) through (9).

THE CIRCUMSTANCES

1. On or about July 12, 1999, the Board office received the monthly disciplinary clearinghouse report from the National Association of Boards of Pharmacy.
2. The report indicated that the Minnesota State Board of Pharmacy disciplined the Respondent's license on April 28, 1999.
3. Respondent entered into a "Stipulation and Order" on April 15, 1999 which was approved by the Minnesota Board of Pharmacy on April 28, 1999. A copy of the Stipulation and Order is attached hereto as "Exhibit A" and incorporated herein by reference.
4. The Stipulation and Order indefinitely suspends Respondent's Minnesota Pharmacy license and sets forth the conditions which Respondent must satisfy before his Minnesota pharmacy license will be reinstated.
5. In the event the Respondent's Minnesota license is reinstated, the Stipulation and Order provides that the Respondent's Minnesota license shall be placed on probation for five years and sets forth the conditions for any such probation.
6. To date, Respondent has not reported either the Stipulation and Order to the Iowa Board of Pharmacy Examiners.

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 15th day of Sept., 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. VanNorman, 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 MINNESOTA

BOARD OF PHARMACY

In the Matter of the
License of Dale K. Eads
Date of Birth: 08/03/43
License No. 112504-9

STIPULATION AND ORDER

WHEREAS, on February 2, 1999, the Minnesota Board of Pharmacy ("Board") instituted the above-captioned matter by serving upon Dale K. Eads ("Respondent") a document, entitled "Notice of Conference With Board of Pharmacy Committee on Professional Standards" ("Notice"); and

WHEREAS, pursuant to the Notice, Respondent and his attorney met with the Board Committee on Professional Standards ("Committee") on March 30, 1999, to discuss the allegations set forth in the Notice; and

WHEREAS, based upon the conference discussion, the parties wish to resolve this matter without the necessity and expense of a contested case hearing or other procedures by entering into this Stipulation;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between Respondent and the Board as follows:

A. During all times material herein, Respondent has been and now is subject to the jurisdiction of the Board from which he holds a license to practice pharmacy in Minnesota;

B. If the Board in its discretion does not approve this Stipulation, it shall be deemed withdrawn and of no evidentiary value and shall not be introduced or relied on by either party; except that Respondent agrees that, should the Board reject this Stipulation and if this case proceeds to hearing, Respondent will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation or of any records relating hereto;

C. Respondent expressly waives formal hearing on all facts and legal conclusions referenced herein and any and all procedures before the Board relative to said facts and conclusions to which he might otherwise be entitled by law;

D. Respondent does not contest the facts and conclusions hereinafter following and grants that the Board may, for purposes of its proceedings relating to this Stipulation, consider the following as true:

1. Respondent's date of birth is August 3, 1943. He graduated from the College of Pharmacy at South Dakota State University in 1966 and was licensed by the Board in 1977. Respondent is also licensed to practice pharmacy in South Dakota and Iowa.

2. Respondent is the sole owner and pharmacist-in-charge of The Medicine Shoppe ("the pharmacy") in Worthington, Minnesota.

3. Respondent engaged in inappropriate sexual contact with two patients while acting in his capacity of a pharmacist, as follows:

a. On February 10, 1997, patient #1 agreed or offered to let Respondent look at genital warts on patient #1's penis that had been treated by a physician. Respondent directed patient #1 to the back storeroom of the pharmacy where patient #1 lowered his pants and agreed to Respondent's request to touch patient #1's genital area. Respondent lifted patient #1's penis, touching it for a couple of seconds. Following the incident, Respondent warned patient #1 to be careful about having oral sex with his girl friend.

b. In late 1997, when no employees were in the pharmacy, Respondent asked patient #2 about his hernia scars. Patient #2 agreed that Respondent could check for hernia scars. Respondent told patient #2 he could step behind the counter where patient #2 slid his pants down exposing the top side of his penis. Respondent did not see any hernia scars, and Respondent asked patient #2 if he could touch him where the scars were supposed to be. Patient #2 assented and Respondent touched patient #2's pubic area.

c. On or about July 11, 1998, while patient #2 was at the pharmacy to pay his account, he asked Respondent if his Mellaril medication might be affecting

his ability to maintain an erection and if Viagra would help him. Respondent advised patient #2 to delay taking his bedtime dose until after he and his girlfriend had made love.

4. Respondent has no training in the treatment of genital warts, is not trained as a sex therapist and admits that the physical examination of customers in the manner described above is not within the scope of pharmacy practice.

