

BEFORE THE IOWA BOARD OF PHARMACY

Re:)	Case No. 2011-33
Pharmacy Technician Registration of)	
LAURA LEA ESTES)	STATEMENT OF CHARGES
Registration No. 4283,)	
Respondent)	

COMES NOW, the Complainant, Lloyd K. Jessen, and states:

1. He is the Executive Director of the Iowa Board of Pharmacy and files this Statement of Charges solely in his official capacity.
2. The Board has jurisdiction in this matter pursuant to Iowa Code Chapters 147, 155A and 272C (2011).
3. The Board issued Laura Lea Estes (hereinafter, "Respondent") pharmacy technician registration number 4283, registering her as a pharmacy technician subject to the laws of the State of Iowa and the rules of the Board. Respondent's registration was last renewed on November 1, 2010, and will expire on October 31, 2012.
4. At all times material to this Statement of Charges, Respondent was employed as a pharmacy technician at Medicap Pharmacy, 2521 Sunset Drive, Suite 1, Norwalk, IA 50211.

A. CHARGE

COUNT I – VIOLATING LAWS RELATED TO PHARMACY

Respondent is charged pursuant to Iowa Code § 155A.6A(5) (2011) and 657 Iowa Administrative Code § 36.1(4)(j) with violating state laws related to the practice of pharmacy.

B. CIRCUMSTANCES

On March 29, 2011 an investigation was commenced which revealed the following:

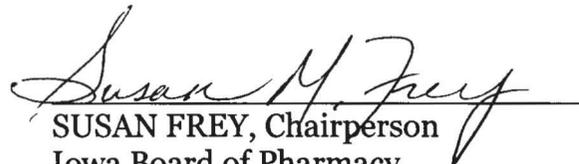
1. At all material times, Respondent was employed as a pharmacy technician at Medicap Pharmacy, 2521 Sunset Drive, Suite 1, Norwalk, Iowa 50211.
2. The pharmacy's credit card processor noticed that pharmacy refunds were being made to accounts that had not been charged for purchases.

3. Medicap then discovered that Respondent had been giving herself "refunds" through the pharmacy register for approximately two years.
4. Respondent pleaded guilty to a felony charge (2nd degree theft) arising from the Medicap "refunds" on July 25, 2011.

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 Director

On this 7th day of March 2012, the Iowa Board of Pharmacy found probable cause to file this Statement of Charges and to order a hearing in this case.


SUSAN FREY, Chairperson
Iowa Board of Pharmacy
400 SW Eighth Street, Suite E
Des Moines, Iowa 50309-4688

cc: Scott M. Galenbeck
Assistant Attorney General
Hoover State Office Building
Des Moines, Iowa

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BEFORE THE IOWA BOARD OF PHARMACY

Re:) Case No. 2011-33
Pharmacy Technician Registration of)
LAURA LEA ESTES) **STIPULATION**
Registration No. 4283) **AND**
Respondent) **CONSENT ORDER**

Pursuant to Iowa Code §§ 17A.10 and 272C.3(4) (2011), the Iowa Board of Pharmacy (hereinafter, "Board") and Laura Lea Estes (hereinafter, "Respondent"), enter into the following Stipulation and Consent Order settling a disciplinary proceeding currently pending before the Board.

Allegations contained in a Statement of Charges against Respondent shall be resolved without proceeding to hearing, as the Board and Respondent stipulate as follows:

1. Respondent was issued pharmacy technician registration number 4283, registering her as a pharmacy technician subject to the laws of the State of Iowa and the administrative rules of the Board.
2. The registration held by Respondent is active and current until October 31, 2012.
3. Respondent was, at all times material to the Statement of Charges, employed as a pharmacy technician at Medicap Pharmacy, 2521 Sunset Drive, Suite 1, Norwalk, Iowa 50211.
4. A Statement of Charges was filed against Respondent by the Board on March 7, 2012.
5. The Board has jurisdiction over the parties and jurisdiction over the

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IOWA BOARD OF PHARMACY

subject matter of these proceedings.

6. Respondent has chosen not to contest the allegations set forth in the Statement of Charges and acknowledges that the allegations, if proven in a contested case proceeding, would constitute grounds for the discipline described herein.

