

**BEFORE THE IOWA BOARD OF PHARMACY**

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Re:	)	CASE NO. 2013-140
Pharmacist License of	)	
	)	<b>NOTICE OF HEARING AND</b>
<b>JAMES NIELCEN</b>	)	<b>STATEMENT OF CHARGES</b>
License No. 14579	)	
Respondent.	)	

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COMES NOW the Iowa Board of Pharmacy (Board) and files this Notice of Hearing and Statement of Charges against James Nielcen, 921 Fletcher Avenue, Waterloo, Iowa 50701 pursuant to Iowa Code sections 17A.12(2) and 17A.18(3). Respondent's Iowa pharmacist license number 14579 is currently active and expires on June 30, 2015.

**A. TIME, PLACE, AND NATURE OF HEARING**

Hearing. A disciplinary contested case hearing shall be held on January 13, 2014, before the Board. The hearing shall be held during the afternoon session beginning at 1:00 p.m. and shall be located in the Board conference room located at 400 S.W. 8<sup>th</sup> Street, Des Moines, Iowa.

Presiding Officer. The Board shall serve as presiding officer, but the Board may request an Administrative Law Judge from the Department of Inspections and Appeals make initial rulings on pre-hearing matters, and be present to assist and advise the Board at the hearing.

Hearing Procedures. The procedural rules governing the conduct of the hearing are found at 657 Iowa Administrative Code rule 35.19. At the hearing, you may appear personally or be represented by counsel at your own expense. You will be allowed the opportunity to respond to the charges against you, to produce evidence on your behalf on issues of material fact, cross-examine witnesses present at the hearing, and examine and respond to any documents introduced at the hearing. If you need to request an alternative time or date for the hearing, you must comply with the requirements in 657 Iowa Administrative Code rule 35.16. The hearing may be open to the public or closed to the public at your discretion.

Prosecution. The Office of Attorney General is responsible for representing the public interest (the State) in this proceeding. Copies of pleadings should be provided to counsel for the State at the following address:

Meghan Gavin  
Assistant Attorney General  
Iowa Attorney General's Office  
2<sup>nd</sup> Floor, Hoover State Office Building  
Des Moines, Iowa 50319

Ms. Gavin can also be reached by phone at (515) 281-6736 or by e-mail at [Meghan.Gavin@iowa.gov](mailto:Meghan.Gavin@iowa.gov).

Communications. You may contact the Board office at (515) 281-5944 with questions regarding this notice and other matters relating to these disciplinary proceedings. You may not contact individual Board members in any manner, including by phone, letter, or e-mail, regarding this Notice of Hearing and Statement of Charges. Board members may only receive information about the case when all parties have notice and the opportunity to participate, such as at the hearing or in pleadings you file with the Board office and serve upon all parties in the case.

## **B. LEGAL AUTHORITY AND JURISDICTION**

Jurisdiction. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 147, 155A, and 272C (2013).

Legal Authority. If any of the allegations against you are founded, the Board has authority to take disciplinary action against you under Iowa Code chapters 147, 155A, and 272C (2013) and under 657 Iowa Administrative Code chapter 36.

Default. If you fail to appear at the hearing, the Board may enter a default decision or proceed with the hearing and render a decision in your absence, in accordance with Iowa Code section 17A.12(3) and 657 Iowa Administrative Code rule 35.21.

## **C. CHARGES**

### **Count I**

#### **HABITUAL INTOXICATION**

Respondent is charged with the inability to practice as a pharmacist with reasonable skill and safety due to habitual intoxication pursuant to Iowa Code sections 147.55(4) and 155A.12(3) and 657 Iowa Administrative Code rule and 36.1(4)(d).

### **Count II**

#### **ENGAGING IN UNETHICAL BEHAVIOR**

Respondent is charged with engaging in unethical behavior, pursuant to Iowa Code section 155A.12(2) and 657 Iowa Administrative Code rules 8.11(8), 36.1(4)(c), and 36.1(4)(u).

### **Count III**

#### **UNLAWFUL POSSESSION OF PRESCRIPTION DRUGS**

Respondent is charged with unlawful possession of prescription drugs, including controlled substances, for other than lawful purposes, in violation of Iowa Code sections 124.401 and 155A.21(1), pursuant to Iowa Code section 155A.12(5) and 657 Iowa Administrative Code rule 36.1(4)(j).

