

IOWA BOARD OF PHARMACY EXAMINERS

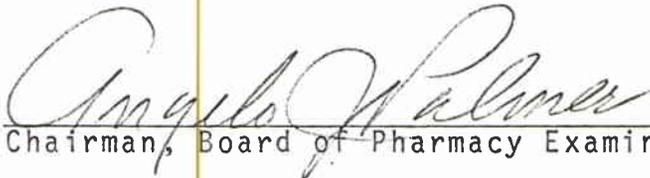
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In the Matter of the	:	ORDER
Pharmacist License of:	:	OF
MICHAEL NYDLE - N-14506	:	SUSPENSION

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In accord with the attached settlement agreement, the Iowa Board of Pharmacy Examiners finds that the pharmacist license of Michael Nydle, #N14506, should be, as is hereby ORDERED to be, suspended for a period of three (3) years beginning on September 8, 1981 and ending September 7, 1984. It is further ordered that the license shall be reissued on September 8, 1984, upon application of Mr. Nydle and the submission of evidence that the continuing education requirements referred to in the agreement have been met. Such application shall be reissued absent any new cause for not doing so. It is further ordered that upon reissuance of his license to practice pharmacy, Michael Nydle shall serve a two (2) year period of probation from September 8, 1984 until September 7, 1986.

Dated this 26 day of March

  
Chairman, Board of Pharmacy Examiners

IOWA BOARD OF PHARMACY EXAMINERS

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In the Matter of the	)	
Pharmacist License of:	)	NO.
MICHAEL NYDLE	)	
	)	SETTLEMENT AGREEMENT
	)	

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It is hereby agreed by the Licensee and the Board:

1. Michael Nydle, hereinafter Licensee, is a pharmacist licensed by the Iowa Board of Pharmacy Examiners and subject to discipline by that Board under Chapters 147, 155 and 258A, Code of Iowa 1981.

2. Licensee was at all times pertinent to this agreement the Pharmacy Director and therefor the responsible pharmacist at Davenport Osteopathic Hospital in Davenport, Iowa.

3. While Licensee did hold his position at the Osteopathic Hospital there were shortages of several drugs, including and primarily cocaine and morphine; mislabelling and substitution of drugs in stock including over 300 saccharin tablets substituted for and labeled morphine; and failures to keep proper records. The report of the investigation by the Iowa Board of Pharmacy Examiners having been read by Licensee, is made a part hereof by reference without attachment.

4. Licensee recognizes and agrees that the incidents referred to generally in Paragraph three above are violations of the state and federal laws regarding the maintenance of records on drugs identified as controlled substances, and that there is evidence by which the Board of Pharmacy could sufficiently show Licensee's neglect and failure to adequately maintain said records; further that said neglect and failure is sufficient support for disciplinary action against his license.

5. Licensee agrees that he had the responsibility for all shortages, record inadequacies, and mislabeling and that there is no reason to believe that any other pharmacist

is involved in any violations which resulted in the shortages, mislabeling or inadequate records.

6. Licensee and the Board by this agreement waive all provisions of Chapters 17A and 258A, Code of Iowa 1981, which relate to notice and hearing on the matter of licensee discipline.

7. Licensee and the Board agree that based on the allegations and the proof Licensee shall have his license to practice suspended by the Iowa Board of Pharmacy Examiners for three (3) years, the time to run from September 8, 1981, continuously for three years, and shall be on probation for a period of two (2) years, the time of probation to run continuously from the last date of suspension.

8. Licensee agrees that he will not practice the profession of pharmacy during the period of suspension.

9. Licensee agrees to comply with continuing education requirements during the period of suspension.

10. The Board agrees that at the end of the period of suspension licensee's license to practice pharmacy will be restored, absent any new grounds for not doing so. This settlement agreement waives no right to notice or hearing should the Board refuse to restore the license at the end of the period.

11. Licensee and the Board agree that the Board shall enter an order of suspension for a period of three years, and of probation for two additional years as set out in paragraph 7 above.

I enter into this agreement voluntarily and consent to all the provisions thereof.

March 17, 1982  
(Date)

  
MICHAEL NYDLE

The Board enters into this agreement upon a motion made and passed by the Iowa Board of Pharmacy Examiners at a regular session of the Board.

March 24, 1982  
(Date)

Angelo Palmer  
CHAIRMAN FOR THE BOARD  
IOWA BOARD OF PHARMACY EXAMINERS