

BEFORE THE IOWA BOARD OF PHARMACY

IN THE MATTER OF:)	
)	
MATTHEW KOLB)	CONSENT AGREEMENT
)	
Respondent.)	

IOWA BOARD OF PHARMACY
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The Iowa Board of Pharmacy (Board) and Matthew Kolb (Respondent) enter into the Consent Agreement (Agreement) pursuant to Iowa Code sections 17A.10 and 272C.3(4) (2009):

1. The Respondent seeks a license to practice pharmacy in the State of Iowa.
2. The Respondent is currently licensed to practice pharmacy in the State of Illinois. The Respondent's Illinois license was suspended for a period of thirty (30) days on or about November 10, 2005. After the term of suspension, Respondent's license No. 51288637 was placed on indefinite probation for a minimum period of five (5) years.
3. The Respondent's history of license discipline in the State of Illinois would provide the Board with grounds to deny him a license to practice pharmacy in the State of Iowa. As part of his probation terms, he has entered into the Illinois Professionals Health Program (IPHP), has signed an Aftercare Agreement with IPHP following treatment at The Resurrection Behavioral Health-Professionals Program, and is in full compliance with the terms of his Aftercare Agreement. Respondent's substance use disorder is in sustained remission. Given continued

compliance with his treatment plan, Respondent's prognosis for sustained recovery is excellent. (IPHP report)

4. Upon approval of this Agreement by the Board, the Respondent shall receive a license to practice pharmacy in the State of Iowa subject to an indefinite period of probation as provided in this agreement.
5. The Respondent's license to practice pharmacy in Iowa shall be issued and placed on probation for an indefinite period of probation for a minimum of one (1) year. Respondent may petition for restoration from said probation after his Illinois license has been restored from said probation after full compliance with his Aftercare Agreement.
6. Respondent shall comply with all substantive conditions of the Aftercare Agreement entered into with the IPHP, unless another Aftercare Program is pre-approved in writing by the Board.
7. During the probationary period, the Respondent shall comply with the following terms:
 - a. The Respondent shall routinely attend approved self-help group meetings pursuant to the terms of the Aftercare Agreement.
 - b. Respondent shall not consume alcohol and/or use of any controlled substance or prescription drug in any form unless the controlled substance or prescription drug has been authorized and prescribed for the Respondent by a licensed, treating physician or other qualified treating health care provider. The Respondent shall inform any treating physician or other treating health care provider of his medical history, including his history of chemical dependency.
 - c. The Respondent shall submit monitored random urine, blood or other toxicology screens within twenty-four (24) hours of a request made by the Aftercare Program. Respondent shall arrange that the Board receive copies of the results of such toxicology screens. A positive screen shall be considered a violation of the terms of this

Consent Order and shall be grounds to automatically, indefinitely, and immediately suspend Respondent's license for a minimum period of six (6) months. Respondent's self reporting of a relapse and/or testing positive shall be considered a positive screen. Failure to appear for, refusal to provide, adulteration of or tampering with a urine drug screen shall be considered a presumptive positive. Because Respondent is currently participating in the IPHP, Respondent agrees to provide the Board access to the results of drug and alcohol screening performed by IPHP. Respondent shall provide, within 15 days of the date this Consent Agreement is executed by the Board, a signed release – in a form acceptable to IPHP – permitting the Board to access all medical information, including test results, generated by IPHP and relating to Respondent. Respondent will arrange with IPHP to have all screening results forwarded to the Board, at Respondent's cost, and will also provide to the Board evidence that such an arrangement has been formalized. If, for whatever reason, the Board finds that information from IPHP is insufficient or untimely, the Board may require Respondent to utilize the drug screening services of First Lab, or another company, as appropriate.

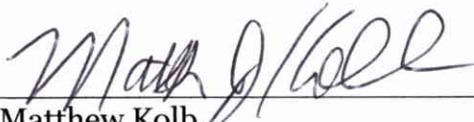
- d. Respondent shall provide, upon request of an agent of the Board, copies of or access to all his medical records.
- e. Respondent shall cause copies of quarterly reports from his Aftercare Program Director and/or Case Manager to be sent to the Board which documents his compliance with all the terms of the Aftercare Agreement.
- f. Respondent shall secure a primary care physician and shall ensure the submission to the Board of quarterly reports from his primary treating physician and/or treating physician regarding the Respondent's condition, prognosis, and any medication prescribed.
- g. 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.
- h. The Respondent shall file written, sworn quarterly reports with the Board attesting to his compliance with all the terms and conditions of this Consent Agreement. The reports shall be filed no later than March 5, June 5, September 5, and December 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, or work telephone number, and any further information deemed necessary by the Board from time to time.

- i. The Respondent shall attend Aftercare meetings and Alcoholics Anonymous (AA) or Narcotics Anonymous (NA) meetings as recommended by the Respondent's physician or treatment provider. The Respondent shall append to each quarterly report referred to in subparagraph 7(f) above, statements signed or initialed by another person in attendance at the meetings attesting to the Respondent's attendance and continuing participation. The statement shall include the time, date, and location of the meetings attended.
 - j. The Respondent shall make 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.
 - k. The Respondent shall obey all federal and state laws and regulations substantially related to the practice of pharmacy and the distribution of controlled substances.
 - l. The Respondent shall provide evidence of efforts to maintain skill and knowledge as a pharmacist through continuing education (CE) as directed by the Board.
 - m. The Respondent shall not supervise any registered pharmacist-intern and shall not perform any of the duties of a pharmacy preceptor.
 - n. The Respondent shall not serve as the pharmacist in charge of a pharmacy.
8. The Board reserves the right to review the Respondent's compliance with the terms of this Agreement at any time.
 9. Should the Respondent violate the terms of this Consent Agreement in any respect, the Board may institute formal disciplinary proceedings. This Agreement shall be made part of the permanent record of the Board, and violations of this Agreement may be considered by the Board in determining the nature and severity of any future disciplinary action.

10. The Respondent voluntarily agrees to enter into this Agreement with the Board.
11. This Agreement is a public record available for inspection and copying in accordance with Iowa law.
12. Upon successful completion of the probationary term described by the Agreement, 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 Agreement are agreed to and accepted by the Respondent and the Iowa Board of Pharmacy.

This Stipulation and Consent Order is hereby accepted and approved by Respondent on the 5th day of January, 2010.



Matthew Kolb
Respondent

Subscribed and sworn to before me by Matthew Kolb on the 05th day of January, 2010.





NOTARY PUBLIC IN AND FOR THE
STATE OF ILL.

This Stipulation and Consent Order was accepted by the Iowa Board of Pharmacy on the 26th day of January, 2010.



VERNON H. BENJAMIN, 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

**IN THE MATTER OF THE STIPULATION AND CONSENT ORDER AGAINST
MATTHEW KOLB, R.Ph., RESPONDENT
LICENSE No. 21184**

TERMINATION ORDER

DATE: July 6, 2011

1. On January 26, 2010, a Consent Agreement was approved by the Iowa Board of Pharmacy issuing and placing on probation a license to practice pharmacy, number 21184 to Matthew Kolb, on probation for an indefinite period of time under certain terms and conditions.
2. On May 16, 2011, Respondent petitioned the Board for release from probation based on discipline in Illinois has been cleared.
3. After careful consideration, 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