**D. FACTUAL CIRCUMSTANCES**

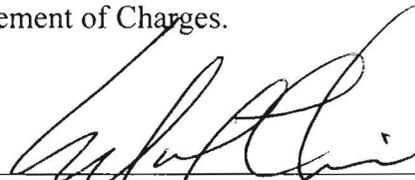
1. Respondent holds Iowa pharmacist license number 14579, which is currently active and expires on June 30, 2015.
2. On July 25, 2013, Respondent was terminated from Tom's Family Pharmacy for consuming alcohol at work.
3. Respondent admitted to drinking heavily in the days preceding his termination.
4. Respondent later admitted to a Board compliance officer that he took small amounts of hydrocodone for personal use from Tom's Family Pharmacy throughout his five year employment.

**E. SETTLEMENT**

This matter may be resolved by settlement agreement. The procedural rules governing the Board's settlement process are found at 657 Iowa Administrative Code rule 36.6. If you are interested in pursuing settlement in this matter, please contact Assistant Attorney General Meghan Gavin at (515) 281-6736.

**F. FINDING OF PROBABLE CAUSE**

On this 5<sup>th</sup> day of November, 2013, the Iowa Board of Pharmacy found probable cause to file this Notice of Hearing and Statement of Charges.



Edward Maier, Chairperson  
Iowa Board of Pharmacy  
400 SW Eight Street, Suite E  
Des Moines, Iowa 50309-4688

cc: Meghan Gavin  
Assistant Attorney General  
Hoover Building, 2<sup>nd</sup> Floor  
Des Moines, IA 50319

Inspections and Appeals

PROOF OF SERVICE

The undersigned certifies that the foregoing instrument was served upon Respondent to the above cause by:

- |                                                                              |                                           |
|------------------------------------------------------------------------------|-------------------------------------------|
| <input type="checkbox"/> personal service                                    | <input type="checkbox"/> first class mail |
| <input checked="" type="checkbox"/> certified mail, return receipt requested | <input type="checkbox"/> facsimile        |
| Article Number <u>9171999991703239553094</u>                                 | <input type="checkbox"/> other _____      |

on the 7th day of November, 2013.

I declare that the statements above are true to the best of my information, knowledge and belief.

  
\_\_\_\_\_  
Debbie S. Jorgenson

**BEFORE THE IOWA BOARD OF PHARMACY**

IN THE MATTER OF:	)	Case No. 2013-140
Pharmacist License of	)	
<b>JAMES NIELCEN;</b>	)	<b>SETTLEMENT AGREEMENT</b>
Pharmacist No. 14579	)	<b>AND</b>
Respondent	)	<b>FINAL ORDER</b>
	)	

Pursuant to Iowa Code §§ 17A.10 and 272C.3(4) (2013), the Iowa Board of Pharmacy and James Nielcen (hereinafter, "Respondent"), enter into the following Settlement Agreement and Final Order settling a licensee disciplinary proceeding currently pending before the Board.

Allegations contained in Statements of Charges against Respondent shall be resolved without proceeding to hearing, as the Board and Respondent stipulate as follows:

1. Respondent was issued pharmacist license number 14579.
2. Respondent's license is currently active and next expires on June 30, 2015.
3. At times material to the Statement of Charges, Respondent was employed at Tom's Family Pharmacy. Respondent was terminated on July 25, 2013.
4. A Statement of Charges was filed against Respondent by the Board on November 5, 2013.
5. The Board has jurisdiction over the parties and jurisdiction over the subject matter of these proceedings.
6. Respondent has chosen not to contest the allegations set forth in the Statements of Charges and acknowledges that the allegations, if proven in a contested case proceeding, would constitute grounds for the discipline described herein.

7. On the date of the Board's approval of this Settlement Agreement and Final Order, Respondent's license shall be suspended indefinitely. Suspension of Respondent's license may be terminated only at such time as Respondent:

a. Obtains a complete physical and mental health evaluation—including a substance abuse evaluation—from a physician/treatment provider pre-approved by the Board.

b. Delivers to the Board a written, fully documented, and current physical and mental health evaluation—including a substance abuse evaluation—of Respondent which concludes that Respondent is mentally and physically fit to practice pharmacy. Any conclusion that the Respondent is fit to return to *the practice of pharmacy* will include an assessment of Respondent's ability to cope with the presence of controlled substances in the pharmacy setting.

c. Permits the Board complete access to Respondent's medical records, including records of substance abuse evaluation and treatment.

