

STATE OF IOWA  
BEFORE THE IOWA BOARD OF PHARMACY

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IOWA BOARD OF PHARMACY

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IN THE MATTER OF: )

OTAVIO A. HEGOUET )

Respondent. )

CONSENT ORDER

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The Iowa Board of Pharmacy (Board) and Otavio A. Hegouet (Respondent) hereby enter into this Consent Order (Order) pursuant to Iowa Code §§ 17A.10 and 272C.3(4) (2007):

1. The Respondent seeks a license to practice pharmacy in the State of Iowa.
2. The Respondent has successfully passed the licensing examinations (NAPLEX® and MPJE®).
3. The Respondent suffers from Generalized Anxiety Disorder (GAD) and is particularly sensitive to relatively low levels of stress. Respondent becomes non-communicative, avoidant, and irritable when confronted with objectively minor levels of stress. As recently as August 19, 2007, Respondent's anxiety has been described by his psychologist as "severe."

4. Because the practice of pharmacy can be a stressful occupation, the Board believes it is necessary to monitor Respondent's progress as a licensed pharmacist for a period of time following his initial licensure.
5. Upon approval of this Order by the Board, the Respondent shall receive a license to practice pharmacy in the State of Iowa subject to a two (2) year term of probation as provided in this Order.
6. The Respondent's license to practice pharmacy in Iowa shall be issued and placed on probation for a period of two (2) years beginning on the date of the Respondent's acceptance and approval of this Order. During the probationary period, the Respondent shall comply with the following terms:
  - a. The Respondent shall comply with all medical treatment recommendations of his physician, psychologist, and/or counselor. The physician, psychologist, and/or counselor shall submit written quarterly reports to the Board documenting the Respondent's physical and mental health and his fitness to practice pharmacy.

- b. The Respondent shall file written, sworn quarterly reports with the Board attesting to his compliance with all the terms and conditions of this Order. The reports shall be filed no later than December 5, March 5, June 5, and September 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, work telephone number, e-mail address, and any further information deemed necessary by the Board from time to time.
- c. The Respondent shall make a 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. Any such appearance shall be subject to the waiver provisions of 657 Iowa Administrative Code § 35.9.
- d. The Respondent shall obey all federal and state laws and regulations substantially related to the practice of pharmacy and the distribution of controlled substances.

- e. The Respondent shall provide evidence of efforts to maintain skill and knowledge as a pharmacist through continuing education (CE) as directed by the Board.
- f. The Respondent shall not supervise any registered pharmacist-intern and shall not perform any of the duties of a pharmacy preceptor.
- g. The Respondent shall not serve as the pharmacist in charge of a pharmacy during the first year of probation.
- h. Respondent's probationary period will only run while Respondent is actively employed as a pharmacist in Iowa. Periods of unemployment or employment as a pharmacist outside the State of Iowa will not count toward satisfying the two (2) year period of probation.
- i. The Respondent shall notify the Board in writing within ten (10) days of any change of home address, place of employment, home telephone number, work telephone number, or e-mail address.
- j. The Respondent agrees to release all his medical records to the Board, including all medical records pertaining to treatment for mental conditions, and agrees to allow the

free flow of information between the Board and the Respondent's physician(s), psychologist(s), and/or counselor(s) and to ensure that the Board receives all necessary information if further evaluation or treatment of the Respondent is requested or required. This release of medical records is effective for the length of Respondent's probationary period.

7. The Board reserves the right to review the Respondent's compliance with the terms of this Order at any time.
8. Should the Respondent violate the terms of this Order in any respect, the Board may institute formal disciplinary proceedings. This Order shall be made part of the permanent record of the Board and violations of this Order may be considered by the Board in determining the nature and severity of any future disciplinary action.
9. This Order has been approved by the Board.
10. The Respondent voluntarily agrees to enter into this Order with the Board.
11. This Order is a public record available for inspection and copying in accordance with Iowa law.

12. Upon successful completion of the probationary term prescribed by this Order, the Respondent shall be granted an unrestricted license to practice pharmacy in the State of Iowa, if no other legal impediments exist.

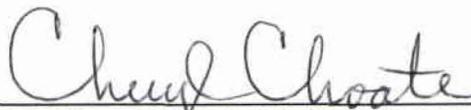
**WHEREFORE**, the terms of this Consent Order are agreed to and accepted by the Iowa Board of Pharmacy and the Respondent.

This Consent Order is hereby accepted and approved by Respondent on the 19<sup>th</sup> day of NOVEMBER, 2007.

  
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Otavio A. Hegouet  
Respondent



Subscribed and sworn to before me by Otavio A. Hegouet on the 19<sup>th</sup> day of November, 2007.

  
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NOTARY PUBLIC IN AND FOR THE  
STATE OF IOWA



**CHERYL CHOATE**  
Commission# 176153  
My Comm. Expires 09-27-09

This Consent Order was accepted by the Iowa Board of Pharmacy on the 13<sup>th</sup> day of November, 2007.



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Leman Olson, R.Ph., Vice Chairperson  
Iowa Board of Pharmacy  
400 SW Eighth Street, Suite E  
Des Moines, Iowa 50309-4688

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

ATTORNEY FOR STATE

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

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**IN THE MATTER OF THE CONSENT ORDER  
OTAVIO A. HEGOUET, R.Ph., RESPONDENT**

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**ORDER TERMINATING PROBATION**

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**DATE: February 22, 2010**

1. On November 15, 2007, the Iowa Board of Pharmacy and Otavio A. Hegouet entered into a Consent Order, placing the license to practice pharmacy, number 20688 issued to Otavio A. Hegouet on November 15, 2007, on probation for a period of two years under certain terms and conditions.

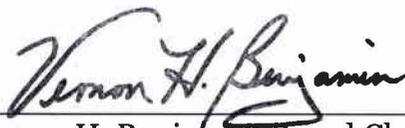
2. On February 22, 2010, Respondent has successfully completed the probation as directed.

3. The Board directed that the probation placed upon the Respondent's license to practice pharmacy should be terminated.

**IT IS HEREBY ORDERED:**

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

**IOWA BOARD OF PHARAMCY**



Vernon H. Benjamin, Board Chairperson  
400 SW 8<sup>th</sup> Street, Suite E  
Des Moines, Iowa 50309-4688