

BEFORE THE IOWA BOARD OF PHARMACY

Re:)	Case No. 2011-103
Pharmacy Technician Registration of)	
SARAH E. LEWIS)	STATEMENT OF CHARGES
Registration No. 4532,)	
Respondent)	

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

1. He is the Executive Director of the Iowa Board of Pharmacy and files this Statement of Charges solely in his official capacity.
2. The Board has jurisdiction in this matter pursuant to Iowa Code Chapters 147, 155A and 272C (2011).
3. The Board issued Sarah E. Lewis (hereinafter, "Respondent") pharmacy technician registration number 4532, registering her as a pharmacy technician subject to the laws of the State of Iowa and the rules of the Board. Respondent's registration was last renewed on December 28, 2010, and will expire on December 31, 2012.
4. At all times material to this Statement of Charges, Respondent was employed as a pharmacy technician at the Thielen Student Health Center Pharmacy, 1042 Student Health Center Building, Iowa State University, Ames, Iowa.

A. CHARGES

COUNT I – UNLAWFUL POSSESSION AND DISTRIBUTION OF DRUGS

Respondent is charged pursuant to Iowa Code §§ 124.403, 155A.6A(5) and 155A.21 (2011), and 657 Iowa Administrative Code § 36.1(4)(h), with distribution to herself and possession of a prescription drug – specifically, a controlled substance – for other than lawful purposes.

COUNT II – VIOLATING LAWS RELATED TO PHARMACY

Respondent is charged pursuant to Iowa Code § 155A.6A(5) (2011) and 657 Iowa Administrative Code § 36.1(4)(j) with violating state laws related to the practice of pharmacy; specifically, laws relating to possession and distribution of controlled substances found at Iowa Code §§ 124.403 and 155A.21 (2011).

B. CIRCUMSTANCES

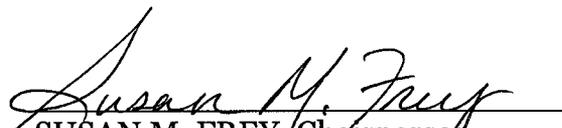
On March 29, 2011 an investigation was commenced which revealed the following:

1. At all material times, Respondent was employed at the Thielen Student Health Center Pharmacy, 1042 Student Health Center Building, Iowa State University, Ames, Iowa.
2. Respondent took 5 tablets of alprazolam from the pharmacy supply at a time when it was inconvenient for her to obtain a prescription refill from her pharmacy. Respondent left a note indicating she would replace the tablets the next day, after she had obtained a refill of her alprazolam prescription. At the time she took the 5 tablets, Respondent explained to a co-worker what she was doing.
3. On October 21, 2011, Respondent pleaded guilty, in Iowa District Court, to unlawful possession of a prescription drug.

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 27th day of June 2012, the Iowa Board of Pharmacy found probable cause to file this Statement of Charges and to order a hearing in this case.


SUSAN M. FREY, Chairperson
Iowa Board of Pharmacy
400 SW Eighth Street, Suite E
Des Moines, Iowa 50309-4688

cc: Theresa Weeg
Assistant Attorney General
Hoover State Office Building
Des Moines, Iowa

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BEFORE THE IOWA BOARD OF PHARMACY

IN THE MATTER OF THE)	Case No. 2011-103
STATEMENT OF CHARGES AGAINST)	
SARAH LEWIS,)	SETTLEMENT AGREEMENT
Technician Registration No. 4532)	AND
Respondent.)	FINAL ORDER

Pursuant to Iowa Code sections 17A.10 and 272C.3(4) (2011), the Iowa Board of Pharmacy and Sarah Lewis (Respondent) enter into the following Settlement Agreement and Final Order to settle a disciplinary proceeding currently pending before the Board.

The allegations contained in a Statement of Charges against Respondent shall be resolved without proceeding to hearing, as the Board and Respondent agree:

1. Respondent was issued Pharmacist Technician Registration No. 4532.
2. Iowa Pharmacist License Number 4532 is currently active.
3. The Board has jurisdiction over the parties and subject matter in this case.
4. A Statement of Charges was filed against the Respondent on June 27, 2012.
5. Respondent has chosen not to contest the allegations in the Statement of Charges. Respondent acknowledges that the allegations, if proven in a contested case proceeding, would constitute grounds for the discipline agreed to in this Order.
6. Respondent is **CITED** for the lawful possession of drugs and violating rules related to the practice of pharmacy. Respondent is **WARNED** that her failure to

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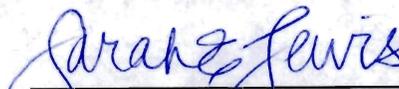
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IOWA BOARD OF PHARMACY

- comply with the laws governing the practice of pharmacy in Iowa could result in further discipline against her license.
7. Respondent shall be assessed a civil penalty in the amount of \$250.00. This civil penalty shall be made payable to the Treasurer of Iowa and mailed to the executive director of the Board within ninety (90) days of the Board's approval of this Settlement Agreement and Final Order. All civil penalty payments shall be deposited into the State of Iowa general fund.
 8. If Respondent violates or fails to comply with any of the terms of this Settlement Agreement and Final Order, the Board may initiate action to revoke or suspend Respondent's pharmacist license or to impose other licensee discipline as authorized by Iowa Code chapters 272C and 155A (2011) and 657 Iowa Administrative Code chapter 36.
 9. This Settlement Agreement and Final Order is the resolution of a contested case. By entering into this Settlement Agreement and Final Order, Respondent waives all rights to a contested case hearing on the allegations in the Statement of Charges, and waives any objections to this Final Order.
 10. The State's legal counsel may present this Settlement Agreement and Final Order to the Board *ex parte*.
 11. This Settlement Agreement and Final 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 Settlement Agreement and Final Order, it shall be the full and final resolution of this matter.

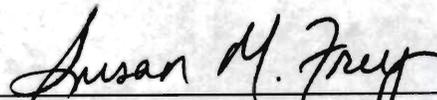
12. The Board's approval of this Settlement Agreement and Final Order shall constitute a **FINAL ORDER** of the Board in a disciplinary action.

This Settlement Agreement and Final Order is voluntarily submitted by Respondent to the Board for its consideration on the 26 day of November 2012.



SARAH LEWIS, Pharmacy Technician
Respondent

This Settlement Agreement and Final Order is accepted by the Iowa Board of Pharmacy on the 6th day of December 2012.



SUSAN M. FREY, Chairperson
Iowa Board of Pharmacy
400 SW Eighth Street, Suite E
Des Moines, Iowa 50309-4688

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