5. Proof at hearing of one or more of the allegations set forth at 3, above, or in the Notice would empower the Board to revoke, suspend, or take other action against Respondent's license. See Minn. Stat. §§ 151.06 subd. 1 (a)(7)(v),(vi) and (ix) and Minn. R. 6800.2250 subp. 1.H.

E. NOW, THEREFORE, IT IS FURTHER STIPULATED AND AGREED that upon this Stipulation the Board may forthwith adopt and implement the following Order:

1. Respondent's license to practice pharmacy in Minnesota is hereby indefinitely suspended, effective on the date of this Order; provided that after sixty (60) days the suspension shall be subject to being stayed, in accordance with the procedures set forth at paragraphs 2, 4, 6, and 7 below. During the period of suspension, Respondent shall not practice, or otherwise hold himself out in any manner as being authorized to practice pharmacy in the State of Minnesota.. Prohibited activities include, but are not limited to, patient counseling, assisting pharmacy customers, standing or working behind the pharmacy counter, and preparing, packaging, compounding, dispensing or selling any drug, medicine, chemical or poison, or supervising or assisting any other person in doing so.

2. Not earlier than sixty (60) days from the effective date of the suspension of his license under paragraph 1, above, Respondent may petition the Committee for reinstatement of his license. Any such petition shall be in writing and shall include:

- a. An affidavit from Respondent listing or stating:
 - 1) His mailing address and telephone number;
 - 2) Where he intends to practice pharmacy in the event his petition for reinstatement is granted;

3) Whether he has fully abided by the prohibitions set forth under paragraph 1.

b. A written report from a licensed health care professional, selected by Respondent from three names provided by the Committee, who has conducted a psychological or psychiatric evaluation of Respondent, at Respondent's expense, subsequent to Respondent's conference of March 30, 1999, with the Committee. The report shall state the fact that the evaluator has received and reviewed this Stipulation and Order and shall include or address the following:

1) Respondent's treatment history from the date of the evaluation referenced immediately above to the present. At a minimum, the history shall identify: (i) the nature of all care provided to Respondent during the period, including any and all medications prescribed or recommended, (ii) the frequency of outpatient visits, and (iii) the dates and purpose of any inpatient care;

2) Respondent's diagnosis;

3) Respondent's treatment plan; and

4) Respondent's prognosis, with an express statement whether Respondent can reasonably be expected to practice pharmacy without engaging in any conduct with any patient which may reasonably be interpreted by any person as sexual, including verbal behavior. If practice restrictions, limitations or conditions are indicated to prevent sexual conduct with patients or to address other conditions or circumstances, the report shall so state and explain.

c. Certified funds, a cashier's check or money order in the amount of \$3,500.00, payable to the Minnesota Board of Pharmacy, to offset a portion of the Board's expenses in this matter. Alternatively, Respondent may remit not less than \$1,500.00 with his petition for license reinstatement, with the remainder due semiannually thereafter from the date of reinstatement in four (4) equal installments. Payments under this paragraph shall be in

addition to all other license renewal, registration or other fees required of all licensed pharmacists in the State of Minnesota.

3. a. Respondent shall notify the Board of the name and address of the evaluator referenced at paragraph 2.b no later than ten (10) days before Respondent's first appointment with the evaluator.

b. Respondent hereby authorizes the Board to release any and all disciplinary, complaint and investigative materials concerning Respondent in its possession to the evaluator referenced at paragraph 2.b. and to any person who treats or counsels Respondent pursuant to paragraph 6.d.

4. a. Any petition submitted in accordance with paragraph 2 shall be considered and acted upon by the Committee not later than seven (7) days after the petition's receipt. The Committee may convene a conference to be attended by Respondent for purposes of its consideration of the petition.

b. If the Committee denies a petition for reinstatement pursuant to paragraph 4.a, Respondent may request reconsideration by the remainder of the Board. Any such request must be submitted in writing not later than fourteen (14) days after Respondent is served with notice of the Committee's denial of the petition. A request for reconsideration must state with particularity the basis for the request. The Board, exclusive of members of the Committee, shall consider and act upon a request for reconsideration not later than twenty-one (21) days after the request is received. The Board's decision shall be based on upon the written record and the criteria for reinstatement set forth at paragraph 6. Testimony shall not be taken nor shall there be oral arguments by the parties, unless requested by the Board.