8. At such time as Respondent is able to deliver to the Board a written, fully documented, and current physical and mental health evaluation, including a substance abuse evaluation, which concludes that Respondent is mentally and physically fit to *practice pharmacy*, Respondent may petition the Board for (a) termination of the suspension of Respondent's license and (b) commencement of a period of probation.

9. In the event the Board determines that Respondent's license suspension should be terminated, Respondent's license to practice pharmacy shall be placed on probation. The terms of probation shall include, but not be limited to, the following:

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

b. The period of probation shall be five (5) years provided, however, that only those time periods during which Respondent is employed as a pharmacist shall count toward exhaustion of the probationary term.

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. Respondent shall report to the Board 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 Settlement Agreement and Final Order, by date*, and any further information deemed necessary by the Board from time to time.

e. Respondent shall notify all 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 Settlement Agreement and Final Order.

f. Within thirty (30) days after approval of this Settlement Agreement and Final 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.

g. Respondent shall appear informally before the Board, upon the

request of the Board, for the purpose of reviewing his performance as a pharmacist during Respondent's 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 related to the practice of pharmacy.

i. Respondent shall not possess or use any controlled substance or prescription drug in any form unless the controlled substance or prescription drug has been authorized and prescribed for Respondent by a licensed, treating physician or other qualified treating health care provider. Respondent shall inform any treating physician or other treating health care provider of her medical history, including any history of chemical dependency.

j. Respondent shall provide witnessed blood, hair or urine specimens on demand by the Board or its agents. The specimens shall be used for alcohol and drug screening, and to verify Respondent's compliance with this Settlement Agreement and Final Order and any drug therapy ordered by Respondent's physician or treatment provider. All costs related to the analysis of such specimens shall be paid by Respondent.

k. To facilitate performance of the preceding paragraph, Respondent shall report to and provide a specimen to any healthcare provider specified by the Board—said healthcare provider to be located in reasonable proximity to Respondent—within 24 hours after notice from the Board requesting that Respondent provide a specimen. Respondent agrees to cooperate with the Board in establishing a specimen testing program through FirstLab, and hereby



consents to disclosure to the Board, by FirstLab or any other testing facility, of all medical information, including test results, generated by Respondent's contact with the facility.

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l. Respondent shall promptly provide, upon request of an agent of the Board, copies of or access to all his medical records.

m. If, as a result of the physical and mental health examinations of Respondent, Respondent's physician/treatment provider recommends a substance abuse treatment program, Respondent shall comply with such recommendations. In the event Respondent is participating in a substance abuse treatment program, Respondent's physician/treatment provider shall submit quarterly reports to the Board documenting Respondent's compliance with the treatment program.

n. Respondent shall not supervise any registered pharmacist-intern and shall not perform any of the duties of a pharmacy preceptor.

o. Such other reasonable terms as the Board may wish to impose as a result of (i) findings that Respondent is chemically dependant, (ii) the length of time Respondent's license is suspended pursuant to paragraph 8 above or (iii) the amount or nature of chemical dependency treatment Respondent must participate in as directed by her physician/treatment provider. If Respondent is found to be chemically dependent, Respondent shall participate in the Iowa Pharmacy Recovery Network (IPRN) program, under the direct support of a pharmacist advocate.

10. Should Respondent violate or fail to comply with any of the terms and

conditions of this Settlement Agreement and Final Order, the Board may initiate action to revoke or suspend Respondent's Iowa pharmacist license or to impose other licensee discipline as authorized by Iowa Code chapters 272C and 155A (2013) and Iowa Administrative Code 657 chapter 36.

11. 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 contained in the Statement of Charges, and waives any objections to this Settlement Agreement and Final Order.

