

BEFORE THE IOWA BOARD OF PHARMACY

| | | |
|-----------------------|---|-----------------------------|
| Re: |) | Case No. 2009-154 |
| Pharmacist License of |) | |
| KATIE KNAPP |) | STATEMENT OF CHARGES |
| License No. 20777, |) | |
| Respondent. |) | |

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

1. He is the Executive Director for the Iowa Board of Pharmacy (hereinafter, "Board") 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 (2009).
3. On June 1, 2008, the Board issued Katie Knapp ("Respondent"), after examination a license to engage in the practice of pharmacy as evidenced by license number 20777, subject to the laws of the State of Iowa and the rules of the Board.
4. Respondent's pharmacist license is current and active until June 30, 2012.
5. Respondent's most recent address of record is 8526 Pinkney Street, Omaha, Nebraska.
6. At all times material to this statement of charges, Respondent was employed as the pharmacist in charge at Hy-Vee Pharmacy 1092, located at 1707 N. 16th Street, Council Bluffs, Iowa 51501.

A. CHARGE

COUNT I – LACK OF PROFESSIONAL COMPETENCY

Respondent is charged under Iowa Code § 155A.12(1) (2009) and 657 Iowa Administrative Code § 36.1(4)(b) with a lack of professional competency as demonstrated by willful and repeated departures from, and a failure to conform to, the minimal standard and acceptable and prevailing practice of pharmacy in the state of Iowa.

COUNT II – PROCURING UNREGISTERED PERSONS

Respondent is charged under Iowa Code § 155A.12(1) (2009) and 657 Iowa Administrative Code § 36.1(4)(l) with knowingly aiding, assisting and procuring unregistered persons to perform the functions of a pharmacy technician and pharmacy intern.

COUNT III – EMPLOYMENT OF UNREGISTERED INTERN

Respondent is charged under Iowa Code § 155A.12(1) (2009), and 657 Iowa Administrative Code §§ 3.3 and 36.1(4)(aa), with employing and continuing to employ an unregistered intern.

COUNT IV – EMPLOYMENT OF UNREGISTERED TECHNICIAN

Respondent is charged under Iowa Code § 155A.12(1) (2009), and 657 Iowa Administrative Code §§ 4.6 and 36.1(4)(aa), with employing and continuing to employ an unregistered technician.

B. CIRCUMSTANCES

An investigation was commenced November 13, 2009, which revealed the following:

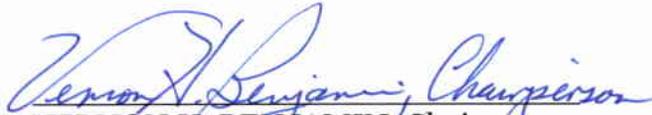
1. Respondent is employed as the pharmacist in charge at Hy-Vee Pharmacy 1092, located at 1706 North 16th Street, Council Bluffs, Iowa 51501.
2. During a routine pharmacy inspection on October 27, 2009, a compliance officer discovered that Creighton pharmacy student, Chad Horkan, was working as an intern in the pharmacy despite not being registered with the Board as an intern.
3. Pharmacy technician Jesus Navarrete's was also employed in the pharmacy, despite the fact his Iowa technician registration expired July 1, 2009.
4. Respondent was questioned regarding Horkan and Navarrete's registration numbers. She possessed no knowledge about the status of either person's registration.
5. After the time by which Respondent knew or should have known Horkan and Navarrete were not registered with the Board, Horkan and Navarrete continued to be employed in Hy-Vee Pharmacy 1092.

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 28 day of Sept. 2010, the Iowa Board of Pharmacy found probable cause to file this Statement of Charges and to order a hearing in this case.


VERNON H. BENJAMIN, 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. 2009-154 |
| Pharmacist License of |) | |
| KATIE KNAPP |) | STIPULATION |
| License No. 20777 |) | AND |
| Respondent |) | CONSENT ORDER |

Pursuant to Iowa Code §§ 17A.10 and 272C.3(4) (2009), the Iowa Board of Pharmacy (hereinafter, "Board") and Katie Knapp (hereinafter, "Respondent"), enter into the following Stipulation and Consent Order settling a licensee 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 a license to practice pharmacy in Iowa on June 1, 2008, following examination, as evidenced by Pharmacist License Number 20777 which is recorded in the permanent records of the Board.
2. The Iowa pharmacist license issued to and held by Respondent is active and current until June 30, 2012.
3. The Board has jurisdiction over Respondent and jurisdiction over the subject matter of these proceedings.
4. A Statement of Charges was filed against Respondent by the Board on September 28, 2010.
5. Respondent was, at all times material to the Statement of Charges, employed as the pharmacist in charge at Hy-Vee Pharmacy, ~~1707 N. 16th Street~~, Council Bluffs, Iowa 51501.
2323 West Broadway

6. Respondent denies the allegations contained in the Statement of Charges, but in the interest of settlement has chosen not to contest the allegations. Respondent acknowledges that the allegations, if proven in a contested case proceeding, would constitute grounds for the discipline described herein.