5. In the event a petition for reinstatement submitted by Respondent is denied pursuant to paragraph 4.a or, if applicable, 4.b, Respondent shall not again petition for a period of ninety (90) days from the date of the denial; except that Respondent may not petition for six (6) months if the denial is based on evidence that Respondent practiced pharmacy at any time during the period of suspension.

6. A petition for reinstatement submitted in accordance with paragraph 2 shall be granted if the Committee or, if applicable, the remainder of the Board determines that the preponderance of all the information received indicates that Respondent:

- a. Has complied with all reinstatement requirements as specified above;
- b. Has provided wholly truthful information in his reinstatement petition;
- c. Has been determined in accordance with the evaluation required under 2.b. to be able to practice pharmacy with reasonable skill and safety to patients;
- d. Is successfully pursuing, at his own expense, from one or more licensed practitioners, any and all treatment and counseling indicated by the evaluation and by the licensed practitioners;
- e. Can reasonably be expected to practice pharmacy without engaging in any conduct with any patient which may reasonably be interpreted by any person as sexual, including verbal behavior that is sexual;
- f. Has fulfilled all Board continuing education requirements applicable to pharmacists licensed continuously from the effective date of Respondent's suspension to the date of the consideration of his reinstatement petition; and
- g. Has paid the fee for the renewal of his license, if applicable.

7. If the Committee or, if applicable, the remainder of the Board, grants any petition for reinstatement submitted pursuant to paragraph 2, Respondent shall be on probation with the Board for five (5) years from the date of reinstatement, subject to the procedures set forth at paragraph 8. During the period of probation, the following terms and conditions shall apply:

- a. Respondent shall successfully pursue at his expense any and all treatment and counseling indicated by the evaluation required under paragraph 2.b. and by any and all subsequent treating licensed practitioners.

b. Respondent shall cause the Board to receive quarterly written reports from all licensed professionals, if any, who provide treatment and counseling to Respondent. Such reports shall include Respondent's diagnosis and prognosis, and the dates and nature of all care provided, including the identification of any and all medication prescribed. Respondent shall cause such reports to be provided to the Board until Respondent's probation terminates or until any and all providers end treatment or counseling.

c. Respondent hereby authorizes his health care providers and counselors, if any, to provide the Board, upon its request, with all records and reports relating to Respondent's treatment or counseling. Respondent further hereby authorizes his health care providers and counselors, if any, to testify without restriction relative to Respondent's treatment, counseling and health status.

d. Respondent shall meet on a quarterly basis with a designated Board member at the Board office or at another location mutually agreed upon by Respondent and the designated Board member. It shall be Respondent's obligation to contact the designated Board member to arrange each of the meetings. The purpose of such meetings shall be to review Respondent's progress under this Order.

e. Respondent shall not be a preceptor for any pharmacy intern.

f. Respondent shall notify the Board in writing of any changes in his residential address and of any changes in his place of employment. Respondent shall cause the Board to received the required notice within ten (10) days of any such change.

g. Respondent shall remit to the Board in equal semiannual installments any remainder of the payments required under paragraph 2.c.

h. Not later than ten (10) days from the date of reinstatement, Respondent shall provide a complete, exact and true copy of this Stipulation and Order to all persons and entities engaged in pharmacy for whom he is then employed. Likewise, within ten (10) days of the date he may assume any other employment position in pharmacy, he shall provide the employer with a complete, exact and true copy of this Stipulation and Order.

8. a. If during the period of probation, Respondent fails to comply with any term, condition or requirement of this Order or engages in any act or omission substantially similar to any of those set forth at paragraph D.3 or in the Notice, the same shall authorize the Board again to suspend Respondent's license for an indefinite period of time. In its discretion, the Board may instead extend the period of probation and its associated requirements.

b. The existence of any of the violations or causes referenced in paragraph 8.a shall be determined by the Board at a regular or special meeting thereof. Respondent shall be given not less than thirty (30) days' notice of the meeting. The notice shall specify all allegations and shall be accompanied by copies of all supporting documents and any written statements to be submitted to the Board. Respondent may likewise submit documents and written statements and shall have the opportunity to address the Board at the meeting. The Board's decision shall be based upon its judgment as to the preponderance of the evidence.

c. Any decision of the Board under this paragraph indefinitely suspending or otherwise acting against Respondent's license shall be final and binding upon Respondent and shall not be subject to judicial review or to a judicial stay pending any attempt by Respondent to seek such review. In the event the Board indefinitely suspends Respondent's license as provided under this paragraph, Respondent shall not petition for reinstatement earlier than one (1) year from the date of suspension.

