

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

Re:)
Pharmacist License of)
PORTIA W. LICHT) **STATEMENT OF CHARGES**
License No. 13316)
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 (1997).
3. On ~~July 23, 1993~~ *June 13, 1967*, the Board issued Respondent, Portia W. Licht, a license to engage in the practice of pharmacy by examination as evidenced by license number 13316, subject to the laws of the State of Iowa and the rules of the Board.
4. License number 13316 is current and active until June 30, 2000.
5. Respondent's current address is 2330 Ivy Avenue, Waverly, Iowa 50677-9013.
6. Respondent is currently employed as a pharmacist at Kimball Avenue Drug, 2104 Kimball Avenue, Waterloo, Iowa 50702 and Falls Road Drug, 1608 Union Road, Cedar Falls, Iowa 50613, and has been employed as such during all times relevant to this statement of charges.

COUNT I

The Respondent is charged with failing to provide patient counseling, including failing to provide warnings with respect to potential drug-drug interaction and manufacturer's patient package inserts or other written material about the prescribed medications to a patient under Iowa Code § 155A.12(1) and 657 Iowa Administrative Code §§ 8.20, 9.1(4)(b)(4).

THE CIRCUMSTANCES

1. On January 19, 1999, as part of a shopper survey conducted by the Board, the Respondent was presented with a new prescription drug order by a prospective

patient.

2. One of the patient's prescriptions was for Coumadin.
3. The Respondent had not marked the patient's prescription as a new prescription that required counseling.
4. The patient did not receive any counseling when she picked up her prescription, was not counseled about a potential drug-drug interaction between Coumadin and aspirin, and did not receive any written information about the medicines she received.

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 14 day of April, 1999, the Iowa Board of Pharmacy Examiners found probable cause to file this Statement of Charges and to order a hearing in this case.


Arlan D. VanNorman, Chairperson
Iowa Board of Pharmacy Examiners
1209 East Court Avenue
Des Moines, Iowa 50319

cc: Shauna Russell Shields
Assistant Attorney General
Hoover State Office Building
Des Moines, Iowa 50319

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

Re: Pharmacist License of
PORTIA W. LICHT
License No. 13316
Respondent

}
}
} **STIPULATION**
} **AND**
} **CONSENT ORDER**
}

On this 15th day of July, 1999, the Iowa Board of Pharmacy Examiners and Portia W. Licht, of 2330 Ivy Avenue, Waverly, Iowa 50677-9013, each hereby agree with the other and stipulate as follows:

The licensee disciplinary hearing pending before the Iowa Board of Pharmacy Examiners, on the allegations specified in the Statement of Charges filed against Respondent on April 14, 1999, shall be resolved without proceeding to hearing, as the parties have agreed to the following Stipulation and Consent Order:

1. That Respondent was issued a license to practice pharmacy in Iowa on the 13th day of June, 1967, by examination as evidenced by Pharmacist License Number 13316, which is recorded in the permanent records of the Iowa Board of Pharmacy Examiners.
2. That Iowa Pharmacist License Number 13316 issued to Respondent is active and current until June 30, 2000.
3. That the Iowa Board of Pharmacy Examiners has jurisdiction over the parties and the subject matter herein.
4. A Statement of Charges was filed against Respondent on April 14, 1999.

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PHARMACY BOARD

5. This Stipulation and Consent Order is entered into in order to resolve disputed claims and constitutes no admission on the part of the Respondent.

6. Respondent agrees to accept a citation and warning for the allegations set forth in the Statement of Charges.

7. Within sixty (60) days of the date of approval of this Stipulation and Consent Order by the Board, the Respondent shall develop and submit to the Board, for its approval, a written policy and procedure for providing patient counseling as required by Board rules. Following review and approval by the Board, the Respondent agrees to adopt, implement, and adhere to this policy and procedure.

8. Within six (6) months of the date of approval of this Stipulation and Consent Order by the Board, the Respondent shall complete continuing pharmacy education (CPE) or other formal, structured education in patient counseling. The education shall be *not less than* six (6) hours in length and shall be pre-approved by the Board and shall be three (3) hours of counseling and three (3) hours of prospective drug review. Documentation of satisfactory completion of the education shall be submitted to the Board. This education is in addition to the thirty (30) hours of continuing pharmacy education required every two years for license renewal.

9. Respondent shall file a sworn report with the Board upon completion of the above conditions attesting to her compliance with all the terms and conditions of this Stipulation and Consent Order.

10. Respondent shall pay a civil penalty of \$250.00 within 30 days of the date of approval of this Stipulation and Consent Order by the Board. Respondent shall deliver a check made payable to the Treasurer of the State of Iowa to the Executive Secretary/Director of the Board. The check shall be deposited into the general fund of the State of Iowa.

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

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PHARMACY BOARD

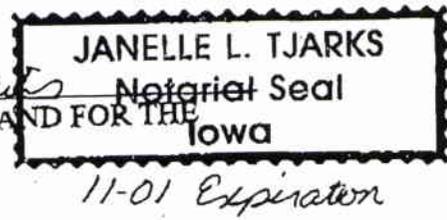
12. This proposed settlement is subject to approval of a majority of the full Board. If the Board fails to approve this proposed settlement, it shall be of no force or effect to either party. If the Board approves this Stipulation and Consent Order, it shall be the full and final resolution of this matter.

13. This Stipulation and Consent Order is voluntarily submitted by Respondent to the Board for its consideration on the 15 day of September, 1999.

Portia W. Licht
Portia W. Licht, R.Ph.
Respondent

Subscribed and Sworn to before me on this 15 day of September, 1999.

Janelle L. Tjarks
NOTARY PUBLIC IN AND FOR THE
STATE OF IOWA



14. This Stipulation and Consent Order is accepted by the Iowa Board of Pharmacy Examiners on the 15th day of September, 1999.

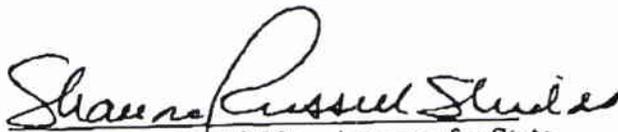
Arland D. Van Norman
ARLAND D. VAN NORMAN, Chairperson
Iowa Board of Pharmacy Examiners
Executive Hills West
1209 East Court Avenue
Des Moines, Iowa 50319

APPROVED AS TO FORM

Robert Dieter
Robert Dieter - Attorney for Respondent

SEP-14-1999 17:00

PHARMACY BOARD



Shauna Russell Shields - Attorney for State

cc: Shauna Russell Shields, Assistant Attorney General
Robert Dieter