7. Upon the Board's approval of this Stipulation and Consent Order, Respondent's Iowa pharmacist license shall be placed on probation. Probation is granted under the following conditions, which Respondent agrees to follow:

a. The period of probation shall be a minimum of two (2) years provided, however, that only those time periods during which Respondent is employed as a pharmacist shall count toward exhaustion of the probationary term.

b. 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 education ("CPE") which shall be pre-approved by the Board. The CPE shall be focused on personal ethics. Upon completion of the two hours of CPE, documentation of satisfactory completion shall be promptly submitted to the Board. This CPE shall be in addition to – not in lieu of – the thirty (30) hours of continuing pharmacy education required every two years for license renewal.

c. 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.

d. Within thirty (30) days after approval of this Stipulation and Consent

Order by the Board, and within fifteen (15) days of undertaking new employment as a pharmacist, Respondent shall cause his pharmacy employer, and any pharmacist-in-charge he 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. It shall be Respondent's responsibility to assure that these reports are provided to the Board.

e. Respondent shall appear informally before the Board, upon the request of the Board, for the purpose of reviewing her performance as a pharmacist during Respondent's probationary period. Respondent shall be given reasonable notice of the date, time, and place for the appearances.

f. Respondent shall report to the Board or its designee 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.

g. Respondent shall obey all federal and state laws, rules, and regulations related to the practice of pharmacy.

h. Respondent shall comply with such other reasonable terms as the Board may wish to impose.

8. Upon the Board's approval of this Stipulation and Consent Order, Respondent shall be assessed a civil penalty in the amount of \$1,000. This civil penalty shall be paid promptly after the Board's approval of this Stipulation and Consent Order, by check made payable to the Treasurer of Iowa and mailed to the executive director of the Board. All civil penalty payments shall be deposited into the State of Iowa general fund.

9. 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 pharmacist license or impose other licensee discipline as authorized by Iowa Code chapters 272C and 155A (2009), and 657 IAC § 36.

10. This Stipulation and Consent Order is the resolution of a contested case. By entering into this Stipulation and Consent Order, Respondent waives all right to a contested case hearing on the allegations contained in the Statement of Charges, and waives any objection to this Stipulation and Consent Order.

11. The State's legal counsel may present this Stipulation and Consent Order to the Board.

12. 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.

13. 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 19 day of Jan 2010-2011.



KATIE KNAPP, R.Ph.
Respondent

Subscribed and sworn to before me by Katie Knapp on this 19 day of Jan. 2010
2011.



Rhonda L. Danker Booher
NOTARY PUBLIC IN AND FOR
THE STATE OF IOWA

This Stipulation and Consent Order is accepted by the Iowa Board of Pharmacy on the 8th day
of March 2010-2011.

Vernon H. Benjamin
VERNON H. BENJAMIN, 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

Edwin N. McIntosh
Dorsey & Whitney
801 Grand Avenue,
Des Moines, IA 50309

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BEFORE THE BOARD OF PHARMACY STATE OF IOWA

**IN THE MATTER OF THE STIPULATION AND CONSENT ORDER AGAINST
KATIE KNAPP, R.Ph., RESPONDENT**

2009-154

TERMINATION ORDER

DATE: March 8, 2013

1. On March 8, 2011, a Stipulation and Consent Order was issued by the Iowa Board of Pharmacy placing the license to practice pharmacy, number 20777 issued to Katie E. Knapp on July 1, 2008, on probation for a period of two years under certain terms and conditions.

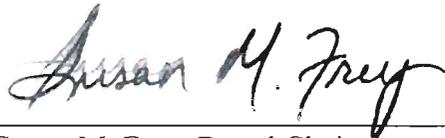
2. Respondent has successfully completed the probation as directed.

3. The Board directed that the probation placed upon the Respondent's 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 PHARMACY



Susan M. Frey, Board Chairperson
400 SW 8th Street, Suite E
Des Moines, Iowa 50309-4688