9. If there are no violations of this Order, all of its terms which are not applicable to all pharmacists in this state shall terminate at the end of the five-year probationary period upon Respondent's submission of a written petition to the Board verifying his compliance with all conditions and requirements of paragraph 7 and upon his personal appearance before the Board at a regularly scheduled Board meeting; except that the Board may, in its discretion, initiate action in accordance with paragraph 8, above, at any time up to forty-five (45) days from the end of the probationary period.

10. This Stipulation and Order is a public document.

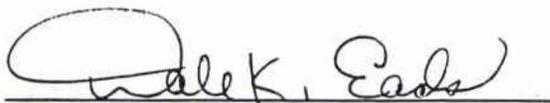
F. IT IS FURTHER STIPULATED AND AGREED that this Stipulation shall not in any way limit or affect the authority of the Board to initiate contested case proceedings against Respondent on the basis of any act, conduct or omission of Respondent occurring before or after the date of this Stipulation which is not related to the facts, circumstances or requirements referenced herein.

G. Respondent has voluntarily entered into this Stipulation without threat or promise by the Board or any of its members, employees or agents, and after consultation with and advice from Respondent's counsel.

H. Respondent hereby knowingly and voluntarily waives any and all claims against the Board, the Minnesota Attorney General, the State of Minnesota and their agents, employees and representatives which may otherwise be available to Respondent under the Americans With Disabilities Act and the Minnesota Human Rights Act relative to the action taken or authorized against Respondent's pharmacy license under this Stipulation.

I. This Stipulation contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies this Stipulation.

Dated: April 15, 1999.



DALE K. EADS

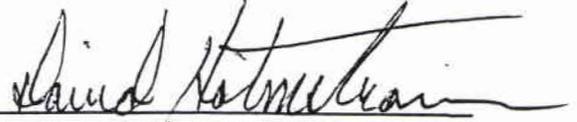
Respondent

ORDER

Upon consideration of this Stipulation and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED that the terms of this Stipulation are adopted and implemented by the Board 28th day of Apr, 1999.

MINNESOTA BOARD
OF PHARMACY



DAVID E. HOLMSTROM
Executive Director

**BEFORE THE MINNESOTA
BOARD OF PHARMACY**

In the Matter of the
License of Dale K. Eads
License No. 112504-9

**ORDER OF
REINSTATEMENT
AND PROBATION**

WHEREAS, pursuant to Stipulation and Order, dated April 28, 1999 ("consent order"), the license of Dale K. Eads ("Respondent") to practice pharmacy in Minnesota was suspended by the Minnesota Board of Pharmacy ("Board") for an indefinite time;

WHEREAS, in accordance with the consent order, Respondent was authorized to petition and did petition the Board for reinstatement of his license not earlier than 60 days from the date of the consent order; and

WHEREAS, the Board hereby grants Respondent's petition subject to the terms and conditions hereinafter set forth.

NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

1. Respondent's license to practice pharmacy in Minnesota is reinstated, effective August 16, 1999.
2. Respondent shall be on probation with the Board for five (5) years from the date of reinstatement.
3. During the period of probation, Respondent shall comply with and strictly abide by the following terms and conditions:
 - a. Respondent shall successfully pursue at his expense all treatment and counseling indicated by the evaluation required under paragraph 2.b. of the consent order and by any and all subsequent treating licensed practitioners.
 - b. Respondent shall cause the Board to receive quarterly written reports from all licensed professionals who provide treatment and counseling to Respondent. Such reports shall include Respondent's diagnosis and prognosis, and the dates and nature of all care

provided, including the identification of any and all medication prescribed. Respondent shall cause such reports to be provided to the Board until Respondent's probation terminates or until all providers end treatment or counseling.

c. Respondent hereby authorizes his health care providers and counselors to provide the Board, upon its request, with all records and reports relating to Respondent's treatment or counseling. Respondent further hereby authorizes his health care providers and counselors to testify without restriction relative to Respondent's treatment, counseling and health status.

d. Respondent shall meet on a quarterly basis with a designated Board member at the Board office or at another location mutually agreed upon by Respondent and the designated Board member. It shall be Respondent's obligation to contact the designated Board member to arrange each of the meetings. The purpose of such meetings shall be to review Respondent's progress under this Order.

e. Respondent shall not be a preceptor for any pharmacy intern.

f. Respondent shall notify the Board in writing of any changes in his residential address and of any changes in his place of employment. Respondent shall cause the Board to receive the required notice within ten (10) days of any such change.

g. Respondent shall remit to the Board in equal semiannual installments any remainder of the payments required under paragraph 2.c of the consent order.

h. Not later than ten (10) days from the date of reinstatement, Respondent shall provide a complete, an exact and true copy of this Order to all persons and entities engaged in pharmacy for whom he is then employed. Likewise, within ten (10) days of the date he may assume any other employment position in pharmacy, he shall provide the employer with a complete, exact and true copy of this Order.

