

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

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Re:	)	Case No. 2001-13998
Pharmacist License of	)	
<b>ALAN S. NORGAARD</b>	)	<b>STATEMENT OF CHARGES</b>
License No. 13998	)	
Respondent	)	

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**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 (2001).
3. On March 1, 1972, the Board issued Respondent, Alan S. Norgaard, a license to engage in the practice of pharmacy by examination as evidenced by license number 13998, subject to the laws of the State of Iowa and the rules of the Board.
4. License number 13998 is current and active until June 30, 2003.
5. Upon information and belief, the Respondent's current address is 7193 NW 28<sup>th</sup> Ankeny, Iowa 50021.
6. Upon information and belief, the Respondent is not currently employed as a pharmacist. The Respondent was employed as a pharmacist in the State of Alaska and during all times relevant to this statement of charges.

**COUNT I**

The Respondent is charged under Iowa Code § 155A.12(8) (2001), with violating the pharmacy or drug laws of another state while under that state's jurisdiction, and 657 Iowa Administrative Code § 36.1(4)(j), with violating a statute or law of this state, another state, or the United States which relates to the practice of pharmacy or the distribution of controlled substances, prescription drugs, or non-prescription drugs.

## COUNT II

The Respondent is charged under Iowa Code § 155A.12(10) (1999) and 657 Iowa Administrative Code § 36.1(4) with having had a license to practice pharmacy issued by another state canceled, revoked, or suspended for conduct substantially equivalent to conduct described in Iowa Code subsections 155A.12(1) through (9).

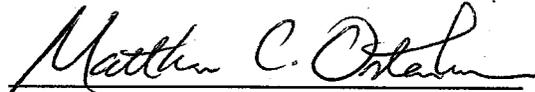
### THE CIRCUMSTANCES

1. On or about June 29, 2001, the Board office received notification from the Respondent that the State of Alaska had taken disciplinary action against Respondent's license.
2. On or about January 12, 2001, the Respondent entered into Memorandum of Agreement with the Alaska Department of Community and Economic Development, Division of Occupational Licensing that was accepted by the Alaska Board of Pharmacy. A copy of that Memorandum of Agreement is attached hereto as Exhibit 1 and incorporated herein by reference.
3. In the Memorandum of Agreement the Respondent admitted to conduct that would subject the Respondent to discipline in the State of Iowa pursuant to Iowa Code subsections 155A(1) through (9). The conduct that the Respondent admitted to is also a violation of the laws and rules of the State of Alaska relating to the practice of pharmacy and the dispensing of prescription drugs.
4. The "Memorandum of Agreement" suspended the Respondent's license to practice pharmacy in the State of Alaska for thirty days, and stayed the suspension for one year.

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 10 day of October, 2001, the Iowa Board of Pharmacy Examiners found probable cause to file this Statement of Charges and to order a hearing in this case.



Matthew C. Osterhaus, Chairperson  
Iowa Board of Pharmacy Examiners  
400 SW Eighth Street, Suite E  
Des Moines, Iowa 50309-4688

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**

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Re:

Pharmacist License of

**ALAN S. NORGAARD**

License No. 13998

Respondent

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Case No. 2001-13998

**STIPULATION  
AND  
CONSENT ORDER**

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COME NOW the Iowa Board of Pharmacy Examiners (“the Board”) and Alan S. Norgaard, R.Ph. (“Respondent”) and, pursuant to Iowa Code §§ 17A.10 and 272C.3(4) (2001), enter into the following Stipulation and Consent Order settling the contested case currently on file.

The licensee disciplinary hearing pending before the Iowa Board of Pharmacy Examiners, on the allegations specified in the Statement of Charges filed against the Respondent on October 10, 2001, shall be resolved without proceeding to hearing, as the parties have agreed to the following Stipulation and Consent Order:

1. That the Respondent was issued a license to practice pharmacy in Iowa on March 1, 1972, by examination as evidenced by Pharmacist License Number 13998, which is recorded in the permanent records of the Iowa Board of Pharmacy Examiners.
2. That Iowa Pharmacist License Number 13998, issued to and held by Respondent is active and current until June 30, 2003.

3. Respondent is not currently employed as a pharmacist.
4. A Statement of Charges was filed against Respondent on October 10, 2001.
5. That the Iowa Board of Pharmacy Examiners has jurisdiction over the parties and the subject matter herein.
6. This Stipulation and Consent Order is entered into in order to resolve disputed claims and constitutes no admission on the part of the Respondent.
7. The Respondent hereby agrees to accept a **CITATION AND WARNING** for the allegations set forth in the Statement of Charges.
8. The Respondent's license to practice pharmacy shall be suspended for a period of thirty (30) days, provided however, that the suspension is hereby stayed for a period of one year from the date the Board approves this Stipulation and Consent Order. If there are no violations of any laws, rules or regulations relating to the practice of pharmacy during the one-year period beginning on the date the Board approves this Stipulation and Consent Order, the suspension will be vacated.
9. 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 dealing with subject matter relating to prescriptive counseling and dispensing in the retail practice setting. The education shall be *not less than* fifteen (15) hours in length and shall be pre-approved by the Board. Provided, however, that the Respondent shall be given credit for any continuing education meeting this criteria that he has already completed for the Alaska Board of Pharmacy pursuant to the Memorandum of

Agreement that he entered into with the Alaska Board. 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.

8. The Respondent shall obey all federal and state laws, rules, and regulations substantially related to the practice of pharmacy.
9. Should the Respondent violate or fail to comply with any of the terms or conditions of this Stipulation and Consent Order, the Board may initiate action to revoke or suspend the Respondent's Iowa pharmacist license or to impose other licensee discipline as authorized by Iowa Code chapters 272C and 155A and 657 IAC 36.1.
10. This Stipulation and Consent Order is 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.
11. This proposed settlement 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 party. If the Board approves this Stipulation and Consent Order, it shall be the full and final resolution of this matter.
12. The Board's approval of this Stipulation and Consent Order shall constitute a **FINAL ORDER** of the Board in a disciplinary action.

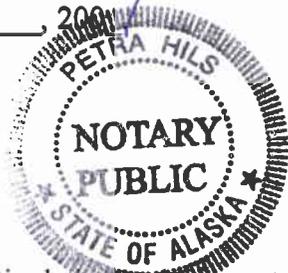
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13. This Stipulation and Consent Order is voluntarily submitted by the Respondent to the Board for its consideration on the 13 day of December, 2001

Alan S. Norgaard R.Ph.  
Alan S. Norgaard, R.Ph.  
Respondent

Subscribed and sworn to before me by Alan S. Norgaard on this 13 day of December, 2001

My Commission Expires  
January 24, 2005



Petra Hills  
NOTARY PUBLIC IN AND FOR THE  
STATE OF ~~IOWA~~ ALASKA

14. This Stipulation and Consent Order is accepted by the Iowa Board of Pharmacy Examiners on the 24 day of Jan., 2002

Matthew C. Osterhaus  
MATTHEW C. OSTERHAUS, Chairperson  
Iowa Board of Pharmacy Examiners  
400 SW Eighth Street, Suite E  
Des Moines, Iowa 50309-4688

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