12. The State's legal counsel may present this Settlement Agreement and Final Order to the Board *ex parte*.

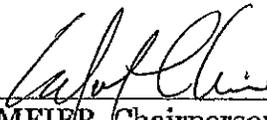
13. This Settlement Agreement and Final Order is subject to approval by a majority of the full Board. If the Board fails to approve this settlement, it shall be of no force or effect to either the Board or Respondent. If the Board approves this Settlement Agreement and Final Order, it shall be the full and final resolution of this matter.

14. The Board's approval of this Settlement Agreement and Final Order shall constitute a FINAL ORDER of the Board.

This Settlement Agreement and Final Order is voluntarily submitted by Respondent to the Board for its consideration on the 13<sup>th</sup> day of JANUARY 2014.

  
JAMES NIELCEN, R.Ph.  
Respondent

This Settlement Agreement and Final Order is accepted by the Iowa Board of Pharmacy on the 14<sup>th</sup> day of January 2014.



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EDWARD MEIER, Chairperson  
Iowa Board of Pharmacy  
400 SW Eighth Street, Suite E  
Des Moines, Iowa 50309-4688

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



BEFORE THE IOWA BOARD OF PHARMACY

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IN THE MATTER OF:	)	
	)	Docket No. 2013-140
Request for Reinstatement of	)	DIA No. 14PHB049
Pharmacist License	)	
<b>JAMES NIELCEN</b>	)	
License No. 14579,	)	<b>FINDINGS OF FACT,</b>
	)	<b>CONCLUSIONS OF LAW,</b>
Respondent.	)	<b>DECISION, AND ORDER</b>
	)	

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**STATEMENT OF THE CASE**

On November 18, 2014, a hearing was held before the Iowa Board of Pharmacy (Board) on the application for reinstatement filed by Respondent James Nielcen. The following members of the Board presided at the hearing: Edward Maier, Chairperson; James Miller; LaDonna Gratiias; Susan Frey; Judith Trumpy; Sharon Meyer; and Edward McKenna. Respondent appeared and was self-represented. Assistant attorney general Meghan Gavin represented the State. The hearing was closed to the public at the election of Respondent, pursuant to Iowa Code section 272C.6(1). The hearing was recorded by a certified court reporter. Administrative Law Judge Laura Lockard assisted the Board in conducting the hearing and was instructed to prepare the Board's written decision in accordance with its deliberations.

**THE RECORD**

The record includes Respondent's June 14, 2014 letter requesting reinstatement; the Notice of Hearing; and State's Exhibits 1 through 12.

**FINDINGS OF FACT**

Respondent James Nielcen was issued pharmacist license number 14579. Prior to the suspension referenced herein, Nielcen had been licensed as a pharmacist since approximately 1975 and had practiced in Iowa, Illinois, and Minnesota. On November 5, 2013, the Board issued a Statement of Charges alleging that Nielcen had been terminated from employment at Tom's Family Pharmacy for consuming alcohol at work and that Nielcen had admitted to drinking heavily in the days preceding his termination. Additionally, the Statement of Charges alleged that Nielcen admitted to a Board compliance officer that he took small amounts of hydrocodone for personal use from the pharmacy throughout his five-year employment. Nielcen does not dispute any of the factual allegations contained in the Statement of Charges. (Exh. 2; Nielcen testimony).

On January 14, 2014, the Board entered a Settlement Agreement and Final Order resolving the then-pending disciplinary proceeding. The order resulted in the indefinite suspension of Nielcen's pharmacist license and set forth terms upon which the suspension could be terminated. Specifically, the order provides that in order to terminate the suspension, Nielcen must: 1) obtain a complete physical and mental health evaluation, including a substance abuse evaluation, from a physician/treatment provider pre-approved by the Board; 2) deliver to the Board a written, fully documented, and current physical and mental health evaluation, including a substance abuse evaluation, which concludes that Nielcen is mentally and physically fit to practice pharmacy, including an assessment of Nielcen's ability to cope with the presence of controlled substances in the pharmacy setting; and 3) permit the Board complete access to his medical records, including records of substance abuse evaluation and treatment. The order goes on to indicate that at such time that Nielcen can satisfy the conditions for termination of the suspension, a five-year period of probation with specified terms shall commence. (Exh. 3).

On August 15, 2013, prior to entering into the settlement agreement with the Board, Nielcen entered intensive outpatient treatment at Horizons in Waterloo, Iowa. He completed treatment there on September 12, 2013. Nielcen's discharge summary indicates that he has a desire for long-term sobriety and has been hitting multiple 12-step meetings weekly with plans to continue. (Exh. 10).

