

BEFORE THE IOWA BOARD OF PHARMACY

<p>RE: Application for Pharmacist License of</p> <p>JILL SMITH Applicant</p>	<p style="text-align: center;">LICENSE BY CONSENT AGREEMENT</p>
--	--

COME NOW the Iowa Board of Pharmacy (“Board”) and Jill Smith (“Applicant”), 104 Ruth Way, Georgetown, KY 40324, and enter into this License by Consent Agreement, pursuant to Iowa Code sections 17A.10 and 17A.18. The Board has jurisdiction over Applicant and the subject matter of this case pursuant to Iowa Code chapters 17A, 147, 155A, and 272C, and 657 IAC chapters 2 and 36.

A. LEGAL GROUNDS

1. The Board has the authority to deny a pharmacist license if the applicant violated any Board rules that would constitute grounds for disciplinary action. See Iowa Code §§ 147.4 and 155A.12(1).
2. Pursuant to 657 IAC 36.6(30), the Board may impose discipline for having disciplinary action taken by a licensing authority of another state.

B. FACTUAL CIRCUMSTANCES

3. On May 21, 2021, Applicant submitted an application for a pharmacist license to the Board.
4. The application disclosed disciplinary action taken against Applicant’s pharmacist licenses in North Carolina and Kentucky.
5. In February 2005, Applicant ceased practicing pharmacy in North Carolina after an investigation revealed she had diverted hydrocodone for personal use from the pharmacy where she was employed. In August 2005, Applicant’s North Carolina pharmacist license was reinstated on the condition that she comply with several conditions, including participation in the pharmacist recovery network.
6. In October 2006, Applicant applied for a pharmacist license in Kentucky. Kentucky issued her a license with probationary conditions, including participation in the pharmacist recovery network.
7. In August 2010, Applicant successfully completed probation.

C. LICENSE BY CONSENT

8. Applicant admits the allegations in the Factual Circumstances and acknowledges that the allegations, if proven in a contested case hearing concerning license application denial, would constitute grounds for the adverse action agreed to in this Agreement.

9. Execution of this Agreement constitutes the resolution of a contested case. Applicant has a right to hearing before the Board on the grounds for license application denial, but Applicant waives the right to hearing and all attendant rights, including the right to appeal or seek judicial review of the Board's action, by freely and voluntarily entering into this Agreement. Once entered, this Agreement shall have the force and effect of a Board Order entered following a contested case hearing concerning license application denial.

10. Applicant acknowledges that she has the right to be represented by counsel on this matter.

11. This Agreement is subject to approval by a majority of the full Board. If the Board does not approve this Agreement, it shall be of no force or effect to either party, and shall not be admissible for any purpose in further proceedings in this matter. If the Board approves this Agreement, it shall be the full and final resolution of this matter.

12. This Agreement shall be part of Applicant's permanent record and shall be considered by the Board in determining the nature and severity of any disciplinary action to be imposed in the event of any future violations.

13. Applicant understands that this Agreement constitutes adverse action and that the Board is required by federal law to report any adverse action to the National Practitioner Data Bank.

14. This Agreement, when fully executed, is a public record and is available for inspection and copying in accordance with the requirements of Iowa Code chapters 22 and 272C.

15. The Board's approval of this Agreement shall constitute a **FINAL ORDER** of the Board.

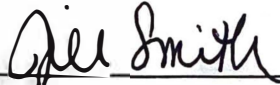
IT IS THEREFORE ORDERED:

16. Upon completion of administrative requirements, Applicant's pharmacist license shall be issued.

17. Applicant is hereby **CITED** for her prior disciplinary action and **WARNED** that future violations of the laws and rules governing the practice of pharmacy can result in further disciplinary action.

July 14, 2021

Date



JILL SMITH

Applicant

This License by Consent Agreement is approved by the Executive Director with authorization from Iowa Board of Pharmacy on _____ July 21 _____, 2021.



Andrew Funk, Pharm.D., Executive Director
Iowa Board of Pharmacy