

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

---

Re: )  
Pharmacist License of )  
**THERESA D. PETERSEN** ) **STATEMENT OF CHARGES**  
License No. 18607 )  
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 February 21, 1996, Theresa D. Petersen, the Respondent, was issued license number 18607 by the Board to engage in the practice of pharmacy, subject to the laws of the State of Iowa and the rules of the Board.
4. License number 18607 is current and active until June 30, 1999.
5. Respondent currently resides at 524 24th Street, West Des Moines, Iowa 50265.
6. Respondent is employed as a pharmacist at Walgreen Pharmacy #1908, 2843 Ingersoll Avenue, Des Moines, Iowa 50312, and has been employed there as such during all times relevant to this statement of charges.

**COUNT I**

The Respondent is charged under Iowa Code §§ 155A.12(1) (1997) and 657 Iowa Administrative Code §§ 6.1, 8.1, 8.5(4), 8.20, 9.1(4)(b), 9.1(4)(c), 9.1(4)(j), 9.1(4)(u), 9.1(4)(w), and 22.12 with failure to provide oral patient counseling and failure to provide the final verification for the accuracy, validity, completeness, and appropriateness of a filled prescription which resulted in a medication dispensing error on July 31, 1997.

## THE CIRCUMSTANCES

The Board has received investigative information which alleges the following:

1. Respondent is employed as a pharmacist at Walgreen Pharmacy #1908. She was the pharmacist on duty on July 31, 1997, when a dispensing error is alleged to have occurred at Walgreens Pharmacy #1908.

2. A dispensing error is alleged to have occurred at Walgreens Pharmacy #1908 on July 31, 1997, when the drug Paxil® was dispensed by Respondent to a patient who should have received the drug Pepcid®. It is further alleged that the patient ingested Paxil® on a regular basis until August 29, 1997. Respondent was the pharmacist on duty who failed to provide oral patient counseling and failed to provide the final verification for the accuracy, validity, completeness, and appropriateness of the filled prescription which resulted in the medication dispensing error.

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 14th day of October, 1997, the Iowa Board of Pharmacy Examiners found probable cause to file this Statement of Charges and to order a hearing in this case.



Phyllis A. Olson, Chairperson  
Iowa Board of Pharmacy Examiners  
Executive Hills West  
1209 East Court Avenue  
Des Moines, Iowa 50319

cc: Linny Emrich  
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  
**THERESA D. PETERSEN**  
License No. 18607  
Respondent

}  
}  
}  
}  
}

**STIPULATION  
AND  
CONSENT ORDER**

---

On this 3rd day of February, 1998, the Iowa Board of Pharmacy Examiners and Theresa D. Petersen, of 524 24th Street, West Des Moines, Iowa, 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 October 14, 1997, 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 21st day of February, 1996, by examination as evidenced by Pharmacist License Number 18607, which is recorded in the permanent records of the Iowa Board of Pharmacy Examiners.
2. That Iowa Pharmacist License Number 18607 issued to Respondent is active and current until June 30, 1999.
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 October 14, 1997.

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

6. Respondent's license shall be placed on probation until July 1, 2000, with the following conditions, beginning on the date this Stipulation and Consent Order is accepted by the Board:

a. Within thirty (30) days of the date of approval of this Stipulation and Consent Order by the Board, the Respondent shall submit to the Board, for its approval, a written policy and procedure for documenting, resolving, and preventing medication dispensing errors in the practice of pharmacy. The policy and procedure shall include a written protocol which describes the procedure for Respondent to follow when a dispensing error occurs. The policy and procedure shall also require that all records of Respondent's dispensing errors be consistently and periodically evaluated by the Respondent as part of a cycle of continuous quality improvement. Following review and approval by the Board, the Respondent agrees to adopt, implement, and adhere to this policy and procedure whenever engaging in the practice of pharmacy.

b. Within sixty (60) days of the date of approval of this Stipulation and Consent Order by the Board, the Respondent will provide her written policies and procedures for the following: (a) dispensing accuracy; (b) obtaining, recording, and maintaining patient information; (c) patient counseling; and (d) prospective drug use review. Following review and approval by the Board, the Respondent agrees to adopt, implement, and adhere to these policies and procedures whenever engaging in the practice of pharmacy.

c. Within one (1) year 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 medication dispensing errors. The

education shall be *not less than* six (6) hours in length and shall be pre-approved by the 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.

d. Within one (1) year 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. 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.

e. During probation, Respondent shall inform the board in writing within ten (10) days of any change of home address, place of employment, home telephone number, or work telephone number.

f. During probation, Respondent shall report to the board or its designee quarterly. Said report shall be in writing. The report shall include the Respondent's place of employment, current address, and any further information deemed necessary by the board from time to time.

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

8. Respondent shall notify all present and prospective employers of the resolution of this case and the terms, conditions, and restrictions imposed on Respondent by this document. Within thirty (30) days after approval of this Stipulation and Consent Order by the Board, and within fifteen (15) days of undertaking new employment as a pharmacist, Respondent shall cause her pharmacy employer to report to the Board in writing acknowledging that the employer has read this document and understands it.

9. Respondent may appear before the Board to request removal of the probation after one year of probation has been successfully completed and after all continuing pharmacy education or other formal, structured education required under the terms of this Stipulation and Consent Order has been satisfactorily completed and submitted to the Board.

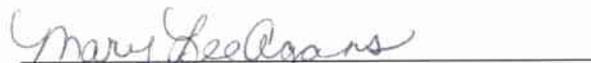
10. This proposed settlement is subject to approval of a majority of the full Board. If the Board fails to approve this proposed settlement, it shall be of no force or effect to either party. If the Board approves this Stipulation and Consent Order, it shall be the full and final resolution of this matter.

11. This Stipulation and Consent Order is voluntarily submitted by Respondent to the Board for its consideration on the 26<sup>th</sup> day of January, 1998.



Theresa D. Petersen, R.Ph.  
Respondent

Subscribed and Sworn to before me on this 26 day of January, 1998.



MARY LEE AGANS  
NOTARY PUBLIC IN AND FOR THE  
STATE OF IOWA

12. This Stipulation and Consent Order is accepted by the Iowa Board of Pharmacy Examiners on the 3rd day of February, 1998.



PHYLLIS A. OLSON, Chairperson  
Iowa Board of Pharmacy Examiners  
Executive Hills West  
1209 East Court Avenue  
Des Moines, Iowa 50319