On June 20, 2014, Nielcen requested reinstatement of his pharmacist license. Nielcen expressed in his letter requesting reinstatement his belief that he has fulfilled the terms necessary to lift the suspension.

In August, 2014, Nielcen submitted a substance abuse evaluation from Tim Law, BA, CADC, and Jim Hoeft, MA, LISW, IAADC, who are both affiliated with Horizons. The substance abuse evaluation was conducted on April 16 and July 15, 2014. Law and Hoeft assessed Nielcen's risk across several scales and concluded that his overall risk is low. Of particular note, they assessed Nielcen's relapse risk as low, noting that he has continued to demonstrate change both behaviorally and verbally. He has been attending at least six AA meetings weekly and has contact with his sponsor multiple times weekly, he has continued to attend Horizons' Growth Group, an alumni-led support group, and he has been attending Horizons' community group as an alumni on a regular basis, giving healthy and constructive feedback to peers. They note they have "full confidence in Mr. Nielcen's commitment to sobriety and working a recovery program." (Exh. 9).

Additionally, Law and Hoeft noted that Nielcen has complied with his aftercare plan from Horizons and recommended that he continue to follow the existing aftercare plan, including maintaining current levels of 12-step group attendance, maintaining current levels of contact with his sponsor, and maintaining compliance with all doctor and psychiatric recommendations. They concluded that Nielcen is able to safely return to working in a pharmacy environment in the presence of controlled substances. (Exh. 9).

Nielcen submitted a letter from his primary care provider, Dr. Nicholas Goetsch, dated January 27, 2014, verifying that Nielcen is medically able to return to his duties as a pharmacist. Nielcen's psychiatrist, Dr. Raja Akbar, submitted a letter dated January 29, 2014, stating that Nielcen has been treated for depressive and anxiety symptoms. Akbar stated that Nielcen is maintaining sobriety and is not experiencing anxiety and depressive symptoms that interfere with his daily functioning. From a psychiatric standpoint, Akbar expressed the belief that Nielcen can engage in work as a pharmacist as long as he continues with treatment. (Exh. 12).

Nielcen acknowledges that no addict can offer guarantees about his or her sobriety. He has, however, worked very hard at identifying and implementing steps to increase his chances of success in recovery. The last time that Nielcen attempted to become sober and went to AA meetings, he made mistakes, such as thinking that he did not need a sponsor and participating in a very limited fashion in meetings. Currently, Nielcen is attending between seven and eight AA meetings per week – at least one per day – and has a home group and a sponsor. In the context of his recovery efforts, Nielcen currently feels safe around drugs and alcohol. He does not believe that practicing pharmacy will pose a danger to his recovery. (Nielcen testimony).

Nielcen is interested in getting back into a light retail or limited hours hospital pharmacy practice. During his suspension, he became a nurse's aide in order to pay his bills and fill time. He also started taking nursing classes. (Nielcen testimony).

### CONCLUSIONS OF LAW

The Board's regulations regarding reinstatement provide, in relevant part:

**657-36.13 Reinstatement.** Any person whose license to practice pharmacy . . . has been revoked or suspended shall meet the following eligibility requirements for reinstatement:

**36.13(1) Prerequisites.** The individual shall satisfy all terms of the order of revocation or suspension or court proceedings as they apply to that revocation or suspension. If the order of revocation or suspension did not establish terms and conditions upon which reinstatement might occur, or if the license, registration, or permit was voluntarily surrendered, an initial application for reinstatement may not be made until one year has elapsed from the date of the board's order or the date of voluntary surrender.

...

**36.13(4) Burden of proof.** An application for reinstatement shall allege facts which, if established, will be sufficient to enable the board to determine that the basis for the revocation or suspension no longer exists and that it will be in the public interest for the license, registration, or permit to be reinstated. The burden of proof to establish such facts shall be on the respondent.