7. On the date of the Board's approval of this Stipulation and Consent Order, Respondent's pharmacy technician registration shall be placed on probation on terms which shall include, but not be limited to, the following:

- a. Respondent agrees to comply with the terms of probation.
- b. The period of probation shall be three (3) years provided, however, that only those time periods during which Respondent is employed as a pharmacy technician shall count toward exhaustion of the probationary term.
- c. Within three (3) months after the date of the Board's approval of this Stipulation and Consent Order, Respondent shall complete not less than two (2) hours of formal, structured continuing pharmacy technician education ("CE") which shall be pre-approved by the Board. The CE shall be focused on pharmacy technician ethics. Upon completion of the two hours of CE, documentation of satisfactory completion shall be promptly submitted to the Board. This CE shall be in addition to – not in lieu of – continuing education required for registration renewal.
- d. Respondent shall inform the Board, in writing, of any change of home address, place of employment, home telephone number, or work

telephone number, within ten (10) days of such a change.

e. Respondent shall report to the Board quarterly, in writing. The report shall include Respondent's place of employment, current address, *Respondent's most recent efforts to implement the provisions of this Stipulation and Consent Order, by date*, and any further information deemed necessary by the Board from time to time. Quarterly reports shall be due not later than January 5th, April 5th, July 5th, and October 5th.

f. Respondent shall notify all employers and prospective employers (no later than at the time of an employment interview), including any pharmacist-in-charge, of the resolution of this case and the terms, conditions and restrictions imposed on Respondent by this Stipulation and Consent Order.

g. Within thirty (30) days after commencement of the probationary period, and within fifteen (15) days of undertaking new employment as a pharmacy technician, Respondent shall cause her pharmacy employer, and any pharmacist-in-charge 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.

h. Respondent shall appear informally before the Board, upon the request of the Board, for the purpose of reviewing her performance as a pharmacy technician during Respondent's probationary period.

Respondent shall be given reasonable notice of the date, time, and place for the appearances.

- i. Respondent shall obey all federal and state laws, rules, and regulations related to the practice of pharmacy.
8. Should Respondent violate or fail to comply with any of the terms and conditions of this Stipulation and Consent Order, the Board may initiate action to revoke or suspend Respondent's Iowa pharmacy technician registration or to impose other discipline as authorized by Iowa Code chapters 272C and 155A (2011), and 657 Iowa Administrative Code § 36.
9. 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.
10. The State's legal counsel may present this Stipulation and Consent Order to the Board.
11. This Stipulation and Consent Order 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 the Board or Respondent. If the Board approves this Stipulation and Consent Order, it shall be the full and final resolution of this matter.
12. The Board's approval of this Stipulation and Consent Order shall constitute a FINAL ORDER of the Board.

This Stipulation and Consent Order is voluntarily submitted by Respondent to the Board

for its consideration on the 18 day of June ~~2011~~ 2012

Laura Lea Estes
LAURA LEA ESTES,
Respondent

Subscribed and sworn to before me by Laura Lea Estes on this 18 day of June 2012.



Kimberly Wilson
NOTARY PUBLIC IN AND FOR
THE STATE OF IOWA

This Stipulation and Consent Order is accepted by the Iowa Board of Pharmacy on the 27 day of June 2012.

Susan M. Frey
SUSAN M. FREY, Chairperson
Iowa Board of Pharmacy
400 SW Eighth Street, Suite E
Des Moines, Iowa 50309-4688

cc: Scott M. Galenbeck
Assistant Attorney General
Office of the Attorney General
Hoover State Office Building
Des Moines, Iowa 50319

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BEFORE THE BOARD OF PHARMACY STATE OF IOWA

**IN THE MATTER OF THE STIPULATION AND CONSENT ORDER AGAINST
LAURA LEA ESTES, RESPONDENT**

2011-33

TERMINATION ORDER

DATE: June 29, 2015

1. On June 27, 2012, a Stipulation and Consent Order was issued by the Iowa Board of Pharmacy placing the pharmacy technician registration, number 4283 issued to Laura Lea Estes, on probation for a period of three years under certain terms and conditions.

2. Respondent has successfully completed the probation as directed.

3. The Board directed that the probation placed upon the Respondent's pharmacy technician registration should be terminated.

IT IS HEREBY ORDERED:

That the probation placed upon the Respondent's pharmacy technician registration is terminated, and the registration is returned to its full privileges free and clear of all restrictions.

IOWA BOARD OF PHARAMCY



Edward Maier, Board Chairperson
400 SW 8th Street, Suite E
Des Moines, Iowa 50309-4688