4. a. If during the period of probation, Respondent fails to comply with any term, condition or requirement of this Order or engages in any act or omission substantially similar to any of those set forth at paragraph D.3 the Notice of Conference, the same shall

authorize the Board again to suspend Respondent's license for an indefinite period of time. In its discretion, the Board may instead extend the period of probation and its associated requirements.

b. The existence of any of the violations or causes referenced in paragraph 4.a shall be determined by the Board at a regular or special meeting thereof. Respondent shall be given not less than thirty (30) days' notice of the meeting. The notice shall specify all allegations and shall be accompanied by copies of all supporting documents and any written statements to be submitted to the Board. Respondent may likewise submit documents and written statements and shall have the opportunity to address the Board at the meeting. The Board's decision shall be based upon its judgment as to the preponderance of the evidence.

c. Any decision of the Board under this paragraph indefinitely suspending or otherwise acting against Respondent's license shall be final and binding upon Respondent and shall not be subject to judicial review or to a judicial stay pending any attempt by Respondent to seek such review. In the event the Board indefinitely suspends Respondent's license as provided under this paragraph, Respondent shall not petition for reinstatement earlier than one (1) year from the date of suspension.

5. If there are no violations of this Order, all of its terms which are not applicable to all pharmacists in this state shall terminate at the end of the five (5) year probationary period upon Respondent's submission of a written petition to the Board verifying his compliance with all conditions and requirements of paragraph 3 and upon his personal appearance before the Board at a regularly scheduled Board meeting; except that the Board may, in its discretion, initiate action in accordance with paragraph 4, above, at any time up to forty-five (45) days from the end of the probationary period.

6. Except as provided in paragraphs 3 and 4 hereof, this Order supersedes the consent order.

7. This Order shall be deemed to be a public document.

Dated: Sept 7, 1999

STATE OF MINNESOTA

BOARD OF PHARMACY



DAVID E. HOLMSTROM

Executive Director

AG:212423, v. 1

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

Re:)	
Pharmacist License of)	ORDER
DALE K. EADS)	ACCEPTING
License No. 13232)	SURRENDER OF LICENSE
Respondent)	TO PRACTICE PHARMACY

COMES NOW, Arlan D. Van Norman, Chairperson of the Iowa Board of Pharmacy Examiners, on the 16th day of November, 1999, and declares that:

1. On November 3, 1999, Respondent executed a voluntary surrender of his pharmacist license number 17244 pursuant to 657 Iowa Administrative Code § 36.15. In so doing, Respondent waived his right to a formal hearing before the Iowa Board of Pharmacy Examiners.

2. On September 15, 1999, the Board issued a Statement of Charges to the Respondent.

3. On November 16, 1999, 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 13232 is hereby accepted and, pursuant to 657 Iowa Administrative Code § 36.13, said surrender shall be considered a revocation of license with respect to any future request for reinstatement.

IOWA BOARD OF PHARMACY EXAMINERS



Arlan D. Van Norman, Chairperson

VOLUNTARY SURRENDER OF LICENSE TO PRACTICE PHARMACY

I, Dale K. Eads, of 1948 Dorathea Blvd., Worthington, Minnesota 56187, 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 13232, 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, Dale K. Eads, being affixed to this voluntary surrender document.

I, Dale K. Eads, of my own free will and without any mental reservation and not as a 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 (1999).
- (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, Dale K. Eads, do hereby acknowledge that pursuant to 657 Iowa Administrative Code section 36.15, 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 36.13, 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, 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 Examination (NAPLEX) or the 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, registration, or permit. 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 reinstatement conference before the board, as provided in rule 657-36.14 (17A, 124B, 147, 155A, 272C).
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, registration, 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, Dale K. Eads, 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 a license is required.

11/3/99
Date of Signature

Dale K. Eads
Dale K. Eads

State of Minnesota :
Nobles County :SS

Subscribed and sworn to me by Dale K. Eads on this 3rd day of November, 1999.

Carol Scherff
NOTARY PUBLIC IN AND FOR THE STATE OF