The Board's rules place a heavy burden on persons seeking reinstatement of a revoked or surrendered license. In this instance, the Board concludes that Nielcen has met this burden. Nielcen was candid in acknowledging and taking responsibility for the actions that resulted in his suspension. His own testimony and the documents submitted by his physician, his psychiatrist, his counselor, and Horizons' treatment staff demonstrate that he has committed himself fully to the recovery process and continues to actively follow the aftercare recommendations of Horizons and to participate in a significant way in AA and other structured group activities related to recovery.

Nielcen has fully satisfied the terms the Board laid out in the January 2014 settlement agreement. The mental health evaluation Nielcen submitted concluded that he was at a low risk for relapse. Additionally, the treatment professionals who completed the evaluation concluded that Nielcen is able to safely return to working in a pharmacy environment in the presence of controlled substances. Nielcen has demonstrated, by a preponderance of the evidence, that the basis for the suspension no longer exists and that it is in the public interest for his license to be reinstated, subject to the probationary terms outlined in this order.

#### **DECISION AND ORDER**

IT IS THEREFORE ORDERED that upon submission of verification of the required continuing education and payment of the applicable fee, Respondent's pharmacist license number 14579 shall be REINSTATED. Respondent's license shall immediately be placed on PROBATION for a term of five years. Periods when Respondent is not employed as a pharmacist shall not count toward satisfaction of the five-year probationary period.

IT IS FURTHER ORDERED that Respondent's probation shall be subject to the following terms and conditions:

- A. 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 days of such a change.
- B. Respondent shall report to the Board quarterly, in writing. The report shall include Respondent's place of employment, current address, Respondent's most recent efforts to comply with the terms of probation, and any further information deemed necessary by the Board from time to time. The reports shall be filed no later than March 5, June 5, September 5, and December 5 of each year of Respondent's probation.
- C. Respondent shall notify all 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 reinstatement order.

- D. Within 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.
- E. Respondent shall appear informally before the Board, upon the request of the Board, for the purpose of reviewing his 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 obey all federal and state laws, rules, and regulations related to the practice of pharmacy.
- G. Respondent shall abstain from alcohol and all other intoxicants.
- H. Respondent shall not possess or use any controlled substance or prescription drug in any form unless the controlled substance or prescription drug has been authorized and prescribed for Respondent by a licensed, treating physician or other qualified treating health care provider. Respondent shall inform any treating physician or treating health care provider of his medical history, including any history of chemical dependency.
- I. Respondent shall provide witnessed blood, hair or urine specimens on demand by the Board or its agents. The specimens shall be used for alcohol and drug screening, and to verify Respondent's compliance with this order and any drug therapy ordered by Respondent's physician or treatment provider. All costs related to the analysis of such specimens shall be paid by Respondent.
- J. To facilitate performance of the preceding paragraph, Respondent shall report to and provide a specimen to any healthcare provider specified by the Board – said healthcare provider to be located in reasonable proximity to Respondent – on the same day that the Board provides notice that a specimen is required. Respondent agrees to cooperate with the Board in establishing a specimen testing program through National Toxicology Services. Respondent shall sign all necessary releases to allow National Toxicology Services or any other testing facility to disclose to the Board his medical information, including test results, generated by Respondent's contact with the facility.
- K. Respondent shall promptly provide, upon request of an agent of the Board, copies of or access to all his medical records.
- L. Respondent shall attend and participate in Alcoholics Anonymous (AA), Narcotics Anonymous (NA), or a similarly structured support group on a regular weekly basis and shall maintain documentation of his attendance, which shall be included with his quarterly reports. Respondent shall maintain his relationship with his AA sponsor.

- M. Respondent shall not supervise any registered pharmacist-intern and shall not perform any of the duties of a pharmacy preceptor.
- N. Respondent shall participate in the Iowa Pharmacy Recovery Network (IPRN) program, under the direct support of a pharmacist advocate.
- O. Should Respondent violate or fail to comply with any of the terms and conditions of probation, the Board may initiate action to revoke or suspend Respondent's Iowa pharmacist license or to impose other licensee discipline as authorized by Iowa Code chapters 272C and 155A (2013) and 657 Iowa Administrative Code chapter 36.

Dated this 6th day of January, 2014.



Edward Majer  
Chairperson, Iowa Board of Pharmacy

cc: Meghan Gavin, Assistant Attorney General

*Any aggrieved or adversely affected party may seek judicial review of this decision and order of the board, pursuant to Iowa Code section 17A.19.*