

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

Re:)	Case No. 2005-83
Pharmacy Technician Registration of:)	
JODIE LAIRD,)	STATEMENT OF CHARGES
Registration No. 5366,)	
Respondent.)	

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

1. He is the Executive Secretary/Director for the Iowa Board of Pharmacy Examiners 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 (2005).
3. The Board issued Respondent Jodie Laird a pharmacy technician registration number 5366, authorizing her to serve as a pharmacy technician, subject to the laws of the State of Iowa and the rules of the Board. Respondent's registration was renewed June 10, 2004.
4. Respondent's technician registration is current and active until June 30, 2006.
5. Respondent's address of record is 603 Main Street, Bagley, Iowa 50026.
6. At all times material to this statement of charges, Respondent was employed as a pharmacy technician at Medicap Pharmacy, 250 Gateway Drive, Grimes, Iowa, 50111.

A. CHARGES

COUNT I – LACK OF PROFESSIONAL COMPETENCY

Respondent is charged with a lack of professional competency, in violation of Iowa Code § 155A.6(7) (2005) and 657 Iowa Administrative Code § 36.1(4), including a failure to exercise in a substantial respect that degree of care which is ordinarily exercised by the average pharmacy technician in the state of Iowa acting under the same or similar circumstances.

COUNT II – IMPROPER PERFORMANCE OF PHARMACIST FUNCTIONS

Respondent is charged with the improper performance of pharmacist functions, in violation of Iowa Code § 155A.6(7) (2005) and 657 Iowa Administrative Code §§ 6.7(3), and 36.1(4)(i) and

(l), including pharmacist functions such as filling, providing final verification of and dispensing prescriptions.

COUNT III – ENGAGING IN UNETHICAL CONDUCT

Respondent is charged with engaging in unethical conduct in violation of Iowa Code § 155A.6(7) (2005) and 657 Iowa Administrative Code §§ 6.7(3), 8.11(1) and 36.1(4)(c) by, among other things, being party to a deceitful practice in a pharmacy.

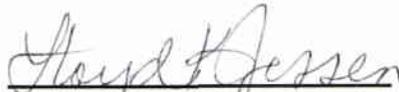
COUNT VI – SUBVERTING A BOARD INVESTIGATION

Respondent is charged with subverting a Board investigation in violation of Iowa Code § 155A.6(7) (2005) and 657 Iowa Administrative Code § 36.1(4)(z) by, among other things, attempting to conceal the fact that prescription medications were being dispensed by Respondent.

B. CIRCUMSTANCES

The circumstances supporting the above charges are set forth in Attachment A.

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 Secretary/Director

On this 26 day of January 2006, the Iowa Board of Pharmacy Examiners found probable cause to file this Statement of Charges and to order a hearing in this case.



MICHAEL J. SEIFERT, Chairperson

Iowa Board of Pharmacy Examiners

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 50319

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

RECEIVED
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IOWA PHARMACY EXAMINERS

Re:)	Case No. 2005-83
Pharmacy Technician Registration of)	
JODIE LAIRD)	STIPULATION
Registration No. 5366)	AND
Respondent)	CONSENT ORDER
)	

Pursuant to Iowa Code §§ 17A.10 and 272C.3 (4) (2005), the Iowa Board of Pharmacy Examiners (hereinafter, "Board") and Jodie Laird (hereinafter, "Respondent") enter into the following Stipulation and Consent Order settling a contested case. The pending contested case is a disciplinary proceeding before the Iowa Board of Pharmacy Examiners based on allegations specified in a Statement of Charges filed January 26, 2006. The Board and Respondent, who hereby agree that the contested case shall be resolved without proceeding to hearing, stipulate to the following:

1. Respondent was issued a pharmacy technician registration, as evidenced by Pharmacy Technician Registration Number 5366, which is recorded in the permanent records of the Iowa Board of Pharmacy Examiners.
2. Iowa Pharmacy Technician Registration Number 5366, issued to and held by Respondent is delinquent, having expired June 30, 2006.
3. The Iowa Board of Pharmacy Examiners has jurisdiction over the parties and the subject matter herein.
4. A Statement of Charges was filed against the Respondent on January 26, 2006.
5. At all times material to the Statement of Charges, Respondent was employed as a pharmacy technician at Medicap Pharmacy, 250 Gateway Drive, Grimes, Iowa.

6. Respondent does not 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. Commencing on the date of the Board's approval of this Stipulation and Consent Order, Respondent's registration shall be suspended for a six (6) month period. At the conclusion of the six-month period, Respondent's technician registration shall be placed on probation on terms including, but not be limited to, the following:

a. Respondent must agree to comply with the terms of probation.

b. Respondent's period of probation shall continue for five (5) years or until Respondent has been employed in Iowa as a pharmacy technician for five years subsequent to the date of this Stipulation and Consent Order, with only those time periods during which Respondent is employed as a pharmacy technician in Iowa counting toward satisfaction of the probationary period requirement.

c. Respondent shall be assessed a civil penalty in the amount of \$500. This civil penalty payment shall be 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.

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 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.

f. Respondent shall notify all present 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. 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 her probationary period. Respondent shall be given reasonable notice of the date, time, and place for the appearances.

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

i. After completion of three (3) years of her probationary period, Respondent may petition the Board for early termination of probation.

j. Such other reasonable terms as the Board may wish to impose.

8. Should the 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 the Respondent's pharmacy technician registration or to impose other licensee discipline as authorized by Iowa Code chapters 272C and 155A (2005) and 657 IAC 36.

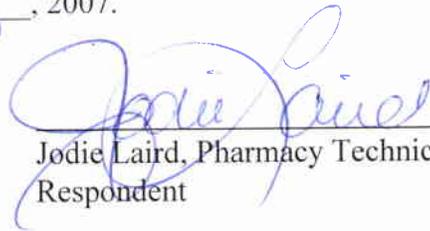
9. This Stipulation and Consent Order constitutes the resolution of a contested case. By entering into this Stipulation and Consent Order, Respondent waives all rights to a contested case hearing on the allegations contained in the Statement of Charges, and waives any objections to this Stipulation and Consent Order.

10. This Stipulation and Consent Order is a proposed settlement, and is subject to approval by

a majority of the full Board. If the Board fails to approve this Stipulation and Consent Order, 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.

11. The Board's approval of this Stipulation and Consent Order shall constitute a FINAL ORDER of the Board in a disciplinary action.

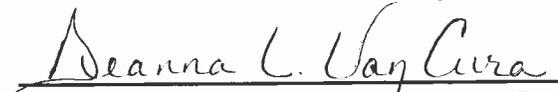
This Stipulation and Consent Order is voluntarily submitted by Respondent to the Board for its consideration on the 9 day of January, 2007.



Jodie Laird, Pharmacy Technician
Respondent

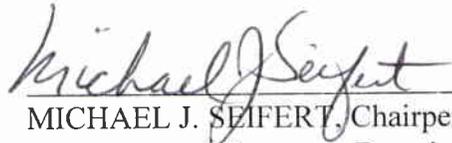
Subscribed and sworn to before me by Jodie Laird on this 9th day of January, 2007.





NOTARY PUBLIC IN AND FOR THE
STATE OF IOWA

This Stipulation and Consent Order is accepted by the Iowa Board of Pharmacy Examiners on the 16th day of January, 2007.



MICHAEL J. SEIFERT, Chairperson
Iowa Board of Pharmacy Examiners
400 SW Eighth Street, Suite E
Des Moines, Iowa 50309-4688

cc: Scott M. Galenbeck
Assistant Attorney General
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Jodie Laird
603 Main Street,
Bagley, Iowa 50026

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